

**As Passed by the Senate**

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

**S. B. No. 18**

**Senator Clancy**

**Cosponsors: Senators Stivers, Cates, Schaffer, Austria, Grendell, Coughlin,  
Harris, Mason, Mumper, Padgett, Faber, Goodman, Carey, Spada, Wilson,  
Jacobson**

**—**

**A B I L L**

To amend section 2953.36 of the Revised Code to	1
prohibit an offender from having a criminal record	2
sealed when the underlying offense is importuning,	3
or the underlying offense is voyeurism, public	4
indecent, compelling prostitution, promoting	5
prostitution, procuring, disseminating matter	6
harmful to juveniles, displaying matter harmful to	7
juveniles, pandering obscenity, or deception to	8
obtain matter harmful to juveniles when the victim	9
of the offense is under eighteen years of age.	10

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

<b>Section 1.</b> That section 2953.36 of the Revised Code be	11
amended to read as follows:	12

<b>Sec. 2953.36.</b> Sections 2953.31 to 2953.35 of the Revised Code	13
do not apply to any of the following:	14

(A) Convictions when the offender is subject to a mandatory	15
prison term;	16

(B) Convictions under section 2907.02, 2907.03, 2907.04, 17  
2907.05, 2907.06, 2907.07, 2907.321, 2907.322, or 2907.323, former 18  
section 2907.12, or Chapter 4507., 4510., 4511., or 4549. of the 19  
Revised Code, or a conviction for a violation of a municipal 20  
ordinance that is substantially similar to any section contained 21  
in any of those chapters; 22

(C) ~~convictions~~ Convictions of an offense of violence when 23  
the offense is a misdemeanor of the first degree or a felony and 24  
when the offense is not a violation of section 2917.03 of the 25  
Revised Code and is not a violation of section 2903.13, 2917.01 or 26  
2917.31 of the Revised Code that is a misdemeanor of the first 27  
degree; 28

(D) Convictions under section 2907.08, 2907.09, 2907.21, 29  
2907.22, 2907.23, 2907.31, 2907.311, 2907.32, or 2907.33 of the 30  
Revised Code when the victim of the offense was under eighteen 31  
years of age; 32

(E) Convictions of an offense in circumstances in which the 33  
victim of the offense was under eighteen years of age when the 34  
offense is a misdemeanor of the first degree or a felony; 35

~~(E)~~(F) Convictions of a felony of the first or second degree; 36

~~(F)~~(G) Bail forfeitures in a traffic case as defined in 37  
Traffic Rule 2. 38

**Section 2.** That existing section 2953.36 of the Revised Code 39  
is hereby repealed. 40