

As Reported by the House Criminal Justice Committee

127th General Assembly

Regular Session

2007-2008

Am. S. B. No. 18

Senator Clancy

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

Representatives Bupp, Widowfield

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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
for which the conviction occurs on or after the	4
effective date of the act, or the underlying	5
offense is voyeurism, public indecency, compelling	6
prostitution, promoting prostitution, procuring,	7
disseminating matter harmful to juveniles,	8
displaying matter harmful to juveniles, pandering	9
obscenity, or deception to obtain matter harmful	10
to juveniles when the victim of the offense is	11
under eighteen years of age and the conviction	12
occurs on or after the effective date of the act.	13
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2953.36 of the Revised Code be	15
amended to read as follows:	16

Sec. 2953.36. Sections 2953.31 to 2953.35 of the Revised Code 17
do not apply to any of the following: 18

(A) Convictions when the offender is subject to a mandatory 19
prison term; 20

(B) Convictions under section 2907.02, 2907.03, 2907.04, 21
2907.05, 2907.06, 2907.321, 2907.322, or 2907.323, former section 22
2907.12, or Chapter 4507., 4510., 4511., or 4549. of the Revised 23
Code, or a conviction for a violation of a municipal ordinance 24
that is substantially similar to any section contained in any of 25
those chapters; 26

(C) ~~convictions~~ Convictions of an offense of violence when 27
the offense is a misdemeanor of the first degree or a felony and 28
when the offense is not a violation of section 2917.03 of the 29
Revised Code and is not a violation of section 2903.13, 2917.01 or 30
2917.31 of the Revised Code that is a misdemeanor of the first 31
degree; 32

(D) Convictions on or after the effective date of this 33
amendment under section 2907.07 of the Revised Code or a 34
conviction on or after the effective date of this amendment for a 35
violation of a municipal ordinance that is substantially similar 36
to that section; 37

(E) Convictions on or after the effective date of this 38
amendment under section 2907.08, 2907.09, 2907.21, 2907.22, 39
2907.23, 2907.31, 2907.311, 2907.32, or 2907.33 of the Revised 40
Code when the victim of the offense was under eighteen years of 41
age; 42

(F) Convictions of an offense in circumstances in which the 43
victim of the offense was under eighteen years of age when the 44
offense is a misdemeanor of the first degree or a felony; 45

~~(E)~~(G) Convictions of a felony of the first or second degree; 46

(F) <u>(H)</u> Bail forfeitures in a traffic case as defined in	47
Traffic Rule 2.	48
Section 2. That existing section 2953.36 of the Revised Code	49
is hereby repealed.	50