

As Introduced

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

H. B. No. 29

**Representatives Raussen, D. Evans, Distel, Aslanides, Allen, Raga, Driehaus,
Trakas, Barrett, Daniels, Carano, McGregor, Reidelbach, Willamowski,
Hartnett, Martin, Brinkman, Kearns, C. Evans**

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A B I L L

To amend section 2919.251 of the Revised Code to 1
require a court to consider certain factors before 2
setting bail for a person if the person is charged 3
with an offense of violence involving a victim who 4
is a family or household member and to require the 5
person to appear before the court before the court 6
sets bail for that person. 7

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

Section 1. That section 2919.251 of the Revised Code be 8
amended to read as follows: 9

Sec. 2919.251. (A) If a person is charged with the commission 10
of any offense of violence, and if the alleged victim of the 11
offense charged was a family or household member at the time of 12
the offense, ~~and if the person charged, at the time of the alleged~~ 13
~~offense, was subject to the terms of a protection order issued or~~ 14
~~consent agreement approved pursuant to section 2919.26 or 3113.31~~ 15
~~of the Revised Code or previously was convicted of or pleaded~~ 16
~~guilty to a violation of section 2919.25 of the Revised Code or a~~ 17
~~violation of section 2919.27 of the Revised Code involving a~~ 18

~~protection order or consent agreement of that type, a violation of 19
an existing or former municipal ordinance or law of this or any 20
other state or the United States that is substantially similar to 21
either section, a violation of section 2909.06, 2909.07, 2911.12, 22
or 2911.211 of the Revised Code if the victim of the violation was 23
a family or household member at the time of the violation a 24
violation of an existing or former municipal ordinance or law of 25
this or any other state or the United States that is substantially 26
similar to any of those sections if the victim of the violation 27
was a family or household member at the time of the commission of 28
the violation, or any offense of violence if the victim of the 29
offense was a family or household member at the time of the 30
offense, the person shall appear before the court for the setting 31
of bail, and the court shall consider all of the following, in 32
addition to any other circumstances considered by the court and 33
notwithstanding any provisions to the contrary contained in 34
Criminal Rule 46, before setting bail for the person: 35~~

(1) Whether the person has a history of domestic violence or 36
a history of other violent acts; 37

(2) The mental health of the person; 38

(3) Whether the person has a history of violating the orders 39
of any court or governmental entity; 40

(4) Whether the person is potentially a threat to any other 41
person; 42

(5) Whether setting bail at a high level will interfere with 43
any treatment or counseling that the person or the family of the 44
person is undergoing. 45

(B) Any court that has jurisdiction over charges alleging the 46
commission of an offense of violence in circumstances in which the 47
alleged victim of the offense was a family or household member at 48
the time of the offense, may set a schedule for bail to be used in 49

cases involving those offenses. The schedule shall require that a 50
judge consider all of the factors listed in division (A) of this 51
section and may require judges to set bail at a certain level if 52
the history of the alleged offender or the circumstances of the 53
alleged offense meet certain criteria in the schedule. 54

Section 2. That existing section 2919.251 of the Revised Code 55
is hereby repealed. 56