

As Reported by the House Juvenile and Family Law Committee

127th General Assembly

Regular Session

2007-2008

Sub. H. B. No. 111

Representative Collier

Cosponsors: Representatives Patton, McGregor, J.

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A B I L L

To amend section 2151.03 of the Revised Code to 1
expand the definition of neglected child to 2
include a child whose parent, guardian, or 3
custodian knowingly allows certain sexually 4
oriented offenders or child-victim offenders to 5
reside in the same residence as that child. 6

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

Section 1. That section 2151.03 of the Revised Code be 7
amended to read as follows: 8

Sec. 2151.03. (A) As used in this chapter, "neglected child" 9
includes any child: 10

(1) Who is abandoned by the child's parents, guardian, or 11
custodian; 12

(2) Who lacks adequate parental care because of the faults or 13
habits of the child's parents, guardian, or custodian; 14

(3) Whose parents, guardian, or custodian neglects the child 15
or refuses to provide proper or necessary subsistence, education, 16
medical or surgical care or treatment, or other care necessary for 17
the child's health, morals, or well being; 18

(4) Whose parents, guardian, or custodian neglects the child 19
or refuses to provide the special care made necessary by the 20
child's mental condition; 21

(5) Whose parents, legal guardian, or custodian ~~have~~ has 22
placed or attempted to place the child in violation of sections 23
5103.16 and 5103.17 of the Revised Code; 24

(6) Who, because of the omission of the child's parents, 25
guardian, or custodian, suffers physical or mental injury that 26
harms or threatens to harm the child's health or welfare; 27

(7) Who is subjected to out-of-home care child neglect; 28

(8) Whose parents, guardian, or custodian knowingly allows 29
any of the following persons to reside in the same residence as 30
the child: 31

(a) A person who is a habitual sex offender, sexual predator, 32
habitual child-victim offender, or child-victim predator, as 33
defined in section 2950.01 of the Revised Code, and who is not a 34
juvenile; 35

(b) A person who was convicted of or pleaded guilty to an 36
aggravated sexually oriented offense, as defined in section 37
2950.01 of the Revised Code, and who is not a juvenile; 38

(c) A person who has been convicted of or has pleaded guilty 39
to a sexually oriented or child-victim oriented offense, as 40
defined in section 2950.01 of the Revised Code, who is not 41
described in division (A)(8)(a) or (A)(8)(b) of this section, and 42
who is not a juvenile, but who is subject to one of the following 43
imposed for that offense: 44

(i) A jail or prison term; 45

(ii) A community control sanction, as defined in section 46
2929.01 of the Revised Code, other than one imposed under section 47
2929.18 or 2929.28 of the Revised Code; 48

<u>(iii) A period of post-release control;</u>	49
<u>(iv) A community control sanction imposed after a judicial release;</u>	50 51
<u>(v) Parole or another type of early release from confinement.</u>	52
(B) Nothing in this chapter shall be construed as subjecting a parent, guardian, or custodian of a child to criminal liability when, solely in the practice of religious beliefs, the parent, guardian, or custodian fails to provide adequate medical or surgical care or treatment for the child. This division does not abrogate or limit any person's responsibility under section 2151.421 of the Revised Code to report child abuse that is known or reasonably suspected or believed to have occurred, child neglect that is known or reasonably suspected or believed to have occurred, and children who are known to face or are reasonably suspected or believed to be facing a threat of suffering abuse or neglect and does not preclude any exercise of the authority of the state, any political subdivision, or any court to ensure that medical or surgical care or treatment is provided to a child when the child's health requires the provision of medical or surgical care or treatment.	53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68
Section 2. That existing section 2151.03 of the Revised Code is hereby repealed.	69 70