

As Passed by the Senate

**126th General Assembly
Regular Session
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Sub. S. B. No. 137

**Senators Goodman, Padgett, Clancy, Cates, Gardner, Jacobson, Dann,
Stivers, Zurz, Kearney, Hottinger, Fedor, Spada**

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A B I L L

To amend section 2151.99 of the Revised Code to 1
increase the penalty for a failure to make a 2
mandatory report of abuse or neglect of a child 3
from a misdemeanor of the fourth degree to a 4
misdemeanor of the first degree if the child who 5
is the subject of the report that is not made 6
suffers or faces the threat of suffering the 7
wound, injury, disability, or condition that would 8
be the basis of the report when the child is under 9
either the direct care or supervision of the 10
offender acting in the offender's official or 11
professional capacity or the direct care or 12
supervision of another person over whom the 13
offender has supervisory control. 14

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

Section 1. That section 2151.99 of the Revised Code be 15
amended to read as follows: 16

Sec. 2151.99. (A) Whoever violates division (D)(2) or (3) of 17
section 2151.313 or division ~~(A)(1)~~ (H)(2) of section 2151.421 18
of the Revised Code is guilty of a misdemeanor of the fourth 19

degree. 20

(B) Whoever violates division (D)(1) of section 2151.313 of 21
the Revised Code is guilty of a minor misdemeanor. 22

(C) Whoever violates division (A)(1) of section 2151.421 of 23
the Revised Code shall be punished as follows: 24

(1) Except as otherwise provided in division (C)(2) of this 25
section, the offender is guilty of a misdemeanor of the fourth 26
degree. 27

(2) The offender is guilty of a misdemeanor of the first 28
degree if the child who is the subject of the required report that 29
the offender fails to make suffers or faces the threat of 30
suffering the physical or mental wound, injury, disability, or 31
condition that would be the basis of the required report when the 32
child is under the direct care or supervision of the offender who 33
is then acting in the offender's official or professional capacity 34
or when the child is under the direct care or supervision of 35
another person over whom the offender while acting in the 36
offender's official or professional capacity has supervisory 37
control. 38

Section 2. That existing section 2151.99 of the Revised Code 39
is hereby repealed. 40