

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 418**

**Representatives Combs, Williams, B.**

**Cosponsors: Representatives Evans, Lundy, Setzer, Fende, DeBose,  
Domenick, Brown, Yuko, Stebelton, Hughes, Harwood, Heard**

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**A B I L L**

To amend sections 959.99, 2152.19, 2903.213, 1  
2903.214, 2919.26, 3113.31, 4732.141, and 4757.33 2  
and to enact section 4731.284 of the Revised Code 3  
to revise the penalties and sentencing provisions 4  
regarding violations of the cruelty to animals 5  
statutes and to include the protection of 6  
companion animals in temporary protection orders, 7  
domestic violence protection orders, anti-stalking 8  
protection orders, and related protection orders, 9  
and to amend the version of section 2152.19 of the 10  
Revised Code that is scheduled to take effect on 11  
January 1, 2008, to continue the provisions of 12  
this act on and after that effective date. 13  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 959.99, 2152.19, 2903.213, 2903.214, 15  
2919.26, 3113.31, 4732.141, and 4757.33 be amended and section 16  
4731.284 of the Revised Code be enacted to read as follows: 17

**Sec. 959.99.** (A) Whoever violates section 959.18 or 959.19 of 18

the Revised Code is guilty of a minor misdemeanor. 19

(B) Except as otherwise provided in this division, whoever 20  
violates section 959.02 of the Revised Code is guilty of a 21  
misdemeanor of the second degree. If the value of the animal 22  
killed or the injury done amounts to three hundred dollars or 23  
more, whoever violates section 959.02 of the Revised Code is 24  
guilty of a misdemeanor of the first degree. 25

(C) Whoever violates section 959.03, 959.06, 959.12, 959.15, 26  
or 959.17 of the Revised Code is guilty of a misdemeanor of the 27  
fourth degree. 28

(D) Whoever violates division (A) of section 959.13 of the 29  
Revised Code is guilty of a misdemeanor of the second degree on a 30  
first offense and a misdemeanor of the first degree on each 31  
subsequent offense. In addition, the court may order the offender 32  
to forfeit the animal or livestock and may provide for its 33  
disposition, including, but not limited to, the sale of the animal 34  
or livestock. If an animal or livestock is forfeited and sold 35  
pursuant to this division, the proceeds from the sale first shall 36  
be applied to pay the expenses incurred with regard to the care of 37  
the animal from the time it was taken from the custody of the 38  
former owner. The balance of the proceeds from the sale, if any, 39  
shall be paid to the former owner of the animal. 40

(E)(1)(a) Whoever violates division (B) of section 959.131 of 41  
the Revised Code is guilty of a misdemeanor of the first degree on 42  
a first offense and a felony of the fifth degree on each 43  
subsequent offense. In addition to any other sanction imposed for 44  
a felony violation of division (B) of section 959.131 of the 45  
Revised Code, a court shall impose a term of basic probation 46  
supervision or a term of intensive probation supervision. 47

(b) As used in division (E)(1)(a) of this section, "basic 48  
probation supervision" and "intensive probation supervision" have 49

the same meanings as in section 2929.01 of the Revised Code. 50

(2) Whoever violates section 959.01 of the Revised Code or 51  
division (C) of section 959.131 of the Revised Code is guilty of a 52  
misdemeanor of the second degree on a first offense and a 53  
misdemeanor of the first degree on each subsequent offense. 54

(3)(a) A court may order a person who is convicted of or 55  
pleads guilty to a violation of section 959.131 of the Revised 56  
Code to forfeit to an impounding agency, as defined in section 57  
959.132 of the Revised Code, any or all of the companion animals 58  
in that person's ownership or care. The court also may prohibit or 59  
place limitations on the person's ability to own or care for any 60  
companion animals for a specified or indefinite period of time. 61

(b) A court may order a person who is convicted of or pleads 62  
guilty to a violation of section 959.131 of the Revised Code to 63  
reimburse an impounding agency for the reasonably necessary costs 64  
incurred by the agency for the care of a companion animal that the 65  
agency impounded as a result of the investigation or prosecution 66  
of the violation, provided that the costs were not otherwise paid 67  
under section 959.132 of the Revised Code. 68

(4) ~~If (a)~~ Except as otherwise provided in division (E)(4)(b) 69  
of this section, if a court has reason to believe that a person 70  
who is convicted of or pleads guilty to a violation of section 71  
959.131 of the Revised Code suffers from a mental or emotional 72  
disorder that contributed to the violation, the court may impose 73  
as a community control sanction or as a condition of probation a 74  
requirement that the offender undergo psychological evaluation or 75  
counseling. The court shall order the offender to pay the costs of 76  
the evaluation or counseling. 77

(b) The court shall require a child under eighteen years of 78  
age who is adjudicated a delinquent child under Chapter 2152. of 79  
the Revised Code for a violation of division (B) of section 80

959.131 of the Revised Code to undergo psychological evaluation 81  
and counseling in accordance with division (F) of section 2152.19 82  
of the Revised Code. 83

(F) Whoever violates section 959.14 of the Revised Code is 84  
guilty of a misdemeanor of the second degree on a first offense 85  
and a misdemeanor of the first degree on each subsequent offense. 86

(G) Whoever violates section 959.05 or 959.20 of the Revised 87  
Code is guilty of a misdemeanor of the first degree. 88

(H) Whoever violates section 959.16 of the Revised Code is 89  
guilty of a felony of the fourth degree ~~for~~ on a first offense and 90  
a felony of the third degree on each subsequent offense. 91

**Sec. 2152.19.** (A) If a child is adjudicated a delinquent 92  
child, the court may make any of the following orders of 93  
disposition, in addition to any other disposition authorized or 94  
required by this chapter: 95

(1) Any order that is authorized by section 2151.353 of the 96  
Revised Code for the care and protection of an abused, neglected, 97  
or dependent child; 98

(2) Commit the child to the temporary custody of any school, 99  
camp, institution, or other facility operated for the care of 100  
delinquent children by the county, by a district organized under 101  
section ~~2152.41 or~~ 2151.65 or 2152.41 of the Revised Code, or by a 102  
private agency or organization, within or without the state, that 103  
is authorized and qualified to provide the care, treatment, or 104  
placement required, including, but not limited to, a school, camp, 105  
or facility operated under section 2151.65 of the Revised Code; 106

(3) Place the child in a detention facility or district 107  
detention facility operated under section 2152.41 of the Revised 108  
Code, for up to ninety days; 109

(4) Place the child on community control under any sanctions, 110

services, and conditions that the court prescribes. As a condition 111  
of community control in every case and in addition to any other 112  
condition that it imposes upon the child, the court shall require 113  
the child to abide by the law during the period of community 114  
control. As referred to in this division, community control 115  
includes, but is not limited to, the following sanctions and 116  
conditions: 117

(a) A period of basic probation supervision in which the 118  
child is required to maintain contact with a person appointed to 119  
supervise the child in accordance with sanctions imposed by the 120  
court; 121

(b) A period of intensive probation supervision in which the 122  
child is required to maintain frequent contact with a person 123  
appointed by the court to supervise the child while the child is 124  
seeking or maintaining employment and participating in training, 125  
education, and treatment programs as the order of disposition; 126

(c) A period of day reporting in which the child is required 127  
each day to report to and leave a center or another approved 128  
reporting location at specified times in order to participate in 129  
work, education or training, treatment, and other approved 130  
programs at the center or outside the center; 131

(d) A period of community service of up to five hundred hours 132  
for an act that would be a felony or a misdemeanor of the first 133  
degree if committed by an adult, up to two hundred hours for an 134  
act that would be a misdemeanor of the second, third, or fourth 135  
degree if committed by an adult, or up to thirty hours for an act 136  
that would be a minor misdemeanor if committed by an adult; 137

(e) A requirement that the child obtain a high school 138  
diploma, a certificate of high school equivalence, vocational 139  
training, or employment; 140

(f) A period of drug and alcohol use monitoring; 141

(g) A requirement of alcohol or drug assessment or 142  
counseling, or a period in an alcohol or drug treatment program 143  
with a level of security for the child as determined necessary by 144  
the court; 145

(h) A period in which the court orders the child to observe a 146  
curfew that may involve daytime or evening hours; 147

(i) A requirement that the child serve monitored time; 148

(j) A period of house arrest without electronic monitoring or 149  
continuous alcohol monitoring; 150

(k) A period of electronic monitoring or continuous alcohol 151  
monitoring without house arrest, or house arrest with electronic 152  
monitoring or continuous alcohol monitoring or both electronic 153  
monitoring and continuous alcohol monitoring, that does not exceed 154  
the maximum sentence of imprisonment that could be imposed upon an 155  
adult who commits the same act. 156

A period of house arrest with electronic monitoring or 157  
continuous alcohol monitoring or both electronic monitoring and 158  
continuous alcohol monitoring, imposed under this division shall 159  
not extend beyond the child's twenty-first birthday. If a court 160  
imposes a period of house arrest with electronic monitoring or 161  
continuous alcohol monitoring or both electronic monitoring and 162  
continuous alcohol monitoring, upon a child under this division, 163  
it shall require the child: to remain in the child's home or other 164  
specified premises for the entire period of house arrest with 165  
electronic monitoring or continuous alcohol monitoring or both 166  
except when the court permits the child to leave those premises to 167  
go to school or to other specified premises. Regarding electronic 168  
monitoring, the court also shall require the child to be monitored 169  
by a central system that can determine the child's location at 170  
designated times; to report periodically to a person designated by 171  
the court; and to enter into a written contract with the court 172

agreeing to comply with all requirements imposed by the court, 173  
agreeing to pay any fee imposed by the court for the costs of the 174  
house arrest with electronic monitoring, and agreeing to waive the 175  
right to receive credit for any time served on house arrest with 176  
electronic monitoring toward the period of any other dispositional 177  
order imposed upon the child if the child violates any of the 178  
requirements of the dispositional order of house arrest with 179  
electronic monitoring. The court also may impose other reasonable 180  
requirements upon the child. 181

Unless ordered by the court, a child shall not receive credit 182  
for any time served on house arrest with electronic monitoring or 183  
continuous alcohol monitoring or both toward any other 184  
dispositional order imposed upon the child for the act for which 185  
was imposed the dispositional order of house arrest with 186  
electronic monitoring or continuous alcohol monitoring. As used in 187  
this division and division (A)(4)~~(i)~~(j) of this section, 188  
"continuous alcohol monitoring" has the same meaning as in section 189  
2929.01 of the Revised Code. 190

(1) A suspension of the driver's license, probationary 191  
driver's license, or temporary instruction permit issued to the 192  
child for a period of time prescribed by the court, or a 193  
suspension of the registration of all motor vehicles registered in 194  
the name of the child for a period of time prescribed by the 195  
court. A child whose license or permit is so suspended is 196  
ineligible for issuance of a license or permit during the period 197  
of suspension. At the end of the period of suspension, the child 198  
shall not be reissued a license or permit until the child has paid 199  
any applicable reinstatement fee and complied with all 200  
requirements governing license reinstatement. 201

(5) Commit the child to the custody of the court; 202

(6) Require the child to not be absent without legitimate 203  
excuse from the public school the child is supposed to attend for 204

five or more consecutive days, seven or more school days in one 205  
school month, or twelve or more school days in a school year; 206

(7)(a) If a child is adjudicated a delinquent child for being 207  
a chronic truant or a habitual truant who previously has been 208  
adjudicated an unruly child for being a habitual truant, do either 209  
or both of the following: 210

(i) Require the child to participate in a truancy prevention 211  
mediation program; 212

(ii) Make any order of disposition as authorized by this 213  
section, except that the court shall not commit the child to a 214  
facility described in division (A)(2) or (3) of this section 215  
unless the court determines that the child violated a lawful court 216  
order made pursuant to division (C)(1)(e) of section 2151.354 of 217  
the Revised Code or division (A)(6) of this section. 218

(b) If a child is adjudicated a delinquent child for being a 219  
chronic truant or a habitual truant who previously has been 220  
adjudicated an unruly child for being a habitual truant and the 221  
court determines that the parent, guardian, or other person having 222  
care of the child has failed to cause the child's attendance at 223  
school in violation of section 3321.38 of the Revised Code, do 224  
either or both of the following: 225

(i) Require the parent, guardian, or other person having care 226  
of the child to participate in a truancy prevention mediation 227  
program; 228

(ii) Require the parent, guardian, or other person having 229  
care of the child to participate in any community service program, 230  
preferably a community service program that requires the 231  
involvement of the parent, guardian, or other person having care 232  
of the child in the school attended by the child. 233

(8) Make any further disposition that the court finds proper, 234  
except that the child shall not be placed in any of the following: 235



(a) A state correctional institution, a county, multicounty, 236  
or municipal jail or workhouse, or another place in which an adult 237  
convicted of a crime, under arrest, or charged with a crime is 238  
held; 239

(b) A community corrections facility, if the child would be 240  
covered by the definition of public safety beds for purposes of 241  
sections 5139.41 to 5139.43 of the Revised Code if the court 242  
exercised its authority to commit the child to the legal custody 243  
of the department of youth services for institutionalization or 244  
institutionalization in a secure facility pursuant to this 245  
chapter. 246

(B) If a child is adjudicated a delinquent child, in addition 247  
to any order of disposition made under division (A) of this 248  
section, the court, in the following situations and for the 249  
specified periods of time, shall suspend the child's temporary 250  
instruction permit, restricted license, probationary driver's 251  
license, or nonresident operating privilege, or suspend the 252  
child's ability to obtain such a permit: 253

(1) If the child is adjudicated a delinquent child for 254  
violating section 2923.122 of the Revised Code, impose a class 255  
four suspension of the child's license, permit, or privilege from 256  
the range specified in division (A)(4) of section 4510.02 of the 257  
Revised Code or deny the child the issuance of a license or permit 258  
in accordance with division (F)(1) of section 2923.122 of the 259  
Revised Code. 260

(2) If the child is adjudicated a delinquent child for 261  
committing an act that if committed by an adult would be a drug 262  
abuse offense or for violating division (B) of section 2917.11 of 263  
the Revised Code, suspend the child's license, permit, or 264  
privilege for a period of time prescribed by the court. The court, 265  
in its discretion, may terminate the suspension if the child 266  
attends and satisfactorily completes a drug abuse or alcohol abuse 267

education, intervention, or treatment program specified by the 268  
court. During the time the child is attending a program described 269  
in this division, the court shall retain the child's temporary 270  
instruction permit, probationary driver's license, or driver's 271  
license, and the court shall return the permit or license if it 272  
terminates the suspension as described in this division. 273

(C) The court may establish a victim-offender mediation 274  
program in which victims and their offenders meet to discuss the 275  
offense and suggest possible restitution. If the court obtains the 276  
assent of the victim of the delinquent act committed by the child, 277  
the court may require the child to participate in the program. 278

(D)(1) If a child is adjudicated a delinquent child for 279  
committing an act that would be a felony if committed by an adult 280  
and if the child caused, attempted to cause, threatened to cause, 281  
or created a risk of physical harm to the victim of the act, the 282  
court, prior to issuing an order of disposition under this 283  
section, shall order the preparation of a victim impact statement 284  
by the probation department of the county in which the victim of 285  
the act resides, by the court's own probation department, or by a 286  
victim assistance program that is operated by the state, a county, 287  
a municipal corporation, or another governmental entity. The court 288  
shall consider the victim impact statement in determining the 289  
order of disposition to issue for the child. 290

(2) Each victim impact statement shall identify the victim of 291  
the act for which the child was adjudicated a delinquent child, 292  
itemize any economic loss suffered by the victim as a result of 293  
the act, identify any physical injury suffered by the victim as a 294  
result of the act and the seriousness and permanence of the 295  
injury, identify any change in the victim's personal welfare or 296  
familial relationships as a result of the act and any 297  
psychological impact experienced by the victim or the victim's 298  
family as a result of the act, and contain any other information 299

related to the impact of the act upon the victim that the court 300  
requires. 301

(3) A victim impact statement shall be kept confidential and 302  
is not a public record. However, the court may furnish copies of 303  
the statement to the department of youth services if the 304  
delinquent child is committed to the department or to both the 305  
adjudicated delinquent child or the adjudicated delinquent child's 306  
counsel and the prosecuting attorney. The copy of a victim impact 307  
statement furnished by the court to the department pursuant to 308  
this section shall be kept confidential and is not a public 309  
record. If an officer is preparing pursuant to section 2947.06 or 310  
2951.03 of the Revised Code or Criminal Rule 32.2a presentence 311  
investigation report pertaining to a person, the court shall make 312  
available to the officer, for use in preparing the report, a copy 313  
of any victim impact statement regarding that person. The copies 314  
of a victim impact statement that are made available to the 315  
adjudicated delinquent child or the adjudicated delinquent child's 316  
counsel and the prosecuting attorney pursuant to this division 317  
shall be returned to the court by the person to whom they were 318  
made available immediately following the imposition of an order of 319  
disposition for the child under this chapter. 320

The copy of a victim impact statement that is made available 321  
pursuant to this division to an officer preparing a criminal 322  
presentence investigation report shall be returned to the court by 323  
the officer immediately following its use in preparing the report. 324

(4) The department of youth services shall work with local 325  
probation departments and victim assistance programs to develop a 326  
standard victim impact statement. 327

(E) If a child is adjudicated a delinquent child for being a 328  
chronic truant or a habitual truant who previously has been 329  
adjudicated an unruly child for being a habitual truant and the 330  
court determines that the parent, guardian, or other person having 331

care of the child has failed to cause the child's attendance at 332  
school in violation of section 3321.38 of the Revised Code, in 333  
addition to any order of disposition it makes under this section, 334  
the court shall warn the parent, guardian, or other person having 335  
care of the child that any subsequent adjudication of the child as 336  
an unruly or delinquent child for being a habitual or chronic 337  
truant may result in a criminal charge against the parent, 338  
guardian, or other person having care of the child for a violation 339  
of division (C) of section 2919.21 or section 2919.24 of the 340  
Revised Code. 341

(F) If a child under eighteen years of age is adjudicated a 342  
delinquent child for a violation of division (B) of section 343  
959.131 of the Revised Code, the court, in addition to any other 344  
disposition that it makes under this section, shall require the 345  
child to undergo psychological evaluation and individual or family 346  
counseling for a period of not less than six months. The person 347  
conducting the individual or family counseling shall have 348  
completed continuing education that is approved or included under 349  
section 4731.284, 4732.141, or 4757.33 of the Revised Code, as 350  
applicable, with regard to the counseling of individuals who abuse 351  
animals. The court may order the parent, guardian, or other person 352  
having care of the child to pay the costs of the evaluation, the 353  
counseling, or both. 354

(G)(1) During the period of a delinquent child's community 355  
control granted under this section, authorized probation officers 356  
who are engaged within the scope of their supervisory duties or 357  
responsibilities may search, with or without a warrant, the person 358  
of the delinquent child, the place of residence of the delinquent 359  
child, and a motor vehicle, another item of tangible or intangible 360  
personal property, or other real property in which the delinquent 361  
child has a right, title, or interest or for which the delinquent 362  
child has the express or implied permission of a person with a 363

right, title, or interest to use, occupy, or possess if the 364  
probation officers have reasonable grounds to believe that the 365  
delinquent child is not abiding by the law or otherwise is not 366  
complying with the conditions of the delinquent child's community 367  
control. The court that places a delinquent child on community 368  
control under this section shall provide the delinquent child with 369  
a written notice that informs the delinquent child that authorized 370  
probation officers who are engaged within the scope of their 371  
supervisory duties or responsibilities may conduct those types of 372  
searches during the period of community control if they have 373  
reasonable grounds to believe that the delinquent child is not 374  
abiding by the law or otherwise is not complying with the 375  
conditions of the delinquent child's community control. The court 376  
also shall provide the written notice described in division 377  
~~(E)~~(G)(2) of this section to each parent, guardian, or custodian 378  
of the delinquent child who is described in that division. 379

(2) The court that places a child on community control under 380  
this section shall provide the child's parent, guardian, or other 381  
custodian with a written notice that informs them that authorized 382  
probation officers may conduct searches pursuant to division 383  
~~(E)~~(G)(1) of this section. The notice shall specifically state 384  
that a permissible search might extend to a motor vehicle, another 385  
item of tangible or intangible personal property, or a place of 386  
residence or other real property in which a notified parent, 387  
guardian, or custodian has a right, title, or interest and that 388  
the parent, guardian, or custodian expressly or impliedly permits 389  
the child to use, occupy, or possess. 390

~~(G)~~(H) If a juvenile court commits a delinquent child to the 391  
custody of any person, organization, or entity pursuant to this 392  
section and if the delinquent act for which the child is so 393  
committed is a sexually oriented offense that is not a 394  
registration-exempt sexually oriented offense or is a child-victim 395

oriented offense, the court in the order of disposition shall do 396  
one of the following: 397

(1) Require that the child be provided treatment as described 398  
in division (A)(2) of section 5139.13 of the Revised Code; 399

(2) Inform the person, organization, or entity that it is the 400  
preferred course of action in this state that the child be 401  
provided treatment as described in division (A)(2) of section 402  
5139.13 of the Revised Code and encourage the person, 403  
organization, or entity to provide that treatment. 404

**Sec. 2903.213.** (A) Except when the complaint involves a 405  
person who is a family or household member as defined in section 406  
2919.25 of the Revised Code, upon the filing of a complaint that 407  
alleges a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 408  
2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of 409  
a municipal ordinance substantially similar to section 2903.13, 410  
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or 411  
the commission of a sexually oriented offense, the complainant, 412  
the alleged victim, or a family or household member of an alleged 413  
victim may file a motion that requests the issuance of a 414  
protection order as a pretrial condition of release of the alleged 415  
offender, in addition to any bail set under Criminal Rule 46. The 416  
motion shall be filed with the clerk of the court that has 417  
jurisdiction of the case at any time after the filing of the 418  
complaint. If the complaint involves a person who is a family or 419  
household member, the complainant, the alleged victim, or the 420  
family or household member may file a motion for a temporary 421  
protection order pursuant to section 2919.26 of the Revised Code. 422

(B) A motion for a protection order under this section shall 423  
be prepared on a form that is provided by the clerk of the court, 424  
and the form shall be substantially as follows: 425

"Motion for Protection Order 426

..... 427

    Name and address of court 428

State of Ohio 429

    v. No. .... 430

..... 431

Name of Defendant 432

(Name of person), moves the court to issue a protection order 433

containing terms designed to ensure the safety and protection of 434

the complainant or the alleged victim in the above-captioned case 435

and any companion animal that is in the complainant's or alleged 436

victim's residence, in relation to the named defendant, pursuant 437

to its authority to issue a protection order under section 438

2903.213 of the Revised Code. 439

    A complaint, a copy of which has been attached to this 440

motion, has been filed in this court charging the named defendant 441

with a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 442

2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of 443

a municipal ordinance substantially similar to section 2903.13, 444

2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or 445

the commission of a sexually oriented offense. 446

    I understand that I must appear before the court, at a time 447

set by the court not later than the next day that the court is in 448

session after the filing of this motion, for a hearing on the 449

motion, and that any protection order granted pursuant to this 450

motion is a pretrial condition of release and is effective only 451

until the disposition of the criminal proceeding arising out of 452

the attached complaint or until the issuance under section 453

2903.214 of the Revised Code of a protection order arising out of 454

the same activities as those that were the basis of the attached 455

complaint. 456

..... 457

Signature of person 458

..... 459

Address of person" 460

(C)(1) As soon as possible after the filing of a motion that 461  
requests the issuance of a protection order under this section, 462  
but not later than the next day that the court is in session after 463  
the filing of the motion, the court shall conduct a hearing to 464  
determine whether to issue the order. The person who requested the 465  
order shall appear before the court and provide the court with the 466  
information that it requests concerning the basis of the motion. 467  
If the court finds that the safety and protection of the 468  
complainant ~~or~~, the alleged victim, or any companion animal that 469  
is in the complainant's or alleged victim's residence may be 470  
impaired by the continued presence of the alleged offender, the 471  
court may issue a protection order under this section, as a 472  
pretrial condition of release, that contains terms designed to 473  
ensure the safety and protection of the complainant ~~or~~, the 474  
alleged victim, or companion animal, including a requirement that 475  
the alleged offender refrain from entering the residence, school, 476  
business, or place of employment of the complainant or the alleged 477  
victim. 478

(2)(a) If the court issues a protection order under this 479  
section that includes a requirement that the alleged offender 480  
refrain from entering the residence, school, business, or place of 481  
employment of the complainant or the alleged victim, the order 482  
shall clearly state that the order cannot be waived or nullified 483  
by an invitation to the alleged offender from the complainant, the 484  
alleged victim, or a family or household member to enter the 485  
residence, school, business, or place of employment or by the 486  
alleged offender's entry into one of those places otherwise upon 487  
the consent of the complainant, the alleged victim, or a family or 488  
household member. 489



(b) Division (C)(2)(a) of this section does not limit any 490  
discretion of a court to determine that an alleged offender 491  
charged with a violation of section 2919.27 of the Revised Code, 492  
with a violation of a municipal ordinance substantially equivalent 493  
to that section, or with contempt of court, which charge is based 494  
on an alleged violation of a protection order issued under this 495  
section, did not commit the violation or was not in contempt of 496  
court. 497

(D)(1) Except when the complaint involves a person who is a 498  
family or household member as defined in section 2919.25 of the 499  
Revised Code, upon the filing of a complaint that alleges a 500  
violation specified in division (A) of this section, the court, 501  
upon its own motion, may issue a protection order under this 502  
section as a pretrial condition of release of the alleged offender 503  
if it finds that the safety and protection of the complainant ~~or~~ 504  
the alleged victim, or any companion animal that is in the 505  
complainant's or alleged victim's residence may be impaired by the 506  
continued presence of the alleged offender. 507

(2) If the court issues a protection order under this section 508  
as an ex parte order, it shall conduct, as soon as possible after 509  
the issuance of the order but not later than the next day that the 510  
court is in session after its issuance, a hearing to determine 511  
whether the order should remain in effect, be modified, or be 512  
revoked. The hearing shall be conducted under the standards set 513  
forth in division (C) of this section. 514

(3) If a municipal court or a county court issues a 515  
protection order under this section and if, subsequent to the 516  
issuance of the order, the alleged offender who is the subject of 517  
the order is bound over to the court of common pleas for 518  
prosecution of a felony arising out of the same activities as 519  
those that were the basis of the complaint upon which the order is 520  
based, notwithstanding the fact that the order was issued by a 521

municipal court or county court, the order shall remain in effect, 522  
as though it were an order of the court of common pleas, while the 523  
charges against the alleged offender are pending in the court of 524  
common pleas, for the period of time described in division (E)(2) 525  
of this section, and the court of common pleas has exclusive 526  
jurisdiction to modify the order issued by the municipal court or 527  
county court. This division applies when the alleged offender is 528  
bound over to the court of common pleas as a result of the person 529  
waiving a preliminary hearing on the felony charge, as a result of 530  
the municipal court or county court having determined at a 531  
preliminary hearing that there is probable cause to believe that 532  
the felony has been committed and that the alleged offender 533  
committed it, as a result of the alleged offender having been 534  
indicted for the felony, or in any other manner. 535

(E) A protection order that is issued as a pretrial condition 536  
of release under this section: 537

(1) Is in addition to, but shall not be construed as a part 538  
of, any bail set under Criminal Rule 46; 539

(2) Is effective only until the disposition, by the court 540  
that issued the order or, in the circumstances described in 541  
division (D)(3) of this section, by the court of common pleas to 542  
which the alleged offender is bound over for prosecution, of the 543  
criminal proceeding arising out of the complaint upon which the 544  
order is based or until the issuance under section 2903.214 of the 545  
Revised Code of a protection order arising out of the same 546  
activities as those that were the basis of the complaint filed 547  
under this section; 548

(3) Shall not be construed as a finding that the alleged 549  
offender committed the alleged offense and shall not be introduced 550  
as evidence of the commission of the offense at the trial of the 551  
alleged offender on the complaint upon which the order is based. 552

(F) A person who meets the criteria for bail under Criminal Rule 46 and who, if required to do so pursuant to that rule, executes or posts bond or deposits cash or securities as bail, shall not be held in custody pending a hearing before the court on a motion requesting a protection order under this section.

(G)(1) A copy of a protection order that is issued under this section shall be issued by the court to the complainant, to the alleged victim, to the person who requested the order, to the defendant, and to all law enforcement agencies that have jurisdiction to enforce the order. The court shall direct that a copy of the order be delivered to the defendant on the same day that the order is entered. If a municipal court or a county court issues a protection order under this section and if, subsequent to the issuance of the order, the defendant who is the subject of the order is bound over to the court of common pleas for prosecution as described in division (D)(3) of this section, the municipal court or county court shall direct that a copy of the order be delivered to the court of common pleas to which the defendant is bound over.

(2) All law enforcement agencies shall establish and maintain an index for the protection orders delivered to the agencies pursuant to division (G)(1) of this section. With respect to each order delivered, each agency shall note on the index the date and time of the agency's receipt of the order.

(3) Regardless of whether the petitioner has registered the protection order in the county in which the officer's agency has jurisdiction, any officer of a law enforcement agency shall enforce a protection order issued pursuant to this section in accordance with the provisions of the order.

(H) Upon a violation of a protection order issued pursuant to this section, the court may issue another protection order under this section, as a pretrial condition of release, that modifies

the terms of the order that was violated. 585

(I) Notwithstanding any provision of law to the contrary and 586  
regardless of whether a protection order is issued or a consent 587  
agreement is approved by a court of another county or by a court 588  
of another state, no court or unit of state or local government 589  
shall charge any fee, cost, deposit, or money in connection with 590  
the filing of a motion pursuant to this section, in connection 591  
with the filing, issuance, registration, or service of a 592  
protection order or consent agreement, or for obtaining certified 593  
copies of a protection order or consent agreement. 594

(J) As used in this section, ~~"sexually:~~ 595

(1) "Sexually oriented offense" has the same meaning as in 596  
section 2950.01 of the Revised Code. 597

(2) "Companion animal" has the same meaning as in section 598  
959.131 of the Revised Code. 599

**Sec. 2903.214.** (A) As used in this section: 600

(1) "Court" means the court of common pleas of the county in 601  
which the person to be protected by the protection order resides. 602

(2) "Victim advocate" means a person who provides support and 603  
assistance for a person who files a petition under this section. 604

(3) "Family or household member" has the same meaning as in 605  
section 3113.31 of the Revised Code. 606

(4) "Protection order issued by a court of another state" has 607  
the same meaning as in section 2919.27 of the Revised Code. 608

(5) "Sexually oriented offense" has the same meaning as in 609  
section 2950.01 of the Revised Code. 610

(6) "Companion animal" has the same meaning as in section 611  
959.131 of the Revised Code. 612

(B) The court has jurisdiction over all proceedings under 613

this section. 614

(C) A person may seek relief under this section for the 615  
person, or any parent or adult household member may seek relief 616  
under this section on behalf of any other family or household 617  
member, by filing a petition with the court. The petition shall 618  
contain or state both of the following: 619

(1) An allegation that the respondent engaged in a violation 620  
of section 2903.211 of the Revised Code against the person to be 621  
protected by the protection order or committed a sexually oriented 622  
offense against the person to be protected by the protection 623  
order, including a description of the nature and extent of the 624  
violation; 625

(2) A request for relief under this section. 626

(D)(1) If a person who files a petition pursuant to this 627  
section requests an ex parte order, the court shall hold an ex 628  
parte hearing as soon as possible after the petition is filed, but 629  
not later than the next day that the court is in session after the 630  
petition is filed. The court, for good cause shown at the ex parte 631  
hearing, may enter any temporary orders, with or without bond, 632  
that the court finds necessary for the safety and protection of 633  
the person to be protected by the order. Immediate and present 634  
danger to the person to be protected by the protection order 635  
constitutes good cause for purposes of this section. Immediate and 636  
present danger includes, but is not limited to, situations in 637  
which the respondent has threatened the person to be protected by 638  
the protection order with bodily harm or in which the respondent 639  
previously has been convicted of or pleaded guilty to a violation 640  
of section 2903.211 of the Revised Code or a sexually oriented 641  
offense against the person to be protected by the protection 642  
order. 643

(2)(a) If the court, after an ex parte hearing, issues a 644

protection order described in division (E) of this section, the 645  
court shall schedule a full hearing for a date that is within ten 646  
court days after the ex parte hearing. The court shall give the 647  
respondent notice of, and an opportunity to be heard at, the full 648  
hearing. The court shall hold the full hearing on the date 649  
scheduled under this division unless the court grants a 650  
continuance of the hearing in accordance with this division. Under 651  
any of the following circumstances or for any of the following 652  
reasons, the court may grant a continuance of the full hearing to 653  
a reasonable time determined by the court: 654

(i) Prior to the date scheduled for the full hearing under 655  
this division, the respondent has not been served with the 656  
petition filed pursuant to this section and notice of the full 657  
hearing. 658

(ii) The parties consent to the continuance. 659

(iii) The continuance is needed to allow a party to obtain 660  
counsel. 661

(iv) The continuance is needed for other good cause. 662

(b) An ex parte order issued under this section does not 663  
expire because of a failure to serve notice of the full hearing 664  
upon the respondent before the date set for the full hearing under 665  
division (D)(2)(a) of this section or because the court grants a 666  
continuance under that division. 667

(3) If a person who files a petition pursuant to this section 668  
does not request an ex parte order, or if a person requests an ex 669  
parte order but the court does not issue an ex parte order after 670  
an ex parte hearing, the court shall proceed as in a normal civil 671  
action and grant a full hearing on the matter. 672

(E)(1) After an ex parte or full hearing, the court may issue 673  
any protection order, with or without bond, that contains terms 674  
designed to ensure the safety and protection of the person to be 675

protected by the protection order and any companion animal that is 676  
in the person's residence, including, but not limited to, a 677  
requirement that the respondent refrain from entering the 678  
residence, school, business, or place of employment of the 679  
petitioner or family or household member. If the court includes a 680  
requirement that the respondent refrain from entering the 681  
residence, school, business, or place of employment of the 682  
petitioner or family or household member in the order, it also 683  
shall include in the order provisions of the type described in 684  
division (E)(5) of this section. 685

(2)(a) Any protection order issued pursuant to this section 686  
shall be valid until a date certain but not later than five years 687  
from the date of its issuance. 688

(b) Any protection order issued pursuant to this section may 689  
be renewed in the same manner as the original order was issued. 690

(3) A court may not issue a protection order that requires a 691  
petitioner to do or to refrain from doing an act that the court 692  
may require a respondent to do or to refrain from doing under 693  
division (E)(1) of this section unless all of the following apply: 694

(a) The respondent files a separate petition for a protection 695  
order in accordance with this section. 696

(b) The petitioner is served with notice of the respondent's 697  
petition at least forty-eight hours before the court holds a 698  
hearing with respect to the respondent's petition, or the 699  
petitioner waives the right to receive this notice. 700

(c) If the petitioner has requested an ex parte order 701  
pursuant to division (D) of this section, the court does not delay 702  
any hearing required by that division beyond the time specified in 703  
that division in order to consolidate the hearing with a hearing 704  
on the petition filed by the respondent. 705

(d) After a full hearing at which the respondent presents 706

evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed a violation of section 2903.211 of the Revised Code against the person to be protected by the protection order issued pursuant to this section, has committed a sexually oriented offense against the person to be protected by the protection order, or has violated a protection order issued pursuant to section 2903.213 of the Revised Code relative to the person to be protected by the protection order issued pursuant to this section.

(4) No protection order issued pursuant to this section shall in any manner affect title to any real property.

(5)(a) If the court issues a protection order under this section that includes a requirement that the alleged offender refrain from entering the residence, school, business, or place of employment of the petitioner or a family or household member, the order shall clearly state that the order cannot be waived or nullified by an invitation to the alleged offender from the complainant to enter the residence, school, business, or place of employment or by the alleged offender's entry into one of those places otherwise upon the consent of the petitioner or family or household member.

(b) Division (E)(5)(a) of this section does not limit any discretion of a court to determine that an alleged offender charged with a violation of section 2919.27 of the Revised Code, with a violation of a municipal ordinance substantially equivalent to that section, or with contempt of court, which charge is based on an alleged violation of a protection order issued under this section, did not commit the violation or was not in contempt of court.

(F)(1) The court shall cause the delivery of a copy of any protection order that is issued under this section to the



petitioner, to the respondent, and to all law enforcement agencies 739  
that have jurisdiction to enforce the order. The court shall 740  
direct that a copy of the order be delivered to the respondent on 741  
the same day that the order is entered. 742

(2) All law enforcement agencies shall establish and maintain 743  
an index for the protection orders delivered to the agencies 744  
pursuant to division (F)(1) of this section. With respect to each 745  
order delivered, each agency shall note on the index the date and 746  
time that it received the order. 747

(3) Regardless of whether the petitioner has registered the 748  
protection order in the county in which the officer's agency has 749  
jurisdiction pursuant to division (M) of this section, any officer 750  
of a law enforcement agency shall enforce a protection order 751  
issued pursuant to this section by any court in this state in 752  
accordance with the provisions of the order, including removing 753  
the respondent from the premises, if appropriate. 754

(G) Any proceeding under this section shall be conducted in 755  
accordance with the Rules of Civil Procedure, except that a 756  
protection order may be obtained under this section with or 757  
without bond. An order issued under this section, other than an ex 758  
parte order, that grants a protection order, or that refuses to 759  
grant a protection order, is a final, appealable order. The 760  
remedies and procedures provided in this section are in addition 761  
to, and not in lieu of, any other available civil or criminal 762  
remedies. 763

(H) The filing of proceedings under this section does not 764  
excuse a person from filing any report or giving any notice 765  
required by section 2151.421 of the Revised Code or by any other 766  
law. 767

(I) Any law enforcement agency that investigates an alleged 768  
violation of section 2903.211 of the Revised Code or an alleged 769

commission of a sexually oriented offense shall provide 770  
information to the victim and the family or household members of 771  
the victim regarding the relief available under this section and 772  
section 2903.213 of the Revised Code. 773

(J) Notwithstanding any provision of law to the contrary and 774  
regardless of whether a protection order is issued or a consent 775  
agreement is approved by a court of another county or by a court 776  
of another state, no court or unit of state or local government 777  
shall charge any fee, cost, deposit, or money in connection with 778  
the filing of a petition pursuant to this section, in connection 779  
with the filing, issuance, registration, or service of a 780  
protection order or consent agreement, or for obtaining a 781  
certified copy of a protection order or consent agreement. 782

(K)(1) A person who violates a protection order issued under 783  
this section is subject to the following sanctions: 784

(a) Criminal prosecution for a violation of section 2919.27 785  
of the Revised Code, if the violation of the protection order 786  
constitutes a violation of that section; 787

(b) Punishment for contempt of court. 788

(2) The punishment of a person for contempt of court for 789  
violation of a protection order issued under this section does not 790  
bar criminal prosecution of the person for a violation of section 791  
2919.27 of the Revised Code. However, a person punished for 792  
contempt of court is entitled to credit for the punishment imposed 793  
upon conviction of a violation of that section, and a person 794  
convicted of a violation of that section shall not subsequently be 795  
punished for contempt of court arising out of the same activity. 796

(L) In all stages of a proceeding under this section, a 797  
petitioner may be accompanied by a victim advocate. 798

(M)(1) A petitioner who obtains a protection order under this 799  
section or a protection order under section 2903.213 of the 800

Revised Code may provide notice of the issuance or approval of the order to the judicial and law enforcement officials in any county other than the county in which the order is issued by registering that order in the other county pursuant to division (M)(2) of this section and filing a copy of the registered order with a law enforcement agency in the other county in accordance with that division. A person who obtains a protection order issued by a court of another state may provide notice of the issuance of the order to the judicial and law enforcement officials in any county of this state by registering the order in that county pursuant to section 2919.272 of the Revised Code and filing a copy of the registered order with a law enforcement agency in that county.

(2) A petitioner may register a protection order issued pursuant to this section or section 2903.213 of the Revised Code in a county other than the county in which the court that issued the order is located in the following manner:

(a) The petitioner shall obtain a certified copy of the order from the clerk of the court that issued the order and present that certified copy to the clerk of the court of common pleas or the clerk of a municipal court or county court in the county in which the order is to be registered.

(b) Upon accepting the certified copy of the order for registration, the clerk of the court of common pleas, municipal court, or county court shall place an endorsement of registration on the order and give the petitioner a copy of the order that bears that proof of registration.

(3) The clerk of each court of common pleas, municipal court, or county court shall maintain a registry of certified copies of protection orders that have been issued by courts in other counties pursuant to this section or section 2903.213 of the Revised Code and that have been registered with the clerk.

**Sec. 2919.26.** (A)(1) Upon the filing of a complaint that 832  
alleges a violation of section 2909.06, 2909.07, 2911.12, or 833  
2911.211 of the Revised Code if the alleged victim of the 834  
violation was a family or household member at the time of the 835  
violation, a violation of a municipal ordinance that is 836  
substantially similar to any of those sections if the alleged 837  
victim of the violation was a family or household member at the 838  
time of the violation, any offense of violence if the alleged 839  
victim of the offense was a family or household member at the time 840  
of the commission of the offense, or any sexually oriented offense 841  
if the alleged victim of the offense was a family or household 842  
member at the time of the commission of the offense, the 843  
complainant, the alleged victim, or a family or household member 844  
of an alleged victim may file, or, if in an emergency the alleged 845  
victim is unable to file, a person who made an arrest for the 846  
alleged violation or offense under section 2935.03 of the Revised 847  
Code may file on behalf of the alleged victim, a motion that 848  
requests the issuance of a temporary protection order as a 849  
pretrial condition of release of the alleged offender, in addition 850  
to any bail set under Criminal Rule 46. The motion shall be filed 851  
with the clerk of the court that has jurisdiction of the case at 852  
any time after the filing of the complaint. 853

(2) For purposes of section 2930.09 of the Revised Code, all 854  
stages of a proceeding arising out of a complaint alleging the 855  
commission of a violation, offense of violence, or sexually 856  
oriented offense described in division (A)(1) of this section, 857  
including all proceedings on a motion for a temporary protection 858  
order, are critical stages of the case, and a victim may be 859  
accompanied by a victim advocate or another person to provide 860  
support to the victim as provided in that section. 861

(B) The motion shall be prepared on a form that is provided 862  
by the clerk of the court, which form shall be substantially as 863

follows: 864

"MOTION FOR TEMPORARY PROTECTION ORDER 865

..... Court 866

Name and address of court 867

State of Ohio 868

v. No. .... 869

..... 870

Name of Defendant 871

(name of person), moves the court to issue a temporary protection 872  
order containing terms designed to ensure the safety and 873  
protection of the complainant, alleged victim, ~~and~~ other family or 874  
household members, and any companion animal that is in the 875  
complainant's or alleged victim's residence, in relation to the 876  
named defendant, pursuant to its authority to issue such an order 877  
under section 2919.26 of the Revised Code. 878

A complaint, a copy of which has been attached to this 879  
motion, has been filed in this court charging the named defendant 880  
with ..... (name of the specified violation, 881  
the offense of violence, or sexually oriented offense charged) in 882  
circumstances in which the victim was a family or household member 883  
in violation of (section of the Revised Code designating the 884  
specified violation, offense of violence, or sexually oriented 885  
offense charged), or charging the named defendant with a violation 886  
of a municipal ordinance that is substantially similar to 887  
..... (section of the Revised Code designating 888  
the specified violation, offense of violence, or sexually oriented 889  
offense charged) involving a family or household member. 890

I understand that I must appear before the court, at a time 891  
set by the court within twenty-four hours after the filing of this 892  
motion, for a hearing on the motion or that, if I am unable to 893  
appear because of hospitalization or a medical condition resulting 894

from the offense alleged in the complaint, a person who can 895  
provide information about my need for a temporary protection order 896  
must appear before the court in lieu of my appearing in court. I 897  
understand that any temporary protection order granted pursuant to 898  
this motion is a pretrial condition of release and is effective 899  
only until the disposition of the criminal proceeding arising out 900  
of the attached complaint, or the issuance of a civil protection 901  
order or the approval of a consent agreement, arising out of the 902  
same activities as those that were the basis of the complaint, 903  
under section 3113.31 of the Revised Code. 904  
..... 905  
Signature of person 906  
(or signature of the arresting officer who filed the motion on 907  
behalf of the alleged victim) 908  
..... 909  
Address of person (or office address of the arresting officer who 910  
filed the motion on behalf of the alleged victim)" 911  
  
(C)(1) As soon as possible after the filing of a motion that 912  
requests the issuance of a temporary protection order, but not 913  
later than twenty-four hours after the filing of the motion, the 914  
court shall conduct a hearing to determine whether to issue the 915  
order. The person who requested the order shall appear before the 916  
court and provide the court with the information that it requests 917  
concerning the basis of the motion. If the person who requested 918  
the order is unable to appear and if the court finds that the 919  
failure to appear is because of the person's hospitalization or 920  
medical condition resulting from the offense alleged in the 921  
complaint, another person who is able to provide the court with 922  
the information it requests may appear in lieu of the person who 923  
requested the order. If the court finds that the safety and 924  
protection of the complainant, alleged victim, ~~or~~ any other family 925

or household member of the alleged victim, or any companion animal 926  
that is in the complainant's or alleged victim's residence may be 927  
impaired by the continued presence of the alleged offender, the 928  
court may issue a temporary protection order, as a pretrial 929  
condition of release, that contains terms designed to ensure the 930  
safety and protection of the complainant, alleged victim, ~~or~~ the 931  
family or household member, or companion animal, including a 932  
requirement that the alleged offender refrain from entering the 933  
residence, school, business, or place of employment of the 934  
complainant, alleged victim, or the family or household member. 935

(2)(a) If the court issues a temporary protection order that 936  
includes a requirement that the alleged offender refrain from 937  
entering the residence, school, business, or place of employment 938  
of the complainant, the alleged victim, or the family or household 939  
member, the order shall state clearly that the order cannot be 940  
waived or nullified by an invitation to the alleged offender from 941  
the complainant, alleged victim, or family or household member to 942  
enter the residence, school, business, or place of employment or 943  
by the alleged offender's entry into one of those places otherwise 944  
upon the consent of the complainant, alleged victim, or family or 945  
household member. 946

(b) Division (C)(2)(a) of this section does not limit any 947  
discretion of a court to determine that an alleged offender 948  
charged with a violation of section 2919.27 of the Revised Code, 949  
with a violation of a municipal ordinance substantially equivalent 950  
to that section, or with contempt of court, which charge is based 951  
on an alleged violation of a temporary protection order issued 952  
under this section, did not commit the violation or was not in 953  
contempt of court. 954

(D)(1) Upon the filing of a complaint that alleges a 955  
violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of the 956  
Revised Code if the alleged victim of the violation was a family 957

or household member at the time of the violation, a violation of a 958  
municipal ordinance that is substantially similar to any of those 959  
sections if the alleged victim of the violation was a family or 960  
household member at the time of the violation, any offense of 961  
violence if the alleged victim of the offense was a family or 962  
household member at the time of the commission of the offense, or 963  
any sexually oriented offense if the alleged victim of the offense 964  
was a family or household member at the time of the commission of 965  
the offense, the court, upon its own motion, may issue a temporary 966  
protection order as a pretrial condition of release if it finds 967  
that the safety and protection of the complainant, alleged victim, 968  
~~or~~ other family or household member of the alleged offender, or 969  
any companion animal that is in the complainant's or alleged 970  
victim's residence may be impaired by the continued presence of 971  
the alleged offender. 972

(2) If the court issues a temporary protection order under 973  
this section as an ex parte order, it shall conduct, as soon as 974  
possible after the issuance of the order, a hearing in the 975  
presence of the alleged offender not later than the next day on 976  
which the court is scheduled to conduct business after the day on 977  
which the alleged offender was arrested or at the time of the 978  
appearance of the alleged offender pursuant to summons to 979  
determine whether the order should remain in effect, be modified, 980  
or be revoked. The hearing shall be conducted under the standards 981  
set forth in division (C) of this section. 982

(3) An order issued under this section shall contain only 983  
those terms authorized in orders issued under division (C) of this 984  
section. 985

(4) If a municipal court or a county court issues a temporary 986  
protection order under this section and if, subsequent to the 987  
issuance of the order, the alleged offender who is the subject of 988  
the order is bound over to the court of common pleas for 989



prosecution of a felony arising out of the same activities as 990  
those that were the basis of the complaint upon which the order is 991  
based, notwithstanding the fact that the order was issued by a 992  
municipal court or county court, the order shall remain in effect, 993  
as though it were an order of the court of common pleas, while the 994  
charges against the alleged offender are pending in the court of 995  
common pleas, for the period of time described in division (E)(2) 996  
of this section, and the court of common pleas has exclusive 997  
jurisdiction to modify the order issued by the municipal court or 998  
county court. This division applies when the alleged offender is 999  
bound over to the court of common pleas as a result of the person 1000  
waiving a preliminary hearing on the felony charge, as a result of 1001  
the municipal court or county court having determined at a 1002  
preliminary hearing that there is probable cause to believe that 1003  
the felony has been committed and that the alleged offender 1004  
committed it, as a result of the alleged offender having been 1005  
indicted for the felony, or in any other manner. 1006

(E) A temporary protection order that is issued as a pretrial 1007  
condition of release under this section: 1008

(1) Is in addition to, but shall not be construed as a part 1009  
of, any bail set under Criminal Rule 46; 1010

(2) Is effective only until the occurrence of either of the 1011  
following: 1012

(a) The disposition, by the court that issued the order or, 1013  
in the circumstances described in division (D)(4) of this section, 1014  
by the court of common pleas to which the alleged offender is 1015  
bound over for prosecution, of the criminal proceeding arising out 1016  
of the complaint upon which the order is based; 1017

(b) The issuance of a protection order or the approval of a 1018  
consent agreement, arising out of the same activities as those 1019  
that were the basis of the complaint upon which the order is 1020

based, under section 3113.31 of the Revised Code; 1021

(3) Shall not be construed as a finding that the alleged 1022  
offender committed the alleged offense, and shall not be 1023  
introduced as evidence of the commission of the offense at the 1024  
trial of the alleged offender on the complaint upon which the 1025  
order is based. 1026

(F) A person who meets the criteria for bail under Criminal 1027  
Rule 46 and who, if required to do so pursuant to that rule, 1028  
executes or posts bond or deposits cash or securities as bail, 1029  
shall not be held in custody pending a hearing before the court on 1030  
a motion requesting a temporary protection order. 1031

(G)(1) A copy of any temporary protection order that is 1032  
issued under this section shall be issued by the court to the 1033  
complainant, to the alleged victim, to the person who requested 1034  
the order, to the defendant, and to all law enforcement agencies 1035  
that have jurisdiction to enforce the order. The court shall 1036  
direct that a copy of the order be delivered to the defendant on 1037  
the same day that the order is entered. If a municipal court or a 1038  
county court issues a temporary protection order under this 1039  
section and if, subsequent to the issuance of the order, the 1040  
defendant who is the subject of the order is bound over to the 1041  
court of common pleas for prosecution as described in division 1042  
(D)(4) of this section, the municipal court or county court shall 1043  
direct that a copy of the order be delivered to the court of 1044  
common pleas to which the defendant is bound over. 1045

(2) All law enforcement agencies shall establish and maintain 1046  
an index for the temporary protection orders delivered to the 1047  
agencies pursuant to division (G)(1) of this section. With respect 1048  
to each order delivered, each agency shall note on the index, the 1049  
date and time of the receipt of the order by the agency. 1050

1051

(3) A complainant, alleged victim, or other person who 1052  
obtains a temporary protection order under this section may 1053  
provide notice of the issuance of the temporary protection order 1054  
to the judicial and law enforcement officials in any county other 1055  
than the county in which the order is issued by registering that 1056  
order in the other county in accordance with division (N) of 1057  
section 3113.31 of the Revised Code and filing a copy of the 1058  
registered protection order with a law enforcement agency in the 1059  
other county in accordance with that division. 1060

(4) Any officer of a law enforcement agency shall enforce a 1061  
temporary protection order issued by any court in this state in 1062  
accordance with the provisions of the order, including removing 1063  
the defendant from the premises, regardless of whether the order 1064  
is registered in the county in which the officer's agency has 1065  
jurisdiction as authorized by division (G)(3) of this section. 1066

(H) Upon a violation of a temporary protection order, the 1067  
court may issue another temporary protection order, as a pretrial 1068  
condition of release, that modifies the terms of the order that 1069  
was violated. 1070

(I)(1) As used in divisions (I)(1) and (2) of this section, 1071  
"defendant" means a person who is alleged in a complaint to have 1072  
committed a violation, offense of violence, or sexually oriented 1073  
offense of the type described in division (A) of this section. 1074

(2) If a complaint is filed that alleges that a person 1075  
committed a violation, offense of violence, or sexually oriented 1076  
offense of the type described in division (A) of this section, the 1077  
court may not issue a temporary protection order under this 1078  
section that requires the complainant, the alleged victim, or 1079  
another family or household member of the defendant to do or 1080  
refrain from doing an act that the court may require the defendant 1081  
to do or refrain from doing under a temporary protection order 1082  
unless both of the following apply: 1083

(a) The defendant has filed a separate complaint that alleges 1084  
that the complainant, alleged victim, or other family or household 1085  
member in question who would be required under the order to do or 1086  
refrain from doing the act committed a violation or offense of 1087  
violence of the type described in division (A) of this section. 1088

(b) The court determines that both the complainant, alleged 1089  
victim, or other family or household member in question who would 1090  
be required under the order to do or refrain from doing the act 1091  
and the defendant acted primarily as aggressors, that neither the 1092  
complainant, alleged victim, or other family or household member 1093  
in question who would be required under the order to do or refrain 1094  
from doing the act nor the defendant acted primarily in 1095  
self-defense, and, in accordance with the standards and criteria 1096  
of this section as applied in relation to the separate complaint 1097  
filed by the defendant, that it should issue the order to require 1098  
the complainant, alleged victim, or other family or household 1099  
member in question to do or refrain from doing the act. 1100

(J) Notwithstanding any provision of law to the contrary and 1101  
regardless of whether a protection order is issued or a consent 1102  
agreement is approved by a court of another county or a court of 1103  
another state, no court or unit of state or local government shall 1104  
charge any fee, cost, deposit, or money in connection with the 1105  
filing of a motion pursuant to this section, in connection with 1106  
the filing, issuance, registration, or service of a protection 1107  
order or consent agreement, or for obtaining a certified copy of a 1108  
protection order or consent agreement. 1109

(K) As used in this section: 1110

(1) "Companion animal" has the same meaning as in section 1111  
959.131 of the Revised Code. 1112

(2) "Sexually oriented offense" has the same meaning as in 1113  
section 2950.01 of the Revised Code. 1114

~~(2)~~(3) "Victim advocate" means a person who provides support 1115  
and assistance for a victim of an offense during court 1116  
proceedings. 1117

**Sec. 3113.31.** (A) As used in this section: 1118

(1) "Domestic violence" means the occurrence of one or more 1119  
of the following acts against a family or household member: 1120

(a) Attempting to cause or recklessly causing bodily injury; 1121

(b) Placing another person by the threat of force in fear of 1122  
imminent serious physical harm or committing a violation of 1123  
section 2903.211 or 2911.211 of the Revised Code; 1124

(c) Committing any act with respect to a child that would 1125  
result in the child being an abused child, as defined in section 1126  
2151.031 of the Revised Code; 1127

(d) Committing a sexually oriented offense. 1128

(2) "Court" means the domestic relations division of the 1129  
court of common pleas in counties that have a domestic relations 1130  
division, and the court of common pleas in counties that do not 1131  
have a domestic relations division. 1132

(3) "Family or household member" means any of the following: 1133

(a) Any of the following who is residing with or has resided 1134  
with the respondent: 1135

(i) A spouse, a person living as a spouse, or a former spouse 1136  
of the respondent; 1137

(ii) A parent or a child of the respondent, or another person 1138  
related by consanguinity or affinity to the respondent; 1139

(iii) A parent or a child of a spouse, person living as a 1140  
spouse, or former spouse of the respondent, or another person 1141  
related by consanguinity or affinity to a spouse, person living as 1142  
a spouse, or former spouse of the respondent. 1143

(b) The natural parent of any child of whom the respondent is 1144  
the other natural parent or is the putative other natural parent. 1145

(4) "Person living as a spouse" means a person who is living 1146  
or has lived with the respondent in a common law marital 1147  
relationship, who otherwise is cohabiting with the respondent, or 1148  
who otherwise has cohabited with the respondent within five years 1149  
prior to the date of the alleged occurrence of the act in 1150  
question. 1151

(5) "Victim advocate" means a person who provides support and 1152  
assistance for a person who files a petition under this section. 1153

(6) "Sexually oriented offense" has the same meaning as in 1154  
section 2950.01 of the Revised Code. 1155

(7) "Companion animal" has the same meaning as in section 1156  
959.131 of the Revised Code. 1157

(B) The court has jurisdiction over all proceedings under 1158  
this section. The petitioner's right to relief under this section 1159  
is not affected by the petitioner's leaving the residence or 1160  
household to avoid further domestic violence. 1161

(C) A person may seek relief under this section on the 1162  
person's own behalf, or any parent or adult household member may 1163  
seek relief under this section on behalf of any other family or 1164  
household member, by filing a petition with the court. The 1165  
petition shall contain or state: 1166

(1) An allegation that the respondent engaged in domestic 1167  
violence against a family or household member of the respondent, 1168  
including a description of the nature and extent of the domestic 1169  
violence; 1170

(2) The relationship of the respondent to the petitioner, and 1171  
to the victim if other than the petitioner; 1172

(3) A request for relief under this section. 1173

(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing on the same day that the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, including, but not limited to, an order described in division (E)(1)(a), (b), or (c) of this section, that the court finds necessary to protect the family or household member from domestic violence. Immediate and present danger of domestic violence to the family or household member constitutes good cause for purposes of this section. Immediate and present danger includes, but is not limited to, situations in which the respondent has threatened the family or household member with bodily harm, in which the respondent has threatened the family or household member with a sexually oriented offense, or in which the respondent previously has been convicted of or pleaded guilty to an offense that constitutes domestic violence against the family or household member.

(2)(a) If the court, after an ex parte hearing, issues an order described in division (E)(1)(b) or (c) of this section, the court shall schedule a full hearing for a date that is within seven court days after the ex parte hearing. If any other type of protection order that is authorized under division (E) of this section is issued by the court after an ex parte hearing, the court shall schedule a full hearing for a date that is within ten court days after the ex parte hearing. The court shall give the respondent notice of, and an opportunity to be heard at, the full hearing. The court shall hold the full hearing on the date scheduled under this division unless the court grants a continuance of the hearing in accordance with this division. Under any of the following circumstances or for any of the following reasons, the court may grant a continuance of the full hearing to a reasonable time determined by the court:

(i) Prior to the date scheduled for the full hearing under this division, the respondent has not been served with the petition filed pursuant to this section and notice of the full hearing. 1206  
1207  
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(ii) The parties consent to the continuance. 1210

(iii) The continuance is needed to allow a party to obtain counsel. 1211  
1212

(iv) The continuance is needed for other good cause. 1213

(b) An ex parte order issued under this section does not expire because of a failure to serve notice of the full hearing upon the respondent before the date set for the full hearing under division (D)(2)(a) of this section or because the court grants a continuance under that division. 1214  
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(3) If a person who files a petition pursuant to this section does not request an ex parte order, or if a person requests an ex parte order but the court does not issue an ex parte order after an ex parte hearing, the court shall proceed as in a normal civil action and grant a full hearing on the matter. 1219  
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(E)(1) After an ex parte or full hearing, the court may grant any protection order, with or without bond, or approve any consent agreement to bring about a cessation of domestic violence against the family or household members. The order or agreement may: 1224  
1225  
1226  
1227

(a) Direct the respondent to refrain from abusing or from committing sexually oriented offenses against the family or household members; 1228  
1229  
1230

(b) Grant possession of the residence or household to the petitioner or other family or household member, to the exclusion of the respondent, by evicting the respondent, when the residence or household is owned or leased solely by the petitioner or other family or household member, or by ordering the respondent to 1231  
1232  
1233  
1234  
1235



vacate the premises, when the residence or household is jointly 1236  
owned or leased by the respondent, and the petitioner or other 1237  
family or household member; 1238

(c) When the respondent has a duty to support the petitioner 1239  
or other family or household member living in the residence or 1240  
household and the respondent is the sole owner or lessee of the 1241  
residence or household, grant possession of the residence or 1242  
household to the petitioner or other family or household member, 1243  
to the exclusion of the respondent, by ordering the respondent to 1244  
vacate the premises, or, in the case of a consent agreement, allow 1245  
the respondent to provide suitable, alternative housing; 1246

(d) Temporarily allocate parental rights and responsibilities 1247  
for the care of, or establish temporary parenting time rights with 1248  
regard to, minor children, if no other court has determined, or is 1249  
determining, the allocation of parental rights and 1250  
responsibilities for the minor children or parenting time rights; 1251

(e) Require the respondent to maintain support, if the 1252  
respondent customarily provides for or contributes to the support 1253  
of the family or household member, or if the respondent has a duty 1254  
to support the petitioner or family or household member; 1255

(f) Require the respondent, petitioner, victim of domestic 1256  
violence, or any combination of those persons, to seek counseling; 1257

(g) Require the respondent to refrain from entering the 1258  
residence, school, business, or place of employment of the 1259  
petitioner or family or household member; 1260

(h) Grant other relief that the court considers equitable and 1261  
fair, including, but not limited to, ordering the respondent to 1262  
permit the use of a motor vehicle by the petitioner or other 1263  
family or household member and the apportionment of household and 1264  
family personal property. 1265

The court shall include in a protection order issued or 1266

consent agreement approved under this section any companion animal 1267  
that is in the petitioner's residence. 1268

(2) If a protection order has been issued pursuant to this 1269  
section in a prior action involving the respondent and the 1270  
petitioner or one or more of the family or household members or 1271  
victims, the court may include in a protection order that it 1272  
issues a prohibition against the respondent returning to the 1273  
residence or household. If it includes a prohibition against the 1274  
respondent returning to the residence or household in the order, 1275  
it also shall include in the order provisions of the type 1276  
described in division (E)(7) of this section. This division does 1277  
not preclude the court from including in a protection order or 1278  
consent agreement, in circumstances other than those described in 1279  
this division, a requirement that the respondent be evicted from 1280  
or vacate the residence or household or refrain from entering the 1281  
residence, school, business, or place of employment of the 1282  
petitioner or a family or household member, and, if the court 1283  
includes any requirement of that type in an order or agreement, 1284  
the court also shall include in the order provisions of the type 1285  
described in division (E)(7) of this section. 1286

(3)(a) Any protection order issued or consent agreement 1287  
approved under this section shall be valid until a date certain, 1288  
but not later than five years from the date of its issuance or 1289  
approval unless modified or terminated as provided in division 1290  
(E)(8) of this section. 1291

(b) Subject to the limitation on the duration of an order or 1292  
agreement set forth in division (E)(3)(a) of this section, any 1293  
order under division (E)(1)(d) of this section shall terminate on 1294  
the date that a court in an action for divorce, dissolution of 1295  
marriage, or legal separation brought by the petitioner or 1296  
respondent issues an order allocating parental rights and 1297  
responsibilities for the care of children or on the date that a 1298

juvenile court in an action brought by the petitioner or 1299  
respondent issues an order awarding legal custody of minor 1300  
children. Subject to the limitation on the duration of an order or 1301  
agreement set forth in division (E)(3)(a) of this section, any 1302  
order under division (E)(1)(e) of this section shall terminate on 1303  
the date that a court in an action for divorce, dissolution of 1304  
marriage, or legal separation brought by the petitioner or 1305  
respondent issues a support order or on the date that a juvenile 1306  
court in an action brought by the petitioner or respondent issues 1307  
a support order. 1308

(c) Any protection order issued or consent agreement approved 1309  
pursuant to this section may be renewed in the same manner as the 1310  
original order or agreement was issued or approved. 1311

(4) A court may not issue a protection order that requires a 1312  
petitioner to do or to refrain from doing an act that the court 1313  
may require a respondent to do or to refrain from doing under 1314  
division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this 1315  
section unless all of the following apply: 1316

(a) The respondent files a separate petition for a protection 1317  
order in accordance with this section. 1318

(b) The petitioner is served notice of the respondent's 1319  
petition at least forty-eight hours before the court holds a 1320  
hearing with respect to the respondent's petition, or the 1321  
petitioner waives the right to receive this notice. 1322

(c) If the petitioner has requested an ex parte order 1323  
pursuant to division (D) of this section, the court does not delay 1324  
any hearing required by that division beyond the time specified in 1325  
that division in order to consolidate the hearing with a hearing 1326  
on the petition filed by the respondent. 1327

(d) After a full hearing at which the respondent presents 1328  
evidence in support of the request for a protection order and the 1329

petitioner is afforded an opportunity to defend against that 1330  
evidence, the court determines that the petitioner has committed 1331  
an act of domestic violence or has violated a temporary protection 1332  
order issued pursuant to section 2919.26 of the Revised Code, that 1333  
both the petitioner and the respondent acted primarily as 1334  
aggressors, and that neither the petitioner nor the respondent 1335  
acted primarily in self-defense. 1336

(5) No protection order issued or consent agreement approved 1337  
under this section shall in any manner affect title to any real 1338  
property. 1339

(6)(a) If a petitioner, or the child of a petitioner, who 1340  
obtains a protection order or consent agreement pursuant to 1341  
division (E)(1) of this section or a temporary protection order 1342  
pursuant to section 2919.26 of the Revised Code and is the subject 1343  
of a parenting time order issued pursuant to section 3109.051 or 1344  
3109.12 of the Revised Code or a visitation or companionship order 1345  
issued pursuant to section 3109.051, 3109.11, or 3109.12 of the 1346  
Revised Code or division (E)(1)(d) of this section granting 1347  
parenting time rights to the respondent, the court may require the 1348  
public children services agency of the county in which the court 1349  
is located to provide supervision of the respondent's exercise of 1350  
parenting time or visitation or companionship rights with respect 1351  
to the child for a period not to exceed nine months, if the court 1352  
makes the following findings of fact: 1353

(i) The child is in danger from the respondent; 1354

(ii) No other person or agency is available to provide the 1355  
supervision. 1356

(b) A court that requires an agency to provide supervision 1357  
pursuant to division (E)(6)(a) of this section shall order the 1358  
respondent to reimburse the agency for the cost of providing the 1359  
supervision, if it determines that the respondent has sufficient 1360

income or resources to pay that cost. 1361

(7)(a) If a protection order issued or consent agreement 1362  
approved under this section includes a requirement that the 1363  
respondent be evicted from or vacate the residence or household or 1364  
refrain from entering the residence, school, business, or place of 1365  
employment of the petitioner or a family or household member, the 1366  
order or agreement shall state clearly that the order or agreement 1367  
cannot be waived or nullified by an invitation to the respondent 1368  
from the petitioner or other family or household member to enter 1369  
the residence, school, business, or place of employment or by the 1370  
respondent's entry into one of those places otherwise upon the 1371  
consent of the petitioner or other family or household member. 1372

(b) Division (E)(7)(a) of this section does not limit any 1373  
discretion of a court to determine that a respondent charged with 1374  
a violation of section 2919.27 of the Revised Code, with a 1375  
violation of a municipal ordinance substantially equivalent to 1376  
that section, or with contempt of court, which charge is based on 1377  
an alleged violation of a protection order issued or consent 1378  
agreement approved under this section, did not commit the 1379  
violation or was not in contempt of court. 1380

(8)(a) The court may modify or terminate as provided in 1381  
division (E)(8) of this section a protection order or consent 1382  
agreement that was issued after a full hearing under this section. 1383  
The court that issued the protection order or approved the consent 1384  
agreement shall hear a motion for modification or termination of 1385  
the protection order or consent agreement pursuant to division 1386  
(E)(8) of this section. 1387

(b) Either the petitioner or the respondent of the original 1388  
protection order or consent agreement may bring a motion for 1389  
modification or termination of a protection order or consent 1390  
agreement that was issued or approved after a full hearing. The 1391  
court shall require notice of the motion to be made as provided by 1392

the Rules of Civil Procedure. If the petitioner for the original protection order or consent agreement has requested that the petitioner's address be kept confidential, the court shall not disclose the address to the respondent of the original protection order or consent agreement or any other person, except as otherwise required by law. The moving party has the burden of proof to show, by a preponderance of the evidence, that modification or termination of the protection order or consent agreement is appropriate because either the protection order or consent agreement is no longer needed or because the terms of the original protection order or consent agreement are no longer appropriate.

(c) In considering whether to modify or terminate a protection order or consent agreement issued or approved under this section, the court shall consider all relevant factors, including, but not limited to, the following:

(i) Whether the petitioner consents to modification or termination of the protection order or consent agreement;

(ii) Whether the petitioner fears the respondent;

(iii) The current nature of the relationship between the petitioner and the respondent;

(iv) The circumstances of the petitioner and respondent, including the relative proximity of the petitioner's and respondent's workplaces and residences and whether the petitioner and respondent have minor children together;

(v) Whether the respondent has complied with the terms and conditions of the original protection order or consent agreement;

(vi) Whether the respondent has a continuing involvement with illegal drugs or alcohol;

(vii) Whether the respondent has been convicted of or pleaded

guilty to an offense of violence since the issuance of the 1423  
protection order or approval of the consent agreement; 1424

(viii) Whether any other protection orders, consent 1425  
agreements, restraining orders, or no contact orders have been 1426  
issued against the respondent pursuant to this section, section 1427  
2919.26 of the Revised Code, any other provision of state law, or 1428  
the law of any other state; 1429

(ix) Whether the respondent has participated in any domestic 1430  
violence treatment, intervention program, or other counseling 1431  
addressing domestic violence and whether the respondent has 1432  
completed the treatment, program, or counseling; 1433

(x) The time that has elapsed since the protection order was 1434  
issued or since the consent agreement was approved; 1435

(xi) The age and health of the respondent; 1436

(xii) When the last incident of abuse, threat of harm, or 1437  
commission of a sexually oriented offense occurred or other 1438  
relevant information concerning the safety and protection of the 1439  
petitioner or other protected parties. 1440

(d) If a protection order or consent agreement is modified or 1441  
terminated as provided in division (E)(8) of this section, the 1442  
court shall issue copies of the modified or terminated order or 1443  
agreement as provided in division (F) of this section. A 1444  
petitioner may also provide notice of the modification or 1445  
termination to the judicial and law enforcement officials in any 1446  
county other than the county in which the order or agreement is 1447  
modified or terminated as provided in division (N) of this 1448  
section. 1449

(e) If the respondent moves for modification or termination 1450  
of a protection order or consent agreement pursuant to this 1451  
section, the court may assess costs against the respondent for the 1452  
filing of the motion. 1453

(F)(1) A copy of any protection order, or consent agreement, 1454  
that is issued, approved, modified, or terminated under this 1455  
section shall be issued by the court to the petitioner, to the 1456  
respondent, and to all law enforcement agencies that have 1457  
jurisdiction to enforce the order or agreement. The court shall 1458  
direct that a copy of an order be delivered to the respondent on 1459  
the same day that the order is entered. 1460

(2) All law enforcement agencies shall establish and maintain 1461  
an index for the protection orders and the approved consent 1462  
agreements delivered to the agencies pursuant to division (F)(1) 1463  
of this section. With respect to each order and consent agreement 1464  
delivered, each agency shall note on the index the date and time 1465  
that it received the order or consent agreement. 1466

(3) Regardless of whether the petitioner has registered the 1467  
order or agreement in the county in which the officer's agency has 1468  
jurisdiction pursuant to division (N) of this section, any officer 1469  
of a law enforcement agency shall enforce a protection order 1470  
issued or consent agreement approved by any court in this state in 1471  
accordance with the provisions of the order or agreement, 1472  
including removing the respondent from the premises, if 1473  
appropriate. 1474

(G) Any proceeding under this section shall be conducted in 1475  
accordance with the Rules of Civil Procedure, except that an order 1476  
under this section may be obtained with or without bond. An order 1477  
issued under this section, other than an ex parte order, that 1478  
grants a protection order or approves a consent agreement, that 1479  
refuses to grant a protection order or approve a consent agreement 1480  
that modifies or terminates a protection order or consent 1481  
agreement, or that refuses to modify or terminate a protection 1482  
order or consent agreement, is a final, appealable order. The 1483  
remedies and procedures provided in this section are in addition 1484  
to, and not in lieu of, any other available civil or criminal 1485



remedies. 1486

(H) The filing of proceedings under this section does not 1487  
excuse a person from filing any report or giving any notice 1488  
required by section 2151.421 of the Revised Code or by any other 1489  
law. When a petition under this section alleges domestic violence 1490  
against minor children, the court shall report the fact, or cause 1491  
reports to be made, to a county, township, or municipal peace 1492  
officer under section 2151.421 of the Revised Code. 1493

(I) Any law enforcement agency that investigates a domestic 1494  
dispute shall provide information to the family or household 1495  
members involved regarding the relief available under this section 1496  
and section 2919.26 of the Revised Code. 1497

(J) Notwithstanding any provision of law to the contrary and 1498  
regardless of whether a protection order is issued or a consent 1499  
agreement is approved by a court of another county or a court of 1500  
another state, no court or unit of state or local government shall 1501  
charge any fee, cost, deposit, or money in connection with the 1502  
filing of a petition pursuant to this section or in connection 1503  
with the filing, issuance, registration, or service of a 1504  
protection order or consent agreement, or for obtaining a 1505  
certified copy of a protection order or consent agreement. 1506

(K)(1) The court shall comply with Chapters 3119., 3121., 1507  
3123., and 3125. of the Revised Code when it makes or modifies an 1508  
order for child support under this section. 1509

(2) If any person required to pay child support under an 1510  
order made under this section on or after April 15, 1985, or 1511  
modified under this section on or after December 31, 1986, is 1512  
found in contempt of court for failure to make support payments 1513  
under the order, the court that makes the finding, in addition to 1514  
any other penalty or remedy imposed, shall assess all court costs 1515  
arising out of the contempt proceeding against the person and 1516

require the person to pay any reasonable attorney's fees of any 1517  
adverse party, as determined by the court, that arose in relation 1518  
to the act of contempt. 1519

(L)(1) A person who violates a protection order issued or a 1520  
consent agreement approved under this section is subject to the 1521  
following sanctions: 1522

(a) Criminal prosecution for a violation of section 2919.27 1523  
of the Revised Code, if the violation of the protection order or 1524  
consent agreement constitutes a violation of that section; 1525

(b) Punishment for contempt of court. 1526

(2) The punishment of a person for contempt of court for 1527  
violation of a protection order issued or a consent agreement 1528  
approved under this section does not bar criminal prosecution of 1529  
the person for a violation of section 2919.27 of the Revised Code. 1530  
However, a person punished for contempt of court is entitled to 1531  
credit for the punishment imposed upon conviction of a violation 1532  
of that section, and a person convicted of a violation of that 1533  
section shall not subsequently be punished for contempt of court 1534  
arising out of the same activity. 1535

(M) In all stages of a proceeding under this section, a 1536  
petitioner may be accompanied by a victim advocate. 1537

(N)(1) A petitioner who obtains a protection order or consent 1538  
agreement under this section or a temporary protection order under 1539  
section 2919.26 of the Revised Code may provide notice of the 1540  
issuance or approval of the order or agreement to the judicial and 1541  
law enforcement officials in any county other than the county in 1542  
which the order is issued or the agreement is approved by 1543  
registering that order or agreement in the other county pursuant 1544  
to division (N)(2) of this section and filing a copy of the 1545  
registered order or registered agreement with a law enforcement 1546  
agency in the other county in accordance with that division. A 1547

person who obtains a protection order issued by a court of another 1548  
state may provide notice of the issuance of the order to the 1549  
judicial and law enforcement officials in any county of this state 1550  
by registering the order in that county pursuant to section 1551  
2919.272 of the Revised Code and filing a copy of the registered 1552  
order with a law enforcement agency in that county. 1553

(2) A petitioner may register a temporary protection order, 1554  
protection order, or consent agreement in a county other than the 1555  
county in which the court that issued the order or approved the 1556  
agreement is located in the following manner: 1557

(a) The petitioner shall obtain a certified copy of the order 1558  
or agreement from the clerk of the court that issued the order or 1559  
approved the agreement and present that certified copy to the 1560  
clerk of the court of common pleas or the clerk of a municipal 1561  
court or county court in the county in which the order or 1562  
agreement is to be registered. 1563

(b) Upon accepting the certified copy of the order or 1564  
agreement for registration, the clerk of the court of common 1565  
pleas, municipal court, or county court shall place an endorsement 1566  
of registration on the order or agreement and give the petitioner 1567  
a copy of the order or agreement that bears that proof of 1568  
registration. 1569

(3) The clerk of each court of common pleas, the clerk of 1570  
each municipal court, and the clerk of each county court shall 1571  
maintain a registry of certified copies of temporary protection 1572  
orders, protection orders, or consent agreements that have been 1573  
issued or approved by courts in other counties and that have been 1574  
registered with the clerk. 1575

Sec. 4731.284. For the purposes of division (F) of section 1576  
2152.19 of the Revised Code, the state medical board shall approve 1577  
one or more continuing medical education courses of study included 1578

within the programs certified by the Ohio state medical 1579  
association and the Ohio osteopathic association pursuant to 1580  
section 4731.281 of the Revised Code with regard to the counseling 1581  
of individuals who abuse animals. Doctors of medicine and surgery 1582  
and doctors of osteopathic medicine and surgery are not required 1583  
to take the courses except as otherwise provided in division (F) 1584  
of section 2152.19 of the Revised Code. 1585

**Sec. 4732.141.** (A)(1) On or before the thirty-first day of 1586  
August of each even-numbered year beginning in 1998 and until the 1587  
requirement set forth in division (A)(2) of this section applies, 1588  
each person licensed under this chapter by the state board of 1589  
psychology shall have completed, in the preceding two-year period, 1590  
not less than twenty hours of continuing education in psychology 1591  
or the number of hours determined under division (D) of this 1592  
section. 1593

(2) On or before the thirty-first day of August of each 1594  
even-numbered year after the biennium in which this amendment 1595  
takes effect, each person licensed under this chapter by the state 1596  
board of psychology shall have completed, in the preceding 1597  
two-year period, not less than twenty-three hours of continuing 1598  
education in psychology, including not less than three hours of 1599  
continuing education in professional conduct and ethics, or the 1600  
number of hours determined under division (D) of this section. 1601

(3) Each person subject to division (A)(1) or (2) of this 1602  
section shall certify to the board, at the time of biennial 1603  
registration pursuant to section 4732.14 of the Revised Code and 1604  
on the registration form prescribed by the board under that 1605  
section, that in the preceding two years the person has completed 1606  
continuing psychology education in compliance with this section. 1607  
The board shall adopt rules establishing the procedure for a 1608  
person to certify to the board and for properly recording with the 1609

Ohio psychological association or the state board of education 1610  
completion of the continuing education. 1611

(B) Continuing psychology education may be applied to meet 1612  
the requirement of division (A) of this section if both of the 1613  
following requirements are met: 1614

(1) It is obtained through a program or course approved by 1615  
the state board of psychology, the Ohio psychological association, 1616  
the Ohio association of black psychologists, or the American 1617  
psychological association or, in the case of a licensed school 1618  
psychologist or a licensed psychologist with a school psychology 1619  
specialty, by the state board of education, the Ohio school 1620  
psychologists association, or the national association of school 1621  
psychologists; 1622

(2) Completion of the program or course is recorded with the 1623  
Ohio psychological association or the state board of education in 1624  
accordance with rules adopted by the state board of psychology in 1625  
accordance with division (A) of this section. 1626

The state board of psychology may disapprove any program or 1627  
course that has been approved by the Ohio psychological 1628  
association, Ohio association of black psychologists, American 1629  
psychological association, state board of education, Ohio school 1630  
psychologists association, or national association of school 1631  
psychologists. Such program or course may not be applied to meet 1632  
the requirement of division (A) of this section. 1633

(C) Each person licensed under this chapter shall be given a 1634  
sufficient choice of continuing education programs or courses in 1635  
psychology, including programs or courses on professional conduct 1636  
and ethics when required under division (A)(2) of this section, to 1637  
ensure that the person has had a reasonable opportunity to 1638  
participate in programs or courses that are relevant to the 1639  
person's practice in terms of subject matter and level. 1640

(D) The board shall adopt rules providing for reductions of 1641  
the hours of continuing psychology education required by this 1642  
section for persons in their first registration period. 1643

(E) Each person licensed under this chapter shall retain in 1644  
the person's records for at least three years the receipts, 1645  
vouchers, or certificates necessary to document completion of 1646  
continuing psychology education. Proof of continuing psychology 1647  
education recorded with the Ohio psychological association or the 1648  
state board of education in accordance with the procedures 1649  
established pursuant to division (A) of this section shall serve 1650  
as sufficient documentation of completion. With cause, the board 1651  
may request the documentation from the person. The board also may 1652  
request the documentation from persons licensed under this chapter 1653  
selected at random, without cause. The board may review any 1654  
continuing psychology education records recorded by the Ohio 1655  
psychological association or the state board of education. 1656

(F) The board may excuse persons licensed under this chapter, 1657  
as a group or as individuals, from all or any part of the 1658  
requirements of this section because of an unusual circumstance, 1659  
emergency, or special hardship. 1660

(G) The state board of psychology shall approve one or more 1661  
continuing education courses of study that assist psychologists 1662  
and school psychologists in recognizing the signs of domestic 1663  
violence and its relationship to child abuse. Psychologists and 1664  
school psychologists are not required to take the courses. 1665

(H) For the purposes of division (F) of section 2152.19 of 1666  
the Revised Code, the state board of psychology shall approve one 1667  
or more continuing education courses of study with regard to the 1668  
counseling of individuals who abuse animals. Psychologists and 1669  
school psychologists are not required to take the courses except 1670  
as otherwise provided in division (F) of section 2152.19 of the 1671  
Revised Code. 1672

**Sec. 4757.33.** (A) Except as provided in division (B) of this 1673  
section, each person who holds a license or certificate of 1674  
registration issued under this chapter shall complete during the 1675  
period that the license or certificate is in effect not less than 1676  
thirty clock hours of continuing professional education as a 1677  
condition of receiving a renewed license or certificate. To have a 1678  
lapsed license or certificate of registration restored, a person 1679  
shall complete the number of hours of continuing education 1680  
specified by the counselor, social worker, and marriage and family 1681  
therapist board in rules it shall adopt in accordance with Chapter 1682  
119. of the Revised Code. 1683

The professional standards committees of the counselor, 1684  
social worker, and marriage and family therapist board shall adopt 1685  
rules in accordance with Chapter 119. of the Revised Code 1686  
establishing standards and procedures to be followed by the 1687  
committees in conducting the continuing education approval 1688  
process. 1689

(B) The board may waive the continuing education requirements 1690  
established under this section for persons who are unable to 1691  
fulfill them because of military service, illness, residence 1692  
abroad, or any other reason the committee considers acceptable. 1693

In the case of a social worker licensed by virtue of 1694  
receiving, prior to October 10, 1992, a baccalaureate degree in a 1695  
program closely related to social work, as a condition of the 1696  
first renewal of the license, the social worker ~~must~~ shall 1697  
complete at an accredited educational institution a minimum of 1698  
five semester hours of social work graduate or undergraduate 1699  
credit, or their equivalent, that is acceptable to the committee 1700  
and includes a course in social work theory and a course in social 1701  
work methods. 1702

(C) For the purposes of division (F) of section 2152.19 of 1703

the Revised Code, the continuing professional education that is 1704  
required by this section shall include a course of study with 1705  
regard to the counseling of individuals who abuse animals. Persons 1706  
who hold licenses or certificates of registration issued under 1707  
this chapter are not required to take the courses except as 1708  
otherwise provided in division (F) of section 2152.19 of the 1709  
Revised Code. 1710

**Section 2.** That existing sections 959.99, 2152.19, 2903.213, 1711  
2903.214, 2919.26, 3113.31, 4732.141, and 4757.33 of the Revised 1712  
Code are hereby repealed. 1713

**Section 3.** That the version of section 2152.19 of the Revised 1714  
Code that is scheduled to take effect January 1, 2008, be amended 1715  
to read as follows: 1716

**Sec. 2152.19.** (A) If a child is adjudicated a delinquent 1717  
child, the court may make any of the following orders of 1718  
disposition, in addition to any other disposition authorized or 1719  
required by this chapter: 1720

(1) Any order that is authorized by section 2151.353 of the 1721  
Revised Code for the care and protection of an abused, neglected, 1722  
or dependent child; 1723

(2) Commit the child to the temporary custody of any school, 1724  
camp, institution, or other facility operated for the care of 1725  
delinquent children by the county, by a district organized under 1726  
section ~~2152.41~~ or 2151.65 or 2152.41 of the Revised Code, or by a 1727  
private agency or organization, within or without the state, that 1728  
is authorized and qualified to provide the care, treatment, or 1729  
placement required, including, but not limited to, a school, camp, 1730  
or facility operated under section 2151.65 of the Revised Code; 1731

(3) Place the child in a detention facility or district 1732



detention facility operated under section 2152.41 of the Revised Code, for up to ninety days;

(4) Place the child on community control under any sanctions, services, and conditions that the court prescribes. As a condition of community control in every case and in addition to any other condition that it imposes upon the child, the court shall require the child to abide by the law during the period of community control. As referred to in this division, community control includes, but is not limited to, the following sanctions and conditions:

(a) A period of basic probation supervision in which the child is required to maintain contact with a person appointed to supervise the child in accordance with sanctions imposed by the court;

(b) A period of intensive probation supervision in which the child is required to maintain frequent contact with a person appointed by the court to supervise the child while the child is seeking or maintaining employment and participating in training, education, and treatment programs as the order of disposition;

(c) A period of day reporting in which the child is required each day to report to and leave a center or another approved reporting location at specified times in order to participate in work, education or training, treatment, and other approved programs at the center or outside the center;

(d) A period of community service of up to five hundred hours for an act that would be a felony or a misdemeanor of the first degree if committed by an adult, up to two hundred hours for an act that would be a misdemeanor of the second, third, or fourth degree if committed by an adult, or up to thirty hours for an act that would be a minor misdemeanor if committed by an adult;

(e) A requirement that the child obtain a high school

diploma, a certificate of high school equivalence, vocational	1764
training, or employment;	1765
(f) A period of drug and alcohol use monitoring;	1766
(g) A requirement of alcohol or drug assessment or	1767
counseling, or a period in an alcohol or drug treatment program	1768
with a level of security for the child as determined necessary by	1769
the court;	1770
(h) A period in which the court orders the child to observe a	1771
curfew that may involve daytime or evening hours;	1772
(i) A requirement that the child serve monitored time;	1773
(j) A period of house arrest without electronic monitoring or	1774
continuous alcohol monitoring;	1775
(k) A period of electronic monitoring or continuous alcohol	1776
monitoring without house arrest, or house arrest with electronic	1777
monitoring or continuous alcohol monitoring or both electronic	1778
monitoring and continuous alcohol monitoring, that does not exceed	1779
the maximum sentence of imprisonment that could be imposed upon an	1780
adult who commits the same act.	1781
A period of house arrest with electronic monitoring or	1782
continuous alcohol monitoring or both electronic monitoring and	1783
continuous alcohol monitoring, imposed under this division shall	1784
not extend beyond the child's twenty-first birthday. If a court	1785
imposes a period of house arrest with electronic monitoring or	1786
continuous alcohol monitoring or both electronic monitoring and	1787
continuous alcohol monitoring, upon a child under this division,	1788
it shall require the child: to remain in the child's home or other	1789
specified premises for the entire period of house arrest with	1790
electronic monitoring or continuous alcohol monitoring or both	1791
except when the court permits the child to leave those premises to	1792
go to school or to other specified premises. Regarding electronic	1793
monitoring, the court also shall require the child to be monitored	1794

by a central system that can determine the child's location at 1795  
designated times; to report periodically to a person designated by 1796  
the court; and to enter into a written contract with the court 1797  
agreeing to comply with all requirements imposed by the court, 1798  
agreeing to pay any fee imposed by the court for the costs of the 1799  
house arrest with electronic monitoring, and agreeing to waive the 1800  
right to receive credit for any time served on house arrest with 1801  
electronic monitoring toward the period of any other dispositional 1802  
order imposed upon the child if the child violates any of the 1803  
requirements of the dispositional order of house arrest with 1804  
electronic monitoring. The court also may impose other reasonable 1805  
requirements upon the child. 1806

Unless ordered by the court, a child shall not receive credit 1807  
for any time served on house arrest with electronic monitoring or 1808  
continuous alcohol monitoring or both toward any other 1809  
dispositional order imposed upon the child for the act for which 1810  
was imposed the dispositional order of house arrest with 1811  
electronic monitoring or continuous alcohol monitoring. As used in 1812  
this division and division (A)(4)~~(i)~~(j) of this section, 1813  
"continuous alcohol monitoring" has the same meaning as in section 1814  
2929.01 of the Revised Code. 1815

(1) A suspension of the driver's license, probationary 1816  
driver's license, or temporary instruction permit issued to the 1817  
child for a period of time prescribed by the court, or a 1818  
suspension of the registration of all motor vehicles registered in 1819  
the name of the child for a period of time prescribed by the 1820  
court. A child whose license or permit is so suspended is 1821  
ineligible for issuance of a license or permit during the period 1822  
of suspension. At the end of the period of suspension, the child 1823  
shall not be reissued a license or permit until the child has paid 1824  
any applicable reinstatement fee and complied with all 1825  
requirements governing license reinstatement. 1826

(5) Commit the child to the custody of the court;	1827
(6) Require the child to not be absent without legitimate excuse from the public school the child is supposed to attend for five or more consecutive days, seven or more school days in one school month, or twelve or more school days in a school year;	1828 1829 1830 1831
(7)(a) If a child is adjudicated a delinquent child for being a chronic truant or a habitual truant who previously has been adjudicated an unruly child for being a habitual truant, do either or both of the following:	1832 1833 1834 1835
(i) Require the child to participate in a truancy prevention mediation program;	1836 1837
(ii) Make any order of disposition as authorized by this section, except that the court shall not commit the child to a facility described in division (A)(2) or (3) of this section unless the court determines that the child violated a lawful court order made pursuant to division (C)(1)(e) of section 2151.354 of the Revised Code or division (A)(6) of this section.	1838 1839 1840 1841 1842 1843
(b) If a child is adjudicated a delinquent child for being a chronic truant or a habitual truant who previously has been adjudicated an unruly child for being a habitual truant and the court determines that the parent, guardian, or other person having care of the child has failed to cause the child's attendance at school in violation of section 3321.38 of the Revised Code, do either or both of the following:	1844 1845 1846 1847 1848 1849 1850
(i) Require the parent, guardian, or other person having care of the child to participate in a truancy prevention mediation program;	1851 1852 1853
(ii) Require the parent, guardian, or other person having care of the child to participate in any community service program, preferably a community service program that requires the involvement of the parent, guardian, or other person having care	1854 1855 1856 1857

of the child in the school attended by the child. 1858

(8) Make any further disposition that the court finds proper, 1859  
except that the child shall not be placed in any of the following: 1860

(a) A state correctional institution, a county, multicounty, 1861  
or municipal jail or workhouse, or another place in which an adult 1862  
convicted of a crime, under arrest, or charged with a crime is 1863  
held; 1864

(b) A community corrections facility, if the child would be 1865  
covered by the definition of public safety beds for purposes of 1866  
sections 5139.41 to 5139.43 of the Revised Code if the court 1867  
exercised its authority to commit the child to the legal custody 1868  
of the department of youth services for institutionalization or 1869  
institutionalization in a secure facility pursuant to this 1870  
chapter. 1871

(B) If a child is adjudicated a delinquent child, in addition 1872  
to any order of disposition made under division (A) of this 1873  
section, the court, in the following situations and for the 1874  
specified periods of time, shall suspend the child's temporary 1875  
instruction permit, restricted license, probationary driver's 1876  
license, or nonresident operating privilege, or suspend the 1877  
child's ability to obtain such a permit: 1878

(1) If the child is adjudicated a delinquent child for 1879  
violating section 2923.122 of the Revised Code, impose a class 1880  
four suspension of the child's license, permit, or privilege from 1881  
the range specified in division (A)(4) of section 4510.02 of the 1882  
Revised Code or deny the child the issuance of a license or permit 1883  
in accordance with division (F)(1) of section 2923.122 of the 1884  
Revised Code. 1885

(2) If the child is adjudicated a delinquent child for 1886  
committing an act that if committed by an adult would be a drug 1887  
abuse offense or for violating division (B) of section 2917.11 of 1888

the Revised Code, suspend the child's license, permit, or 1889  
privilege for a period of time prescribed by the court. The court, 1890  
in its discretion, may terminate the suspension if the child 1891  
attends and satisfactorily completes a drug abuse or alcohol abuse 1892  
education, intervention, or treatment program specified by the 1893  
court. During the time the child is attending a program described 1894  
in this division, the court shall retain the child's temporary 1895  
instruction permit, probationary driver's license, or driver's 1896  
license, and the court shall return the permit or license if it 1897  
terminates the suspension as described in this division. 1898

(C) The court may establish a victim-offender mediation 1899  
program in which victims and their offenders meet to discuss the 1900  
offense and suggest possible restitution. If the court obtains the 1901  
assent of the victim of the delinquent act committed by the child, 1902  
the court may require the child to participate in the program. 1903

(D)(1) If a child is adjudicated a delinquent child for 1904  
committing an act that would be a felony if committed by an adult 1905  
and if the child caused, attempted to cause, threatened to cause, 1906  
or created a risk of physical harm to the victim of the act, the 1907  
court, prior to issuing an order of disposition under this 1908  
section, shall order the preparation of a victim impact statement 1909  
by the probation department of the county in which the victim of 1910  
the act resides, by the court's own probation department, or by a 1911  
victim assistance program that is operated by the state, a county, 1912  
a municipal corporation, or another governmental entity. The court 1913  
shall consider the victim impact statement in determining the 1914  
order of disposition to issue for the child. 1915

(2) Each victim impact statement shall identify the victim of 1916  
the act for which the child was adjudicated a delinquent child, 1917  
itemize any economic loss suffered by the victim as a result of 1918  
the act, identify any physical injury suffered by the victim as a 1919  
result of the act and the seriousness and permanence of the 1920

injury, identify any change in the victim's personal welfare or 1921  
familial relationships as a result of the act and any 1922  
psychological impact experienced by the victim or the victim's 1923  
family as a result of the act, and contain any other information 1924  
related to the impact of the act upon the victim that the court 1925  
requires. 1926

(3) A victim impact statement shall be kept confidential and 1927  
is not a public record. However, the court may furnish copies of 1928  
the statement to the department of youth services if the 1929  
delinquent child is committed to the department or to both the 1930  
adjudicated delinquent child or the adjudicated delinquent child's 1931  
counsel and the prosecuting attorney. The copy of a victim impact 1932  
statement furnished by the court to the department pursuant to 1933  
this section shall be kept confidential and is not a public 1934  
record. If an officer is preparing pursuant to section 2947.06 or 1935  
2951.03 of the Revised Code or Criminal Rule 32.2 a presentence 1936  
investigation report pertaining to a person, the court shall make 1937  
available to the officer, for use in preparing the report, a copy 1938  
of any victim impact statement regarding that person. The copies 1939  
of a victim impact statement that are made available to the 1940  
adjudicated delinquent child or the adjudicated delinquent child's 1941  
counsel and the prosecuting attorney pursuant to this division 1942  
shall be returned to the court by the person to whom they were 1943  
made available immediately following the imposition of an order of 1944  
disposition for the child under this chapter. 1945

The copy of a victim impact statement that is made available 1946  
pursuant to this division to an officer preparing a criminal 1947  
presentence investigation report shall be returned to the court by 1948  
the officer immediately following its use in preparing the report. 1949

(4) The department of youth services shall work with local 1950  
probation departments and victim assistance programs to develop a 1951  
standard victim impact statement. 1952

(E) If a child is adjudicated a delinquent child for being a chronic truant or a habitual truant who previously has been adjudicated an unruly child for being a habitual truant and the court determines that the parent, guardian, or other person having care of the child has failed to cause the child's attendance at school in violation of section 3321.38 of the Revised Code, in addition to any order of disposition it makes under this section, the court shall warn the parent, guardian, or other person having care of the child that any subsequent adjudication of the child as an unruly or delinquent child for being a habitual or chronic truant may result in a criminal charge against the parent, guardian, or other person having care of the child for a violation of division (C) of section 2919.21 or section 2919.24 of the Revised Code.

(F) If a child under eighteen years of age is adjudicated a delinquent child for a violation of division (B) of section 959.131 of the Revised Code, the court, in addition to any other disposition that it makes under this section, shall require the child to undergo psychological evaluation and individual or family counseling for a period of not less than six months. The person conducting the individual or family counseling shall have completed continuing education that is approved or included under section 4731.284, 4732.141, or 4757.33 of the Revised Code, as applicable, with regard to the counseling of individuals who abuse animals. The court may order the parent, guardian, or other person having care of the child to pay the costs of the evaluation, the counseling, or both.

(G)(1) During the period of a delinquent child's community control granted under this section, authorized probation officers who are engaged within the scope of their supervisory duties or responsibilities may search, with or without a warrant, the person of the delinquent child, the place of residence of the delinquent



child, and a motor vehicle, another item of tangible or intangible 1985  
personal property, or other real property in which the delinquent 1986  
child has a right, title, or interest or for which the delinquent 1987  
child has the express or implied permission of a person with a 1988  
right, title, or interest to use, occupy, or possess if the 1989  
probation officers have reasonable grounds to believe that the 1990  
delinquent child is not abiding by the law or otherwise is not 1991  
complying with the conditions of the delinquent child's community 1992  
control. The court that places a delinquent child on community 1993  
control under this section shall provide the delinquent child with 1994  
a written notice that informs the delinquent child that authorized 1995  
probation officers who are engaged within the scope of their 1996  
supervisory duties or responsibilities may conduct those types of 1997  
searches during the period of community control if they have 1998  
reasonable grounds to believe that the delinquent child is not 1999  
abiding by the law or otherwise is not complying with the 2000  
conditions of the delinquent child's community control. The court 2001  
also shall provide the written notice described in division 2002  
~~(E)~~(G)(2) of this section to each parent, guardian, or custodian 2003  
of the delinquent child who is described in that division. 2004

(2) The court that places a child on community control under 2005  
this section shall provide the child's parent, guardian, or other 2006  
custodian with a written notice that informs them that authorized 2007  
probation officers may conduct searches pursuant to division 2008  
~~(E)~~(G)(1) of this section. The notice shall specifically state 2009  
that a permissible search might extend to a motor vehicle, another 2010  
item of tangible or intangible personal property, or a place of 2011  
residence or other real property in which a notified parent, 2012  
guardian, or custodian has a right, title, or interest and that 2013  
the parent, guardian, or custodian expressly or impliedly permits 2014  
the child to use, occupy, or possess. 2015

~~(G)~~(H) If a juvenile court commits a delinquent child to the 2016

custody of any person, organization, or entity pursuant to this 2017  
section and if the delinquent act for which the child is so 2018  
committed is a sexually oriented offense or is a child-victim 2019  
oriented offense, the court in the order of disposition shall do 2020  
one of the following: 2021

(1) Require that the child be provided treatment as described 2022  
in division (A)(2) of section 5139.13 of the Revised Code; 2023

(2) Inform the person, organization, or entity that it is the 2024  
preferred course of action in this state that the child be 2025  
provided treatment as described in division (A)(2) of section 2026  
5139.13 of the Revised Code and encourage the person, 2027  
organization, or entity to provide that treatment. 2028

**Section 4.** That the existing version of section 2152.19 of 2029  
the Revised Code that is scheduled to take effect January 1, 2008, 2030  
is hereby repealed. 2031