

**As Passed by the House**

**126th General Assembly**

**Regular Session**

**2005-2006**

**Am. Sub. 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, D. Evans, Gilb, Seitz,  
Yuko, Seaver, Healy, D. Stewart, Beatty, Boccieri, Book, Brown, Buehrer,  
Carmichael, Cassell, Chandler, Core, Daniels, Domenick, Faber, Fende,  
Garrison, Kilbane, Mason, Miller, Oelslager, Raga, Raussen, Reinhard, Sayre,  
Schlichter, Schneider, G. Smith, J. Stewart, Strahorn, Taylor, Trakas, Wagner,  
Wagoner, Williams, Mitchell**

—

**A B I L L**

To amend sections 109.42, 2929.20, 2950.10, 2950.11, 1  
2967.03, 2967.12, and 2967.26 and to enact section 2  
5120.66 of the Revised Code to require the 3  
Department of Rehabilitation and Correction to 4  
establish and operate an Internet database that 5  
contains specified offense, sentence, and release 6  
information for each inmate in the custody of the 7  
Department; to grant any person a right to submit 8  
a written statement regarding certain possible 9  
releases or transfers of any inmate; to require 10  
the Adult Parole Authority to consider any such 11  
statement prior to granting or recommending the 12  
release of or transfer for any inmate; to specify 13  
that the above provisions are to be known as 14  
"Laura's Law;" and to require that victim or 15

community notification under the SORN Law include 16  
a photograph of the registrant offender. 17

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

**Section 1.** That sections 109.42, 2929.20, 2950.10, 2950.11, 18  
2967.03, 2967.12, and 2967.26 be amended and section 5120.66 of 19  
the Revised Code be enacted to read as follows: 20

**Sec. 109.42.** (A) The attorney general shall prepare and have 21  
printed a pamphlet that contains a compilation of all statutes 22  
relative to victim's rights in which the attorney general lists 23  
and explains the statutes in the form of a victim's bill of 24  
rights. The attorney general shall distribute the pamphlet to all 25  
sheriffs, marshals, municipal corporation and township police 26  
departments, constables, and other law enforcement agencies, to 27  
all prosecuting attorneys, city directors of law, village 28  
solicitors, and other similar chief legal officers of municipal 29  
corporations, and to organizations that represent or provide 30  
services for victims of crime. The victim's bill of rights set 31  
forth in the pamphlet shall contain a description of all of the 32  
rights of victims that are provided for in Chapter 2930. or in any 33  
other section of the Revised Code and shall include, but not be 34  
limited to, all of the following: 35

(1) The right of a victim or a victim's representative to 36  
attend a proceeding before a grand jury, in a juvenile case, or in 37  
a criminal case pursuant to a subpoena without being discharged 38  
from the victim's or representative's employment, having the 39  
victim's or representative's employment terminated, having the 40  
victim's or representative's pay decreased or withheld, or 41  
otherwise being punished, penalized, or threatened as a result of 42  
time lost from regular employment because of the victim's or 43

representative's attendance at the proceeding pursuant to the 44  
subpoena, as set forth in section 2151.211, 2930.18, 2939.121, or 45  
2945.451 of the Revised Code; 46

(2) The potential availability pursuant to section 2151.359 47  
or 2152.61 of the Revised Code of a forfeited recognizance to pay 48  
damages caused by a child when the delinquency of the child or 49  
child's violation of probation or community control is found to be 50  
proximately caused by the failure of the child's parent or 51  
guardian to subject the child to reasonable parental authority or 52  
to faithfully discharge the conditions of probation or community 53  
control; 54

(3) The availability of awards of reparations pursuant to 55  
sections 2743.51 to 2743.72 of the Revised Code for injuries 56  
caused by criminal offenses; 57

(4) The right of the victim in certain criminal or juvenile 58  
cases or a victim's representative to receive, pursuant to section 59  
2930.06 of the Revised Code, notice of the date, time, and place 60  
of the trial or delinquency proceeding in the case or, if there 61  
will not be a trial or delinquency proceeding, information from 62  
the prosecutor, as defined in section 2930.01 of the Revised Code, 63  
regarding the disposition of the case; 64

(5) The right of the victim in certain criminal or juvenile 65  
cases or a victim's representative to receive, pursuant to section 66  
2930.04, 2930.05, or 2930.06 of the Revised Code, notice of the 67  
name of the person charged with the violation, the case or docket 68  
number assigned to the charge, and a telephone number or numbers 69  
that can be called to obtain information about the disposition of 70  
the case; 71

(6) The right of the victim in certain criminal or juvenile 72  
cases or of the victim's representative pursuant to section 73  
2930.13 or 2930.14 of the Revised Code, subject to any reasonable 74

terms set by the court as authorized under section 2930.14 of the Revised Code, to make a statement about the victimization and, if applicable, a statement relative to the sentencing or disposition of the offender;

(7) The opportunity to obtain a court order, pursuant to section 2945.04 of the Revised Code, to prevent or stop the commission of the offense of intimidation of a crime victim or witness or an offense against the person or property of the complainant, or of the complainant's ward or child;

(8) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to sections 2151.38, 2929.20, 2930.10, 2930.16, and 2930.17 of the Revised Code to receive notice of a pending motion for judicial release or early release of the person who committed the offense against the victim, to make an oral or written statement at the court hearing on the motion, and to be notified of the court's decision on the motion;

(9) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to section 2930.16, 2967.12, 2967.26, or 5139.56 of the Revised Code to receive notice of any pending commutation, pardon, parole, transitional control, discharge, other form of authorized release, post-release control, or supervised release for the person who committed the offense against the victim or any application for release of that person and to send a written statement relative to the victimization and the pending action to the adult parole authority or the release authority of the department of youth services;

(10) The right of the victim to bring a civil action pursuant to sections 2969.01 to 2969.06 of the Revised Code to obtain money from the offender's profit fund;

(11) The right, pursuant to section 3109.09 of the Revised

Code, to maintain a civil action to recover compensatory damages 106  
not exceeding ten thousand dollars and costs from the parent of a 107  
minor who willfully damages property through the commission of an 108  
act that would be a theft offense, as defined in section 2913.01 109  
of the Revised Code, if committed by an adult; 110

(12) The right, pursuant to section 3109.10 of the Revised 111  
Code, to maintain a civil action to recover compensatory damages 112  
not exceeding ten thousand dollars and costs from the parent of a 113  
minor who willfully and maliciously assaults a person; 114

(13) The possibility of receiving restitution from an 115  
offender or a delinquent child pursuant to section 2152.20, 116  
2929.18, or 2929.28 of the Revised Code; 117

(14) The right of the victim in certain criminal or juvenile 118  
cases or a victim's representative, pursuant to section 2930.16 of 119  
the Revised Code, to receive notice of the escape from confinement 120  
or custody of the person who committed the offense, to receive 121  
that notice from the custodial agency of the person at the 122  
victim's last address or telephone number provided to the 123  
custodial agency, and to receive notice that, if either the 124  
victim's address or telephone number changes, it is in the 125  
victim's interest to provide the new address or telephone number 126  
to the custodial agency; 127

(15) The right of a victim of domestic violence to seek the 128  
issuance of a civil protection order pursuant to section 3113.31 129  
of the Revised Code, the right of a victim of a violation of 130  
section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 131  
of the Revised Code, a violation of a substantially similar 132  
municipal ordinance, or an offense of violence who is a family or 133  
household member of the offender at the time of the offense to 134  
seek the issuance of a temporary protection order pursuant to 135  
section 2919.26 of the Revised Code, and the right of both types 136

of victims to be accompanied by a victim advocate during court proceedings; 137  
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(16) The right of a victim of a sexually oriented offense 139  
that is not a registration-exempt sexually oriented offense or of 140  
a child-victim oriented offense that is committed by a person who 141  
is convicted of or pleads guilty to an aggravated sexually 142  
oriented offense, by a person who is adjudicated a sexual predator 143  
or child-victim predator, or, in certain cases, by a person who is 144  
determined to be a habitual sex offender or habitual child-victim 145  
offender to receive, pursuant to section 2950.10 of the Revised 146  
Code, notice that the person has registered with a sheriff under 147  
section 2950.04, 2950.041, or 2950.05 of the Revised Code and 148  
notice of the person's name, the person's residence that is 149  
registered, and the offender's school, institution of higher 150  
education, or place of employment address or addresses that are 151  
registered, the person's photograph, and a summary of the manner 152  
in which the victim must make a request to receive the notice. As 153  
used in this division, "sexually oriented offense," "adjudicated a 154  
sexual predator," "habitual sex offender," "registration-exempt 155  
sexually oriented offense," "aggravated sexually oriented 156  
offense," "child-victim oriented offense," "adjudicated a 157  
child-victim predator," and "habitual child-victim offender" have 158  
the same meanings as in section 2950.01 of the Revised Code. 159

(17) The right of a victim of certain sexually violent 160  
offenses committed by an offender who also is convicted of or 161  
pleads guilty to a sexually violent predator specification and who 162  
is sentenced to a prison term pursuant to division (A)(3) of 163  
section 2971.03 of the Revised Code to receive, pursuant to 164  
section 2930.16 of the Revised Code, notice of a hearing to 165  
determine whether to modify the requirement that the offender 166  
serve the entire prison term in a state correctional facility, 167  
whether to continue, revise, or revoke any existing modification 168

of that requirement, or whether to terminate the prison term. As 169  
used in this division, "sexually violent offense" and "sexually 170  
violent predator specification" have the same meanings as in 171  
section 2971.01 of the Revised Code. 172

(B)(1)(a) Subject to division (B)(1)(c) of this section, a 173  
prosecuting attorney, assistant prosecuting attorney, city 174  
director of law, assistant city director of law, village 175  
solicitor, assistant village solicitor, or similar chief legal 176  
officer of a municipal corporation or an assistant of any of those 177  
officers who prosecutes an offense committed in this state, upon 178  
first contact with the victim of the offense, the victim's family, 179  
or the victim's dependents, shall give the victim, the victim's 180  
family, or the victim's dependents a copy of the pamphlet prepared 181  
pursuant to division (A) of this section and explain, upon 182  
request, the information in the pamphlet to the victim, the 183  
victim's family, or the victim's dependents. 184

(b) Subject to division (B)(1)(c) of this section, a law 185  
enforcement agency that investigates an offense or delinquent act 186  
committed in this state shall give the victim of the offense or 187  
delinquent act, the victim's family, or the victim's dependents a 188  
copy of the pamphlet prepared pursuant to division (A) of this 189  
section at one of the following times: 190

(i) Upon first contact with the victim, the victim's family, 191  
or the victim's dependents; 192

(ii) If the offense or delinquent act is an offense of 193  
violence, if the circumstances of the offense or delinquent act 194  
and the condition of the victim, the victim's family, or the 195  
victim's dependents indicate that the victim, the victim's family, 196  
or the victim's dependents will not be able to understand the 197  
significance of the pamphlet upon first contact with the agency, 198  
and if the agency anticipates that it will have an additional 199

contact with the victim, the victim's family, or the victim's dependents, upon the agency's second contact with the victim, the victim's family, or the victim's dependents.

If the agency does not give the victim, the victim's family, or the victim's dependents a copy of the pamphlet upon first contact with them and does not have a second contact with the victim, the victim's family, or the victim's dependents, the agency shall mail a copy of the pamphlet to the victim, the victim's family, or the victim's dependents at their last known address.

(c) In complying on and after December 9, 1994, with the duties imposed by division (B)(1)(a) or (b) of this section, an official or a law enforcement agency shall use copies of the pamphlet that are in the official's or agency's possession on December 9, 1994, until the official or agency has distributed all of those copies. After the official or agency has distributed all of those copies, the official or agency shall use only copies of the pamphlet that contain at least the information described in divisions (A)(1) to (17) of this section.

(2) The failure of a law enforcement agency or of a prosecuting attorney, assistant prosecuting attorney, city director of law, assistant city director of law, village solicitor, assistant village solicitor, or similar chief legal officer of a municipal corporation or an assistant to any of those officers to give, as required by division (B)(1) of this section, the victim of an offense or delinquent act, the victim's family, or the victim's dependents a copy of the pamphlet prepared pursuant to division (A) of this section does not give the victim, the victim's family, the victim's dependents, or a victim's representative any rights under section 2743.51 to 2743.72, 2945.04, 2967.12, 2969.01 to 2969.06, 3109.09, or 3109.10 of the Revised Code or under any other provision of the Revised Code and

does not affect any right under those sections.	232
(3) A law enforcement agency, a prosecuting attorney or	233
assistant prosecuting attorney, or a city director of law,	234
assistant city director of law, village solicitor, assistant	235
village solicitor, or similar chief legal officer of a municipal	236
corporation that distributes a copy of the pamphlet prepared	237
pursuant to division (A) of this section shall not be required to	238
distribute a copy of an information card or other printed material	239
provided by the clerk of the court of claims pursuant to section	240
2743.71 of the Revised Code.	241
(C) The cost of printing and distributing the pamphlet	242
prepared pursuant to division (A) of this section shall be paid	243
out of the reparations fund, created pursuant to section 2743.191	244
of the Revised Code, in accordance with division (D) of that	245
section.	246
(D) As used in this section:	247
(1) "Victim's representative" has the same meaning as in	248
section 2930.01 of the Revised Code;	249
(2) "Victim advocate" has the same meaning as in section	250
2919.26 of the Revised Code.	251
<b>Sec. 2929.20.</b> (A) As used in this section, "eligible	252
offender" means any person serving a stated prison term of ten	253
years or less when either of the following applies:	254
(1) The stated prison term does not include a mandatory	255
prison term.	256
(2) The stated prison term includes a mandatory prison term,	257
and the person has served the mandatory prison term.	258
(B) Upon the filing of a motion by the eligible offender or	259
upon its own motion, a sentencing court may reduce the offender's	260

stated prison term through a judicial release in accordance with 261  
this section. The court shall not reduce the stated prison term of 262  
an offender who is not an eligible offender. An eligible offender 263  
may file a motion for judicial release with the sentencing court 264  
within the following applicable period of time: 265

(1)(a) Except as otherwise provided in division (B)(1)(b) or 266  
(c) of this section, if the stated prison term was imposed for a 267  
felony of the fourth or fifth degree, the eligible offender may 268  
file the motion not earlier than thirty days or later than ninety 269  
days after the offender is delivered to a state correctional 270  
institution. 271

(b) If the stated prison term is five years and is an 272  
aggregate of stated prison terms that are being served 273  
consecutively and that were imposed for any combination of 274  
felonies of the fourth degree and felonies of the fifth degree, 275  
the eligible offender may file the motion after the eligible 276  
offender has served four years of the stated prison term. 277

(c) If the stated prison term is more than five years and not 278  
more than ten years and is an aggregate of stated prison terms 279  
that are being served consecutively and that were imposed for any 280  
combination of felonies of the fourth degree and felonies of the 281  
fifth degree, the eligible offender may file the motion after the 282  
eligible offender has served five years of the stated prison term. 283

(2) Except as otherwise provided in division (B)(3) or (4) of 284  
this section, if the stated prison term was imposed for a felony 285  
of the first, second, or third degree, the eligible offender may 286  
file the motion not earlier than one hundred eighty days after the 287  
offender is delivered to a state correctional institution. 288

(3) If the stated prison term is five years, the eligible 289  
offender may file the motion after the eligible offender has 290  
served four years of the stated prison term. 291

(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.

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.

(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~~ and shall notify the head of the state correctional institution in which the eligible offender is confined of the hearing prior to the hearing. 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 within twenty-four hours after receipt of the notice, 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 (A)(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 the prosecuting attorney of the county in which the eligible offender was indicted. Upon receipt of the notice from the court, the prosecuting attorney shall notify the victim of the offense for which the stated prison term was imposed or the victim's representative, pursuant to section 2930.16 of the Revised Code, of the hearing.

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

(F) If the court grants a hearing on a motion for judicial release under this section, the eligible offender shall attend the

hearing if ordered to do so by the court. Upon receipt of a copy 355  
of the journal entry containing the order, the head of the state 356  
correctional institution in which the eligible offender is 357  
incarcerated shall deliver the eligible offender to the sheriff of 358  
the county in which the hearing is to be held. The sheriff shall 359  
convey the eligible offender to the hearing and return the 360  
offender to the institution after the hearing. 361

(G) At the hearing on a motion for judicial release under 362  
this section, the court shall afford the eligible offender and the 363  
eligible offender's attorney an opportunity to present written 364  
information relevant to the motion and shall afford the eligible 365  
offender, if present, and the eligible offender's attorney an 366  
opportunity to present oral information relevant to the motion. 367  
The court shall afford a similar opportunity to the prosecuting 368  
attorney, the victim or the victim's representative, as defined in 369  
section 2930.01 of the Revised Code, and any other person the 370  
court determines is likely to present additional relevant 371  
information. The court shall consider any statement of a victim 372  
made pursuant to section 2930.14 or 2930.17 of the Revised Code, 373  
any victim impact statement prepared pursuant to section 2947.051 374  
of the Revised Code, and any report made under division (E) of 375  
this section. The court may consider any written statement of any 376  
person submitted to the court pursuant to division (J) of this 377  
section. After ruling on the motion, the court shall notify the 378  
victim of the ruling in accordance with sections 2930.03 and 379  
2930.16 of the Revised Code. 380

(H)(1) A court shall not grant a judicial release under this 381  
section to an eligible offender who is imprisoned for a felony of 382  
the first or second degree, or to an eligible offender who 383  
committed an offense contained in Chapter 2925. or 3719. of the 384  
Revised Code and for whom there was a presumption under section 385  
2929.13 of the Revised Code in favor of a prison term, unless the 386

court, with reference to factors under section 2929.12 of the Revised Code, finds both of the following:

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

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

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

(I) If the court grants a motion for judicial release under this section, the court shall order the release of the eligible offender, shall place the eligible offender under an appropriate community control sanction, under appropriate community control conditions, and under the supervision of the department of probation serving the court, and shall reserve the right to reimpose the sentence that it reduced pursuant to the judicial release if the offender violates the sanction. If the court reimposes the reduced sentence pursuant to this reserved right, it may do so either concurrently with, or consecutive to, any new sentence imposed upon the eligible offender as a result of the violation that is a new offense. The period of the community control sanction shall be no longer than five years. The court, in

its discretion, may reduce the period of the community control  
sanction by the amount of time the eligible offender spent in jail  
for the offense and in prison. If the court made any findings  
pursuant to division (H)(1) of this section, the court shall serve  
a copy of the findings upon counsel for the parties within fifteen  
days after the date on which the court grants the motion for  
judicial release.

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

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If the court grants a motion for judicial release, the court  
shall notify the appropriate person at the department of  
rehabilitation and correction of the judicial release, and the  
department shall post notice of the release on the database it  
maintains pursuant to section 5120.66 of the Revised Code.

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(J) In addition to and independent of the right of a victim  
to make a statement pursuant to section 2930.14, 2930.17, or  
2946.051 of the Revised Code and any right of a person to present  
written information or make a statement pursuant to division (G)  
of this section, any person may submit to the court, at any time  
prior to the hearing on the offender's motion for judicial  
release, a written statement concerning the effects of the  
offender's crime or crimes, the circumstances surrounding the  
crime or crimes, the manner in which the crime or crimes were  
perpetrated, and the person's opinion as to whether the offender  
should be released.

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**Sec. 2950.10.** (A)(1) If a person is convicted of or pleads  
guilty to, or has been convicted of or pleaded guilty to, either a  
sexually oriented offense that is not a registration-exempt  
sexually oriented offense or a child-victim oriented offense or a

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person is adjudicated a delinquent child for committing either a 449  
sexually oriented offense that is not a registration-exempt 450  
sexually oriented offense or a child-victim oriented offense and 451  
is classified a juvenile offender registrant or is an out-of-state 452  
juvenile offender registrant based on that adjudication, if the 453  
offender or delinquent child is in any category specified in 454  
division (B)(1)(a), (b), or (c) of this section, if the offender 455  
or delinquent child registers with a sheriff pursuant to section 456  
2950.04, 2950.041, or 2950.05 of the Revised Code, and if the 457  
victim of the sexually oriented offense or child-victim oriented 458  
offense has made a request in accordance with rules adopted by the 459  
attorney general that specifies that the victim would like to be 460  
provided the notices described in this section, the sheriff shall 461  
notify the victim of the sexually oriented offense or child-victim 462  
oriented offense, in writing, that the offender or delinquent 463  
child has registered and shall include in the notice the 464  
offender's name and photograph, and the address or addresses of 465  
the offender's residence, school, institution of higher education, 466  
or place of employment, as applicable, or the delinquent child's 467  
name, photograph, and residence address or addresses. The sheriff 468  
shall provide the notice required by this division to the victim 469  
at the most recent residence address available for that victim, 470  
not later than five days after the offender or delinquent child 471  
registers with the sheriff. 472

(2) If a person is convicted of or pleads guilty to, or has 473  
been convicted of or pleaded guilty to, either a sexually oriented 474  
offense that is not a registration-exempt sexually oriented 475  
offense or a child-victim oriented offense or a person is 476  
adjudicated a delinquent child for committing either a sexually 477  
oriented offense that is not a registration-exempt sexually 478  
oriented offense or a child-victim oriented offense and is 479  
classified a juvenile offender registrant or is an out-of-state 480

juvenile offender registrant based on that adjudication, if the  
offender or delinquent child is in any category specified in  
division (B)(1)(a), (b), or (c) of this section, if the offender  
or delinquent child registers with a sheriff pursuant to section  
2950.04, 2950.041, or 2950.05 of the Revised Code, if the victim  
of the sexually oriented offense or child-victim oriented offense  
has made a request in accordance with rules adopted by the  
attorney general that specifies that the victim would like to be  
provided the notices described in this section, and if the  
offender notifies the sheriff of a change of residence, school,  
institution of higher education, or place of employment address or  
the delinquent child notifies the sheriff of a change of residence  
address pursuant to section 2950.05 of the Revised Code, the  
sheriff shall notify the victim of the sexually oriented offense  
or child-victim oriented offense, in writing, that the offender's  
or delinquent child's address has changed and shall include in the  
notice the offender's name and photograph, and the new address or  
addresses of the offender's residence, school, institution of  
higher education, or place of employment, as applicable, or the  
delinquent child's name, photograph, and new residence address or  
addresses. The sheriff shall provide the notice required by this  
division to the victim at the most recent residence address  
available for that victim, no later than five days after the  
offender or delinquent child notifies the sheriff of the change in  
the offender's or delinquent child's residence, school,  
institution of higher education, or place of employment address.

(3) If a person is convicted of or pleads guilty to, or has  
been convicted of or pleaded guilty to, either a sexually oriented  
offense that is not a registration-exempt sexually oriented  
offense or a child-victim oriented offense or a person is  
adjudicated a delinquent child for committing either a sexually  
oriented offense that is not a registration-exempt sexually

oriented offense or a child-victim oriented offense and is  
classified a juvenile offender registrant or is an out-of-state  
juvenile offender registrant based on that adjudication, and if  
the offender or delinquent child is in any category specified in  
division (B)(1)(a), (b), or ~~(c)~~ of (c) of this section, the victim  
of the offense may make a request in accordance with rules adopted  
by the attorney general pursuant to section 2950.13 of the Revised  
Code that specifies that the victim would like to be provided the  
notices described in divisions (A)(1) and (2) of this section. If  
the victim makes a request in accordance with those rules, the  
sheriff described in divisions (A)(1) and (2) of this section  
shall provide the victim with the notices described in those  
divisions.

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(4) If a victim makes a request as described in division  
(A)(3) of this section that specifies that the victim would like  
to be provided the notices described in divisions (A)(1) and (2)  
of this section, all information a sheriff obtains regarding the  
victim from or as a result of the request is confidential, and the  
information is not a public record open for inspection under  
section 149.43 of the Revised Code.

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(5) The notices described in divisions (A)(1) and (2) of this  
section are in addition to any notices regarding the offender or  
delinquent child that the victim is entitled to receive under  
Chapter 2930. of the Revised Code.

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(B)(1) The duties to provide the notices described in  
divisions (A)(1) and (2) of this section apply regarding any  
offender or delinquent child who is in any of the following  
categories, if the other criteria set forth in division (A)(1) or  
(2) of this section, whichever is applicable, are satisfied:

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(a) The offender or delinquent child has been adjudicated a  
sexual predator relative to the sexually oriented offense for

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which the offender or delinquent child has the duty to register 544  
under section 2950.04 of the Revised Code or has been adjudicated 545  
a child-victim predator relative to the child-victim oriented 546  
offense for which the offender or child has the duty to register 547  
under section 2950.041 of the Revised Code, and the court has not 548  
subsequently determined pursuant to section 2152.84 or 2152.85 of 549  
the Revised Code regarding a delinquent child that the delinquent 550  
child no longer is a sexual predator or no longer is a 551  
child-victim predator, whichever is applicable. 552

(b) The offender or delinquent child has been determined 553  
pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, 554  
division (B) of section 2152.83, section 2152.84, or section 555  
2152.85 of the Revised Code to be a habitual sex offender or a 556  
habitual child-victim offender, the court has imposed a 557  
requirement under that division or section subjecting the habitual 558  
sex offender or habitual child-victim offender to this section, 559  
and the determination has not been removed pursuant to section 560  
2152.84 or 2152.85 of the Revised Code regarding a delinquent 561  
child. 562

(c) The sexually oriented offense for which the offender has 563  
the duty to register under section 2950.04 of the Revised Code is 564  
an aggravated sexually oriented offense, regardless of whether the 565  
offender has been adjudicated a sexual predator relative to the 566  
offense or has been determined to be a habitual sex offender and, 567  
if the offender has been so determined to be a habitual sex 568  
offender, regardless of whether the habitual sex offender 569  
determination has not been removed as described in division 570  
(A)(1)(b) of this section. 571

(2) A victim of a sexually oriented offense that is not a 572  
registration-exempt sexually oriented offense or of a child-victim 573  
oriented offense is not entitled to be provided any notice 574  
described in division (A)(1) or (2) of this section unless the 575

offender or delinquent child is in a category specified in 576  
division (B)(1)(a), (b), or (c) of this section. A victim of a 577  
sexually oriented offense that is not a registration-exempt 578  
sexually oriented offense or of a child-victim oriented offense is 579  
not entitled to any notice described in division (A)(1) or (2) of 580  
this section unless the victim makes a request in accordance with 581  
rules adopted by the attorney general pursuant to section 2950.13 582  
of the Revised Code that specifies that the victim would like to 583  
be provided the notices described in divisions (A)(1) and (2) of 584  
this section. This division does not affect any rights of a victim 585  
of a sexually oriented offense or child-victim oriented offense to 586  
be provided notice regarding an offender or delinquent child that 587  
are described in Chapter 2930. of the Revised Code. 588

**Sec. 2950.11.** (A) As used in this section, "specified 589  
geographical notification area" means the geographic area or areas 590  
within which the attorney general, by rule adopted under section 591  
2950.13 of the Revised Code, requires the notice described in 592  
division (B) of this section to be given to the persons identified 593  
in divisions (A)(2) to (8) of this section. If a person is 594  
convicted of or pleads guilty to, or has been convicted of or 595  
pleaded guilty to, either a sexually oriented offense that is not 596  
a registration-exempt sexually oriented offense or a child-victim 597  
oriented offense, or a person is adjudicated a delinquent child 598  
for committing either a sexually oriented offense that is not a 599  
registration-exempt sexually oriented offense or a child-victim 600  
oriented offense and is classified a juvenile offender registrant 601  
or is an out-of-state juvenile offender registrant based on that 602  
adjudication, and if the offender or delinquent child is in any 603  
category specified in division (F)(1)(a), (b), or (c) of this 604  
section, the sheriff with whom the offender or delinquent child 605  
has most recently registered under section 2950.04, 2950.041, or 606  
2950.05 of the Revised Code and the sheriff to whom the offender 607

or delinquent child most recently sent a notice of intent to 608  
reside under section 2950.04 or 2950.041 of the Revised Code, 609  
within the period of time specified in division (C) of this 610  
section, shall provide a written notice containing the information 611  
set forth in division (B) of this section to all of the persons 612  
described in divisions (A)(1) to (9) of this section. If the 613  
sheriff has sent a notice to the persons described in those 614  
divisions as a result of receiving a notice of intent to reside 615  
and if the offender or delinquent child registers a residence 616  
address that is the same residence address described in the notice 617  
of intent to reside, the sheriff is not required to send an 618  
additional notice when the offender or delinquent child registers. 619  
The sheriff shall provide the notice to all of the following 620  
persons: 621

(1)(a) Any occupant of each residential unit that is located 622  
within one thousand feet of the offender's or delinquent child's 623  
residential premises, that is located within the county served by 624  
the sheriff, and that is not located in a multi-unit building. 625  
Division (D)(3) of this section applies regarding notices required 626  
under this division. 627

(b) If the offender or delinquent child resides in a 628  
multi-unit building, any occupant of each residential unit that is 629  
located in that multi-unit building and that shares a common 630  
hallway with the offender or delinquent child. For purposes of 631  
this division, an occupant's unit shares a common hallway with the 632  
offender or delinquent child if the entrance door into the 633  
occupant's unit is located on the same floor and opens into the 634  
same hallway as the entrance door to the unit the offender or 635  
delinquent child occupies. Division (D)(3) of this section applies 636  
regarding notices required under this division. 637

(c) The building manager, or the person the building owner or 638

condominium unit owners association authorizes to exercise 639  
management and control, of each multi-unit building that is 640  
located within one thousand feet of the offender's or delinquent 641  
child's residential premises, including a multi-unit building in 642  
which the offender or delinquent child resides, and that is 643  
located within the county served by the sheriff. In addition to 644  
notifying the building manager or the person authorized to 645  
exercise management and control in the multi-unit building under 646  
this division, the sheriff shall post a copy of the notice 647  
prominently in each common entryway in the building and any other 648  
location in the building the sheriff determines appropriate. The 649  
manager or person exercising management and control of the 650  
building shall permit the sheriff to post copies of the notice 651  
under this division as the sheriff determines appropriate. In lieu 652  
of posting copies of the notice as described in this division, a 653  
sheriff may provide notice to all occupants of the multi-unit 654  
building by mail or personal contact; if the sheriff so notifies 655  
all the occupants, the sheriff is not required to post copies of 656  
the notice in the common entryways to the building. Division 657  
(D)(3) of this section applies regarding notices required under 658  
this division. 659

(d) All additional persons who are within any category of 660  
neighbors of the offender or delinquent child that the attorney 661  
general by rule adopted under section 2950.13 of the Revised Code 662  
requires to be provided the notice and who reside within the 663  
county served by the sheriff; 664

(2) The executive director of the public children services 665  
agency that has jurisdiction within the specified geographical 666  
notification area and that is located within the county served by 667  
the sheriff; 668

(3)(a) The superintendent of each board of education of a 669  
school district that has schools within the specified geographical 670

notification area and that is located within the county served by  
the sheriff; 671  
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(b) The principal of the school within the specified 673  
geographical notification area and within the county served by the 674  
sheriff that the delinquent child attends; 675

(c) If the delinquent child attends a school outside of the 676  
specified geographical notification area or outside of the school 677  
district where the delinquent child resides, the superintendent of 678  
the board of education of a school district that governs the 679  
school that the delinquent child attends and the principal of the 680  
school that the delinquent child attends. 681

(4)(a) The appointing or hiring officer of each chartered 682  
nonpublic school located within the specified geographical 683  
notification area and within the county served by the sheriff or 684  
of each other school located within the specified geographical 685  
notification area and within the county served by the sheriff and 686  
that is not operated by a board of education described in division 687  
(A)(3) of this section; 688

(b) Regardless of the location of the school, the appointing 689  
or hiring officer of a chartered nonpublic school that the 690  
delinquent child attends. 691

(5) The director, head teacher, elementary principal, or site 692  
administrator of each preschool program governed by Chapter 3301. 693  
of the Revised Code that is located within the specified 694  
geographical notification area and within the county served by the 695  
sheriff; 696

(6) The administrator of each child day-care center or type A 697  
family day-care home that is located within the specified 698  
geographical notification area and within the county served by the 699  
sheriff, and the provider of each certified type B family day-care 700  
home that is located within the specified geographical 701

notification area and within the county served by the sheriff. As 702  
used in this division, "child day-care center," "type A family 703  
day-care home," and "certified type B family day-care home" have 704  
the same meanings as in section 5104.01 of the Revised Code. 705

(7) The president or other chief administrative officer of 706  
each institution of higher education, as defined in section 707  
2907.03 of the Revised Code, that is located within the specified 708  
geographical notification area and within the county served by the 709  
sheriff, and the chief law enforcement officer of the state 710  
university law enforcement agency or campus police department 711  
established under section 3345.04 or 1713.50 of the Revised Code, 712  
if any, that serves that institution; 713

(8) The sheriff of each county that includes any portion of 714  
the specified geographical notification area; 715

(9) If the offender or delinquent child resides within the 716  
county served by the sheriff, the chief of police, marshal, or 717  
other chief law enforcement officer of the municipal corporation 718  
in which the offender or delinquent child resides or, if the 719  
offender or delinquent child resides in an unincorporated area, 720  
the constable or chief of the police department or police district 721  
police force of the township in which the offender or delinquent 722  
child resides. 723

(B) The notice required under division (A) of this section 724  
shall include all of the following information regarding the 725  
subject offender or delinquent child: 726

(1) The offender's or delinquent child's name; 727

(2) The address or addresses of the offender's residence, 728  
school, institution of higher education, or place of employment, 729  
as applicable, or the delinquent child's residence address or 730  
addresses; 731

(3) The sexually oriented offense or child-victim oriented offense of which the offender was convicted, to which the offender pleaded guilty, or for which the child was adjudicated a delinquent child;

(4) All of the following statements that are applicable:

(a) A statement that the offender has been adjudicated a sexual predator, a statement that the offender has been convicted of or pleaded guilty to an aggravated sexually oriented offense, a statement that the delinquent child has been adjudicated a sexual predator and that, as of the date of the notice, the court has not entered a determination that the delinquent child no longer is a sexual predator, or a statement that the sentencing or reviewing judge has determined that the offender or delinquent child is a habitual sex offender and that, as of the date of the notice, the determination regarding a delinquent child has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code;

(b) A statement that the offender has been adjudicated a child-victim predator, a statement that the delinquent child has been adjudicated a child-victim predator and that, as of the date of the notice, the court has not entered a determination that the delinquent child no longer is a child-victim predator, or a statement that the sentencing or reviewing judge has determined that the offender or delinquent child is a habitual child-victim offender and that, as of the date of the notice, the determination regarding a delinquent child has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code;

(5) The offender's or delinquent child's photograph.

(C) If a sheriff with whom an offender or delinquent child registers under section 2950.04, 2950.041, or 2950.05 of the Revised Code or to whom the offender or delinquent child most recently sent a notice of intent to reside under section 2950.04

or 2950.041 of the Revised Code is required by division (A) of 763  
this section to provide notices regarding an offender or 764  
delinquent child and if, pursuant to that requirement, the sheriff 765  
provides a notice to a sheriff of one or more other counties in 766  
accordance with division (A)(8) of this section, the sheriff of 767  
each of the other counties who is provided notice under division 768  
(A)(8) of this section shall provide the notices described in 769  
divisions (A)(1) to (7) and (A)(9) of this section to each person 770  
or entity identified within those divisions that is located within 771  
the specified geographical notification area and within the county 772  
served by the sheriff in question. 773

(D)(1) A sheriff required by division (A) or (C) of this 774  
section to provide notices regarding an offender or delinquent 775  
child shall provide the notice to the neighbors that are described 776  
in division (A)(1) of this section and the notices to law 777  
enforcement personnel that are described in divisions (A)(8) and 778  
(9) of this section as soon as practicable, but no later than five 779  
days after the offender sends the notice of intent to reside to 780  
the sheriff and again no later than five days after the offender 781  
or delinquent child registers with the sheriff or, if the sheriff 782  
is required by division (C) to provide the notices, no later than 783  
five days after the sheriff is provided the notice described in 784  
division (A)(8) of this section. 785

A sheriff required by division (A) or (C) of this section to 786  
provide notices regarding an offender or delinquent child shall 787  
provide the notices to all other specified persons that are 788  
described in divisions (A)(2) to (7) of this section as soon as 789  
practicable, but not later than seven days after the offender or 790  
delinquent child registers with the sheriff or, if the sheriff is 791  
required by division (C) to provide the notices, no later than 792  
five days after the sheriff is provided the notice described in 793  
division (A)(8) of this section. 794

(2) If an offender or delinquent child in relation to whom 795  
division (A) of this section applies verifies the offender's or 796  
delinquent child's current residence, school, institution of 797  
higher education, or place of employment address, as applicable, 798  
with a sheriff pursuant to section 2950.06 of the Revised Code, 799  
the sheriff may provide a written notice containing the 800  
information set forth in division (B) of this section to the 801  
persons identified in divisions (A)(1) to (9) of this section. If 802  
a sheriff provides a notice pursuant to this division to the 803  
sheriff of one or more other counties in accordance with division 804  
(A)(8) of this section, the sheriff of each of the other counties 805  
who is provided the notice under division (A)(8) of this section 806  
may provide, but is not required to provide, a written notice 807  
containing the information set forth in division (B) of this 808  
section to the persons identified in divisions (A)(1) to (7) and 809  
(A)(9) of this section. 810

(3) A sheriff may provide notice under division (A)(1)(a) or 811  
(b) of this section, and may provide notice under division 812  
(A)(1)(c) of this section to a building manager or person 813  
authorized to exercise management and control of a building, by 814  
mail, by personal contact, or by leaving the notice at or under 815  
the entry door to a residential unit. For purposes of divisions 816  
(A)(1)(a) and (b) of this section, and the portion of division 817  
(A)(1)(c) of this section relating to the provision of notice to 818  
occupants of a multi-unit building by mail or personal contact, 819  
the provision of one written notice per unit is deemed as 820  
providing notice to all occupants of that unit. 821

(E) All information that a sheriff possesses regarding a 822  
sexual predator, a habitual sex offender, a child-victim predator, 823  
or a habitual child-victim offender that is described in division 824  
(B) of this section and that must be provided in a notice required 825  
under division (A) or (C) of this section or that may be provided 826

in a notice authorized under division (D)(2) of this section is a public record that is open to inspection under section 149.43 of the Revised Code. 827  
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The sheriff shall not cause to be publicly disseminated by means of the internet any of the information described in this division that is provided by a sexual predator, habitual sex offender, child-victim predator, or habitual child-victim offender who is a juvenile offender registrant, except when the act that is the basis of the child's classification as a juvenile offender registrant is a violation of, or an attempt to commit a violation of, section 2903.01, 2903.02, or 2905.01 of the Revised Code that was committed with a purpose to gratify the sexual needs or desires of the child, a violation of section 2907.02 of the Revised Code, or an attempt to commit a violation of that section. 830  
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(F)(1) The duties to provide the notices described in divisions (A) and (C) of this section apply regarding any offender or delinquent child who is in any of the following categories, if the other criteria set forth in division (A) or (C) of this section, whichever is applicable, are satisfied: 841  
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(a) The offender or delinquent child has been adjudicated a sexual predator relative to the sexually oriented offense for which the offender or delinquent child has the duty to register under section 2950.04 of the Revised Code or has been adjudicated a child-victim predator relative to the child-victim oriented offense for which the offender or child has the duty to register under section 2950.041 of the Revised Code, and the court has not subsequently determined pursuant to section 2152.84 or 2152.85 of the Revised Code regarding a delinquent child that the delinquent child no longer is a sexual predator or no longer is a child-victim predator, whichever is applicable. 846  
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(b) The offender or delinquent child has been determined 857

pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, 858  
division (B) of section 2152.83, section 2152.84, or section 859  
2152.85 of the Revised Code to be a habitual sex offender or a 860  
habitual child-victim offender, the court has imposed a 861  
requirement under that division or section subjecting the habitual 862  
sex offender or habitual child-victim offender to this section, 863  
and the determination has not been removed pursuant to section 864  
2152.84 or 2152.85 of the Revised Code regarding a delinquent 865  
child. 866

(c) The sexually oriented offense for which the offender has 867  
the duty to register under section 2950.04 of the Revised Code is 868  
an aggravated sexually oriented offense, regardless of whether the 869  
offender has been adjudicated a sexual predator relative to the 870  
offense or has been determined to be a habitual sex offender. 871

(2) The notification provisions of this section do not apply 872  
regarding a person who is convicted of or pleads guilty to, has 873  
been convicted of or pleaded guilty to, or is adjudicated a 874  
delinquent child for committing, a sexually oriented offense or a 875  
child-victim oriented offense, who is not in the category 876  
specified in either division (F)(1)(a) or (c) of this section, and 877  
who is determined pursuant to division (C)(2) or (E) of section 878  
2950.09 or 2950.091, division (B) of section 2152.83, section 879  
2152.84, or section 2152.85 of the Revised Code to be a habitual 880  
sex offender or habitual child-victim offender unless the 881  
sentencing or reviewing court imposes a requirement in the 882  
offender's sentence and in the judgment of conviction that 883  
contains the sentence or in the delinquent child's adjudication, 884  
or imposes a requirement as described in division (C)(2) of 885  
section 2950.09 or 2950.091 of the Revised Code, that subjects the 886  
offender or the delinquent child to the provisions of this 887  
section. 888

(G) The department of job and family services shall compile, 889

maintain, and update in January and July of each year, a list of  
all agencies, centers, or homes of a type described in division  
(A)(2) or (6) of this section that contains the name of each  
agency, center, or home of that type, the county in which it is  
located, its address and telephone number, and the name of an  
administrative officer or employee of the agency, center, or home.  
The department of education shall compile, maintain, and update in  
January and July of each year, a list of all boards of education,  
schools, or programs of a type described in division (A)(3), (4),  
or (5) of this section that contains the name of each board of  
education, school, or program of that type, the county in which it  
is located, its address and telephone number, the name of the  
superintendent of the board or of an administrative officer or  
employee of the school or program, and, in relation to a board of  
education, the county or counties in which each of its schools is  
located and the address of each such school. The Ohio board of  
regents shall compile, maintain, and update in January and July of  
each year, a list of all institutions of a type described in  
division (A)(7) of this section that contains the name of each  
such institution, the county in which it is located, its address  
and telephone number, and the name of its president or other chief  
administrative officer. A sheriff required by division (A) or (C)  
of this section, or authorized by division (D)(2) of this section,  
to provide notices regarding an offender or delinquent child, or a  
designee of a sheriff of that type, may request the department of  
job and family services, department of education, or Ohio board of  
regents, by telephone, in person, or by mail, to provide the  
sheriff or designee with the names, addresses, and telephone  
numbers of the appropriate persons and entities to whom the  
notices described in divisions (A)(2) to (7) of this section are  
to be provided. Upon receipt of a request, the department or board  
shall provide the requesting sheriff or designee with the names,  
addresses, and telephone numbers of the appropriate persons and

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entities to whom those notices are to be provided.

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(H)(1) Upon the motion of the offender or the prosecuting attorney of the county in which the offender was convicted of or pleaded guilty to the sexually oriented offense or child-victim oriented offense for which the offender is subject to community notification under this section, or upon the motion of the sentencing judge or that judge's successor in office, the judge may schedule a hearing to determine whether the interests of justice would be served by suspending the community notification requirement under this section in relation to the offender. The judge may dismiss the motion without a hearing but may not issue an order suspending the community notification requirement without a hearing. At the hearing, all parties are entitled to be heard, and the judge shall consider all of the factors set forth in division (B)(3) of section 2950.09 of the Revised Code. If, at the conclusion of the hearing, the judge finds that the offender has proven by clear and convincing evidence that the offender is unlikely to commit in the future a sexually oriented offense or a child-victim oriented offense and if the judge finds that suspending the community notification requirement is in the interests of justice, the judge may suspend the application of this section in relation to the offender. The order shall contain both of these findings.

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The judge promptly shall serve a copy of the order upon the sheriff with whom the offender most recently registered under section 2950.04, 2950.041, or 2950.05 of the Revised Code and upon the bureau of criminal identification and investigation.

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An order suspending the community notification requirement does not suspend or otherwise alter an offender's duties to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code and does not suspend the victim notification requirement under section 2950.10 of the Revised Code.

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(2) A prosecuting attorney, a sentencing judge or that judge's successor in office, and an offender who is subject to the community notification requirement under this section may initially make a motion under division (H)(1) of this section upon the expiration of twenty years after the offender's duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code begins in relation to the offense for which the offender is subject to community notification. After the initial making of a motion under division (H)(1) of this section, thereafter, the prosecutor, judge, and offender may make a subsequent motion under that division upon the expiration of five years after the judge has entered an order denying the initial motion or the most recent motion made under that division.

(3) The offender and the prosecuting attorney have the right to appeal an order approving or denying a motion made under division (H)(1) of this section.

(4) Division (H) of this section does not apply to any of the following types of offender:

(a) A person who is convicted of or pleads guilty to a violent sex offense or designated homicide, assault, or kidnapping offense and who, in relation to that offense, is adjudicated a sexually violent predator;

(b) A habitual sex offender or habitual child-victim oriented offender who is subject to community notification who, subsequent to being subjected to community notification, has pleaded guilty to or been convicted of a sexually oriented offense or a child-victim oriented offense;

(c) A sexual predator or child-victim predator who is not adjudicated a sexually violent predator who, subsequent to being subjected to community notification, has pleaded guilty to or been convicted of a sexually oriented offense or child-victim oriented

offense.

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**Sec. 2967.03.** The adult parole authority may exercise its 987  
functions and duties in relation to the pardon, commutation of 988  
sentence, or reprieve of a convict upon direction of the governor 989  
or upon its own initiative. It may exercise its functions and 990  
duties in relation to the parole of a prisoner who is eligible for 991  
parole upon the initiative of the head of the institution in which 992  
the prisoner is confined or upon its own initiative. When a 993  
prisoner becomes eligible for parole, the head of the institution 994  
in which the prisoner is confined shall notify the authority in 995  
the manner prescribed by the authority. The authority may 996  
investigate and examine, or cause the investigation and 997  
examination of, prisoners confined in state correctional 998  
institutions concerning their conduct in the institutions, their 999  
mental and moral qualities and characteristics, their knowledge of 1000  
a trade or profession, their former means of livelihood, their 1001  
family relationships, and any other matters affecting their 1002  
fitness to be at liberty without being a threat to society. 1003

The authority may recommend to the governor the pardon, 1004  
commutation of sentence, or reprieve of any convict or prisoner or 1005  
grant a parole to any prisoner for whom parole is authorized, if 1006  
in its judgment there is reasonable ground to believe that 1007  
granting a pardon, commutation, or reprieve to the convict or 1008  
paroling the prisoner would further the interests of justice and 1009  
be consistent with the welfare and security of society. However, 1010  
the authority shall not recommend a pardon or commutation of 1011  
sentence of, or grant a parole to, any convict or prisoner until 1012  
the authority has complied with the applicable notice requirements 1013  
of sections 2930.16 and 2967.12 of the Revised Code and until it 1014  
has considered any statement made by a victim or a victim's 1015  
representative that is relevant to the convict's or prisoner's 1016

case and that was sent to the authority pursuant to section 1017  
2930.17 of the Revised Code and, any other statement made by a 1018  
victim or a victim's representative that is relevant to the 1019  
convict's or prisoner's case and that was received by the 1020  
authority after it provided notice of the pendency of the action 1021  
under sections 2930.16 and 2967.12 of the Revised Code, and any 1022  
written statement of any person submitted to the court pursuant to 1023  
division (H) of section 2967.12 of the Revised Code. If a victim, 1024  
victim's representative, or the victim's spouse, parent, sibling, 1025  
or child appears at a full board hearing of the parole board and 1026  
gives testimony as authorized by section 5149.101 of the Revised 1027  
Code, the authority shall consider the testimony in determining 1028  
whether to grant a parole. The trial judge and prosecuting 1029  
attorney of the trial court in which a person was convicted shall 1030  
furnish to the authority, at the request of the authority, a 1031  
summarized statement of the facts proved at the trial and of all 1032  
other facts having reference to the propriety of recommending a 1033  
pardon or commutation, or granting a parole, together with a 1034  
recommendation for or against a pardon, commutation, or parole, 1035  
and the reasons for the recommendation. The trial judge, the 1036  
prosecuting attorney, specified law enforcement agency members, 1037  
and a representative of the prisoner may appear at a full board 1038  
hearing of the parole board and give testimony in regard to the 1039  
grant of a parole to the prisoner as authorized by section 1040  
5149.101 of the Revised Code. All state and local officials shall 1041  
furnish information to the authority, when so requested by it in 1042  
the performance of its duties. 1043

The adult parole authority shall exercise its functions and 1044  
duties in relation to the release of prisoners who are serving a 1045  
stated prison term in accordance with section 2967.28 of the 1046  
Revised Code. 1047

Sec. 2967.12. (A) Except as provided in division (G) of this 1048  
section, at least three weeks before the adult parole authority 1049  
recommends any pardon or commutation of sentence, or grants any 1050  
parole, the authority shall send a notice of the pendency of the 1051  
pardon, commutation, or parole, setting forth the name of the 1052  
person on whose behalf it is made, the offense of which the person 1053  
was convicted or to which the person pleaded guilty, the time of 1054  
conviction or the guilty plea, and the term of the person's 1055  
sentence, to the prosecuting attorney and the judge of the court 1056  
of common pleas of the county in which the indictment against the 1057  
person was found. If there is more than one judge of that court of 1058  
common pleas, the authority shall send the notice to the presiding 1059  
judge. The department of rehabilitation and correction, at the 1060  
same time that it provides the notice to the prosecuting attorney 1061  
and judge under this division, also shall post on the database it 1062  
maintains pursuant to section 5120.66 of the Revised Code the 1063  
offender's name and all of the information specified in division 1064  
(A)(1)(c)(iii) of that section. 1065

(B) If a request for notification has been made pursuant to 1066  
section 2930.16 of the Revised Code, the adult parole authority 1067  
also shall give notice to the victim or the victim's 1068  
representative prior to recommending any pardon or commutation of 1069  
sentence for, or granting any parole to, the person. The authority 1070  
shall provide the notice at the same time as the notice required 1071  
by division (A) of this section and shall include in the notice 1072  
the information required to be set forth in that notice. The 1073  
notice also shall inform the victim or the victim's representative 1074  
that the victim or representative may send a written statement 1075  
relative to the victimization and the pending action to the adult 1076  
parole authority and that, if the authority receives any written 1077  
statement prior to recommending a pardon or commutation or 1078  
granting a parole for a person, the authority will consider the 1079

statement before it recommends a pardon or commutation or grants a  
parole. If the person is being considered for parole, the notice  
shall inform the victim or the victim's representative that a full  
board hearing of the parole board may be held and that the victim  
or victim's representative may contact the office of victims'  
services for further information. If the person being considered  
for parole was convicted of or pleaded guilty to violating section  
2903.01 or 2903.02 of the Revised Code, the notice shall inform  
the victim of that offense, the victim's representative, or a  
member of the victim's immediate family that the victim, the  
victim's representative, and the victim's immediate family have  
the right to give testimony at a full board hearing of the parole  
board and that the victim or victim's representative may contact  
the office of victims' services for further information. As used  
in this division, "the victim's immediate family" means the  
mother, father, spouse, sibling, or child of the victim.

(C) When notice of the pendency of any pardon, commutation of  
sentence, or parole has been given to a judge or prosecutor or  
posted on the database as provided in division (A) of this section  
and a hearing on the pardon, commutation, or parole is continued  
to a date certain, the authority shall ~~give~~ provide notice ~~by mail~~  
of the further consideration of the pardon, commutation, or parole  
~~to the proper judge and prosecuting attorney~~ at least ten days  
before the further consideration. The notice of the further  
consideration shall be provided to the proper judge and  
prosecuting attorney by mail at least ten days before the further  
consideration, and, if the initial notice was posted on the  
database as provided in division (A) of this section, the notice  
of the further consideration shall be posted on the database at  
least ten days before the further consideration. When notice of  
the pendency of any pardon, commutation, or parole has been given  
as provided in division (B) of this section and the hearing on it

is continued to a date certain, the authority shall give notice of 1112  
the further consideration to the victim or the victim's 1113  
representative in accordance with section 2930.03 of the Revised 1114  
Code. 1115

(D) In case of an application for the pardon or commutation 1116  
of sentence of a person sentenced to capital punishment, the 1117  
governor may modify the requirements of notification and 1118  
publication if there is not sufficient time for compliance with 1119  
the requirements before the date fixed for the execution of 1120  
sentence. 1121

(E) If an offender is serving a prison term imposed under 1122  
division (A)(3) of section 2971.03 of the Revised Code and if the 1123  
parole board terminates its control over the offender's service of 1124  
that term pursuant to section 2971.04 of the Revised Code, the 1125  
parole board immediately shall provide written notice of its 1126  
termination of control or the transfer of control to the entities 1127  
and persons specified in section 2971.04 of the Revised Code. 1128

(F) The failure of the adult parole authority to comply with 1129  
the notice or posting provisions of division (A), (B), or (C) of 1130  
this section or the failure of the parole board to comply with the 1131  
notice provisions of division (E) of this section do not give any 1132  
rights or any grounds for appeal or post-conviction relief to the 1133  
person serving the sentence. 1134

(G) Divisions (A), (B), and (C) of this section do not apply 1135  
to any release of a person that is of the type described in 1136  
division (B)(2)(b) of section 5120.031 of the Revised Code. 1137

(H) In addition to and independent of the right of a victim 1138  
to make a statement as described in division (A) of this section 1139  
or pursuant to section 2930.17 of the Revised Code or to otherwise 1140  
make a statement, the authority for a judge or prosecuting 1141  
attorney to furnish statements and information, make 1142

recommendations, and give testimony as described in division (A) 1143  
of this section, the right of a prosecuting attorney, judge, or 1144  
victim to give testimony or submit a statement at a full parole 1145  
board hearing pursuant to section 5149.101 of the Revised Code, 1146  
and any other right or duty of a person to present information or 1147  
make a statement, any person may send to the adult parole 1148  
authority at any time prior to the authority's recommending a 1149  
pardon or commutation or granting a parole for the offender a 1150  
written statement relative to the offense and the pending action. 1151

**Sec. 2967.26.** (A)(1) The department of rehabilitation and 1152  
correction, by rule, may establish a transitional control program 1153  
for the purpose of closely monitoring a prisoner's adjustment to 1154  
community supervision during the final one hundred eighty days of 1155  
the prisoner's confinement. If the department establishes a 1156  
transitional control program under this division, the adult parole 1157  
authority may transfer eligible prisoners to transitional control 1158  
status under the program during the final one hundred eighty days 1159  
of their confinement and under the terms and conditions 1160  
established by the department, shall provide for the confinement 1161  
as provided in this division of each eligible prisoner so 1162  
transferred, and shall supervise each eligible prisoner so 1163  
transferred in one or more community control sanctions. Each 1164  
eligible prisoner who is transferred to transitional control 1165  
status under the program shall be confined in a suitable facility 1166  
that is licensed pursuant to division (C) of section 2967.14 of 1167  
the Revised Code, or shall be confined in a residence the 1168  
department has approved for this purpose and be monitored pursuant 1169  
to an electronic monitoring device, as defined in section 2929.01 1170  
of the Revised Code. If the department establishes a transitional 1171  
control program under this division, the rules establishing the 1172  
program shall include criteria that define which prisoners are 1173  
eligible for the program, criteria that must be satisfied to be 1174

approved as a residence that may be used for confinement under the 1175  
program of a prisoner that is transferred to it and procedures for 1176  
the department to approve residences that satisfy those criteria, 1177  
and provisions of the type described in division (C) of this 1178  
section. At a minimum, the criteria that define which prisoners 1179  
are eligible for the program shall provide all of the following: 1180

(a) That a prisoner is eligible for the program if the 1181  
prisoner is serving a prison term or term of imprisonment for an 1182  
offense committed prior to March 17, 1998, and if, at the time at 1183  
which eligibility is being determined, the prisoner would have 1184  
been eligible for a furlough under this section as it existed 1185  
immediately prior to March 17, 1998, or would have been eligible 1186  
for conditional release under former section 2967.23 of the 1187  
Revised Code as that section existed immediately prior to March 1188  
17, 1998; 1189

(b) That no prisoner who is serving a mandatory prison term 1190  
is eligible for the program until after expiration of the 1191  
mandatory term; 1192

(c) That no prisoner who is serving a prison term or term of 1193  
life imprisonment without parole imposed pursuant to section 1194  
2971.03 of the Revised Code is eligible for the program. 1195

(2) At least three weeks prior to transferring to 1196  
transitional control under this section a prisoner who is serving 1197  
a term of imprisonment or prison term for an offense committed on 1198  
or after July 1, 1996, the adult parole authority shall give 1199  
notice of the pendency of the transfer to transitional control to 1200  
the court of common pleas of the county in which the indictment 1201  
against the prisoner was found and of the fact that the court may 1202  
disapprove the transfer of the prisoner to transitional control 1203  
and shall include a report prepared by the head of the state 1204  
correctional institution in which the prisoner is confined. The 1205  
head of the state correctional institution in which the prisoner 1206

is confined, upon the request of the adult parole authority, shall  
provide to the authority for inclusion in the notice sent to the  
court under this division a report on the prisoner's conduct in  
the institution and in any institution from which the prisoner may  
have been transferred. The report shall cover the prisoner's  
participation in school, vocational training, work, treatment, and  
other rehabilitative activities and any disciplinary action taken  
against the prisoner. If the court disapproves of the transfer of  
the prisoner to transitional control, the court shall notify the  
authority of the disapproval within thirty days after receipt of  
the notice. If the court timely disapproves the transfer of the  
prisoner to transitional control, the authority shall not proceed  
with the transfer. If the court does not timely disapprove the  
transfer of the prisoner to transitional control, the authority  
may transfer the prisoner to transitional control.

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

(4) The department of rehabilitation and correction, at least  
three weeks prior to a hearing to transfer 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 1239  
division (A)(1)(c)(iv) of that section. In addition to and 1240  
independent of the right of a victim to submit a statement as 1241  
described in division (A)(3) of this section or to otherwise make 1242  
a statement and in addition to and independent of any other right 1243  
or duty of a person to present information or make a statement, 1244  
any person may send to the adult parole authority at any time 1245  
prior to the authority's transfer of the prisoner to transitional 1246  
control a written statement regarding the transfer of the prisoner 1247  
to transitional control. In addition to the information, reports, 1248  
and statements it considers under divisions (A)(2) and (3) of this 1249  
section or that it otherwise considers, the authority shall 1250  
consider each statement submitted in accordance with this division 1251  
in deciding whether to transfer the prisoner to transitional 1252  
control. 1253

(B) Each prisoner transferred to transitional control under 1254  
this section shall be confined in the manner described in division 1255  
(A) of this section during any period of time that the prisoner is 1256  
not actually working at the prisoner's approved employment, 1257  
engaged in a vocational training or another educational program, 1258  
engaged in another program designated by the director, or engaged 1259  
in other activities approved by the department. 1260

(C) The department of rehabilitation and correction shall 1261  
adopt rules for transferring eligible prisoners to transitional 1262  
control, supervising and confining prisoners so transferred, 1263  
administering the transitional control program in accordance with 1264  
this section, and using the moneys deposited into the transitional 1265  
control fund established under division (E) of this section. 1266

(D) The department of rehabilitation and correction may adopt 1267  
rules for the issuance of passes for the limited purposes 1268  
described in this division to prisoners who are transferred to 1269  
transitional control under this section. If the department adopts 1270

rules of that nature, the rules shall govern the granting of the passes and shall provide for the supervision of prisoners who are temporarily released pursuant to one of those passes. Upon the adoption of rules under this division, the department may issue passes to prisoners who are transferred to transitional control status under this section in accordance with the rules and the provisions of this division. All passes issued under this division shall be for a maximum of forty-eight hours and may be issued only for the following purposes:

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

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

(3) To visit with family;

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

(E) The adult parole authority may require a prisoner who is transferred to transitional control to pay to the division of parole and community services the reasonable expenses incurred by the division in supervising or confining the prisoner while under transitional control. Inability to pay those reasonable expenses shall not be grounds for refusing to transfer an otherwise eligible prisoner to transitional control. Amounts received by the division of parole and community services under this division shall be deposited into the transitional control fund, which is hereby created in the state treasury and which hereby replaces and succeeds the furlough services fund that formerly existed in the state treasury. All moneys that remain in the furlough services fund on March 17, 1998, shall be transferred on that date to the transitional control fund. The transitional control fund shall be used solely to pay costs related to the operation of the transitional control program established under this section. The director of rehabilitation and correction shall adopt rules in

accordance with section 111.15 of the Revised Code for the use of  
the fund.

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

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

Sec. 5120.66. (A) Within ninety days after the effective date  
of this section but not before January 1, 2006, the department of  
rehabilitation and correction shall establish and operate on the  
internet a database that contains all of the following:

(1) For each inmate in the custody of the department under a  
sentence imposed for a conviction of or plea of guilty to any  
offense, all of the following information:

(a) The inmate's name;

(b) For each offense for which the inmate was sentenced to a

prison term or term of imprisonment and is in the department's 1332  
custody, the name of the offense, the Revised Code section of 1333  
which the offense is a violation, the gender of each victim of the 1334  
offense if those facts are known, whether each victim of the 1335  
offense was an adult or child if those facts are known, the range 1336  
of the possible prison terms or term of imprisonment that could 1337  
have been imposed for the offense, the actual prison term or term 1338  
of imprisonment imposed for the offense, the county in which the 1339  
offense was committed, the date on which the inmate began serving 1340  
the prison term or term of imprisonment imposed for the offense, 1341  
and either the date on which the inmate will be eligible for 1342  
parole relative to the offense if the prison term or term of 1343  
imprisonment is an indefinite term or life term or the date on 1344  
which the term ends if the prison term is a definite term; 1345

(c) All of the following information that is applicable 1346  
regarding the inmate: 1347

(i) If known to the department prior to the conduct of any 1348  
hearing for judicial release of the defendant pursuant to section 1349  
2929.20 of the Revised Code in relation to any prison term or term 1350  
of imprisonment the inmate is serving for any offense, notice of 1351  
the fact that the inmate will be having a hearing regarding a 1352  
possible grant of judicial release, the date of the hearing, and 1353  
the right of any person pursuant to division (J) of that section 1354  
to submit to the court a written statement regarding the possible 1355  
judicial release; 1356

(ii) If the inmate is serving a prison term pursuant to 1357  
division (A)(3) of section 2971.03 of the Revised Code as a 1358  
sexually violent predator who committed a sexually violent 1359  
offense, prior to the conduct of any hearing pursuant to section 1360  
2971.05 of the Revised Code to determine whether to modify the 1361  
requirement that the inmate serve the entire prison term in a 1362  
state correctional facility in accordance with division (C) of 1363

that section, whether to continue, revise, or revoke any existing 1364  
modification of that requirement, or whether to terminate the 1365  
prison term in accordance with division (D) of that section, 1366  
notice of the fact that the inmate will be having a hearing 1367  
regarding those determinations and of the date of the hearing; 1368

(iii) At least three weeks before the adult parole authority 1369  
recommends a pardon or commutation of sentence for the inmate or 1370  
at least three weeks prior to a hearing before the adult parole 1371  
authority regarding a grant of parole to the inmate in relation to 1372  
any prison term or term of imprisonment the inmate is serving for 1373  
any offense, notice of the fact that the inmate might be under 1374  
consideration for a pardon or commutation of sentence or will be 1375  
having a hearing regarding a possible grant of parole, of the date 1376  
of any hearing regarding a possible grant of parole, and of the 1377  
right of any person to submit a written statement regarding the 1378  
pending action; 1379

(iv) At least three weeks before the inmate has a hearing 1380  
regarding a transfer to transitional control under section 2967.26 1381  
of the Revised Code in relation to any prison term or term of 1382  
imprisonment the inmate is serving for any offense, notice of the 1383  
pendency of the transfer, of the date of the possible transfer, 1384  
and of the right of any person to submit a statement regarding the 1385  
possible transfer; 1386

(v) Prompt notice of the inmate's escape from any facility in 1387  
which the inmate was incarcerated and of the capture of the inmate 1388  
after an escape; 1389

(vi) Notice of the inmate's death while in confinement; 1390

(vii) Prior to the release of the inmate from confinement, 1391  
notice of the fact that the inmate will be released, of the date 1392  
of the release, and, if applicable, of the standard terms and 1393  
conditions of the release; 1394

<u>(viii) Notice of the inmate's judicial release.</u>	1395
<u>(2) Information as to where a person can send written statements of the types referred to in divisions (A)(1)(c)(i), (iii), and (iv) of this section.</u>	1396 1397 1398
<u>(B)(1) The department shall update the database required under division (A) of this section every twenty-four hours to ensure that the information it contains is accurate and current.</u>	1399 1400 1401
<u>(2) The database required under division (A) 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 and zip code where the offender intends to reside after release from a state correctional institution if this information is known to the department.</u>	1402 1403 1404 1405 1406 1407
<u>(3) The database required under division (A) of this section may contain information regarding inmates who are listed in the database in addition to the information described in that division.</u>	1408 1409 1410 1411
<u>(4) No information included on the database required under division (A) of this section shall identify or enable the identification of any victim of any offense committed by an inmate.</u>	1412 1413 1414 1415
<u>(C) The failure of the department to comply with the requirements of division (A) or (B) of this section does not give any rights or any grounds for appeal or post-conviction relief to any inmate.</u>	1416 1417 1418 1419
<u>(D) This section, and the related provisions of sections 2929.20, 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."</u>	1420 1421 1422 1423
<b>Section 2.</b> That existing sections 109.42, 2929.20, 2950.10,	1424

2950.11, 2967.03, 2967.12, and 2967.26 of the Revised Code are 1425  
hereby repealed. 1426

**Section 3.** Section 2967.26 of the Revised Code is presented 1427  
in this act as a composite of the section as amended by both Am. 1428  
Sub. H.B. 490 and Sub. H.B. 510 of the 124th General Assembly. The 1429  
General Assembly, applying the principle stated in division (B) of 1430  
section 1.52 of the Revised Code that amendments are to be 1431  
harmonized if reasonably capable of simultaneous operation, finds 1432  
that the composite is the resulting version of the section in 1433  
effect prior to the effective date of the section as presented in 1434  
this act. 1435