

**As Introduced**

**126th General Assembly  
Regular Session  
2005-2006**

**H. B. No. 15**

**Representatives Hoops, Aslanides, Blessing, Bubp, Calvert, Collier, Combs,  
C. Evans, Fessler, Gibbs, Hagan, Hughes, Kearns, Latta, Law, Martin,  
McGregor, T. Patton, Reidelbach, Setzer, Schaffer, Webster, White, Widener,  
Widowfield, Willamowski, Wolpert, Allen, Barrett, Carano, DeGeeter, Distel,  
Driehaus, Hartnett, Otterman, S. Patton, Perry, Ujvagi**

—

**A BILL**

To amend sections 2929.20, 2967.01, 2967.03, 2967.12, 1  
and 2967.26 and to enact section 5120.66 of the 2  
Revised Code to require the Department of 3  
Rehabilitation and Correction to establish and 4  
operate an Internet database that contains 5  
specified offense, sentence, and release 6  
information for each inmate serving a prison term 7  
for certain designated violence-related or 8  
sex-related offenses; to grant any person a right 9  
to submit a written statement regarding certain 10  
possible releases or transfers of any such inmate; 11  
to require the judge or the Adult Parole Authority 12  
to consider any such statement prior to granting 13  
or recommending the release of or transfer for any 14  
such inmate; and to specify that these provisions 15  
are to be known as "Laura's Law." 16

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 2929.20, 2967.01, 2967.03, 2967.12, 17

and 2967.26 be amended and section 5120.66 of the Revised Code be 18  
enacted to read as follows: 19

**Sec. 2929.20.** (A) As used in this section, ~~"eligible:~~ 20

(1) "Eligible offender" means any person serving a stated 21  
prison term of ten years or less when either of the following 22  
applies: 23

~~(1)(a)~~ The stated prison term does not include a mandatory 24  
prison term. 25

~~(2)(b)~~ The stated prison term includes a mandatory prison 26  
term, and the person has served the mandatory prison term. 27

(2) "Designated violence-related or sex-related offense" has 28  
the same meaning as in section 5120.66 of the Revised Code. 29

(B) Upon the filing of a motion by the eligible offender or 30  
upon its own motion, a sentencing court may reduce the offender's 31  
stated prison term through a judicial release in accordance with 32  
this section. The court shall not reduce the stated prison term of 33  
an offender who is not an eligible offender. An eligible offender 34  
may file a motion for judicial release with the sentencing court 35  
within the following applicable period of time: 36

(1)(a) Except as otherwise provided in division (B)(1)(b) or 37  
(c) of this section, if the stated prison term was imposed for a 38  
felony of the fourth or fifth degree, the eligible offender may 39  
file the motion not earlier than thirty days or later than ninety 40  
days after the offender is delivered to a state correctional 41  
institution. 42

(b) If the stated prison term is five years and is an 43  
aggregate of stated prison terms that are being served 44  
consecutively and that were imposed for any combination of 45  
felonies of the fourth degree and felonies of the fifth degree, 46

the eligible offender may file the motion after the eligible  
offender has served four years of the stated prison term.

(c) If the stated prison term is more than five years and not  
more than ten years and is an aggregate of stated prison terms  
that are being served consecutively and that were imposed for any  
combination of felonies of the fourth degree and felonies of the  
fifth degree, the eligible offender may file the motion after the  
eligible offender has served five years of the stated prison term.

(2) Except as otherwise provided in division (B)(3) or (4) of  
this section, if the stated prison term was imposed for a felony  
of the first, second, or third degree, the eligible offender may  
file the motion not earlier than one hundred eighty days after the  
offender is delivered to a state correctional institution.

(3) If the stated prison term is five years, the eligible  
offender may file the motion after the eligible offender has  
served four years of the stated prison term.

(4) If the stated prison term is more than five years and not  
more than ten years, the eligible offender may file the motion  
after the eligible offender has served five years of the stated  
prison term.

(5) If the offender's stated prison term includes a mandatory  
prison term, the offender shall file the motion within the time  
authorized under division (B)(1), (2), (3), or (4) of this section  
for the nonmandatory portion of the prison term, but the time for  
filing the motion does not begin to run until after the expiration  
of the mandatory portion of the prison term.

(C) Upon receipt of a timely motion for judicial release  
filed by an eligible offender under division (B) of this section  
or upon the sentencing court's own motion made within the  
appropriate time period specified in that division, the court may  
schedule a hearing on the motion. The court may deny the motion

without a hearing but shall not grant the motion without a  
hearing. If a court denies a motion without a hearing, the court  
may consider a subsequent judicial release for that eligible  
offender on its own motion or a subsequent motion filed by that  
eligible offender. If a court denies a motion after a hearing, the  
court shall not consider a subsequent motion for that eligible  
offender. The court shall hold only one hearing for any eligible  
offender.

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A hearing under this section shall be conducted in open court  
within sixty days after the date on which the motion is filed,  
provided that the court may delay the hearing for a period not to  
exceed one hundred eighty additional days. If the court holds a  
hearing on the motion, the court shall enter a ruling on the  
motion within ten days after the hearing. If the court denies the  
motion without a hearing, the court shall enter its ruling on the  
motion within sixty days after the motion is filed.

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(D) If a court schedules a hearing under division (C) of this  
section, the court shall notify the eligible offender of the  
hearing. The eligible offender promptly shall give a copy of the  
notice of the hearing to the head of the state correctional  
institution in which the eligible offender is confined. Upon  
receipt of a copy of the notice of the court from the eligible  
offender, if the eligible offender is serving a prison term or  
term of imprisonment for any designated violence-related or  
sex-related offense, the head of the state correctional  
institution immediately shall notify the appropriate person at the  
department of rehabilitation and correction of the hearing, and  
the department immediately shall post on the database it maintains  
pursuant to section 5120.66 of the Revised Code the offender's  
name and all of the information specified in division (B)(1)(c)(i)  
of that section. If the court schedules a hearing for judicial  
release, the court promptly shall give notice of the hearing to

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the prosecuting attorney of the county in which the eligible 110  
offender was indicted. Upon receipt of the notice from the court, 111  
the prosecuting attorney shall notify the victim of the offense 112  
for which the stated prison term was imposed or the victim's 113  
representative, pursuant to section 2930.16 of the Revised Code, 114  
of the hearing. 115

(E) Prior to the date of the hearing on a motion for judicial 116  
release under this section, the head of the state correctional 117  
institution in which the eligible offender in question is confined 118  
shall send to the court a report on the eligible offender's 119  
conduct in the institution and in any institution from which the 120  
eligible offender may have been transferred. The report shall 121  
cover the eligible offender's participation in school, vocational 122  
training, work, treatment, and other rehabilitative activities and 123  
any disciplinary action taken against the eligible offender. The 124  
report shall be made part of the record of the hearing. 125

(F) If the court grants a hearing on a motion for judicial 126  
release under this section, the eligible offender shall attend the 127  
hearing if ordered to do so by the court. Upon receipt of a copy 128  
of the journal entry containing the order, the head of the state 129  
correctional institution in which the eligible offender is 130  
incarcerated shall deliver the eligible offender to the sheriff of 131  
the county in which the hearing is to be held. The sheriff shall 132  
convey the eligible offender to the hearing and return the 133  
offender to the institution after the hearing. 134

(G) At the hearing on a motion for judicial release under 135  
this section, the court shall afford the eligible offender and the 136  
eligible offender's attorney an opportunity to present written 137  
information relevant to the motion and shall afford the eligible 138  
offender, if present, and the eligible offender's attorney an 139  
opportunity to present oral information relevant to the motion. 140  
The court shall afford a similar opportunity to the prosecuting 141

attorney, the victim or the victim's representative, as defined in 142  
section 2930.01 of the Revised Code, and any other person the 143  
court determines is likely to present additional relevant 144  
information. The court shall consider any statement of a victim 145  
made pursuant to section 2930.14 or 2930.17 of the Revised Code, 146  
any victim impact statement prepared pursuant to section 2947.051 147  
of the Revised Code, and any report made under division (E) of 148  
this section, and, if the eligible offender is serving a prison 149  
term or term of imprisonment for any designated violence-related 150  
or sex-related offense, the court also shall consider any written 151  
statement of any person submitted to the court pursuant to 152  
division (J) of this section. After ruling on the motion, the 153  
court shall notify the victim of the ruling in accordance with 154  
sections 2930.03 and 2930.16 of the Revised Code. 155

(H)(1) A court shall not grant a judicial release under this 156  
section to an eligible offender who is imprisoned for a felony of 157  
the first or second degree, or to an eligible offender who 158  
committed an offense contained in Chapter 2925. or 3719. of the 159  
Revised Code and for whom there was a presumption under section 160  
2929.13 of the Revised Code in favor of a prison term, unless the 161  
court, with reference to factors under section 2929.12 of the 162  
Revised Code, finds both of the following: 163

(a) That a sanction other than a prison term would adequately 164  
punish the offender and protect the public from future criminal 165  
violations by the eligible offender because the applicable factors 166  
indicating a lesser likelihood of recidivism outweigh the 167  
applicable factors indicating a greater likelihood of recidivism; 168

(b) That a sanction other than a prison term would not demean 169  
the seriousness of the offense because factors indicating that the 170  
eligible offender's conduct in committing the offense was less 171  
serious than conduct normally constituting the offense outweigh 172  
factors indicating that the eligible offender's conduct was more 173

serious than conduct normally constituting the offense. 174

(2) A court that grants a judicial release to an eligible 175  
offender under division (H)(1) of this section shall specify on 176  
the record both findings required in that division and also shall 177  
list all the factors described in that division that were 178  
presented at the hearing. 179

(I) If the court grants a motion for judicial release under 180  
this section, the court shall order the release of the eligible 181  
offender, shall place the eligible offender under an appropriate 182  
community control sanction, under appropriate community control 183  
conditions, and under the supervision of the department of 184  
probation serving the court, and shall reserve the right to 185  
reimpose the sentence that it reduced pursuant to the judicial 186  
release if the offender violates the sanction. If the court 187  
reimposes the reduced sentence pursuant to this reserved right, it 188  
may do so either concurrently with, or consecutive to, any new 189  
sentence imposed upon the eligible offender as a result of the 190  
violation that is a new offense. The period of the community 191  
control sanction shall be no longer than five years. The court, in 192  
its discretion, may reduce the period of the community control 193  
sanction by the amount of time the eligible offender spent in jail 194  
for the offense and in prison. If the court made any findings 195  
pursuant to division (H)(1) of this section, the court shall serve 196  
a copy of the findings upon counsel for the parties within fifteen 197  
days after the date on which the court grants the motion for 198  
judicial release. 199

Prior to being released pursuant to a judicial release 200  
granted under this section, the eligible offender shall serve any 201  
extension of sentence that was imposed under section 2967.11 of 202  
the Revised Code. 203

(J) In addition to and independent of the right of a victim 204

to make a statement pursuant to section 2930.14, 2930.17, or 205  
2946.051 of the Revised Code and any right of a person to present 206  
written information or make a statement pursuant to division (G) 207  
of this section, if the eligible offender is serving a prison term 208  
or term of imprisonment for any designated violence-related or 209  
sex-related offense, any person may submit to the court, at any 210  
time prior to the hearing on the offender's motion for judicial 211  
release, a written statement concerning the effects of the 212  
offender's crime or crimes, the circumstances surrounding the 213  
crime or crimes, the manner in which the crime or crimes were 214  
perpetrated, and the person's opinion as to whether the offender 215  
should be released. 216

**Sec. 2967.01.** As used in this chapter: 217

(A) "State correctional institution" includes any institution 218  
or facility that is operated by the department of rehabilitation 219  
and correction and that is used for the custody, care, or 220  
treatment of criminal, delinquent, or psychologically or 221  
psychiatrically disturbed offenders. 222

(B) "Pardon" means the remission of penalty by the governor 223  
in accordance with the power vested in the governor by the 224  
constitution. 225

(C) "Commutation" or "commutation of sentence" means the 226  
substitution by the governor of a lesser for a greater punishment. 227  
A stated prison term may be commuted without the consent of the 228  
convict, except when granted upon the acceptance and performance 229  
by the convict of conditions precedent. After commutation, the 230  
commuted prison term shall be the only one in existence. The 231  
commutation may be stated in terms of commuting from a named 232  
offense to a lesser included offense with a shorter prison term, 233  
in terms of commuting from a stated prison term in months and 234  
years to a shorter prison term in months and years, or in terms of 235



commuting from any other stated prison term to a shorter prison term.	236 237
(D) "Reprieve" means the temporary suspension by the governor of the execution of a sentence or prison term. The governor may grant a reprieve without the consent of and against the will of the convict.	238 239 240 241
(E) "Parole" means, regarding a prisoner who is serving a prison term for aggravated murder or murder, who is serving a prison term of life imprisonment for rape or for felonious sexual penetration as it existed under section 2907.12 of the Revised Code prior to September 3, 1996, or who was sentenced prior to July 1, 1996, a release of the prisoner from confinement in any state correctional institution by the adult parole authority that is subject to the eligibility criteria specified in this chapter and that is under the terms and conditions, and for the period of time, prescribed by the authority in its published rules and official minutes or required by division (A) of section 2967.131 of the Revised Code or another provision of this chapter.	242 243 244 245 246 247 248 249 250 251 252 253
(F) "Head of a state correctional institution" or "head of the institution" means the resident head of the institution and the person immediately in charge of the institution, whether designated warden, superintendent, or any other name by which the head is known.	254 255 256 257 258
(G) "Convict" means a person who has been convicted of a felony under the laws of this state, whether or not actually confined in a state correctional institution, unless the person has been pardoned or has served the person's sentence or prison term.	259 260 261 262 263
(H) "Prisoner" means a person who is in actual confinement in a state correctional institution.	264 265
(I) "Parolee" means any inmate who has been released from	266

confinement on parole by order of the adult parole authority or 267  
conditionally pardoned, who is under supervision of the adult 268  
parole authority and has not been granted a final release, and who 269  
has not been declared in violation of the inmate's parole by the 270  
authority or is performing the prescribed conditions of a 271  
conditional pardon. 272

(J) "Releasee" means an inmate who has been released from 273  
confinement pursuant to section 2967.28 of the Revised Code under 274  
a period of post-release control that includes one or more 275  
post-release control sanctions. 276

(K) "Final release" means a remission by the adult parole 277  
authority of the balance of the sentence or prison term of a 278  
parolee or prisoner or the termination by the authority of a term 279  
of post-release control of a releasee. 280

(L) "Parole violator" or "release violator" means any parolee 281  
or releasee who has been declared to be in violation of the 282  
condition of parole or post-release control specified in division 283  
(A) or (B) of section 2967.131 of the Revised Code or in violation 284  
of any other term, condition, or rule of the parolee's or 285  
releasee's parole or of the parolee's or releasee's post-release 286  
control sanctions, the determination of which has been made by the 287  
adult parole authority and recorded in its official minutes. 288

(M) "Administrative release" means a termination of 289  
jurisdiction over a particular sentence or prison term by the 290  
adult parole authority for administrative convenience. 291

(N) "Post-release control" means a period of supervision by 292  
the adult parole authority after a prisoner's release from 293  
imprisonment that includes one or more post-release control 294  
sanctions imposed under section 2967.28 of the Revised Code. 295

(O) "Post-release control sanction" means a sanction that is 296  
authorized under sections 2929.16 to 2929.18 of the Revised Code 297

and that is imposed upon a prisoner upon the prisoner's release 298  
from a prison term. 299

(P) "Community control sanction," "prison term," "mandatory 300  
prison term," and "stated prison term" have the same meanings as 301  
in section 2929.01 of the Revised Code. 302

(Q) "Transitional control" means control of a prisoner under 303  
the transitional control program established by the department of 304  
rehabilitation and correction under section 2967.26 of the Revised 305  
Code, if the department establishes a program of that nature under 306  
that section. 307

(R) "Random drug testing" has the same meaning as in section 308  
5120.63 of the Revised Code. 309

(S) "Designated violence-related or sex-related offense" has 310  
the same meaning as in section 5120.66 of the Revised Code. 311

**Sec. 2967.03.** The adult parole authority may exercise its 312  
functions and duties in relation to the pardon, commutation of 313  
sentence, or reprieve of a convict upon direction of the governor 314  
or upon its own initiative. It may exercise its functions and 315  
duties in relation to the parole of a prisoner who is eligible for 316  
parole upon the initiative of the head of the institution in which 317  
the prisoner is confined or upon its own initiative. When a 318  
prisoner becomes eligible for parole, the head of the institution 319  
in which the prisoner is confined shall notify the authority in 320  
the manner prescribed by the authority. The authority may 321  
investigate and examine, or cause the investigation and 322  
examination of, prisoners confined in state correctional 323  
institutions concerning their conduct in the institutions, their 324  
mental and moral qualities and characteristics, their knowledge of 325  
a trade or profession, their former means of livelihood, their 326  
family relationships, and any other matters affecting their 327

fitness to be at liberty without being a threat to society. 328

The authority may recommend to the governor the pardon, 329  
commutation of sentence, or reprieve of any convict or prisoner or 330  
grant a parole to any prisoner for whom parole is authorized, if 331  
in its judgment there is reasonable ground to believe that 332  
granting a pardon, commutation, or reprieve to the convict or 333  
paroling the prisoner would further the interests of justice and 334  
be consistent with the welfare and security of society. However, 335  
the authority shall not recommend a pardon or commutation of 336  
sentence of, or grant a parole to, any convict or prisoner until 337  
the authority has complied with the applicable notice requirements 338  
of sections 2930.16 and 2967.12 of the Revised Code and until it 339  
has considered any statement made by a victim or a victim's 340  
representative that is relevant to the convict's or prisoner's 341  
case and that was sent to the authority pursuant to section 342  
2930.17 of the Revised Code ~~and~~, any other statement made by a 343  
victim or a victim's representative that is relevant to the 344  
convict's or prisoner's case and that was received by the 345  
authority after it provided notice of the pendency of the action 346  
under sections 2930.16 and 2967.12 of the Revised Code, and, if 347  
the convict or prisoner is serving a prison term or term of 348  
imprisonment for any designated violence-related or sex-related 349  
offense, any written statement of any person submitted to the 350  
court pursuant to division (H) of section 2967.12 of the Revised 351  
Code. If a victim or victim's representative appears at a full 352  
board hearing of the parole board and gives testimony as 353  
authorized by section 5149.101 of the Revised Code, the authority 354  
shall consider the testimony in determining whether to grant a 355  
parole. The trial judge and prosecuting attorney of the trial 356  
court in which a person was convicted shall furnish to the 357  
authority, at the request of the authority, a summarized statement 358  
of the facts proved at the trial and of all other facts having 359  
reference to the propriety of recommending a pardon or 360

commutation, or granting a parole, together with a recommendation 361  
for or against a pardon, commutation, or parole, and the reasons 362  
for the recommendation. The trial judge of the court, and the 363  
prosecuting attorney in the trial, in which a prisoner was 364  
convicted may appear at a full board hearing of the parole board 365  
and give testimony in regard to the grant of a parole to the 366  
prisoner as authorized by section 5149.101 of the Revised Code. 367  
All state and local officials shall furnish information to the 368  
authority, when so requested by it in the performance of its 369  
duties. 370

The adult parole authority shall exercise its functions and 371  
duties in relation to the release of prisoners who are serving a 372  
stated prison term in accordance with section 2967.28 of the 373  
Revised Code. 374

**Sec. 2967.12.** (A) Except as provided in division (G) of this 375  
section, at least three weeks before the adult parole authority 376  
recommends any pardon or commutation of sentence, or grants any 377  
parole, the authority shall send a notice of the pendency of the 378  
pardon, commutation, or parole, setting forth the name of the 379  
person on whose behalf it is made, the offense of which the person 380  
was convicted or to which the person pleaded guilty, the time of 381  
conviction or the guilty plea, and the term of the person's 382  
sentence, to the prosecuting attorney and the judge of the court 383  
of common pleas of the county in which the indictment against the 384  
person was found. If there is more than one judge of that court of 385  
common pleas, the authority shall send the notice to the presiding 386  
judge. If the person is serving a prison term or term of 387  
imprisonment for any designated violence-related or sex-related 388  
offense, the department of rehabilitation and correction, at the 389  
same time that it provides the notice to the prosecuting attorney 390  
and judge under this division, also shall post on the database it 391  
maintains pursuant to section 5120.66 of the Revised Code the 392

offender's name and all of the information specified in division 393  
(B)(1)(c)(iii) of that section. 394

(B) If a request for notification has been made pursuant to 395  
section 2930.16 of the Revised Code, the adult parole authority 396  
also shall give notice to the victim or the victim's 397  
representative prior to recommending any pardon or commutation of 398  
sentence for, or granting any parole to, the person. The authority 399  
shall provide the notice at the same time as the notice required 400  
by division (A) of this section and shall include in the notice 401  
the information required to be set forth in that notice. The 402  
notice also shall inform the victim or the victim's representative 403  
that the victim or representative may send a written statement 404  
relative to the victimization and the pending action to the adult 405  
parole authority and that, if the authority receives any written 406  
statement prior to recommending a pardon or commutation or 407  
granting a parole for a person, the authority will consider the 408  
statement before it recommends a pardon or commutation or grants a 409  
parole. If the person is being considered for parole, the notice 410  
shall inform the victim or the victim's representative that a full 411  
board hearing of the parole board may be held and that the victim 412  
or victim's representative may contact the office of victims' 413  
services for further information. 414

(C) When notice of the pendency of any pardon, commutation of 415  
sentence, or parole has been given to a judge or prosecutor or 416  
posted on the database as provided in division (A) of this section 417  
and a hearing on the pardon, commutation, or parole is continued 418  
to a date certain, the authority shall ~~give~~ provide notice ~~by mail~~ 419  
of the further consideration of the pardon, commutation, or parole 420  
~~to the proper judge and prosecuting attorney~~ at least ten days 421  
before the further consideration. The notice of the further 422  
consideration shall be provided to the proper judge and 423  
prosecuting attorney by mail at least ten days before the further 424

consideration, and, if the initial notice was posted on the 425  
database as provided in division (A) of this section, the notice 426  
of the further consideration shall be posted on the database at 427  
least ten days before the further consideration. When notice of 428  
the pendency of any pardon, commutation, or parole has been given 429  
as provided in division (B) of this section and the hearing on it 430  
is continued to a date certain, the authority shall give notice of 431  
the further consideration to the victim or the victim's 432  
representative in accordance with section 2930.03 of the Revised 433  
Code. 434

(D) In case of an application for the pardon or commutation 435  
of sentence of a person sentenced to capital punishment, the 436  
governor may modify the requirements of notification and 437  
publication if there is not sufficient time for compliance with 438  
the requirements before the date fixed for the execution of 439  
sentence. 440

(E) If an offender is serving a prison term imposed under 441  
division (A)(3) of section 2971.03 of the Revised Code and if the 442  
parole board terminates its control over the offender's service of 443  
that term pursuant to section 2971.04 of the Revised Code, the 444  
parole board immediately shall provide written notice of its 445  
termination of control or the transfer of control to the entities 446  
and persons specified in section 2971.04 of the Revised Code. 447

(F) The failure of the adult parole authority to comply with 448  
the notice or posting provisions of division (A), (B), or (C) of 449  
this section or the failure of the parole board to comply with the 450  
notice provisions of division (E) of this section do not give any 451  
rights or any grounds for appeal or post-conviction relief to the 452  
person serving the sentence. 453

(G) Divisions (A), (B), and (C) of this section do not apply 454  
to any release of a person that is of the type described in 455  
division (B)(2)(b) of section 5120.031 of the Revised Code. 456

(H) In addition to and independent of the right of a victim 457  
to make a statement as described in division (A) of this section 458  
or pursuant to section 2930.17 of the Revised Code or to otherwise 459  
make a statement, the authority for a judge or prosecuting 460  
attorney to furnish statements and information, make 461  
recommendations, and give testimony as described in division (A) 462  
of this section, the right of a prosecuting attorney, judge, or 463  
victim to give testimony or submit a statement at a full parole 464  
board hearing pursuant to section 5149.101 of the Revised Code, 465  
and any other right or duty of a person to present information or 466  
make a statement, if the offender is serving a prison term or term 467  
of imprisonment for any designated violence-related or sex-related 468  
offense, any person may send to the adult parole authority at any 469  
time prior to the authority's recommending a pardon or commutation 470  
or granting a parole for the offender a written statement relative 471  
to the offense and the pending action. 472

**Sec. 2967.26.** (A)(1) The department of rehabilitation and 473  
correction, by rule, may establish a transitional control program 474  
for the purpose of closely monitoring a prisoner's adjustment to 475  
community supervision during the final one hundred eighty days of 476  
the prisoner's confinement. If the department establishes a 477  
transitional control program under this division, the adult parole 478  
authority may transfer eligible prisoners to transitional control 479  
status under the program during the final one hundred eighty days 480  
of their confinement and under the terms and conditions 481  
established by the department, shall provide for the confinement 482  
as provided in this division of each eligible prisoner so 483  
transferred, and shall supervise each eligible prisoner so 484  
transferred in one or more community control sanctions. Each 485  
eligible prisoner who is transferred to transitional control 486  
status under the program shall be confined in a suitable facility 487  
that is licensed pursuant to division (C) of section 2967.14 of 488



the Revised Code, or shall be confined in a residence the 489  
department has approved for this purpose and be monitored pursuant 490  
to an electronic monitoring device, as defined in section 2929.01 491  
of the Revised Code. If the department establishes a transitional 492  
control program under this division, the rules establishing the 493  
program shall include criteria that define which prisoners are 494  
eligible for the program, criteria that must be satisfied to be 495  
approved as a residence that may be used for confinement under the 496  
program of a prisoner that is transferred to it and procedures for 497  
the department to approve residences that satisfy those criteria, 498  
and provisions of the type described in division (C) of this 499  
section. At a minimum, the criteria that define which prisoners 500  
are eligible for the program shall provide all of the following: 501

(a) That a prisoner is eligible for the program if the 502  
prisoner is serving a prison term or term of imprisonment for an 503  
offense committed prior to March 17, 1998, and if, at the time at 504  
which eligibility is being determined, the prisoner would have 505  
been eligible for a furlough under this section as it existed 506  
immediately prior to March 17, 1998, or would have been eligible 507  
for conditional release under former section 2967.23 of the 508  
Revised Code as that section existed immediately prior to March 509  
17, 1998; 510

(b) That no prisoner who is serving a mandatory prison term 511  
is eligible for the program until after expiration of the 512  
mandatory term; 513

(c) That no prisoner who is serving a prison term or term of 514  
life imprisonment without parole imposed pursuant to section 515  
2971.03 of the Revised Code is eligible for the program. 516

(2) At least three weeks prior to transferring to 517  
transitional control under this section a prisoner who is serving 518  
a term of imprisonment or prison term for an offense committed on 519  
or after July 1, 1996, the adult parole authority shall give 520

notice of the pendency of the transfer to transitional control to 521  
the court of common pleas of the county in which the indictment 522  
against the prisoner was found and of the fact that the court may 523  
disapprove the transfer of the prisoner to transitional control 524  
and shall include a report prepared by the head of the state 525  
correctional institution in which the prisoner is confined. The 526  
head of the state correctional institution in which the prisoner 527  
is confined, upon the request of the adult parole authority, shall 528  
provide to the authority for inclusion in the notice sent to the 529  
court under this division a report on the prisoner's conduct in 530  
the institution and in any institution from which the prisoner may 531  
have been transferred. The report shall cover the prisoner's 532  
participation in school, vocational training, work, treatment, and 533  
other rehabilitative activities and any disciplinary action taken 534  
against the prisoner. If the court disapproves of the transfer of 535  
the prisoner to transitional control, the court shall notify the 536  
authority of the disapproval within thirty days after receipt of 537  
the notice. If the court timely disapproves the transfer of the 538  
prisoner to transitional control, the authority shall not proceed 539  
with the transfer. If the court does not timely disapprove the 540  
transfer of the prisoner to transitional control, the authority 541  
may transfer the prisoner to transitional control. 542

(3) If the victim of an offense for which a prisoner was 543  
sentenced to a prison term or term of imprisonment has requested 544  
notification under section 2930.16 of the Revised Code and has 545  
provided the department of rehabilitation and correction with the 546  
victim's name and address, the adult parole authority, at least 547  
three weeks prior to transferring the prisoner to transitional 548  
control pursuant to this section, shall notify the victim of the 549  
pendency of the transfer and of the victim's right to submit a 550  
statement to the authority regarding the impact of the transfer of 551  
the prisoner to transitional control. If the victim subsequently 552

submits a statement of that nature to the authority, the authority shall consider the statement in deciding whether to transfer the prisoner to transitional control.

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(4) If the prisoner is serving a prison term or term of imprisonment for any designated violence-related or sex-related offense, the adult parole authority, at least three weeks prior to transferring the prisoner to transitional control pursuant to this section, shall post on the database it maintains pursuant to section 5120.66 of the Revised Code the prisoner's name and all of the information specified in division (B)(1)(c)(iv) of that section. In addition to and independent of the right of a victim to submit a statement as described in division (A)(3) of this section or to otherwise make a statement and in addition to and independent of any other right or duty of a person to present information or make a statement, if the offender is serving a prison term or term of imprisonment for any designated violence-related or sex-related offense, any person may send to the adult parole authority at any time prior to the authority's transfer of the prisoner to transitional control a written statement regarding the transfer of the prisoner to transitional control. In addition to the information, reports, and statements it considers under divisions (A)(2) and (3) of this section or that it otherwise considers, the authority shall consider each statement submitted in accordance with this division in deciding whether to transfer the prisoner to transitional control.

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(B) Each prisoner transferred to transitional control under this section shall be confined in the manner described in division (A) of this section during any period of time that the prisoner is not actually working at the prisoner's approved employment, engaged in a vocational training or another educational program, engaged in another program designated by the director, or engaged in other activities approved by the department.

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(C) The department of rehabilitation and correction shall 585  
adopt rules for transferring eligible prisoners to transitional 586  
control, supervising and confining prisoners so transferred, 587  
administering the transitional control program in accordance with 588  
this section, and using the moneys deposited into the transitional 589  
control fund established under division (E) of this section. 590

(D) The department of rehabilitation and correction may adopt 591  
rules for the issuance of passes for the limited purposes 592  
described in this division to prisoners who are transferred to 593  
transitional control under this section. If the department adopts 594  
rules of that nature, the rules shall govern the granting of the 595  
passes and shall provide for the supervision of prisoners who are 596  
temporarily released pursuant to one of those passes. Upon the 597  
adoption of rules under this division, the department may issue 598  
passes to prisoners who are transferred to transitional control 599  
status under this section in accordance with the rules and the 600  
provisions of this division. All passes issued under this division 601  
shall be for a maximum of forty-eight hours and may be issued only 602  
for the following purposes: 603

(1) To visit a relative in imminent danger of death; 604

(2) To have a private viewing of the body of a deceased 605  
relative; 606

(3) To visit with family; 607

(4) To otherwise aid in the rehabilitation of the prisoner. 608

(E) The adult parole authority may require a prisoner who is 609  
transferred to transitional control to pay to the division of 610  
parole and community services the reasonable expenses incurred by 611  
the division in supervising or confining the prisoner while under 612  
transitional control. Inability to pay those reasonable expenses 613  
shall not be grounds for refusing to transfer an otherwise 614  
eligible prisoner to transitional control. Amounts received by the 615

division of parole and community services under this division 616  
shall be deposited into the transitional control fund, which is 617  
hereby created in the state treasury and which hereby replaces and 618  
succeeds the furlough services fund that formerly existed in the 619  
state treasury. All moneys that remain in the furlough services 620  
fund on March 17, 1998, shall be transferred on that date to the 621  
transitional control fund. The transitional control fund shall be 622  
used solely to pay costs related to the operation of the 623  
transitional control program established under this section. The 624  
director of rehabilitation and correction shall adopt rules in 625  
accordance with section 111.15 of the Revised Code for the use of 626  
the fund. 627

(F) A prisoner who violates any rule established by the 628  
department of rehabilitation and correction under division (A), 629  
(C), or (D) of this section may be transferred to a state 630  
correctional institution pursuant to rules adopted under division 631  
(A), (C), or (D) of this section, but the prisoner shall receive 632  
credit towards completing the prisoner's sentence for the time 633  
spent under transitional control. 634

If a prisoner is transferred to transitional control under 635  
this section, upon successful completion of the period of 636  
transitional control, the prisoner may be released on parole or 637  
under post-release control pursuant to section 2967.13 or 2967.28 638  
of the Revised Code and rules adopted by the department of 639  
rehabilitation and correction. If the prisoner is released under 640  
post-release control, the duration of the post-release control, 641  
the type of post-release control sanctions that may be imposed, 642  
the enforcement of the sanctions, and the treatment of prisoners 643  
who violate any sanction applicable to the prisoner are governed 644  
by section 2967.28 of the Revised Code. 645

**Sec. 5120.66.** (A) As used in this section, "designated" 646

violence-related or sex-related offense" means any of the 647  
following: 648

(1) A violation of section 2903.01, 2903.02, 2903.03, 649  
2903.04, 2903.041, 2903.08, 2903.11, 2903.12, 2903.15, 2905.01, 650  
2905.02, 2907.02, 2907.03, 2907.05, 2907.07, 2907.21, 2907.22, 651  
2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, or 652  
2921.38 of the Revised Code; 653

(2) A felony violation of section 2903.06, 2903.13, 2903.21, 654  
2903.211, 2905.05, 2907.04, 2907.08, 2907.31, 2917.21, 2919.22, 655  
2919.23, 2919.25, 2919.27, or 2921.34 of the Revised Code; 656

(3) An attempt to commit or complicity in committing a 657  
violation listed in division (A)(1) or (2) of this section, if the 658  
attempt or complicity is a felony. 659

(B) Not later than ninety days after the effective date of 660  
this section, the department of rehabilitation and correction 661  
shall establish and operate on the internet a database that 662  
contains all of the following: 663

(1) For each inmate in the custody of the department under a 664  
sentence imposed for a conviction of or plea of guilty to any 665  
designated violence-related or sex-related offense, all of the 666  
following information: 667

(a) The inmate's name; 668

(b) For each designated violence-related or sex-related 669  
offense for which the inmate was sentenced to a prison term or 670  
term of imprisonment and is in the department's custody and for 671  
each other offense for which the inmate was so sentenced and is in 672  
the department's custody, the name of the offense, the Revised 673  
Code section of which the offense is a violation, the age and 674  
gender of each victim of the offense if those facts are known, the 675  
range of the possible prison terms or term of imprisonment that 676

could have been imposed for the offense, the actual prison term or 677  
term of imprisonment imposed for the offense, the county in which 678  
the offense was committed, the date on which the inmate began 679  
serving the prison term or term of imprisonment imposed for the 680  
offense, and either the date on which the inmate will be eligible 681  
for parole relative to the offense if the prison term or term of 682  
imprisonment is an indefinite term or life term or the date on 683  
which the term ends if the prison term is a definite term; 684

(c) All of the following information that is applicable 685  
regarding the inmate: 686

(i) Prior to the conduct of any hearing for judicial release 687  
of the defendant pursuant to section 2929.20 of the Revised Code 688  
in relation to any prison term or term of imprisonment the inmate 689  
is serving for any offense, notice of the fact that the inmate 690  
will be having a hearing regarding a possible grant of judicial 691  
release, of the date of the hearing, and of the right of any 692  
person pursuant to division (I) of that section to submit to the 693  
court a written statement regarding the possible judicial release; 694

(ii) If the inmate is serving a prison term pursuant to 695  
division (A)(3) of section 2971.03 of the Revised Code as a 696  
sexually violent predator who committed a sexually violent 697  
offense, prior to the conduct of any hearing pursuant to section 698  
2971.05 of the Revised Code to determine whether to modify the 699  
requirement that the inmate serve the entire prison term in a 700  
state correctional facility in accordance with division (C) of 701  
that section, whether to continue, revise, or revoke any existing 702  
modification of that requirement, or whether to terminate the 703  
prison term in accordance with division (D) of that section, 704  
notice of the fact that the inmate will be having a hearing 705  
regarding those determinations and of the date of the hearing; 706

(iii) At least three weeks before the adult parole authority 707

recommends a pardon or commutation of sentence for the inmate or 708  
at least three weeks prior to a hearing before the adult parole 709  
authority regarding a grant of parole to the inmate in relation to 710  
any prison term or term of imprisonment the inmate is serving for 711  
any offense, notice of the fact that the inmate might be under 712  
consideration for a pardon or commutation of sentence or will be 713  
having a hearing regarding a possible grant of parole, of the date 714  
of any hearing regarding a possible grant of parole, and of the 715  
right of any person to submit a written statement regarding the 716  
pending action; 717

(iv) At least three weeks before the inmate is transferred to 718  
transitional control under section 2967.26 of the Revised Code in 719  
relation to any prison term or term of imprisonment the inmate is 720  
serving for any offense, notice of the pendency of the transfer, 721  
of the date of the possible transfer, and of the right of any 722  
person to submit a statement regarding the possible transfer; 723

(v) Prompt notice of the inmate's escape from any facility in 724  
which the inmate was incarcerated and of the capture of the inmate 725  
after an escape; 726

(vi) Notice of the inmate's death while in confinement; 727

(vii) Prior to the release of the inmate from confinement, 728  
notice of the fact that the inmate will be released, of the date 729  
of the release, and, if applicable, of the terms and conditions of 730  
the release. 731

(2) Information as to where a person can send written 732  
statements of the types referred to in divisions (B)(1)(c)(i), 733  
(iii), and (iv) of this section. 734

(C)(1) The department shall update the database required 735  
under division (B) of this section as often as is necessary to 736  
ensure that the information it contains is accurate and current. 737



(2) The database required under division (B) of this section is a public record open for inspection under section 149.43 of the Revised Code. The department shall make the database searchable by inmate name, and by the county, zip code, and school district in which was committed any offense resulting in an inmate who is listed in the database being in the custody of the department.

(3) The database required under division (B) of this section may contain information regarding inmates who are listed in the database in addition to the information described in that division.

(4) No information included on the database required under division (B) of this section shall identify or enable the identification of any victim of any offense committed by an inmate.

(D) The failure of the department to comply with the requirements of division (B) or (C) of this section does not give any rights or any grounds for appeal or post-conviction relief to any inmate.

(E) This section, and the related provisions of sections 2929.20, 2967.01, 2967.03, 2967.12, and 2967.26 of the Revised Code enacted in the act in which this section was enacted, shall be known as "Laura's Law."

**Section 2.** That existing sections 2929.20, 2967.01, 2967.03, 2967.12, and 2967.26 of the Revised Code are hereby repealed.

**Section 3.** Section 2967.26 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 490 and Sub. H.B. 510 of the 124th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds

that the composite is the resulting version of the section in	768
effect prior to the effective date of the section as presented in	769
this act.	770