

As Introduced

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

H. B. No. 57

Representative Combs

**Cosponsors: Representatives McGregor, J., Fessler, Setzer, Jones, Adams,
Stewart, D., Collier**

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A B I L L

To amend sections 2950.01, 2950.11, 2950.12, and 1
2950.13 of the Revised Code to provide notice to a 2
long-term care facility and its residents when a 3
registered sex offender indicates an intent to 4
reside or registers an address within the 5
facility's specified geographical notification 6
area. 7

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

Section 1. That sections 2950.01, 2950.11, 2950.12, and 8
2950.13 of the Revised Code be amended to read as follows: 9

Sec. 2950.01. As used in this chapter, unless the context 10
clearly requires otherwise: 11

(A) "Confinement" includes, but is not limited to, a 12
community residential sanction imposed pursuant to section 2929.16 13
or 2929.26 of the Revised Code. 14

(B) "Habitual sex offender" means, except when a juvenile 15
judge removes this classification pursuant to division (A)(2) of 16
section 2152.84 or division (C)(2) of section 2152.85 of the 17
Revised Code, a person to whom both of the following apply: 18

(1) The person is convicted of or pleads guilty to a sexually oriented offense that is not a registration-exempt sexually oriented offense, or the person is adjudicated a delinquent child for committing on or after January 1, 2002, a sexually oriented offense that is not a registration-exempt sexually oriented offense, was fourteen years of age or older at the time of committing the offense, and is classified a juvenile sex offender registrant based on that adjudication.

(2) One of the following applies to the person:

(a) Regarding a person who is an offender, the person previously was convicted of or pleaded guilty to one or more sexually oriented offenses or child-victim oriented offenses or previously was adjudicated a delinquent child for committing one or more sexually oriented offenses or child-victim oriented offenses and was classified a juvenile offender registrant or out-of-state juvenile offender registrant based on one or more of those adjudications, regardless of when the offense was committed and regardless of the person's age at the time of committing the offense.

(b) Regarding a delinquent child, the person previously was convicted of, pleaded guilty to, or was adjudicated a delinquent child for committing one or more sexually oriented offenses or child-victim oriented offenses, regardless of when the offense was committed and regardless of the person's age at the time of committing the offense.

(C) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(D) "Sexually oriented offense" means any of the following:

(1) Any of the following violations or offenses committed by a person eighteen years of age or older:

(a) Regardless of the age of the victim of the offense, a

violation of section 2907.02, 2907.03, 2907.05, or 2907.07 of the Revised Code; 50
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(b) Any of the following offenses involving a minor, in the circumstances specified: 52
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(i) A violation of division (A)(4) of section 2905.01 or section 2907.04, 2907.06, or 2907.08 of the Revised Code, when the victim of the offense is under eighteen years of age; 54
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(ii) A violation of section 2907.21 of the Revised Code when the person who is compelled, induced, procured, encouraged, solicited, requested, or facilitated to engage in, paid or agreed to be paid for, or allowed to engage in the sexual activity in question is under eighteen years of age; 57
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(iii) A violation of division (A)(1) or (3) of section 2907.321 or 2907.322 of the Revised Code; 62
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(iv) A violation of division (A)(1) or (2) of section 2907.323 of the Revised Code; 64
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(v) A violation of division (B)(5) of section 2919.22 of the Revised Code when the child who is involved in the offense is under eighteen years of age; 66
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(vi) A violation of division (A)(1), (2), (3), or (5) of section 2905.01, of section 2903.211, 2905.02, 2905.03, or 2905.05, or of former section 2905.04 of the Revised Code, when the victim of the offense is under eighteen years of age and the offense is committed with a sexual motivation. 69
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(c) Regardless of the age of the victim of the offense, a violation of section 2903.01, 2903.02, 2903.11, or 2905.01 of the Revised Code, or of division (A) of section 2903.04 of the Revised Code, that is committed with a sexual motivation; 74
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(d) A violent sex offense, or a designated homicide, assault, or kidnapping offense if the offender also was convicted of or 78
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pleaded guilty to a sexual motivation specification that was 80
included in the indictment, count in the indictment, or 81
information charging the designated homicide, assault, or 82
kidnapping offense; 83

(e) A violation of section 2907.06 or 2907.08 of the Revised 84
Code when the victim of the offense is eighteen years of age or 85
older, or a violation of section 2903.211 of the Revised Code when 86
the victim of the offense is eighteen years of age or older and 87
the offense is committed with a sexual motivation; 88

(f) A violation of any former law of this state, any existing 89
or former municipal ordinance or law of another state or the 90
United States, any existing or former law applicable in a military 91
court or in an Indian tribal court, or any existing or former law 92
of any nation other than the United States, that is or was 93
substantially equivalent to any offense listed in division 94
(D)(1)(a), (b), (c), (d), or (e) of this section; 95

(g) An attempt to commit, conspiracy to commit, or complicity 96
in committing any offense listed in division (D)(1)(a), (b), (c), 97
(d), (e), or (f) of this section. 98

(2) An act committed by a person under eighteen years of age 99
that is any of the following: 100

(a) Subject to division (D)(2)(i) of this section, regardless 101
of the age of the victim of the violation, a violation of section 102
2907.02, 2907.03, 2907.05, or 2907.07 of the Revised Code; 103

(b) Subject to division (D)(2)(i) of this section, any of the 104
following acts involving a minor in the circumstances specified: 105

(i) A violation of division (A)(4) of section 2905.01 or 106
section 2907.06 or 2907.08 of the Revised Code, when the victim of 107
the violation is under eighteen years of age; 108

(ii) A violation of section 2907.21 of the Revised Code when 109

the person who is compelled, induced, procured, encouraged, 110
solicited, requested, or facilitated to engage in, paid or agreed 111
to be paid for, or allowed to engage in the sexual activity in 112
question is under eighteen years of age; 113

(iii) A violation of division (B)(5) of section 2919.22 of 114
the Revised Code when the child who is involved in the violation 115
is under eighteen years of age; 116

(iv) A violation of division (A)(1), (2), (3), or (5) of 117
section 2905.01, section 2903.211, or former section 2905.04 of 118
the Revised Code, when the victim of the violation is under 119
eighteen years of age and the offense is committed with a sexual 120
motivation. 121

(c) Subject to division (D)(2)(i) of this section, any of the 122
following: 123

(i) Any violent sex offense that, if committed by an adult, 124
would be a felony of the first, second, third, or fourth degree; 125

(ii) Any designated homicide, assault, or kidnapping offense 126
if that offense, if committed by an adult, would be a felony of 127
the first, second, third, or fourth degree and if the court 128
determined that, if the child was an adult, the child would be 129
guilty of a sexual motivation specification regarding that 130
offense. 131

(d) Subject to division (D)(2)(i) of this section, a 132
violation of section 2903.01, 2903.02, 2903.11, 2905.01, or 133
2905.02 of the Revised Code, a violation of division (A) of 134
section 2903.04 of the Revised Code, or an attempt to violate any 135
of those sections or that division that is committed with a sexual 136
motivation; 137

(e) Subject to division (D)(2)(i) of this section, a 138
violation of division (A)(1) or (3) of section 2907.321, division 139
(A)(1) or (3) of section 2907.322, or division (A)(1) or (2) of 140

section 2907.323 of the Revised Code, or an attempt to violate any 141
of those divisions, if the person who violates or attempts to 142
violate the division is four or more years older than the minor 143
who is the victim of the violation; 144

(f) Subject to division (D)(2)(i) of this section, a 145
violation of section 2907.06 or 2907.08 of the Revised Code when 146
the victim of the violation is eighteen years of age or older, or 147
a violation of section 2903.211 of the Revised Code when the 148
victim of the violation is eighteen years of age or older and the 149
offense is committed with a sexual motivation; 150

(g) Subject to division (D)(2)(i) of this section, any 151
violation of any former law of this state, any existing or former 152
municipal ordinance or law of another state or the United States, 153
any existing or former law applicable in a military court or in an 154
Indian tribal court, or any existing or former law of any nation 155
other than the United States, that is or was substantially 156
equivalent to any offense listed in division (D)(2)(a), (b), (c), 157
(d), (e), or (f) of this section and that, if committed by an 158
adult, would be a felony of the first, second, third, or fourth 159
degree; 160

(h) Subject to division (D)(2)(i) of this section, any 161
attempt to commit, conspiracy to commit, or complicity in 162
committing any offense listed in division (D)(2)(a), (b), (c), 163
(d), (e), (f), or (g) of this section; 164

(i) If the child's case has been transferred for criminal 165
prosecution under section 2152.12 of the Revised Code, the act is 166
any violation listed in division (D)(1)(a), (b), (c), (d), (e), 167
(f), or (g) of this section or would be any offense listed in any 168
of those divisions if committed by an adult. 169

(E) "Sexual predator" means a person to whom either of the 170
following applies: 171

(1) The person has been convicted of or pleaded guilty to committing a sexually oriented offense that is not a registration-exempt sexually oriented offense and is likely to engage in the future in one or more sexually oriented offenses.

(2) The person has been adjudicated a delinquent child for committing a sexually oriented offense that is not a registration-exempt sexually oriented offense, was fourteen years of age or older at the time of committing the offense, was classified a juvenile offender registrant based on that adjudication, and is likely to engage in the future in one or more sexually oriented offenses.

(F) "Supervised release" means a release of an offender from a prison term, a term of imprisonment, or another type of confinement that satisfies either of the following conditions:

(1) The release is on parole, a conditional pardon, under a community control sanction, under transitional control, or under a post-release control sanction, and it requires the person to report to or be supervised by a parole officer, probation officer, field officer, or another type of supervising officer.

(2) The release is any type of release that is not described in division (F)(1) of this section and that requires the person to report to or be supervised by a probation officer, a parole officer, a field officer, or another type of supervising officer.

(G) An offender or delinquent child is "adjudicated as being a sexual predator" or "adjudicated a sexual predator" if any of the following applies and if, regarding a delinquent child, that status has not been removed pursuant to section 2152.84, 2152.85, or 2950.09 of the Revised Code:

(1) The offender is convicted of or pleads guilty to committing, on or after January 1, 1997, a sexually oriented offense that is not a registration-exempt sexually oriented

offense, the sexually oriented offense is a violent sex offense or 203
a designated homicide, assault, or kidnapping offense, and the 204
offender is adjudicated a sexually violent predator in relation to 205
that offense. 206

(2) Regardless of when the sexually oriented offense was 207
committed, on or after January 1, 1997, the offender is sentenced 208
for a sexually oriented offense that is not a registration-exempt 209
sexually oriented offense, and the sentencing judge determines 210
pursuant to division (B) of section 2950.09 of the Revised Code 211
that the offender is a sexual predator. 212

(3) The delinquent child is adjudicated a delinquent child 213
for committing a sexually oriented offense that is not a 214
registration-exempt sexually oriented offense, was fourteen years 215
of age or older at the time of committing the offense, and has 216
been classified a juvenile offender registrant based on that 217
adjudication, and the adjudicating judge or that judge's successor 218
in office determines pursuant to division (B) of section 2950.09 219
or pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of 220
the Revised Code that the delinquent child is a sexual predator. 221

(4) Prior to January 1, 1997, the offender was convicted of 222
or pleaded guilty to, and was sentenced for, a sexually oriented 223
offense that is not a registration-exempt sexually oriented 224
offense, the offender is imprisoned in a state correctional 225
institution on or after January 1, 1997, and the court determines 226
pursuant to division (C) of section 2950.09 of the Revised Code 227
that the offender is a sexual predator. 228

(5) Regardless of when the sexually oriented offense was 229
committed, the offender or delinquent child is convicted of or 230
pleads guilty to, has been convicted of or pleaded guilty to, or 231
is adjudicated a delinquent child for committing a sexually 232
oriented offense that is not a registration-exempt sexually 233
oriented offense in another state, in a federal court, military 234

court, or Indian tribal court, or in a court in any nation other 235
than the United States, as a result of that conviction, plea of 236
guilty, or adjudication, the offender or delinquent child is 237
required, under the law of the jurisdiction in which the offender 238
was convicted or pleaded guilty or the delinquent child was 239
adjudicated, to register as a sex offender until the offender's or 240
delinquent child's death, and, on or after July 1, 1997, for 241
offenders or January 1, 2002, for delinquent children, the 242
offender or delinquent child moves to and resides in this state or 243
temporarily is domiciled in this state for more than five days or 244
the offender is required under section 2950.04 of the Revised Code 245
to register a school, institution of higher education, or place of 246
employment address in this state, unless a court of common pleas 247
or juvenile court determines that the offender or delinquent child 248
is not a sexual predator pursuant to division (F) of section 249
2950.09 of the Revised Code. 250

(H) "Sexually violent predator specification," "sexually 251
violent offense," "sexual motivation specification," "designated 252
homicide, assault, or kidnapping offense," and "violent sex 253
offense" have the same meanings as in section 2971.01 of the 254
Revised Code. 255

(I) "Post-release control sanction" and "transitional 256
control" have the same meanings as in section 2967.01 of the 257
Revised Code. 258

(J) "Juvenile offender registrant" means a person who is 259
adjudicated a delinquent child for committing on or after January 260
1, 2002, a sexually oriented offense that is not a 261
registration-exempt sexually oriented offense or a child-victim 262
oriented offense, who is fourteen years of age or older at the 263
time of committing the offense, and who a juvenile court judge, 264
pursuant to an order issued under section 2152.82, 2152.83, 265
2152.84, or 2152.85 of the Revised Code, classifies a juvenile 266

offender registrant and specifies has a duty to comply with 267
sections 2950.04, 2950.05, and 2950.06 of the Revised Code if the 268
child committed a sexually oriented offense or with sections 269
2950.041, 2950.05, and 2950.06 of the Revised Code if the child 270
committed a child-victim oriented offense. "Juvenile offender 271
registrant" includes a person who, prior to July 31, 2003, was a 272
"juvenile sex offender registrant" under the former definition of 273
that former term. 274

(K) "Secure facility" means any facility that is designed and 275
operated to ensure that all of its entrances and exits are locked 276
and under the exclusive control of its staff and to ensure that, 277
because of that exclusive control, no person who is 278
institutionalized or confined in the facility may leave the 279
facility without permission or supervision. 280

(L) "Out-of-state juvenile offender registrant" means a 281
person who is adjudicated a delinquent child in a court in another 282
state, in a federal court, military court, or Indian tribal court, 283
or in a court in any nation other than the United States for 284
committing a sexually oriented offense that is not a 285
registration-exempt sexually oriented offense or a child-victim 286
oriented offense, who on or after January 1, 2002, moves to and 287
resides in this state or temporarily is domiciled in this state 288
for more than five days, and who has a duty under section 2950.04 289
of the Revised Code to register in this state and the duty to 290
otherwise comply with that section and sections 2950.05 and 291
2950.06 of the Revised Code if the child committed a sexually 292
oriented offense or has a duty under section 2950.041 of the 293
Revised Code to register in this state and the duty to otherwise 294
comply with that section and sections 2950.05 and 2950.06 of the 295
Revised Code if the child committed a child-victim oriented 296
offense. "Out-of-state juvenile offender registrant" includes a 297
person who, prior to July 31, 2003, was an "out-of-state juvenile 298

sex offender registrant" under the former definition of that 299
former term. 300

(M) "Juvenile court judge" includes a magistrate to whom the 301
juvenile court judge confers duties pursuant to division (A)(15) 302
of section 2151.23 of the Revised Code. 303

(N) "Adjudicated a delinquent child for committing a sexually 304
oriented offense" includes a child who receives a serious youthful 305
offender dispositional sentence under section 2152.13 of the 306
Revised Code for committing a sexually oriented offense. 307

(O) "Aggravated sexually oriented offense" means a violation 308
of division (A)(1)(b) of section 2907.02 of the Revised Code 309
committed on or after June 13, 2002, or a violation of division 310
(A)(2) of that section committed on or after July 31, 2003. 311

(P)(1) "Presumptive registration-exempt sexually oriented 312
offense" means any of the following sexually oriented offenses 313
described in division (P)(1)(a), (b), (c), (d), or (e) of this 314
section, when the offense is committed by a person who previously 315
has not been convicted of, pleaded guilty to, or adjudicated a 316
delinquent child for committing any sexually oriented offense 317
described in division (P)(1)(a), (b), (c), (d), or (e) of this 318
section, any other sexually oriented offense, or any child-victim 319
oriented offense and when the victim or intended victim of the 320
offense is eighteen years of age or older: 321

(a) Any sexually oriented offense listed in division 322
(D)(1)(e) or (D)(2)(f) of this section committed by a person who 323
is eighteen years of age or older or, subject to division 324
(P)(1)(e) of this section, committed by a person who is under 325
eighteen years of age; 326

(b) Any violation of any former law of this state, any 327
existing or former municipal ordinance or law of another state or 328
the United States, any existing or former law applicable in a 329

military court or in an Indian tribal court, or any existing or 330
former law of any nation other than the United States that is 331
committed by a person who is eighteen years of age or older and 332
that is or was substantially equivalent to any sexually oriented 333
offense listed in division (P)(1)(a) of this section; 334

(c) Subject to division (P)(1)(e) of this section, any 335
violation of any former law of this state, any existing or former 336
municipal ordinance or law of another state or the United States, 337
any existing or former law applicable in a military court or in an 338
Indian tribal court, or any existing or former law of any nation 339
other than the United States that is committed by a person who is 340
under eighteen years of age, that is or was substantially 341
equivalent to any sexually oriented offense listed in division 342
(P)(1)(a) of this section, and that would be a felony of the 343
fourth degree if committed by an adult; 344

(d) Any attempt to commit, conspiracy to commit, or 345
complicity in committing any offense listed in division (P)(1)(a) 346
or (b) of this section if the person is eighteen years of age or 347
older or, subject to division (P)(1)(e) of this section, listed in 348
division (P)(1)(a) or (c) of this section if the person is under 349
eighteen years of age. 350

(e) Regarding an act committed by a person under eighteen 351
years of age, if the child's case has been transferred for 352
criminal prosecution under section 2152.12 of the Revised Code, 353
the act is any sexually oriented offense listed in division 354
(P)(1)(a), (b), or (d) of this section. 355

(2) "Presumptive registration-exempt sexually oriented 356
offense" does not include any sexually oriented offense described 357
in division (P)(1)(a), (b), (c), (d), or (e) of this section that 358
is committed by a person who previously has been convicted of, 359
pleaded guilty to, or adjudicated a delinquent child for 360
committing any sexually oriented offense described in division 361

(P)(1)(a), (b), (c), (d), or (e) of this section or any other 362
sexually oriented offense. 363

(Q)(1) "Registration-exempt sexually oriented offense" means 364
any presumptive registration-exempt sexually oriented offense, if 365
a court does not issue an order under section 2950.021 of the 366
Revised Code that removes the presumptive exemption and subjects 367
the offender who was convicted of or pleaded guilty to the offense 368
to registration under section 2950.04 of the Revised Code and all 369
other duties and responsibilities generally imposed under this 370
chapter upon persons who are convicted of or plead guilty to any 371
sexually oriented offense other than a presumptive 372
registration-exempt sexually oriented offense or that removes the 373
presumptive exemption and potentially subjects the child who was 374
adjudicated a delinquent child for committing the offense to 375
classification as a juvenile offender registrant under section 376
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code and to 377
registration under section 2950.04 of the Revised Code and all 378
other duties and responsibilities generally imposed under this 379
chapter upon persons who are adjudicated delinquent children for 380
committing a sexually oriented offense other than a presumptive 381
registration-exempt sexually oriented offense. 382

(2) "Registration-exempt sexually oriented offense" does not 383
include a presumptive registration-exempt sexually oriented 384
offense if a court issues an order under section 2950.021 of the 385
Revised Code that removes the presumptive exemption and subjects 386
the offender or potentially subjects the delinquent child to the 387
duties and responsibilities described in division (Q)(1) of this 388
section. 389

(R) "School" and "school premises" have the same meanings as 390
in section 2925.01 of the Revised Code. 391

(S)(1) "Child-victim oriented offense" means any of the 392
following: 393

(a) Subject to division (S)(2) of this section, any of the following violations or offenses committed by a person eighteen years of age or older, when the victim of the violation is under eighteen years of age and is not a child of the person who commits the violation:

(i) A violation of division (A)(1), (2), (3), or (5) of section 2905.01, of section 2905.02, 2905.03, or 2905.05, or of former section 2905.04 of the Revised Code;

(ii) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States, that is or was substantially equivalent to any offense listed in division (S)(1)(a)(i) of this section;

(iii) An attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (S)(1)(a)(i) or (ii) of this section.

(b) Subject to division (S)(2) of this section, an act committed by a person under eighteen years of age that is any of the following, when the victim of the violation is under eighteen years of age and is not a child of the person who commits the violation:

(i) Subject to division (S)(1)(b)(iv) of this section, a violation of division (A)(1), (2), (3), or (5) of section 2905.01 or of former section 2905.04 of the Revised Code;

(ii) Subject to division (S)(1)(b)(iv) of this section, any violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation

other than the United States, that is or was substantially 425
equivalent to any offense listed in division (S)(1)(b)(i) of this 426
section and that, if committed by an adult, would be a felony of 427
the first, second, third, or fourth degree; 428

(iii) Subject to division (S)(1)(b)(iv) of this section, any 429
attempt to commit, conspiracy to commit, or complicity in 430
committing any offense listed in division (S)(1)(b)(i) or (ii) of 431
this section; 432

(iv) If the child's case has been transferred for criminal 433
prosecution under section 2152.12 of the Revised Code, the act is 434
any violation listed in division (S)(1)(a)(i), (ii), or (iii) of 435
this section or would be any offense listed in any of those 436
divisions if committed by an adult. 437

(2) "Child-victim oriented offense" does not include any 438
offense identified in division (S)(1)(a) or (b) of this section 439
that is a sexually violent offense. An offense identified in 440
division (S)(1)(a) or (b) of this section that is a sexually 441
violent offense is within the definition of a sexually oriented 442
offense. 443

(T)(1) "Habitual child-victim offender" means, except when a 444
juvenile judge removes this classification pursuant to division 445
(A)(2) of section 2152.84 or division (C)(2) of section 2152.85 of 446
the Revised Code, a person to whom both of the following apply: 447

(a) The person is convicted of or pleads guilty to a 448
child-victim oriented offense, or the person is adjudicated a 449
delinquent child for committing on or after January 1, 2002, a 450
child-victim oriented offense, was fourteen years of age or older 451
at the time of committing the offense, and is classified a 452
juvenile offender registrant based on that adjudication. 453

(b) One of the following applies to the person: 454

(i) Regarding a person who is an offender, the person 455

previously was convicted of or pleaded guilty to one or more 456
child-victim oriented offenses or previously was adjudicated a 457
delinquent child for committing one or more child-victim oriented 458
offenses and was classified a juvenile offender registrant or 459
out-of-state juvenile offender registrant based on one or more of 460
those adjudications, regardless of when the offense was committed 461
and regardless of the person's age at the time of committing the 462
offense. 463

(ii) Regarding a delinquent child, the person previously was 464
convicted of, pleaded guilty to, or was adjudicated a delinquent 465
child for committing one or more child-victim oriented offenses, 466
regardless of when the offense was committed and regardless of the 467
person's age at the time of committing the offense. 468

(2) "Habitual child-victim offender" includes a person who 469
has been convicted of, pleaded guilty to, or adjudicated a 470
delinquent child for committing, a child-victim oriented offense 471
and who, on and after July 31, 2003, is automatically classified a 472
habitual child-victim offender pursuant to division (E) of section 473
2950.091 of the Revised Code. 474

(U) "Child-victim predator" means a person to whom either of 475
the following applies: 476

(1) The person has been convicted of or pleaded guilty to 477
committing a child-victim oriented offense and is likely to engage 478
in the future in one or more child-victim oriented offenses. 479

(2) The person has been adjudicated a delinquent child for 480
committing a child-victim oriented offense, was fourteen years of 481
age or older at the time of committing the offense, was classified 482
a juvenile offender registrant based on that adjudication, and is 483
likely to engage in the future in one or more child-victim 484
oriented offenses. 485

(V) An offender or delinquent child is "adjudicated as being 486

a child-victim predator" or "adjudicated a child-victim predator" 487
if any of the following applies and if, regarding a delinquent 488
child, that status has not been removed pursuant to section 489
2152.84, 2152.85, or 2950.09 of the Revised Code: 490

(1) The offender or delinquent child has been convicted of, 491
pleaded guilty to, or adjudicated a delinquent child for 492
committing, a child-victim oriented offense and, on and after July 493
31, 2003, is automatically classified a child-victim predator 494
pursuant to division (A) of section 2950.091 of the Revised Code. 495

(2) Regardless of when the child-victim oriented offense was 496
committed, on or after July 31, 2003, the offender is sentenced 497
for a child-victim oriented offense, and the sentencing judge 498
determines pursuant to division (B) of section 2950.091 of the 499
Revised Code that the offender is a child-victim predator. 500

(3) The delinquent child is adjudicated a delinquent child 501
for committing a child-victim oriented offense, was fourteen years 502
of age or older at the time of committing the offense, and has 503
been classified a juvenile offender registrant based on that 504
adjudication, and the adjudicating judge or that judge's successor 505
in office determines pursuant to division (B) of section 2950.09 506
or pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of 507
the Revised Code that the delinquent child is a child-victim 508
predator. 509

(4) Prior to July 31, 2003, the offender was convicted of or 510
pleaded guilty to a child-victim oriented offense, at the time of 511
the conviction or guilty plea, the offense was considered a 512
sexually oriented offense, on or after July 31, 2003, the offender 513
is serving a term of imprisonment in a state correctional 514
institution, and the court determines pursuant to division (C) of 515
section 2950.091 of the Revised Code that the offender is a 516
child-victim predator. 517

(5) Regardless of when the child-victim oriented offense was committed, the offender or delinquent child is convicted, pleads guilty, has been convicted, pleaded guilty, or adjudicated a delinquent child in a court in another state, in a federal court, military court, or Indian tribal court, or in a court in any nation other than the United States for committing a child-victim oriented offense, as a result of that conviction, plea of guilty, or adjudication, the offender or delinquent child is required under the law of the jurisdiction in which the offender was convicted or pleaded guilty or the delinquent child was adjudicated, to register as a child-victim offender or sex offender until the offender's or delinquent child's death, and, on or after July 1, 1997, for offenders or January 1, 2002, for delinquent children the offender or delinquent child moves to and resides in this state or temporarily is domiciled in this state for more than five days or the offender is required under section 2950.041 of the Revised Code to register a school, institution of higher education, or place of employment address in this state, unless a court of common pleas or juvenile court determines that the offender or delinquent child is not a child-victim predator pursuant to division (F) of section 2950.091 of the Revised Code.

(W) "Residential premises" means the building in which a residential unit is located and the grounds upon which that building stands, extending to the perimeter of the property. "Residential premises" includes any type of structure in which a residential unit is located, including, but not limited to, multi-unit buildings and mobile and manufactured homes.

(X) "Residential unit" means a dwelling unit for residential use and occupancy, and includes the structure or part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or two or more persons who maintain a common household. "Residential unit" does not include a

halfway house or a community-based correctional facility. 550

(Y) "Multi-unit building" means a building in which is 551
located more than twelve residential units that have entry doors 552
that open directly into the unit from a hallway that is shared 553
with one or more other units. A residential unit is not considered 554
located in a multi-unit building if the unit does not have an 555
entry door that opens directly into the unit from a hallway that 556
is shared with one or more other units or if the unit is in a 557
building that is not a multi-unit building as described in this 558
division. 559

(Z) "Community control sanction" has the same meaning as in 560
section 2929.01 of the Revised Code. 561

(AA) "Halfway house" and "community-based correctional 562
facility" have the same meanings as in section 2929.01 of the 563
Revised Code. 564

(BB) "Adjudicated a sexually violent predator" has the same 565
meaning as in section 2929.01 of the Revised Code, and a person is 566
"adjudicated a sexually violent predator" in the same manner and 567
the same circumstances as are described in that section. 568

(CC) "Long-term care facility" and "sponsor" have the same 569
meanings as in section 173.14 of the Revised Code. 570

Sec. 2950.11. (A) As used in this section, "specified 571
geographical notification area" means the geographic area or areas 572
within which the attorney general, by rule adopted under section 573
2950.13 of the Revised Code, requires the notice described in 574
division (B) of this section to be given to the persons identified 575
in divisions (A)(2) to ~~(8)~~(9) of this section. If a person is 576
convicted of or pleads guilty to, or has been convicted of or 577
pleaded guilty to, either a sexually oriented offense that is not 578
a registration-exempt sexually oriented offense or a child-victim 579

oriented offense, or a person is adjudicated a delinquent child 580
for committing either a sexually oriented offense that is not a 581
registration-exempt sexually oriented offense or a child-victim 582
oriented offense and is classified a juvenile offender registrant 583
or is an out-of-state juvenile offender registrant based on that 584
adjudication, and if the offender or delinquent child is in any 585
category specified in division (F)(1)(a), (b), or (c) of this 586
section, the sheriff with whom the offender or delinquent child 587
has most recently registered under section 2950.04, 2950.041, or 588
2950.05 of the Revised Code and the sheriff to whom the offender 589
or delinquent child most recently sent a notice of intent to 590
reside under section 2950.04 or 2950.041 of the Revised Code, 591
within the period of time specified in division (C) of this 592
section, shall provide a written notice containing the information 593
set forth in division (B) of this section to all of the persons 594
described in divisions (A)(1) to ~~(9)~~(10) of this section. If the 595
sheriff has sent a notice to the persons described in those 596
divisions as a result of receiving a notice of intent to reside 597
and if the offender or delinquent child registers a residence 598
address that is the same residence address described in the notice 599
of intent to reside, the sheriff is not required to send an 600
additional notice when the offender or delinquent child registers. 601
The sheriff shall provide the notice to all of the following 602
persons: 603

(1)(a) Any occupant of each residential unit that is located 604
within one thousand feet of the offender's or delinquent child's 605
residential premises, that is located within the county served by 606
the sheriff, and that is not located in a multi-unit building. 607
Division (D)(3) of this section applies regarding notices required 608
under this division. 609

(b) If the offender or delinquent child resides in a 610
multi-unit building, any occupant of each residential unit that is 611

located in that multi-unit building and that shares a common 612
hallway with the offender or delinquent child. For purposes of 613
this division, an occupant's unit shares a common hallway with the 614
offender or delinquent child if the entrance door into the 615
occupant's unit is located on the same floor and opens into the 616
same hallway as the entrance door to the unit the offender or 617
delinquent child occupies. Division (D)(3) of this section applies 618
regarding notices required under this division. 619

(c) The building manager, or the person the building owner or 620
condominium unit owners association authorizes to exercise 621
management and control, of each multi-unit building that is 622
located within one thousand feet of the offender's or delinquent 623
child's residential premises, including a multi-unit building in 624
which the offender or delinquent child resides, and that is 625
located within the county served by the sheriff. In addition to 626
notifying the building manager or the person authorized to 627
exercise management and control in the multi-unit building under 628
this division, the sheriff shall post a copy of the notice 629
prominently in each common entryway in the building and any other 630
location in the building the sheriff determines appropriate. The 631
manager or person exercising management and control of the 632
building shall permit the sheriff to post copies of the notice 633
under this division as the sheriff determines appropriate. In lieu 634
of posting copies of the notice as described in this division, a 635
sheriff may provide notice to all occupants of the multi-unit 636
building by mail or personal contact; if the sheriff so notifies 637
all the occupants, the sheriff is not required to post copies of 638
the notice in the common entryways to the building. Division 639
(D)(3) of this section applies regarding notices required under 640
this division. 641

(d) All additional persons who are within any category of 642
neighbors of the offender or delinquent child that the attorney 643

general by rule adopted under section 2950.13 of the Revised Code 644
requires to be provided the notice and who reside within the 645
county served by the sheriff; 646

(2) The executive director of the public children services 647
agency that has jurisdiction within the specified geographical 648
notification area and that is located within the county served by 649
the sheriff; 650

(3)(a) The superintendent of each board of education of a 651
school district that has schools within the specified geographical 652
notification area and that is located within the county served by 653
the sheriff; 654

(b) The principal of the school within the specified 655
geographical notification area and within the county served by the 656
sheriff that the delinquent child attends; 657

(c) If the delinquent child attends a school outside of the 658
specified geographical notification area or outside of the school 659
district where the delinquent child resides, the superintendent of 660
the board of education of a school district that governs the 661
school that the delinquent child attends and the principal of the 662
school that the delinquent child attends. 663

(4)(a) The appointing or hiring officer of each chartered 664
nonpublic school located within the specified geographical 665
notification area and within the county served by the sheriff or 666
of each other school located within the specified geographical 667
notification area and within the county served by the sheriff and 668
that is not operated by a board of education described in division 669
(A)(3) of this section; 670

(b) Regardless of the location of the school, the appointing 671
or hiring officer of a chartered nonpublic school that the 672
delinquent child attends. 673

(5) The director, head teacher, elementary principal, or site 674

administrator of each preschool program governed by Chapter 3301. 675
of the Revised Code that is located within the specified 676
geographical notification area and within the county served by the 677
sheriff; 678

(6) The administrator of each child day-care center or type A 679
family day-care home that is located within the specified 680
geographical notification area and within the county served by the 681
sheriff, and the provider of each certified type B family day-care 682
home that is located within the specified geographical 683
notification area and within the county served by the sheriff. As 684
used in this division, "child day-care center," "type A family 685
day-care home," and "certified type B family day-care home" have 686
the same meanings as in section 5104.01 of the Revised Code. 687

(7) The president or other chief administrative officer of 688
each institution of higher education, as defined in section 689
2907.03 of the Revised Code, that is located within the specified 690
geographical notification area and within the county served by the 691
sheriff, and the chief law enforcement officer of the state 692
university law enforcement agency or campus police department 693
established under section 3345.04 or 1713.50 of the Revised Code, 694
if any, that serves that institution; 695

(8) The sheriff of each county that includes any portion of 696
the specified geographical notification area; 697

(9) The manager of a long-term care facility where the 698
offender or delinquent child will reside or that is located within 699
the specified geographical notification area and within the county 700
served by the sheriff. The manager shall provide a copy of the 701
notice to all residents of the long-term care facility and to the 702
sponsor of each of those residents. 703

(10) If the offender or delinquent child resides within the 704
county served by the sheriff, the chief of police, marshal, or 705

other chief law enforcement officer of the municipal corporation 706
in which the offender or delinquent child resides or, if the 707
offender or delinquent child resides in an unincorporated area, 708
the constable or chief of the police department or police district 709
police force of the township in which the offender or delinquent 710
child resides. 711

(B) The notice required under division (A) of this section 712
shall include all of the following information regarding the 713
subject offender or delinquent child: 714

(1) The offender's or delinquent child's name; 715

(2) The address or addresses of the offender's residence, 716
school, institution of higher education, or place of employment, 717
as applicable, or the delinquent child's residence address or 718
addresses; 719

(3) The sexually oriented offense or child-victim oriented 720
offense of which the offender was convicted, to which the offender 721
pleaded guilty, or for which the child was adjudicated a 722
delinquent child; 723

(4) All of the following statements that are applicable: 724

(a) A statement that the offender has been adjudicated a 725
sexual predator, a statement that the offender has been convicted 726
of or pleaded guilty to an aggravated sexually oriented offense, a 727
statement that the delinquent child has been adjudicated a sexual 728
predator and that, as of the date of the notice, the court has not 729
entered a determination that the delinquent child no longer is a 730
sexual predator, or a statement that the sentencing or reviewing 731
judge has determined that the offender or delinquent child is a 732
habitual sex offender and that, as of the date of the notice, the 733
determination regarding a delinquent child has not been removed 734
pursuant to section 2152.84 or 2152.85 of the Revised Code; 735

(b) A statement that the offender has been adjudicated a 736

child-victim predator, a statement that the delinquent child has 737
been adjudicated a child-victim predator and that, as of the date 738
of the notice, the court has not entered a determination that the 739
delinquent child no longer is a child-victim predator, or a 740
statement that the sentencing or reviewing judge has determined 741
that the offender or delinquent child is a habitual child-victim 742
offender and that, as of the date of the notice, the determination 743
regarding a delinquent child has not been removed pursuant to 744
section 2152.84 or 2152.85 of the Revised Code; 745

(5) The offender's or delinquent child's photograph. 746

(C) If a sheriff with whom an offender or delinquent child 747
registers under section 2950.04, 2950.041, or 2950.05 of the 748
Revised Code or to whom the offender or delinquent child most 749
recently sent a notice of intent to reside under section 2950.04 750
or 2950.041 of the Revised Code is required by division (A) of 751
this section to provide notices regarding an offender or 752
delinquent child and if, pursuant to that requirement, the sheriff 753
provides a notice to a sheriff of one or more other counties in 754
accordance with division (A)(8) of this section, the sheriff of 755
each of the other counties who is provided notice under division 756
(A)(8) of this section shall provide the notices described in 757
divisions (A)(1) to (7) and (A)(9) and (10) of this section to 758
each person or entity identified within those divisions that is 759
located within the specified geographical notification area and 760
within the county served by the sheriff in question. 761

(D)(1) A sheriff required by division (A) or (C) of this 762
section to provide notices regarding an offender or delinquent 763
child shall provide the notice to the neighbors that are described 764
in division (A)(1) of this section and the notices to law 765
enforcement personnel that are described in divisions (A)(8) and 766
~~(9)~~(10) of this section as soon as practicable, but no later than 767
five days after the offender sends the notice of intent to reside 768

to the sheriff and again no later than five days after the 769
offender or delinquent child registers with the sheriff or, if the 770
sheriff is required by division (C) of this section to provide the 771
notices, no later than five days after the sheriff is provided the 772
notice described in division (A)(8) of this section. 773

A sheriff required by division (A) or (C) of this section to 774
provide notices regarding an offender or delinquent child shall 775
provide the notices to all other specified persons that are 776
described in divisions (A)(2) to (7) and (A)(9) of this section as 777
soon as practicable, but not later than seven days after the 778
offender or delinquent child registers with the sheriff or, if the 779
sheriff is required by division (C) of this section to provide the 780
notices, no later than five days after the sheriff is provided the 781
notice described in division (A)(8) of this section. 782

(2) If an offender or delinquent child in relation to whom 783
division (A) of this section applies verifies the offender's or 784
delinquent child's current residence, school, institution of 785
higher education, or place of employment address, as applicable, 786
with a sheriff pursuant to section 2950.06 of the Revised Code, 787
the sheriff may provide a written notice containing the 788
information set forth in division (B) of this section to the 789
persons identified in divisions (A)(1) to ~~(9)~~(10) of this section. 790
If a sheriff provides a notice pursuant to this division to the 791
sheriff of one or more other counties in accordance with division 792
(A)(8) of this section, the sheriff of each of the other counties 793
who is provided the notice under division (A)(8) of this section 794
may provide, but is not required to provide, a written notice 795
containing the information set forth in division (B) of this 796
section to the persons identified in divisions (A)(1) to (7) and 797
(A)(9) and (10) of this section. 798

(3) A sheriff may provide notice under division (A)(1)(a) or 799
(b) of this section, and may provide notice under division 800

(A)(1)(c) of this section to a building manager or person 801
authorized to exercise management and control of a building, by 802
mail, by personal contact, or by leaving the notice at or under 803
the entry door to a residential unit. For purposes of divisions 804
(A)(1)(a) and (b) of this section, and the portion of division 805
(A)(1)(c) of this section relating to the provision of notice to 806
occupants of a multi-unit building by mail or personal contact, 807
the provision of one written notice per unit is deemed as 808
providing notice to all occupants of that unit. 809

(E) All information that a sheriff possesses regarding a 810
sexual predator, a habitual sex offender, a child-victim predator, 811
or a habitual child-victim offender that is described in division 812
(B) of this section and that must be provided in a notice required 813
under division (A) or (C) of this section or that may be provided 814
in a notice authorized under division (D)(2) of this section is a 815
public record that is open to inspection under section 149.43 of 816
the Revised Code. 817

The sheriff shall not cause to be publicly disseminated by 818
means of the internet any of the information described in this 819
division that is provided by a sexual predator, habitual sex 820
offender, child-victim predator, or habitual child-victim offender 821
who is a juvenile offender registrant, except when the act that is 822
the basis of the child's classification as a juvenile offender 823
registrant is a violation of, or an attempt to commit a violation 824
of, section 2903.01, 2903.02, or 2905.01 of the Revised Code that 825
was committed with a purpose to gratify the sexual needs or 826
desires of the child, a violation of section 2907.02 of the 827
Revised Code, or an attempt to commit a violation of that section. 828

(F)(1) The duties to provide the notices described in 829
divisions (A) and (C) of this section apply regarding any offender 830
or delinquent child who is in any of the following categories, if 831
the other criteria set forth in division (A) or (C) of this 832

section, whichever is applicable, are satisfied: 833

(a) The offender or delinquent child has been adjudicated a 834
sexual predator relative to the sexually oriented offense for 835
which the offender or delinquent child has the duty to register 836
under section 2950.04 of the Revised Code or has been adjudicated 837
a child-victim predator relative to the child-victim oriented 838
offense for which the offender or child has the duty to register 839
under section 2950.041 of the Revised Code, and the court has not 840
subsequently determined pursuant to section 2152.84 or 2152.85 of 841
the Revised Code regarding a delinquent child that the delinquent 842
child no longer is a sexual predator or no longer is a 843
child-victim predator, whichever is applicable. 844

(b) The offender or delinquent child has been determined 845
pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, 846
division (B) of section 2152.83, section 2152.84, or section 847
2152.85 of the Revised Code to be a habitual sex offender or a 848
habitual child-victim offender, the court has imposed a 849
requirement under that division or section subjecting the habitual 850
sex offender or habitual child-victim offender to this section, 851
and the determination has not been removed pursuant to section 852
2152.84 or 2152.85 of the Revised Code regarding a delinquent 853
child. 854

(c) The sexually oriented offense for which the offender has 855
the duty to register under section 2950.04 of the Revised Code is 856
an aggravated sexually oriented offense, regardless of whether the 857
offender has been adjudicated a sexual predator relative to the 858
offense or has been determined to be a habitual sex offender. 859

(2) The notification provisions of this section do not apply 860
regarding a person who is convicted of or pleads guilty to, has 861
been convicted of or pleaded guilty to, or is adjudicated a 862
delinquent child for committing, a sexually oriented offense or a 863
child-victim oriented offense, who is not in the category 864

specified in either division (F)(1)(a) or (c) of this section, and 865
who is determined pursuant to division (C)(2) or (E) of section 866
2950.09 or 2950.091, division (B) of section 2152.83, section 867
2152.84, or section 2152.85 of the Revised Code to be a habitual 868
sex offender or habitual child-victim offender unless the 869
sentencing or reviewing court imposes a requirement in the 870
offender's sentence and in the judgment of conviction that 871
contains the sentence or in the delinquent child's adjudication, 872
or imposes a requirement as described in division (C)(2) of 873
section 2950.09 or 2950.091 of the Revised Code, that subjects the 874
offender or the delinquent child to the provisions of this 875
section. 876

(G) The department of job and family services shall compile, 877
maintain, and update in January and July of each year, a list of 878
all agencies, centers, or homes of a type described in division 879
(A)(2) or (6) of this section that contains the name of each 880
agency, center, or home of that type, the county in which it is 881
located, its address and telephone number, and the name of an 882
administrative officer or employee of the agency, center, or home. 883
The department of education shall compile, maintain, and update in 884
January and July of each year, a list of all boards of education, 885
schools, or programs of a type described in division (A)(3), (4), 886
or (5) of this section that contains the name of each board of 887
education, school, or program of that type, the county in which it 888
is located, its address and telephone number, the name of the 889
superintendent of the board or of an administrative officer or 890
employee of the school or program, and, in relation to a board of 891
education, the county or counties in which each of its schools is 892
located and the address of each such school. The Ohio board of 893
regents shall compile, maintain, and update in January and July of 894
each year, a list of all institutions of a type described in 895
division (A)(7) of this section that contains the name of each 896
such institution, the county in which it is located, its address 897

and telephone number, and the name of its president or other chief 898
administrative officer. The department of aging shall compile, 899
maintain, and update in January and July of each year, a list of 900
all long-term care facilities that contains the name of each 901
long-term care facility, the county in which it is located, its 902
address and telephone number, and the name of the facility's 903
manager. A sheriff required by division (A) or (C) of this 904
section, or authorized by division (D)(2) of this section, to 905
provide notices regarding an offender or delinquent child, or a 906
designee of a sheriff of that type, may request the department of 907
job and family services, department of education, department of 908
aging, or Ohio board of regents, by telephone, in person, or by 909
mail, to provide the sheriff or designee with the names, 910
addresses, and telephone numbers of the appropriate persons and 911
entities to whom the notices described in divisions (A)(2) to (7) 912
and (A)(9) of this section are to be provided. Upon receipt of a 913
request, the department or board shall provide the requesting 914
sheriff or designee with the names, addresses, and telephone 915
numbers of the appropriate persons and entities to whom those 916
notices are to be provided. 917

(H)(1) Upon the motion of the offender or the prosecuting 918
attorney of the county in which the offender was convicted of or 919
pleaded guilty to the sexually oriented offense or child-victim 920
oriented offense for which the offender is subject to community 921
notification under this section, or upon the motion of the 922
sentencing judge or that judge's successor in office, the judge 923
may schedule a hearing to determine whether the interests of 924
justice would be served by suspending the community notification 925
requirement under this section in relation to the offender. The 926
judge may dismiss the motion without a hearing but may not issue 927
an order suspending the community notification requirement without 928
a hearing. At the hearing, all parties are entitled to be heard, 929
and the judge shall consider all of the factors set forth in 930

division (B)(3) of section 2950.09 of the Revised Code. If, at the conclusion of the hearing, the judge finds that the offender has proven by clear and convincing evidence that the offender is unlikely to commit in the future a sexually oriented offense or a child-victim oriented offense and if the judge finds that suspending the community notification requirement is in the interests of justice, the judge may suspend the application of this section in relation to the offender. The order shall contain both of these findings.

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

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

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

(3) The offender and the prosecuting attorney have the right

to appeal an order approving or denying a motion made under 963
division (H)(1) of this section. 964

(4) Division (H) of this section does not apply to any of the 965
following types of offender: 966

(a) A person who is convicted of or pleads guilty to a 967
violent sex offense or designated homicide, assault, or kidnapping 968
offense and who, in relation to that offense, is adjudicated a 969
sexually violent predator; 970

(b) A habitual sex offender or habitual child-victim oriented 971
offender who is subject to community notification who, subsequent 972
to being subjected to community notification, has pleaded guilty 973
to or been convicted of a sexually oriented offense or a 974
child-victim oriented offense; 975

(c) A sexual predator or child-victim predator who is not 976
adjudicated a sexually violent predator who, subsequent to being 977
subjected to community notification, has pleaded guilty to or been 978
convicted of a sexually oriented offense or child-victim oriented 979
offense. 980

Sec. 2950.12. (A) Except as provided in division (B) of this 981
section, any of the following persons shall be immune from 982
liability in a civil action to recover damages for injury, death, 983
or loss to person or property allegedly caused by an act or 984
omission in connection with a power, duty, responsibility, or 985
authorization under this chapter or under rules adopted under 986
authority of this chapter: 987

(1) An officer or employee of the bureau of criminal 988
identification and investigation; 989

(2) The attorney general, a chief of police, marshal, or 990
other chief law enforcement officer of a municipal corporation, a 991
sheriff, a constable or chief of police of a township police 992

department or police district police force, and a deputy, officer,	993
or employee of the office of the attorney general, the law	994
enforcement agency served by the marshal or the municipal or	995
township chief, the office of the sheriff, or the constable;	996
(3) A prosecutor and an officer or employee of the office of	997
a prosecutor;	998
(4) A supervising officer and an officer or employee of the	999
adult parole authority of the department of rehabilitation and	1000
correction;	1001
(5) A supervising officer and an officer or employee of the	1002
department of youth services;	1003
(6) A supervisor and a caseworker or employee of a public	1004
children services agency acting pursuant to section 5153.16 of the	1005
Revised Code;	1006
(7) A managing officer of a state correctional institution	1007
and an officer or employee of the department of rehabilitation and	1008
correction;	1009
(8) A person identified in division (A)(2), (3), (4), (5),	1010
(6), or (7), <u>or</u> (9) of section 2950.11 of the Revised Code or the	1011
agent of that person;	1012
(9) A person identified in division (A)(2) of section	1013
2950.111 of the Revised Code, regarding the person's provision of	1014
information pursuant to that division to a sheriff or a designee	1015
of a sheriff.	1016
(B) The immunity described in division (A) of this section	1017
does not apply to a person described in divisions (A)(1) to (8) of	1018
this section if, in relation to the act or omission in question,	1019
any of the following applies:	1020
(1) The act or omission was manifestly outside the scope of	1021
the person's employment or official responsibilities.	1022

(2) The act or omission was with malicious purpose, in bad faith, or in a wanton or reckless manner. 1023
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(3) Liability for the act or omission is expressly imposed by a section of the Revised Code. 1025
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Sec. 2950.13. (A) The attorney general shall do all of the following: 1027
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(1) No later than July 1, 1997, establish and maintain a state registry of sex offenders and child-victim offenders that is housed at the bureau of criminal identification and investigation and that contains all of the registration, change of residence, school, institution of higher education, or place of employment address, and verification information the bureau receives pursuant to sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code regarding a person who is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense or a person who is adjudicated a delinquent child for committing either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense and is classified a juvenile offender registrant or is an out-of-state juvenile offender registrant based on that adjudication, and all of the information the bureau receives pursuant to section 2950.14 of the Revised Code. For a person who was convicted of or pleaded guilty to the sexually oriented offense or child-victim related offense, the registry also shall indicate whether the person was convicted of or pleaded guilty to the offense in a criminal prosecution or in a serious youthful offender case. 1029
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(2) In consultation with local law enforcement representatives and no later than July 1, 1997, adopt rules that 1051
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contain guidelines necessary for the implementation of this 1054
chapter; 1055

(3) In consultation with local law enforcement 1056
representatives, adopt rules for the implementation and 1057
administration of the provisions contained in section 2950.11 of 1058
the Revised Code that pertain to the notification of neighbors of 1059
an offender or a delinquent child who has committed a sexually 1060
oriented offense that is not a registration-exempt sexually 1061
oriented offense and has been adjudicated a sexual predator or 1062
determined to be a habitual sex offender, an offender who has 1063
committed an aggravated sexually oriented offense, or an offender 1064
or delinquent child who has committed a child-victim oriented 1065
offense and has been adjudicated a child-victim predator or 1066
determined to be a habitual child-victim offender, and rules that 1067
prescribe a manner in which victims of either a sexually oriented 1068
offense that is not a registration-exempt sexually oriented 1069
offense or a child-victim oriented offense committed by an 1070
offender or a delinquent child who has been adjudicated a sexual 1071
predator or determined to be a habitual sex offender, an offender 1072
who has committed an aggravated sexually oriented offense, or an 1073
offender or delinquent child who has committed a child-victim 1074
oriented offense and has been adjudicated a child-victim predator 1075
or determined to be a habitual child-victim offender may make a 1076
request that specifies that the victim would like to be provided 1077
the notices described in divisions (A)(1) and (2) of section 1078
2950.10 of the Revised Code; 1079

(4) In consultation with local law enforcement 1080
representatives and through the bureau of criminal identification 1081
and investigation, prescribe the forms to be used by judges and 1082
officials pursuant to section 2950.03 of the Revised Code to 1083
advise offenders and delinquent children of their duties of filing 1084
a notice of intent to reside, registration, notification of a 1085

change of residence, school, institution of higher education, or 1086
place of employment address and registration of the new, school, 1087
institution of higher education, or place of employment address, 1088
as applicable, and address verification under sections 2950.04, 1089
2950.041, 2950.05, and 2950.06 of the Revised Code, and prescribe 1090
the forms to be used by sheriffs relative to those duties of 1091
filing a notice of intent to reside, registration, change of 1092
residence, school, institution of higher education, or place of 1093
employment address notification, and address verification; 1094

(5) Make copies of the forms prescribed under division (A)(4) 1095
of this section available to judges, officials, and sheriffs; 1096

(6) Through the bureau of criminal identification and 1097
investigation, provide the notifications, the information, and the 1098
documents that the bureau is required to provide to appropriate 1099
law enforcement officials and to the federal bureau of 1100
investigation pursuant to sections 2950.04, 2950.041, 2950.05, and 1101
2950.06 of the Revised Code; 1102

(7) Through the bureau of criminal identification and 1103
investigation, maintain the verification forms returned under the 1104
address verification mechanism set forth in section 2950.06 of the 1105
Revised Code; 1106

(8) In consultation with representatives of the officials, 1107
judges, and sheriffs, adopt procedures for officials, judges, and 1108
sheriffs to use to forward information, photographs, and 1109
fingerprints to the bureau of criminal identification and 1110
investigation pursuant to the requirements of sections 2950.03, 1111
2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code; 1112

(9) In consultation with the director of education, the 1113
director of job and family services, and the director of 1114
rehabilitation and correction, adopt rules that contain guidelines 1115
to be followed by boards of education of a school district, 1116

chartered nonpublic schools or other schools not operated by a 1117
board of education, preschool programs, child day-care centers, 1118
type A family day-care homes, certified type B family day-care 1119
homes, and institutions of higher education regarding the proper 1120
use and administration of information received pursuant to section 1121
2950.11 of the Revised Code relative to an offender or delinquent 1122
child who has been adjudicated a sexual predator or child-victim 1123
predator or determined to be a habitual sex offender or habitual 1124
child-victim offender, or an offender who has committed an 1125
aggravated sexually oriented offense; 1126

(10) In consultation with local law enforcement 1127
representatives and no later than July 1, 1997, adopt rules that 1128
designate a geographic area or areas within which the notice 1129
described in division (B) of section 2950.11 of the Revised Code 1130
must be given to the persons identified in divisions (A)(2) to 1131
~~(8)~~(9) of that section; 1132

(11) Through the bureau of criminal identification and 1133
investigation, not later than January 1, 2004, establish and 1134
operate on the internet a sex offender and child-victim offender 1135
database that contains information for every offender who has 1136
committed either a sexually oriented offense that is not a 1137
registration-exempt sexually oriented offense or a child-victim 1138
oriented offense and who registers in any county in this state 1139
pursuant to section 2950.04 or 2950.041 of the Revised Code. The 1140
bureau shall determine the information to be provided on the 1141
database for each offender and shall obtain that information from 1142
the information contained in the state registry of sex offenders 1143
and child-victim offenders described in division (A)(1) of this 1144
section, which information, while in the possession of the sheriff 1145
who provided it, is a public record open for inspection as 1146
described in section 2950.081 of the Revised Code. The information 1147
provided for each offender shall include at least the information 1148

set forth in division (B) of section 2950.11 of the Revised Code. 1149
The database is a public record open for inspection under section 1150
149.43 of the Revised Code, and it shall be searchable by offender 1151
name, by county, by zip code, and by school district. The database 1152
shall provide a link to the web site of each sheriff who has 1153
established and operates on the internet a sex offender and 1154
child-victim offender database that contains information for 1155
offenders who register in that county pursuant to section 2950.04 1156
or 2950.041 of the Revised Code, with the link being a direct link 1157
to the sex offender and child-victim offender database for the 1158
sheriff. 1159

(12) Upon the request of any sheriff, provide technical 1160
guidance to the requesting sheriff in establishing on the internet 1161
a sex offender and child-victim offender database for the public 1162
dissemination of some or all of the materials described in 1163
division (A) of section 2950.081 of the Revised Code that are 1164
public records under that division and that pertain to offenders 1165
who register in that county pursuant to section 2950.04 or 1166
2950.041 of the Revised Code; 1167

(13) Through the bureau of criminal identification and 1168
investigation, not later than January 1, 2004, establish and 1169
operate on the internet a database that enables local law 1170
enforcement representatives to remotely search by electronic means 1171
the state registry of sex offenders and child-victim offenders 1172
described in division (A)(1) of this section and any information 1173
the bureau receives pursuant to sections 2950.04, 2950.041, 1174
2950.05, 2950.06, and 2950.14 of the Revised Code. The database 1175
shall enable local law enforcement representatives to obtain 1176
detailed information regarding each offender and delinquent child 1177
who is included in the registry, including, but not limited to the 1178
offender's or delinquent child's name, residence address, place of 1179
employment if applicable, motor vehicle license plate number if 1180

applicable, victim preference if available, date of most recent 1181
release from confinement if applicable, fingerprints, and other 1182
identification parameters the bureau considers appropriate. The 1183
database is not a public record open for inspection under section 1184
149.43 of the Revised Code and shall be available only to law 1185
enforcement representatives as described in this division. 1186
Information obtained by local law enforcement representatives 1187
through use of this database is not open to inspection by the 1188
public or by any person other than a person identified in division 1189
(A) of section 2950.08 of the Revised Code. 1190

(B) The attorney general in consultation with local law 1191
enforcement representatives, may adopt rules that establish one or 1192
more categories of neighbors of an offender or delinquent child 1193
who, in addition to the occupants of residential premises and 1194
other persons specified in division (A)(1) of section 2950.11 of 1195
the Revised Code, must be given the notice described in division 1196
(B) of that section. 1197

(C) No person, other than a local law enforcement 1198
representative, shall knowingly do any of the following: 1199

(1) Gain or attempt to gain access to the database 1200
established and operated by the attorney general, through the 1201
bureau of criminal identification and investigation, pursuant to 1202
division (A)(13) of this section. 1203

(2) Permit any person to inspect any information obtained 1204
through use of the database described in division (C)(1) of this 1205
section, other than as permitted under that division. 1206

(D) As used in this section, "local law enforcement 1207
representatives" means representatives of the sheriffs of this 1208
state, representatives of the municipal chiefs of police and 1209
marshals of this state, and representatives of the township 1210
constables and chiefs of police of the township police departments 1211

or police district police forces of this state. 1212

Section 2. That existing sections 2950.01, 2950.11, 2950.12, 1213

and 2950.13 of the Revised Code are hereby repealed. 1214