

**As Introduced**

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

**S. B. No. 205**

**Senator Fedor**

**Cosponsors: Senators Goodman, Roberts, Gardner, Bocchieri, Cafaro,  
Kearney, Mason, Miller, D., Miller, R., Morano, Sawyer, Smith, Wilson**

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**A B I L L**

To amend sections 109.42, 109.73, 2317.02, 2743.191, 1  
2901.13, 2921.22, 2923.01, 2923.31, and 2929.18 2  
and to enact sections 109.421, 109.745, 109.746, 3  
109.747, 2305.117, 2307.54, 2905.31, 2905.32, 4  
2905.33, 2905.34, 2905.35, 2905.36, 2929.181, 5  
2930.21, 2930.22, and 2930.23 of the Revised Code 6  
relative to trafficking in persons. 7

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

**Section 1.** That sections 109.42, 109.73, 2317.02, 2743.191, 8  
2901.13, 2921.22, 2923.01, 2923.31, and 2929.18 be amended and 9  
sections 109.421, 109.745, 109.746, 109.747, 2305.117, 2307.54, 10  
2905.31, 2905.32, 2905.33, 2905.34, 2905.35, 2905.36, 2929.181, 11  
2930.21, 2930.22, and 2930.23 of the Revised Code be enacted to 12  
read as follows: 13

**Sec. 109.42.** (A) The attorney general shall prepare and have 14  
printed a pamphlet that contains a compilation of all statutes 15  
relative to victim's rights in which the attorney general lists 16  
and explains the statutes in the form of a victim's bill of 17  
rights. The attorney general shall distribute the pamphlet to all 18

sheriffs, marshals, municipal corporation and township police 19  
departments, constables, and other law enforcement agencies, to 20  
all prosecuting attorneys, city directors of law, village 21  
solicitors, and other similar chief legal officers of municipal 22  
corporations, and to organizations that represent or provide 23  
services for victims of crime. The victim's bill of rights set 24  
forth in the pamphlet shall contain a description of all of the 25  
rights of victims that are provided for in Chapter 2930. or in any 26  
other section of the Revised Code and shall include, but not be 27  
limited to, all of the following: 28

(1) The right of a victim or a victim's representative to 29  
attend a proceeding before a grand jury, in a juvenile case, or in 30  
a criminal case pursuant to a subpoena without being discharged 31  
from the victim's or representative's employment, having the 32  
victim's or representative's employment terminated, having the 33  
victim's or representative's pay decreased or withheld, or 34  
otherwise being punished, penalized, or threatened as a result of 35  
time lost from regular employment because of the victim's or 36  
representative's attendance at the proceeding pursuant to the 37  
subpoena, as set forth in section 2151.211, 2930.18, 2939.121, or 38  
2945.451 of the Revised Code; 39

(2) The potential availability pursuant to section 2151.359 40  
or 2152.61 of the Revised Code of a forfeited recognizance to pay 41  
damages caused by a child when the delinquency of the child or 42  
child's violation of probation or community control is found to be 43  
proximately caused by the failure of the child's parent or 44  
guardian to subject the child to reasonable parental authority or 45  
to faithfully discharge the conditions of probation or community 46  
control; 47

(3) The availability of awards of reparations pursuant to 48  
sections 2743.51 to 2743.72 of the Revised Code for injuries 49  
caused by criminal offenses; 50

(4) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.06 of the Revised Code, notice of the date, time, and place of the trial or delinquency proceeding in the case or, if there will not be a trial or delinquency proceeding, information from the prosecutor, as defined in section 2930.01 of the Revised Code, regarding the disposition of the case;

(5) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.04, 2930.05, or 2930.06 of the Revised Code, notice of the name of the person charged with the violation, the case or docket number assigned to the charge, and a telephone number or numbers that can be called to obtain information about the disposition of the case;

(6) The right of the victim in certain criminal or juvenile cases or of the victim's representative pursuant to section 2930.13 or 2930.14 of the Revised Code, subject to any reasonable terms set by the court as authorized under section 2930.14 of the Revised Code, to make a statement about the victimization and, if applicable, a statement relative to the sentencing or disposition of the offender;

(7) The opportunity to obtain a court order, pursuant to section 2945.04 of the Revised Code, to prevent or stop the commission of the offense of intimidation of a crime victim or witness or an offense against the person or property of the complainant, or of the complainant's ward or child;

(8) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to sections 2151.38, 2929.20, 2930.10, 2930.16, and 2930.17 of the Revised Code to receive notice of a pending motion for judicial release or early release of the person who committed the offense against the victim, to make an oral or written statement at the court hearing

on the motion, and to be notified of the court's decision on the motion; 83  
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(9) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to section 2930.16, 2967.12, 2967.26, or 5139.56 of the Revised Code to receive notice of any pending commutation, pardon, parole, transitional control, discharge, other form of authorized release, post-release control, or supervised release for the person who committed the offense against the victim or any application for release of that person and to send a written statement relative to the victimization and the pending action to the adult parole authority or the release authority of the department of youth services; 85  
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(10) The right of the victim to bring a civil action pursuant to sections 2969.01 to 2969.06 of the Revised Code to obtain money from the offender's profit fund; 95  
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(11) The right, pursuant to section 3109.09 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully damages property through the commission of an act that would be a theft offense, as defined in section 2913.01 of the Revised Code, if committed by an adult; 98  
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(12) The right, pursuant to section 3109.10 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully and maliciously assaults a person; 104  
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(13) The possibility of receiving restitution from an offender or a delinquent child pursuant to section 2152.20, 2929.18, 2929.181, or 2929.28 of the Revised Code; 108  
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(14) The right of the victim in certain criminal or juvenile cases or a victim's representative, pursuant to section 2930.16 of the Revised Code, to receive notice of the escape from confinement 111  
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or custody of the person who committed the offense, to receive 114  
that notice from the custodial agency of the person at the 115  
victim's last address or telephone number provided to the 116  
custodial agency, and to receive notice that, if either the 117  
victim's address or telephone number changes, it is in the 118  
victim's interest to provide the new address or telephone number 119  
to the custodial agency; 120

(15) The right of a victim of domestic violence to seek the 121  
issuance of a civil protection order pursuant to section 3113.31 122  
of the Revised Code, the right of a victim of a violation of 123  
section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 124  
of the Revised Code, a violation of a substantially similar 125  
municipal ordinance, or an offense of violence who is a family or 126  
household member of the offender at the time of the offense to 127  
seek the issuance of a temporary protection order pursuant to 128  
section 2919.26 of the Revised Code, and the right of both types 129  
of victims to be accompanied by a victim advocate during court 130  
proceedings; 131

(16) The right of a victim of a sexually oriented offense 132  
that is not a registration-exempt sexually oriented offense or of 133  
a child-victim oriented offense that is committed by a person who 134  
is convicted of or pleads guilty to an aggravated sexually 135  
oriented offense, by a person who is adjudicated a sexual predator 136  
or child-victim predator, or, in certain cases, by a person who is 137  
determined to be a habitual sex offender or habitual child-victim 138  
offender to receive, pursuant to section 2950.10 of the Revised 139  
Code, notice that the person has registered with a sheriff under 140  
section 2950.04, 2950.041, or 2950.05 of the Revised Code and 141  
notice of the person's name, the person's residence that is 142  
registered, and the offender's school, institution of higher 143  
education, or place of employment address or addresses that are 144  
registered, the person's photograph, and a summary of the manner 145

in which the victim must make a request to receive the notice. As 146  
used in this division, "sexually oriented offense," "adjudicated a 147  
sexual predator," "habitual sex offender," "registration-exempt 148  
sexually oriented offense," "aggravated sexually oriented 149  
offense," "child-victim oriented offense," "adjudicated a 150  
child-victim predator," and "habitual child-victim offender" have 151  
the same meanings as in section 2950.01 of the Revised Code. 152

(17) The right of a victim of certain sexually violent 153  
offenses committed by an offender who also is convicted of or 154  
pleads guilty to a sexually violent predator specification and who 155  
is sentenced to a prison term pursuant to division (A)(3) of 156  
section 2971.03 of the Revised Code, of a victim of a violation of 157  
division (A)(1)(b) of section 2907.02 of the Revised Code 158  
committed on or after ~~the effective date of this amendment~~ January 159  
2, 2007, by an offender who is sentenced for the violation 160  
pursuant to division (B)(1)(a), (b), or (c) of section 2971.03 of 161  
the Revised Code, and of a victim of an attempted rape committed 162  
on or after ~~the effective date of this amendment~~ January 2, 2007, 163  
by an offender who also is convicted of or pleads guilty to a 164  
specification of the type described in section 2941.1418, 165  
2941.1419, or 2941.1420 of the Revised Code and is sentenced for 166  
the violation pursuant to division (B)(2)(a), (b), or (c) of 167  
section 2971.03, to receive, pursuant to section 2930.16 of the 168  
Revised Code, notice of a hearing to determine whether to modify 169  
the requirement that the offender serve the entire prison term in 170  
a state correctional facility, whether to continue, revise, or 171  
revoke any existing modification of that requirement, or whether 172  
to terminate the prison term. As used in this division, "sexually 173  
violent offense" and "sexually violent predator specification" 174  
have the same meanings as in section 2971.01 of the Revised Code. 175

(B)(1)(a) Subject to division (B)(1)(c) of this section, a 176  
prosecuting attorney, assistant prosecuting attorney, city 177

director of law, assistant city director of law, village 178  
solicitor, assistant village solicitor, or similar chief legal 179  
officer of a municipal corporation or an assistant of any of those 180  
officers who prosecutes an offense committed in this state, upon 181  
first contact with the victim of the offense, the victim's family, 182  
or the victim's dependents, shall give the victim, the victim's 183  
family, or the victim's dependents a copy of the pamphlet prepared 184  
pursuant to division (A) of this section and explain, upon 185  
request, the information in the pamphlet to the victim, the 186  
victim's family, or the victim's dependents. 187

(b) Subject to division (B)(1)(c) of this section, a law 188  
enforcement agency that investigates an offense or delinquent act 189  
committed in this state shall give the victim of the offense or 190  
delinquent act, the victim's family, or the victim's dependents a 191  
copy of the pamphlet prepared pursuant to division (A) of this 192  
section at one of the following times: 193

(i) Upon first contact with the victim, the victim's family, 194  
or the victim's dependents; 195

(ii) If the offense or delinquent act is an offense of 196  
violence, if the circumstances of the offense or delinquent act 197  
and the condition of the victim, the victim's family, or the 198  
victim's dependents indicate that the victim, the victim's family, 199  
or the victim's dependents will not be able to understand the 200  
significance of the pamphlet upon first contact with the agency, 201  
and if the agency anticipates that it will have an additional 202  
contact with the victim, the victim's family, or the victim's 203  
dependents, upon the agency's second contact with the victim, the 204  
victim's family, or the victim's dependents. 205

If the agency does not give the victim, the victim's family, 206  
or the victim's dependents a copy of the pamphlet upon first 207  
contact with them and does not have a second contact with the 208  
victim, the victim's family, or the victim's dependents, the 209

agency shall mail a copy of the pamphlet to the victim, the 210  
victim's family, or the victim's dependents at their last known 211  
address. 212

(c) In complying on and after December 9, 1994, with the 213  
duties imposed by division (B)(1)(a) or (b) of this section, an 214  
official or a law enforcement agency shall use copies of the 215  
pamphlet that are in the official's or agency's possession on 216  
December 9, 1994, until the official or agency has distributed all 217  
of those copies. After the official or agency has distributed all 218  
of those copies, the official or agency shall use only copies of 219  
the pamphlet that contain at least the information described in 220  
divisions (A)(1) to (17) of this section. 221

(2) The failure of a law enforcement agency or of a 222  
prosecuting attorney, assistant prosecuting attorney, city 223  
director of law, assistant city director of law, village 224  
solicitor, assistant village solicitor, or similar chief legal 225  
officer of a municipal corporation or an assistant to any of those 226  
officers to give, as required by division (B)(1) of this section, 227  
the victim of an offense or delinquent act, the victim's family, 228  
or the victim's dependents a copy of the pamphlet prepared 229  
pursuant to division (A) of this section does not give the victim, 230  
the victim's family, the victim's dependents, or a victim's 231  
representative any rights under section 2743.51 to 2743.72, 232  
2945.04, 2967.12, 2969.01 to 2969.06, 3109.09, or 3109.10 of the 233  
Revised Code or under any other provision of the Revised Code and 234  
does not affect any right under those sections. 235

(3) A law enforcement agency, a prosecuting attorney or 236  
assistant prosecuting attorney, or a city director of law, 237  
assistant city director of law, village solicitor, assistant 238  
village solicitor, or similar chief legal officer of a municipal 239  
corporation that distributes a copy of the pamphlet prepared 240  
pursuant to division (A) of this section shall not be required to 241



distribute a copy of an information card or other printed material 242  
provided by the clerk of the court of claims pursuant to section 243  
2743.71 of the Revised Code. 244

(C) The cost of printing and distributing the pamphlet 245  
prepared pursuant to division (A) of this section shall be paid 246  
out of the reparations fund, created pursuant to section 2743.191 247  
of the Revised Code, in accordance with division (D) of that 248  
section. 249

(D) As used in this section: 250

(1) "Victim's representative" has the same meaning as in 251  
section 2930.01 of the Revised Code; 252

(2) "Victim advocate" has the same meaning as in section 253  
2919.26 of the Revised Code. 254

Sec. 109.421. (A) The attorney general, with assistance from 255  
the bureau of criminal identification and investigation, annually 256  
shall publish statistical data on violations of section 2905.32 of 257  
the Revised Code. The first annual publication of this data shall 258  
occur one year after the effective date of this section. 259

(B) Each state agency and each agency of each political 260  
subdivision that investigates violations of section 2905.32 of the 261  
Revised Code shall collect and submit to the bureau of criminal 262  
identification and investigation the following information 263  
relevant to those violations: 264

(1) The number of investigations, arrests, prosecutions, and 265  
successful convictions of persons for a violation of that section; 266

(2) The estimated number and demographic characteristics of 267  
persons violating section 2905.32 of the Revised Code, as well as 268  
those persons who purchase or receive a commercial sex act, 269  
sexually explicit performance, labor, or services from victims of 270  
violations of that section; 271

(3) Statistics on the number of victims of violations of that section and statistics on the nationality, age, method of recruitment, and country, state, or city of origin of the victims of violations of that section; 272  
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(4) Trafficking routes and trafficking patterns used in violations of that section; 276  
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(5) Methods of transportation used in violations of that section; 278  
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(6) Social and economic factors that contribute to and foster the demand for all forms of exploitation of persons that leads to trafficking in persons; 280  
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(7) The number of victims of a violation of section 2905.32 of the Revised Code who received or who were refused continuous presence in the United States pursuant to 22 U.S.C. 7105, who received or who were refused a visa for an alien classified as a nonimmigrant under 8 U.S.C. 1101(a)(15)(T) or (U), or whose request or application for continued presence in the United States pursuant to 22 U.S.C. 7105 or that visa is in process. 283  
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(C) As used in this section, "commercial sex act," "labor," "services," and "sexually explicit performance" have the same meanings as in section 2905.31 of the Revised Code. 290  
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**Sec. 109.73.** (A) The Ohio peace officer training commission shall recommend rules to the attorney general with respect to all of the following: 293  
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(1) The approval, or revocation of approval, of peace officer training schools administered by the state, counties, municipal corporations, public school districts, technical college districts, and the department of natural resources; 296  
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(2) Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved state, county, 300  
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municipal, and department of natural resources peace officer 302  
training schools; 303

(3) Minimum qualifications for instructors at approved state, 304  
county, municipal, and department of natural resources peace 305  
officer training schools; 306

(4) The requirements of minimum basic training that peace 307  
officers appointed to probationary terms shall complete before 308  
being eligible for permanent appointment, which requirements shall 309  
include a minimum of fifteen hours of training in the handling of 310  
the offense of domestic violence, other types of domestic 311  
violence-related offenses and incidents, and protection orders and 312  
consent agreements issued or approved under section 2919.26 or 313  
3113.31 of the Revised Code; a minimum of six hours of crisis 314  
intervention training; ~~and~~ a specified amount of training in the 315  
handling of missing children and child abuse and neglect cases; 316  
and a specified amount of training in handling violations of 317  
section 2905.32 of the Revised Code; and the time within which 318  
such basic training shall be completed following appointment to a 319  
probationary term; 320

(5) The requirements of minimum basic training that peace 321  
officers not appointed for probationary terms but appointed on 322  
other than a permanent basis shall complete in order to be 323  
eligible for continued employment or permanent appointment, which 324  
requirements shall include a minimum of fifteen hours of training 325  
in the handling of the offense of domestic violence, other types 326  
of domestic violence-related offenses and incidents, and 327  
protection orders and consent agreements issued or approved under 328  
section 2919.26 or 3113.31 of the Revised Code, a minimum of six 329  
hours of crisis intervention training, ~~and~~ a specified amount of 330  
training in the handling of missing children and child abuse and 331  
neglect cases, and a specified amount of training in handling 332  
violations of section 2905.32 of the Revised Code, and the time 333

within which such basic training shall be completed following 334  
appointment on other than a permanent basis; 335

(6) Categories or classifications of advanced in-service 336  
training programs for peace officers, including programs in the 337  
handling of the offense of domestic violence, other types of 338  
domestic violence-related offenses and incidents, and protection 339  
orders and consent agreements issued or approved under section 340  
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 341  
~~and~~ in the handling of missing children and child abuse and 342  
neglect cases, and in handling violations of section 2905.32 of 343  
the Revised Code, and minimum courses of study and attendance 344  
requirements with respect to such categories or classifications; 345

(7) Permitting persons, who are employed as members of a 346  
campus police department appointed under section 1713.50 of the 347  
Revised Code; who are employed as police officers by a qualified 348  
nonprofit corporation police department pursuant to section 349  
1702.80 of the Revised Code; who are appointed and commissioned as 350  
bank, savings and loan association, savings bank, credit union, or 351  
association of banks, savings and loan associations, savings 352  
banks, or credit unions police officers, as railroad police 353  
officers, or as hospital police officers pursuant to sections 354  
4973.17 to 4973.22 of the Revised Code; or who are appointed and 355  
commissioned as amusement park police officers pursuant to section 356  
4973.17 of the Revised Code, to attend approved peace officer 357  
training schools, including the Ohio peace officer training 358  
academy, and to receive certificates of satisfactory completion of 359  
basic training programs, if the private college or university that 360  
established the campus police department; qualified nonprofit 361  
corporation police department; bank, savings and loan association, 362  
savings bank, credit union, or association of banks, savings and 363  
loan associations, savings banks, or credit unions; railroad 364  
company; hospital; or amusement park sponsoring the police 365

officers pays the entire cost of the training and certification 366  
and if trainee vacancies are available; 367

(8) Permitting undercover drug agents to attend approved 368  
peace officer training schools, other than the Ohio peace officer 369  
training academy, and to receive certificates of satisfactory 370  
completion of basic training programs, if, for each undercover 371  
drug agent, the county, township, or municipal corporation that 372  
employs that undercover drug agent pays the entire cost of the 373  
training and certification; 374

(9)(a) The requirements for basic training programs for 375  
bailiffs and deputy bailiffs of courts of record of this state and 376  
for criminal investigators employed by the state public defender 377  
that those persons shall complete before they may carry a firearm 378  
while on duty; 379

(b) The requirements for any training received by a bailiff 380  
or deputy bailiff of a court of record of this state or by a 381  
criminal investigator employed by the state public defender prior 382  
to June 6, 1986, that is to be considered equivalent to the 383  
training described in division (A)(9)(a) of this section. 384

(10) Establishing minimum qualifications and requirements for 385  
certification for dogs utilized by law enforcement agencies; 386

(11) Establishing minimum requirements for certification of 387  
persons who are employed as correction officers in a full-service 388  
jail, five-day facility, or eight-hour holding facility or who 389  
provide correction services in such a jail or facility; 390

(12) Establishing requirements for the training of agents of 391  
a county humane society under section 1717.06 of the Revised Code, 392  
including, without limitation, a requirement that the agents 393  
receive instruction on traditional animal husbandry methods and 394  
training techniques, including customary owner-performed 395  
practices. 396

(B) The commission shall appoint an executive director, with 397  
the approval of the attorney general, who shall hold office during 398  
the pleasure of the commission. The executive director shall 399  
perform such duties assigned by the commission. The executive 400  
director shall receive a salary fixed pursuant to Chapter 124. of 401  
the Revised Code and reimbursement for expenses within the amounts 402  
available by appropriation. The executive director may appoint 403  
officers, employees, agents, and consultants as the executive 404  
director considers necessary, prescribe their duties, and provide 405  
for reimbursement of their expenses within the amounts available 406  
for reimbursement by appropriation and with the approval of the 407  
commission. 408

(C) The commission may do all of the following: 409

(1) Recommend studies, surveys, and reports to be made by the 410  
executive director regarding the carrying out of the objectives 411  
and purposes of sections 109.71 to 109.77 of the Revised Code; 412

(2) Visit and inspect any peace officer training school that 413  
has been approved by the executive director or for which 414  
application for approval has been made; 415

(3) Make recommendations, from time to time, to the executive 416  
director, the attorney general, and the general assembly regarding 417  
the carrying out of the purposes of sections 109.71 to 109.77 of 418  
the Revised Code; 419

(4) Report to the attorney general from time to time, and to 420  
the governor and the general assembly at least annually, 421  
concerning the activities of the commission; 422

(5) Establish fees for the services the commission offers 423  
under sections 109.71 to 109.79 of the Revised Code, including, 424  
but not limited to, fees for training, certification, and testing; 425

(6) Perform such other acts as are necessary or appropriate 426  
to carry out the powers and duties of the commission as set forth 427

in sections 109.71 to 109.77 of the Revised Code. 428

(D) In establishing the requirements, under division (A)(12) 429  
of this section, the commission may consider any portions of the 430  
curriculum for instruction on the topic of animal husbandry 431  
practices, if any, of the Ohio state university college of 432  
veterinary medicine. No person or entity that fails to provide 433  
instruction on traditional animal husbandry methods and training 434  
techniques, including customary owner-performed practices, shall 435  
qualify to train a humane agent for appointment under section 436  
1717.06 of the Revised Code. 437

Sec. 109.745. (A) The attorney general shall provide training 438  
for peace officers in investigating and handling violations of 439  
section 2905.32 of the Revised Code. The training shall include 440  
all of the following: 441

(1) Identifying violations of section 2905.32 of the Revised 442  
Code; 443

(2) Methods used in identifying victims of violations of that 444  
section who are citizens of the United States or a foreign 445  
country, including preliminary interviewing techniques and 446  
appropriate questioning methods; 447

(3) Methods for prosecuting persons who violate section 448  
2905.32 of the Revised Code; 449

(4) Methods of increasing effective collaboration with 450  
nongovernmental organizations and other social service 451  
organizations in the course of a criminal action regarding a 452  
violation of section 2905.32 of the Revised Code; 453

(5) Methods for protecting the rights of victims of 454  
violations of that section, including the need to consider human 455  
rights and the special needs of women and children who are victims 456  
of violations of that section and to treat victims as victims 457

rather than as criminals; 458

(6) Methods for promoting the safety of victims of violations 459  
of that section, including the training of peace officers to 460  
quickly recognize victims of a violation of that section who are 461  
citizens of the United States or citizens of a foreign country. 462

(B) Any organization, person, or other governmental agency 463  
with an interest and expertise in trafficking in persons may 464  
submit information or materials to the attorney general regarding 465  
the development and presentation of the training required under 466  
this section. The attorney general, in developing the training 467  
required by this section, shall consider any information submitted 468  
pursuant to this division. 469

**Sec. 109.746.** (A) The attorney general shall prepare public 470  
awareness programs that are designed to educate potential victims 471  
of violations of section 2905.32 of the Revised Code and their 472  
families of the risks of becoming a victim of a violation of that 473  
section. The public awareness programs shall include the following 474  
information: 475

(1) Information about the risks of becoming a victim of a 476  
violation of section 2905.32 of the Revised Code, including 477  
information about common recruitment techniques, use of debt 478  
bondage and other coercive tactics, the risk of maltreatment, 479  
rape, exposure to HIV and AIDS and other sexually transmitted 480  
diseases, and the psychological harm related to being a victim of 481  
a violation of that section; 482

(2) Information about the risks of engaging in a commercial 483  
sex act and the possible consequences; 484

(3) Information about victim's rights as well as methods for 485  
reporting suspected recruitment activities regarding a violation 486  
of that section; 487



(4) Information on telephone hotlines for victims of 488  
violations of section 2905.32 of the Revised Code and available 489  
services to victims of a violation of that section. 490

(B) The attorney general shall prepare and disseminate public 491  
awareness materials to educate the public on the extent of 492  
trafficking in persons within the United States and to discourage 493  
the demand that fosters the exploitation of persons and that leads 494  
to trafficking in persons. The public awareness materials may 495  
include information on the impact of trafficking in persons on 496  
individual victims who are either citizens of the United States or 497  
citizens of a foreign country, aggregate information on 498  
trafficking worldwide and domestically, as well as warnings of the 499  
potential for criminal consequences for participating in 500  
trafficking in persons. The materials may include pamphlets, 501  
brochures, posters, advertisements, and any other appropriate 502  
methods. 503

(C) The programs and materials described in this section may 504  
include information on the impact of trafficking in persons on 505  
individual victims, but any information regarding the experiences 506  
of those individual victims shall be confidential. 507

(D) The attorney general shall periodically evaluate all 508  
public awareness programs and materials under this section to 509  
ensure the programs' and materials' effectiveness. 510

(E) Any organization, person, or other governmental agency 511  
with an interest and expertise in trafficking in persons may 512  
submit information or materials to the attorney general regarding 513  
the preparation of the programs and materials required under this 514  
section. The attorney general, in developing the programs and 515  
materials required by this section, shall consider any information 516  
submitted pursuant to this division. 517

(F) As used in this section, "commercial sex act" and "debt 518

bondage" have the same meanings as in section 2905.31 of the 519  
Revised Code. 520

Sec. 109.747. To ensure that a victim of a violation of 521  
section 2905.32 of the Revised Code is able to access any 522  
available federal benefits and programs for victims of a violation 523  
of that section, the attorney general shall do all of the 524  
following: 525

(A) Inform the appropriate federal authorities about cases 526  
known to the attorney general that involve a violation of section 527  
2905.32 of the Revised Code; 528

(B) Within seventy-two hours after receipt of a written 529  
request from a person identified by a peace officer as a victim of 530  
section 2905.32 of the Revised Code for submission of a request 531  
for continued presence in the United States, or a written request 532  
from that person's representative for submission of a request for 533  
continued presence of the victim in the United States, submit a 534  
written request to the appropriate federal authorities requesting 535  
that the victim be permitted continued presence in the United 536  
States pursuant to 22 U.S.C. 7105; 537

(C) Within seventy-two hours of a written request from a 538  
person identified by a peace officer as a victim of a violation of 539  
section 2905.32 of the Revised Code for a law enforcement agency's 540  
endorsement that the person is a victim of that section, or a 541  
written request from that person's representative for an 542  
endorsement of that nature, provide the person with an endorsement 543  
of the person's victim status on Supplement B, Declaration of Law 544  
Enforcement Officer for Victim of Trafficking in Persons, of Form 545  
I-914 in accordance with 8 C.F.R. 214.11(f)(1) in support of that 546  
person's application for a visa for an alien classified as a 547  
nonimmigrant under 8 U.S.C. 1101(T); 548

(D) Within seventy-two hours after receipt of a request from 549

a person identified by a peace officer as a victim of a violation 550  
of section 2905.32 of the Revised Code for documentation to 551  
support the person's request for the benefits and services 552  
described in this division, or a written request from that 553  
person's representative for documentation of that nature, provide 554  
the person with documentation in support of that person's request 555  
for benefits and services to be provided to trafficking victims by 556  
the office of refugee and resettlement in the United States 557  
department of health and human services and by other federal 558  
agencies pursuant to 22 U.S.C. 7105. 559

Sec. 2305.117. An action brought pursuant to section 2307.54 560  
of the Revised Code shall be brought within ten years after the 561  
cause of action accrues. If the person bringing the action is a 562  
disabled person, there is no limitation on when the action may be 563  
brought. For purposes of this section, if the victim of a 564  
violation of section 2905.32 of the Revised Code is a minor at the 565  
time of the violation, a cause of action brought pursuant to 566  
section 2307.54 of the Revised Code accrues upon the date on which 567  
the victim reaches the age of majority. 568

Sec. 2307.54. A person who suffers injury or loss to person 569  
or property as a result of an act committed in violation of 570  
section 2905.32 of the Revised Code has a civil action against the 571  
offender and may recover in that action full compensatory damages, 572  
punitive or exemplary damages, court costs, other reasonable 573  
expenses incurred in maintaining that action, and the reasonable 574  
attorney's fees incurred in maintaining that action. 575

Sec. 2317.02. The following persons shall not testify in 576  
certain respects: 577

(A) An attorney, concerning a communication made to the 578  
attorney by a client in that relation or the attorney's advice to 579

a client, except that the attorney may testify by express consent 580  
of the client or, if the client is deceased, by the express 581  
consent of the surviving spouse or the executor or administrator 582  
of the estate of the deceased client. However, if the client 583  
voluntarily testifies or is deemed by section 2151.421 of the 584  
Revised Code to have waived any testimonial privilege under this 585  
division, the attorney may be compelled to testify on the same 586  
subject. 587

The testimonial privilege established under this division 588  
does not apply concerning a communication between a client who has 589  
since died and the deceased client's attorney if the communication 590  
is relevant to a dispute between parties who claim through that 591  
deceased client, regardless of whether the claims are by testate 592  
or intestate succession or by inter vivos transaction, and the 593  
dispute addresses the competency of the deceased client when the 594  
deceased client executed a document that is the basis of the 595  
dispute or whether the deceased client was a victim of fraud, 596  
undue influence, or duress when the deceased client executed a 597  
document that is the basis of the dispute. 598

(B)(1) A physician or a dentist concerning a communication 599  
made to the physician or dentist by a patient in that relation or 600  
the physician's or dentist's advice to a patient, except as 601  
otherwise provided in this division, division (B)(2), and division 602  
(B)(3) of this section, and except that, if the patient is deemed 603  
by section 2151.421 of the Revised Code to have waived any 604  
testimonial privilege under this division, the physician may be 605  
compelled to testify on the same subject. 606

The testimonial privilege established under this division 607  
does not apply, and a physician or dentist may testify or may be 608  
compelled to testify, in any of the following circumstances: 609

(a) In any civil action, in accordance with the discovery 610  
provisions of the Rules of Civil Procedure in connection with a 611

civil action, or in connection with a claim under Chapter 4123. of 612  
the Revised Code, under any of the following circumstances: 613

(i) If the patient or the guardian or other legal 614  
representative of the patient gives express consent; 615

(ii) If the patient is deceased, the spouse of the patient or 616  
the executor or administrator of the patient's estate gives 617  
express consent; 618

(iii) If a medical claim, dental claim, chiropractic claim, 619  
or optometric claim, as defined in section 2305.113 of the Revised 620  
Code, an action for wrongful death, any other type of civil 621  
action, or a claim under Chapter 4123. of the Revised Code is 622  
filed by the patient, the personal representative of the estate of 623  
the patient if deceased, or the patient's guardian or other legal 624  
representative. 625

(b) In any civil action concerning court-ordered treatment or 626  
services received by a patient, if the court-ordered treatment or 627  
services were ordered as part of a case plan journalized under 628  
section 2151.412 of the Revised Code or the court-ordered 629  
treatment or services are necessary or relevant to dependency, 630  
neglect, or abuse or temporary or permanent custody proceedings 631  
under Chapter 2151. of the Revised Code. 632

(c) In any criminal action concerning any test or the results 633  
of any test that determines the presence or concentration of 634  
alcohol, a drug of abuse, a combination of them, a controlled 635  
substance, or a metabolite of a controlled substance in the 636  
patient's whole blood, blood serum or plasma, breath, urine, or 637  
other bodily substance at any time relevant to the criminal 638  
offense in question. 639

(d) In any criminal action against a physician or dentist. In 640  
such an action, the testimonial privilege established under this 641  
division does not prohibit the admission into evidence, in 642

accordance with the Rules of Evidence, of a patient's medical or 643  
dental records or other communications between a patient and the 644  
physician or dentist that are related to the action and obtained 645  
by subpoena, search warrant, or other lawful means. A court that 646  
permits or compels a physician or dentist to testify in such an 647  
action or permits the introduction into evidence of patient 648  
records or other communications in such an action shall require 649  
that appropriate measures be taken to ensure that the 650  
confidentiality of any patient named or otherwise identified in 651  
the records is maintained. Measures to ensure confidentiality that 652  
may be taken by the court include sealing its records or deleting 653  
specific information from its records. 654

(e)(i) If the communication was between a patient who has 655  
since died and the deceased patient's physician or dentist, the 656  
communication is relevant to a dispute between parties who claim 657  
through that deceased patient, regardless of whether the claims 658  
are by testate or intestate succession or by inter vivos 659  
transaction, and the dispute addresses the competency of the 660  
deceased patient when the deceased patient executed a document 661  
that is the basis of the dispute or whether the deceased patient 662  
was a victim of fraud, undue influence, or duress when the 663  
deceased patient executed a document that is the basis of the 664  
dispute. 665

(ii) If neither the spouse of a patient nor the executor or 666  
administrator of that patient's estate gives consent under 667  
division (B)(1)(a)(ii) of this section, testimony or the 668  
disclosure of the patient's medical records by a physician, 669  
dentist, or other health care provider under division (B)(1)(e)(i) 670  
of this section is a permitted use or disclosure of protected 671  
health information, as defined in 45 C.F.R. 160.103, and an 672  
authorization or opportunity to be heard shall not be required. 673

(iii) Division (B)(1)(e)(i) of this section does not require 674

a mental health professional to disclose psychotherapy notes, as 675  
defined in 45 C.F.R. 164.501. 676

(iv) An interested person who objects to testimony or 677  
disclosure under division (B)(1)(e)(i) of this section may seek a 678  
protective order pursuant to Civil Rule 26. 679

(v) A person to whom protected health information is 680  
disclosed under division (B)(1)(e)(i) of this section shall not 681  
use or disclose the protected health information for any purpose 682  
other than the litigation or proceeding for which the information 683  
was requested and shall return the protected health information to 684  
the covered entity or destroy the protected health information, 685  
including all copies made, at the conclusion of the litigation or 686  
proceeding. 687

(2)(a) If any law enforcement officer submits a written 688  
statement to a health care provider that states that an official 689  
criminal investigation has begun regarding a specified person or 690  
that a criminal action or proceeding has been commenced against a 691  
specified person, that requests the provider to supply to the 692  
officer copies of any records the provider possesses that pertain 693  
to any test or the results of any test administered to the 694  
specified person to determine the presence or concentration of 695  
alcohol, a drug of abuse, a combination of them, a controlled 696  
substance, or a metabolite of a controlled substance in the 697  
person's whole blood, blood serum or plasma, breath, or urine at 698  
any time relevant to the criminal offense in question, and that 699  
conforms to section 2317.022 of the Revised Code, the provider, 700  
except to the extent specifically prohibited by any law of this 701  
state or of the United States, shall supply to the officer a copy 702  
of any of the requested records the provider possesses. If the 703  
health care provider does not possess any of the requested 704  
records, the provider shall give the officer a written statement 705  
that indicates that the provider does not possess any of the 706

requested records. 707

(b) If a health care provider possesses any records of the 708  
type described in division (B)(2)(a) of this section regarding the 709  
person in question at any time relevant to the criminal offense in 710  
question, in lieu of personally testifying as to the results of 711  
the test in question, the custodian of the records may submit a 712  
certified copy of the records, and, upon its submission, the 713  
certified copy is qualified as authentic evidence and may be 714  
admitted as evidence in accordance with the Rules of Evidence. 715  
Division (A) of section 2317.422 of the Revised Code does not 716  
apply to any certified copy of records submitted in accordance 717  
with this division. Nothing in this division shall be construed to 718  
limit the right of any party to call as a witness the person who 719  
administered the test to which the records pertain, the person 720  
under whose supervision the test was administered, the custodian 721  
of the records, the person who made the records, or the person 722  
under whose supervision the records were made. 723

(3)(a) If the testimonial privilege described in division 724  
(B)(1) of this section does not apply as provided in division 725  
(B)(1)(a)(iii) of this section, a physician or dentist may be 726  
compelled to testify or to submit to discovery under the Rules of 727  
Civil Procedure only as to a communication made to the physician 728  
or dentist by the patient in question in that relation, or the 729  
physician's or dentist's advice to the patient in question, that 730  
related causally or historically to physical or mental injuries 731  
that are relevant to issues in the medical claim, dental claim, 732  
chiropractic claim, or optometric claim, action for wrongful 733  
death, other civil action, or claim under Chapter 4123. of the 734  
Revised Code. 735

(b) If the testimonial privilege described in division (B)(1) 736  
of this section does not apply to a physician or dentist as 737  
provided in division (B)(1)(c) of this section, the physician or 738



dentist, in lieu of personally testifying as to the results of the 739  
test in question, may submit a certified copy of those results, 740  
and, upon its submission, the certified copy is qualified as 741  
authentic evidence and may be admitted as evidence in accordance 742  
with the Rules of Evidence. Division (A) of section 2317.422 of 743  
the Revised Code does not apply to any certified copy of results 744  
submitted in accordance with this division. Nothing in this 745  
division shall be construed to limit the right of any party to 746  
call as a witness the person who administered the test in 747  
question, the person under whose supervision the test was 748  
administered, the custodian of the results of the test, the person 749  
who compiled the results, or the person under whose supervision 750  
the results were compiled. 751

(4) The testimonial privilege described in division (B)(1) of 752  
this section is not waived when a communication is made by a 753  
physician to a pharmacist or when there is communication between a 754  
patient and a pharmacist in furtherance of the physician-patient 755  
relation. 756

(5)(a) As used in divisions (B)(1) to (4) of this section, 757  
"communication" means acquiring, recording, or transmitting any 758  
information, in any manner, concerning any facts, opinions, or 759  
statements necessary to enable a physician or dentist to diagnose, 760  
treat, prescribe, or act for a patient. A "communication" may 761  
include, but is not limited to, any medical or dental, office, or 762  
hospital communication such as a record, chart, letter, 763  
memorandum, laboratory test and results, x-ray, photograph, 764  
financial statement, diagnosis, or prognosis. 765

(b) As used in division (B)(2) of this section, "health care 766  
provider" means a hospital, ambulatory care facility, long-term 767  
care facility, pharmacy, emergency facility, or health care 768  
practitioner. 769

(c) As used in division (B)(5)(b) of this section: 770

(i) "Ambulatory care facility" means a facility that provides 771  
medical, diagnostic, or surgical treatment to patients who do not 772  
require hospitalization, including a dialysis center, ambulatory 773  
surgical facility, cardiac catheterization facility, diagnostic 774  
imaging center, extracorporeal shock wave lithotripsy center, home 775  
health agency, inpatient hospice, birthing center, radiation 776  
therapy center, emergency facility, and an urgent care center. 777  
"Ambulatory health care facility" does not include the private 778  
office of a physician or dentist, whether the office is for an 779  
individual or group practice. 780

(ii) "Emergency facility" means a hospital emergency 781  
department or any other facility that provides emergency medical 782  
services. 783

(iii) "Health care practitioner" has the same meaning as in 784  
section 4769.01 of the Revised Code. 785

(iv) "Hospital" has the same meaning as in section 3727.01 of 786  
the Revised Code. 787

(v) "Long-term care facility" means a nursing home, 788  
residential care facility, or home for the aging, as those terms 789  
are defined in section 3721.01 of the Revised Code; an adult care 790  
facility, as defined in section 3722.01 of the Revised Code; a 791  
nursing facility or intermediate care facility for the mentally 792  
retarded, as those terms are defined in section 5111.20 of the 793  
Revised Code; a facility or portion of a facility certified as a 794  
skilled nursing facility under Title XVIII of the "Social Security 795  
Act," 49 Stat. 286 (1965), 42 U.S.C.A. 1395, as amended. 796

(vi) "Pharmacy" has the same meaning as in section 4729.01 of 797  
the Revised Code. 798

(d) As used in divisions (B)(1) and ~~(B)~~(2) of this section, 799  
"drug of abuse" has the same meaning as in section 4506.01 of the 800  
Revised Code. 801

(6) Divisions (B)(1), (2), (3), (4), and (5) of this section 802  
apply to doctors of medicine, doctors of osteopathic medicine, 803  
doctors of podiatry, and dentists. 804

(7) Nothing in divisions (B)(1) to (6) of this section 805  
affects, or shall be construed as affecting, the immunity from 806  
civil liability conferred by section 307.628 of the Revised Code 807  
or the immunity from civil liability conferred by section 2305.33 808  
of the Revised Code upon physicians who report an employee's use 809  
of a drug of abuse, or a condition of an employee other than one 810  
involving the use of a drug of abuse, to the employer of the 811  
employee in accordance with division (B) of that section. As used 812  
in division (B)(7) of this section, "employee," "employer," and 813  
"physician" have the same meanings as in section 2305.33 of the 814  
Revised Code. 815

(C)(1) A cleric, when the cleric remains accountable to the 816  
authority of that cleric's church, denomination, or sect, 817  
concerning a confession made, or any information confidentially 818  
communicated, to the cleric for a religious counseling purpose in 819  
the cleric's professional character. The cleric may testify by 820  
express consent of the person making the communication, except 821  
when the disclosure of the information is in violation of a sacred 822  
trust and except that, if the person voluntarily testifies or is 823  
deemed by division (A)(4)(c) of section 2151.421 of the Revised 824  
Code to have waived any testimonial privilege under this division, 825  
the cleric may be compelled to testify on the same subject except 826  
when disclosure of the information is in violation of a sacred 827  
trust. 828

(2) As used in division (C) of this section: 829

(a) "Cleric" means a member of the clergy, rabbi, priest, 830  
Christian ~~science~~ Science practitioner, or regularly ordained, 831  
accredited, or licensed minister of an established and legally 832  
cognizable church, denomination, or sect. 833

(b) "Sacred trust" means a confession or confidential 834  
communication made to a cleric in the cleric's ecclesiastical 835  
capacity in the course of discipline enjoined by the church to 836  
which the cleric belongs, including, but not limited to, the 837  
Catholic Church, if both of the following apply: 838

(i) The confession or confidential communication was made 839  
directly to the cleric. 840

(ii) The confession or confidential communication was made in 841  
the manner and context that places the cleric specifically and 842  
strictly under a level of confidentiality that is considered 843  
inviolable by canon law or church doctrine. 844

(D) Husband or wife, concerning any communication made by one 845  
to the other, or an act done by either in the presence of the 846  
other, during coverture, unless the communication was made, or act 847  
done, in the known presence or hearing of a third person competent 848  
to be a witness; and such rule is the same if the marital relation 849  
has ceased to exist; 850

(E) A person who assigns a claim or interest, concerning any 851  
matter in respect to which the person would not, if a party, be 852  
permitted to testify; 853

(F) A person who, if a party, would be restricted under 854  
section 2317.03 of the Revised Code, when the property or thing is 855  
sold or transferred by an executor, administrator, guardian, 856  
trustee, heir, devisee, or legatee, shall be restricted in the 857  
same manner in any action or proceeding concerning the property or 858  
thing. 859

(G)(1) A school guidance counselor who holds a valid educator 860  
license from the state board of education as provided for in 861  
section 3319.22 of the Revised Code, a trafficking-in-persons 862  
caseworker, a person licensed under Chapter 4757. of the Revised 863  
Code as a professional clinical counselor, professional counselor, 864

social worker, independent social worker, marriage and family therapist ~~or~~, independent marriage and family therapist, or a person registered under Chapter 4757. of the Revised Code as a social work assistant concerning a confidential communication received from a client in that relation or the person's advice to a client unless any of the following applies:

(a) The communication or advice indicates clear and present danger to the client or other persons. For the purposes of this division, cases in which there are indications of present or past child abuse or neglect of the client constitute a clear and present danger.

(b) The client gives express consent to the testimony.

(c) If the client is deceased, the surviving spouse or the executor or administrator of the estate of the deceased client gives express consent.

(d) The client voluntarily testifies, in which case the school guidance counselor, trafficking-in-persons caseworker, or person licensed or registered under Chapter 4757. of the Revised Code may be compelled to testify on the same subject.

(e) The court in camera determines that the information communicated by the client is not germane to the counselor-client, trafficking-in-persons caseworker-client, marriage and family therapist-client, or social worker-client relationship.

(f) A court, in an action brought against a school, its administration, or any of its personnel by the client, rules after an in-camera inspection that the testimony of the school guidance counselor is relevant to that action.

(g) The testimony is sought in a civil action and concerns court-ordered treatment or services received by a patient as part of a case plan journalized under section 2151.412 of the Revised Code or the court-ordered treatment or services are necessary or

relevant to dependency, neglect, or abuse or temporary or 896  
permanent custody proceedings under Chapter 2151. of the Revised 897  
Code. 898

(2) Nothing in division (G)(1) of this section shall relieve 899  
a school guidance counselor, trafficking-in-persons caseworker, or 900  
a person licensed or registered under Chapter 4757. of the Revised 901  
Code from the requirement to report information concerning child 902  
abuse or neglect under section 2151.421 of the Revised Code. 903

(3) As used in this section, "trafficking-in-persons 904  
caseworker" means a person who has received specialized training 905  
in the counseling of victims of a violation of section 2905.32 of 906  
the Revised Code and who meets one of the following requirements: 907

(a) The person has a master's degree in counseling or a 908  
related field or has one year of counseling experience, at least 909  
six months of which is in the counseling of victims of a violation 910  
of section 2905.32 of the Revised Code. 911

(b) The person has at least forty hours of training in 912  
counseling victims of a violation of section 2905.32 of the 913  
Revised Code and is supervised by an individual who satisfies 914  
division (G)(3)(a) of this section. 915

(c) The person is a psychotherapist. 916

(H) A mediator acting under a mediation order issued under 917  
division (A) of section 3109.052 of the Revised Code or otherwise 918  
issued in any proceeding for divorce, dissolution, legal 919  
separation, annulment, or the allocation of parental rights and 920  
responsibilities for the care of children, in any action or 921  
proceeding, other than a criminal, delinquency, child abuse, child 922  
neglect, or dependent child action or proceeding, that is brought 923  
by or against either parent who takes part in mediation in 924  
accordance with the order and that pertains to the mediation 925  
process, to any information discussed or presented in the 926

mediation process, to the allocation of parental rights and 927  
responsibilities for the care of the parents' children, or to the 928  
awarding of parenting time rights in relation to their children; 929

(I) A communications assistant, acting within the scope of 930  
the communication assistant's authority, when providing 931  
telecommunications relay service pursuant to section 4931.35 of 932  
the Revised Code or Title II of the "Communications Act of 1934," 933  
104 Stat. 366 (1990), 47 U.S.C. 225, concerning a communication 934  
made through a telecommunications relay service. Nothing in this 935  
section shall limit the obligation of a communications assistant 936  
to divulge information or testify when mandated by federal law or 937  
regulation or pursuant to subpoena in a criminal proceeding. 938

Nothing in this section shall limit any immunity or privilege 939  
granted under federal law or regulation. 940

(J)(1) A chiropractor in a civil proceeding concerning a 941  
communication made to the chiropractor by a patient in that 942  
relation or the chiropractor's advice to a patient, except as 943  
otherwise provided in this division. The testimonial privilege 944  
established under this division does not apply, and a chiropractor 945  
may testify or may be compelled to testify, in any civil action, 946  
in accordance with the discovery provisions of the Rules of Civil 947  
Procedure in connection with a civil action, or in connection with 948  
a claim under Chapter 4123. of the Revised Code, under any of the 949  
following circumstances: 950

(a) If the patient or the guardian or other legal 951  
representative of the patient gives express consent. 952

(b) If the patient is deceased, the spouse of the patient or 953  
the executor or administrator of the patient's estate gives 954  
express consent. 955

(c) If a medical claim, dental claim, chiropractic claim, or 956  
optometric claim, as defined in section 2305.113 of the Revised 957

Code, an action for wrongful death, any other type of civil 958  
action, or a claim under Chapter 4123. of the Revised Code is 959  
filed by the patient, the personal representative of the estate of 960  
the patient if deceased, or the patient's guardian or other legal 961  
representative. 962

(2) If the testimonial privilege described in division (J)(1) 963  
of this section does not apply as provided in division (J)(1)(c) 964  
of this section, a chiropractor may be compelled to testify or to 965  
submit to discovery under the Rules of Civil Procedure only as to 966  
a communication made to the chiropractor by the patient in 967  
question in that relation, or the chiropractor's advice to the 968  
patient in question, that related causally or historically to 969  
physical or mental injuries that are relevant to issues in the 970  
medical claim, dental claim, chiropractic claim, or optometric 971  
claim, action for wrongful death, other civil action, or claim 972  
under Chapter 4123. of the Revised Code. 973

(3) The testimonial privilege established under this division 974  
does not apply, and a chiropractor may testify or be compelled to 975  
testify, in any criminal action or administrative proceeding. 976

(4) As used in this division, "communication" means 977  
acquiring, recording, or transmitting any information, in any 978  
manner, concerning any facts, opinions, or statements necessary to 979  
enable a chiropractor to diagnose, treat, or act for a patient. A 980  
communication may include, but is not limited to, any 981  
chiropractic, office, or hospital communication such as a record, 982  
chart, letter, memorandum, laboratory test and results, x-ray, 983  
photograph, financial statement, diagnosis, or prognosis. 984

(K)(1) Except as provided under division (K)(2) of this 985  
section, a critical incident stress management team member 986  
concerning a communication received from an individual who 987  
receives crisis response services from the team member, or the 988  
team member's advice to the individual, during a debriefing 989



session.	990
(2) The testimonial privilege established under division	991
(K)(1) of this section does not apply if any of the following are	992
true:	993
(a) The communication or advice indicates clear and present	994
danger to the individual who receives crisis response services or	995
to other persons. For purposes of this division, cases in which	996
there are indications of present or past child abuse or neglect of	997
the individual constitute a clear and present danger.	998
(b) The individual who received crisis response services	999
gives express consent to the testimony.	1000
(c) If the individual who received crisis response services	1001
is deceased, the surviving spouse or the executor or administrator	1002
of the estate of the deceased individual gives express consent.	1003
(d) The individual who received crisis response services	1004
voluntarily testifies, in which case the team member may be	1005
compelled to testify on the same subject.	1006
(e) The court in camera determines that the information	1007
communicated by the individual who received crisis response	1008
services is not germane to the relationship between the individual	1009
and the team member.	1010
(f) The communication or advice pertains or is related to any	1011
criminal act.	1012
(3) As used in division (K) of this section:	1013
(a) "Crisis response services" means consultation, risk	1014
assessment, referral, and on-site crisis intervention services	1015
provided by a critical incident stress management team to	1016
individuals affected by crisis or disaster.	1017
(b) "Critical incident stress management team member" or	1018
"team member" means an individual specially trained to provide	1019

crisis response services as a member of an organized community or 1020  
local crisis response team that holds membership in the Ohio 1021  
critical incident stress management network. 1022

(c) "Debriefing session" means a session at which crisis 1023  
response services are rendered by a critical incident stress 1024  
management team member during or after a crisis or disaster. 1025

(L)(1) Subject to division (L)(2) of this section and except 1026  
as provided in division (L)(3) of this section, an employee 1027  
assistance professional, concerning a communication made to the 1028  
employee assistance professional by a client in the employee 1029  
assistance professional's official capacity as an employee 1030  
assistance professional. 1031

(2) Division (L)(1) of this section applies to an employee 1032  
assistance professional who meets either or both of the following 1033  
requirements: 1034

(a) Is certified by the employee assistance certification 1035  
commission to engage in the employee assistance profession; 1036

(b) Has education, training, and experience in all of the 1037  
following: 1038

(i) Providing workplace-based services designed to address 1039  
employer and employee productivity issues; 1040

(ii) Providing assistance to employees and employees' 1041  
dependents in identifying and finding the means to resolve 1042  
personal problems that affect the employees or the employees' 1043  
performance; 1044

(iii) Identifying and resolving productivity problems 1045  
associated with an employee's concerns about any of the following 1046  
matters: health, marriage, family, finances, substance abuse or 1047  
other addiction, workplace, law, and emotional issues; 1048

(iv) Selecting and evaluating available community resources; 1049

(v) Making appropriate referrals;	1050
(vi) Local and national employee assistance agreements;	1051
(vii) Client confidentiality.	1052
(3) Division (L)(1) of this section does not apply to any of the following:	1053 1054
(a) A criminal action or proceeding involving an offense under sections 2903.01 to 2903.06 of the Revised Code if the employee assistance professional's disclosure or testimony relates directly to the facts or immediate circumstances of the offense;	1055 1056 1057 1058
(b) A communication made by a client to an employee assistance professional that reveals the contemplation or commission of a crime or serious, harmful act;	1059 1060 1061
(c) A communication that is made by a client who is an unemancipated minor or an adult adjudicated to be incompetent and indicates that the client was the victim of a crime or abuse;	1062 1063 1064
(d) A civil proceeding to determine an individual's mental competency or a criminal action in which a plea of not guilty by reason of insanity is entered;	1065 1066 1067
(e) A civil or criminal malpractice action brought against the employee assistance professional;	1068 1069
(f) When the employee assistance professional has the express consent of the client or, if the client is deceased or disabled, the client's legal representative;	1070 1071 1072
(g) When the testimonial privilege otherwise provided by division (L)(1) of this section is abrogated under law.	1073 1074
<b>Sec. 2743.191.</b> (A)(1) There is hereby created in the state treasury the reparations fund, which shall be used only for the following purposes:	1075 1076 1077
(a) The payment of awards of reparations that are granted by	1078

the attorney general;	1079
(b) The compensation of any personnel needed by the attorney general to administer sections 2743.51 to 2743.72 of the Revised Code;	1080 1081 1082
(c) The compensation of witnesses as provided in division (J) of section 2743.65 of the Revised Code;	1083 1084
(d) Other administrative costs of hearing and determining claims for an award of reparations by the attorney general;	1085 1086
(e) The costs of administering sections 2907.28 and 2969.01 to 2969.06 of the Revised Code;	1087 1088
(f) The costs of investigation and decision-making as certified by the attorney general;	1089 1090
(g) The provision of state financial assistance to victim assistance programs in accordance with sections 109.91 and 109.92 of the Revised Code;	1091 1092 1093
(h) The costs of paying the expenses of sex offense-related examinations and antibiotics pursuant to section 2907.28 of the Revised Code;	1094 1095 1096
(i) The cost of printing and distributing the pamphlet prepared by the attorney general pursuant to section 109.42 of the Revised Code;	1097 1098 1099
(j) Subject to division (D) of section 2743.71 of the Revised Code, the costs associated with the printing and providing of information cards or other printed materials to law enforcement agencies and prosecuting authorities and with publicizing the availability of awards of reparations pursuant to section 2743.71 of the Revised Code;	1100 1101 1102 1103 1104 1105
(k) The payment of costs of administering a DNA specimen collection procedure pursuant to sections 2152.74 and 2901.07 of the Revised Code, of performing DNA analysis of those DNA	1106 1107 1108

specimens, and of entering the resulting DNA records regarding 1109  
those analyses into the DNA database pursuant to section 109.573 1110  
of the Revised Code; 1111

(l) The payment of actual costs associated with initiatives 1112  
by the attorney general for the apprehension, prosecution, and 1113  
accountability of offenders, and the enhancing of services to 1114  
crime victims. The amount of payments made pursuant to division 1115  
(A)(1)(l) of this section during any given fiscal year shall not 1116  
exceed five per cent of the balance of the reparations fund at the 1117  
close of the immediately previous fiscal year; 1118

(m) The costs of administering the adult parole authority's 1119  
supervision pursuant to division (E) of section 2971.05 of the 1120  
Revised Code of sexually violent predators who are sentenced to a 1121  
prison term pursuant to division (A)(3) of section 2971.03 of the 1122  
Revised Code, of offenders who are sentenced to a prison term 1123  
pursuant to division (B)(1)(a), (b), or (c) of that section for a 1124  
violation of division (A)(1)(b) of section 2907.02 of the Revised 1125  
Code, and of offenders who are sentenced to a prison term pursuant 1126  
to division (B)(2)(a), (b), or (c) of section 2971.03 of the 1127  
Revised Code for attempted rape and a specification of the type 1128  
described in section 2941.1418, 2941.1419, or 2941.1420 of the 1129  
Revised Code. 1130

(n) The costs of providing the services to victims of 1131  
violations of section 2905.32 of the Revised Code pursuant to 1132  
sections 2930.22 and 2930.23 of the Revised Code. 1133

(2) All costs paid pursuant to section 2743.70 of the Revised 1134  
Code, the portions of license reinstatement fees mandated by 1135  
division (F)(2)(b) of section 4511.191 of the Revised Code to be 1136  
credited to the fund, the portions of the proceeds of the sale of 1137  
a forfeited vehicle specified in division (C)(2) of section 1138  
4503.234 of the Revised Code, payments collected by the department 1139  
of rehabilitation and correction from prisoners who voluntarily 1140

participate in an approved work and training program pursuant to 1141  
division (C)(8)(b)(ii) of section 5145.16 of the Revised Code, and 1142  
all moneys collected by the state pursuant to its right of 1143  
subrogation provided in section 2743.72 of the Revised Code shall 1144  
be deposited in the fund. 1145

(B) In making an award of reparations, the attorney general 1146  
shall render the award against the state. The award shall be 1147  
accomplished only through the following procedure, and the 1148  
following procedure may be enforced by writ of mandamus directed 1149  
to the appropriate official: 1150

(1) The attorney general shall provide for payment of the 1151  
claimant or providers in the amount of the award only if the 1152  
amount of the award is fifty dollars or more. 1153

(2) The expense shall be charged against all available 1154  
unencumbered moneys in the fund. 1155

(3) If sufficient unencumbered moneys do not exist in the 1156  
fund, the attorney general shall make application for payment of 1157  
the award out of the emergency purposes account or any other 1158  
appropriation for emergencies or contingencies, and payment out of 1159  
this account or other appropriation shall be authorized if there 1160  
are sufficient moneys greater than the sum total of then pending 1161  
emergency purposes account requests or requests for releases from 1162  
the other appropriations. 1163

(4) If sufficient moneys do not exist in the account or any 1164  
other appropriation for emergencies or contingencies to pay the 1165  
award, the attorney general shall request the general assembly to 1166  
make an appropriation sufficient to pay the award, and no payment 1167  
shall be made until the appropriation has been made. The attorney 1168  
general shall make this appropriation request during the current 1169  
biennium and during each succeeding biennium until a sufficient 1170  
appropriation is made. If, prior to the time that an appropriation 1171

is made by the general assembly pursuant to this division, the 1172  
fund has sufficient unencumbered funds to pay the award or part of 1173  
the award, the available funds shall be used to pay the award or 1174  
part of the award, and the appropriation request shall be amended 1175  
to request only sufficient funds to pay that part of the award 1176  
that is unpaid. 1177

(C) The attorney general shall not make payment on a decision 1178  
or order granting an award until all appeals have been determined 1179  
and all rights to appeal exhausted, except as otherwise provided 1180  
in this section. If any party to a claim for an award of 1181  
reparations appeals from only a portion of an award, and a 1182  
remaining portion provides for the payment of money by the state, 1183  
that part of the award calling for the payment of money by the 1184  
state and not a subject of the appeal shall be processed for 1185  
payment as described in this section. 1186

(D) The attorney general shall prepare itemized bills for the 1187  
costs of printing and distributing the pamphlet the attorney 1188  
general prepares pursuant to section 109.42 of the Revised Code. 1189  
The itemized bills shall set forth the name and address of the 1190  
persons owed the amounts set forth in them. 1191

(E) As used in this section, "DNA analysis" and "DNA 1192  
specimen" have the same meanings as in section 109.573 of the 1193  
Revised Code. 1194

**Sec. 2901.13.** (A)(1) Except as provided in division (A)(2) or 1195  
(3) of this section or as otherwise provided in this section, a 1196  
prosecution shall be barred unless it is commenced within the 1197  
following periods after an offense is committed: 1198

(a) For a felony, six years; 1199

(b) For a misdemeanor other than a minor misdemeanor, two 1200  
years; 1201

(c) For a minor misdemeanor, six months. 1202

(2) There is no period of limitation for the prosecution of a 1203  
violation of section 2903.01 or 2903.02 of the Revised Code or a 1204  
violation of section 2905.32 of the Revised Code if the victim is 1205  
a disabled person. 1206

(3) Except as otherwise provided in divisions (B) to (H) of 1207  
this section, a prosecution of any of the following offenses shall 1208  
be barred unless it is commenced within twenty years after the 1209  
offense is committed: 1210

(a) A violation of section 2903.03, 2903.04, 2905.01, 1211  
2907.02, 2907.03, 2907.04, 2907.05, 2907.21, 2909.02, 2909.22, 1212  
2909.23, 2909.24, 2909.26, 2909.27, 2909.28, 2909.29, 2911.01, 1213  
2911.02, 2911.11, 2911.12, or 2917.02 of the Revised Code, a 1214  
violation of section 2903.11 or 2903.12 of the Revised Code if the 1215  
victim is a peace officer, a violation of section 2903.13 of the 1216  
Revised Code that is a felony, a violation of section 2905.32 of 1217  
the Revised Code, or a violation of former section 2907.12 of the 1218  
Revised Code; 1219

(b) A conspiracy to commit, attempt to commit, or complicity 1220  
in committing a violation set forth in division (A)(3)(a) of this 1221  
section. 1222

(B) If the period of limitation provided in division (A)(1) 1223  
or (3) of this section has expired, prosecution shall be commenced 1224  
for an offense of which an element is fraud or breach of a 1225  
fiduciary duty, within one year after discovery of the offense 1226  
either by an aggrieved person, or by the aggrieved person's legal 1227  
representative who is not a party to the offense. 1228

(C) If the period of limitation provided in division (A)(1) 1229  
or (3) of this section has expired, prosecution shall be commenced 1230  
for an offense involving misconduct in office by a public servant 1231  
as defined in section 2921.01 of the Revised Code, at any time 1232



while the accused remains a public servant, or within two years 1233  
thereafter. 1234

(D) An offense is committed when every element of the offense 1235  
occurs. In the case of an offense of which an element is a 1236  
continuing course of conduct, the period of limitation does not 1237  
begin to run until such course of conduct or the accused's 1238  
accountability for it terminates, whichever occurs first. 1239

(E) A prosecution is commenced on the date an indictment is 1240  
returned or an information filed, or on the date a lawful arrest 1241  
without a warrant is made, or on the date a warrant, summons, 1242  
citation, or other process is issued, whichever occurs first. A 1243  
prosecution is not commenced by the return of an indictment or the 1244  
filing of an information unless reasonable diligence is exercised 1245  
to issue and execute process on the same. A prosecution is not 1246  
commenced upon issuance of a warrant, summons, citation, or other 1247  
process, unless reasonable diligence is exercised to execute the 1248  
same. 1249

(F) The period of limitation shall not run during any time 1250  
when the corpus delicti remains undiscovered. 1251

(G) The period of limitation shall not run during any time 1252  
when the accused purposely avoids prosecution. Proof that the 1253  
accused departed this state or concealed the accused's identity or 1254  
whereabouts is prima-facie evidence of the accused's purpose to 1255  
avoid prosecution. 1256

(H) The period of limitation shall not run during any time a 1257  
prosecution against the accused based on the same conduct is 1258  
pending in this state, even though the indictment, information, or 1259  
process which commenced the prosecution is quashed or the 1260  
proceedings thereon are set aside or reversed on appeal. 1261

(I) The period of limitation for a violation of any provision 1262  
of Title XXIX of the Revised Code that involves a physical or 1263

mental wound, injury, disability, or condition of a nature that 1264  
reasonably indicates abuse or neglect of a child under eighteen 1265  
years of age or of a mentally retarded, developmentally disabled, 1266  
or physically impaired child under twenty-one years of age shall 1267  
not begin to run until either of the following occurs: 1268

(1) The victim of the offense reaches the age of majority. 1269

(2) A public children services agency, or a municipal or 1270  
county peace officer that is not the parent or guardian of the 1271  
child, in the county in which the child resides or in which the 1272  
abuse or neglect is occurring or has occurred has been notified 1273  
that abuse or neglect is known, suspected, or believed to have 1274  
occurred. 1275

(J) The period of limitation for a violation of section 1276  
2905.32 of the Revised Code that involves a child under eighteen 1277  
years of age shall not begin to run until the victim of the 1278  
offense reaches the age of majority. 1279

(K) As used in this section, "peace officer" has the same 1280  
meaning as in section 2935.01 of the Revised Code. 1281

**Sec. 2905.31.** As used in sections 2905.31 to 2905.36 of the 1282  
Revised Code: 1283

(A) "Commercial sex act" means any sex act on account of 1284  
which anything of value is directly or indirectly given, promised 1285  
to, or received by any person. 1286

(B) "Debt coercion" means the exploitation of the status or 1287  
condition of a debtor arising from a pledge by the debtor of the 1288  
debtor's personal services or those of a person under the debtor's 1289  
control as security for a debt if the value of those services as 1290  
reasonably assessed is not applied toward the liquidation of the 1291  
debt, if the length or nature of those services is not limited and 1292  
defined, or if the principal amount of the debt does not 1293

reasonably reflect the value of the items or services for which 1294  
the debt was incurred. 1295

(C) "Financial harm" includes activity that would be a 1296  
violation of section 2905.22 of the Revised Code and employment 1297  
contracts that violate Chapter 1335. of the Revised Code. 1298

(D) "Labor" means work of economic or financial value. 1299

(E) "Organization" has the same meaning as in section 2901.23 1300  
of the Revised Code. 1301

(F) "Pattern of trafficking in persons" means that both of 1302  
the following apply: 1303

(1) A person has committed two or more instances of 1304  
trafficking in persons, whether or not there has been a prior 1305  
conviction or guilty plea, that are not so closely related to each 1306  
other and connected in time and place that they constitute a 1307  
single event. 1308

(2) At least one of the incidents forming the pattern of 1309  
trafficking in persons occurs on or after the effective date of 1310  
this section. 1311

(G) "Services" means an ongoing relationship between persons 1312  
in which a person performs activities at the behest of, under the 1313  
supervision of, or for the benefit of another person. 1314

(H) "Sexually explicit performance" means a live, public, 1315  
private, photographed, recorded, or videotaped act intended to 1316  
sexually arouse, satisfy the sexual desires of, or appeal to the 1317  
prurient interests of any person. 1318

(I) "Trafficking in persons" means that a person knowingly 1319  
does either of the following: 1320

(1) Engages in, attempts to engage in, conspires to engage 1321  
in, or recruits, lures, entices, harbors, transports, provides, or 1322  
obtains or attempts to recruit, lure, entice, harbor, transport, 1323

provide, or obtain another person to engage in a violation of 1324  
section 2905.01, 2905.02, 2907.21, 2907.22, 2907.32, 2907.321, 1325  
2907.322, or 2907.323 of the Revised Code or a violation of any 1326  
former law of this state, any existing or former municipal 1327  
ordinance or law of another state or the United States, or any 1328  
existing or former law of any nation other than the United States 1329  
that is or was substantially equivalent to one of these offenses 1330  
and either of the following applies: 1331

(a) For an adult victim, the offender recruited, lured, 1332  
enticed, harbored, transported, provided, or obtained or attempted 1333  
to recruit, lure, entice, harbor, transport, provide, or obtain 1334  
the victim for the purpose of engaging in a commercial sex act, a 1335  
sexually explicit performance, labor, or services by doing one of 1336  
the following: 1337

(i) By causing or threatening to cause serious bodily harm to 1338  
the victim or another person; 1339

(ii) By physically restraining or threatening to physically 1340  
restrain the victim or another person; 1341

(iii) By knowingly destroying, concealing, removing, 1342  
confiscating, or possessing any actual or purported passport or 1343  
other immigration document or any other actual or purported 1344  
government identification document of another person; 1345

(iv) By means of the abuse or threatened abuse of the law or 1346  
legal process; 1347

(v) By committing a violation of section 2905.11 of the 1348  
Revised Code; 1349

(vi) By deception or fraud; 1350

(vii) By debt coercion; 1351

(viii) By causing or threatening to cause financial harm to 1352  
any person; 1353

(ix) By facilitating or controlling a person's access to any 1354  
addictive controlled substance; 1355

(x) By causing any scheme, plan, or pattern to cause a person 1356  
to believe that if the person does not perform a commercial sex 1357  
act, sexually explicit performance, labor, or services that person 1358  
will suffer serious physical harm or unlawful restraint. 1359

(b) If the victim is a minor, the offender recruited, lured, 1360  
enticed, harbored, transported, provided, or obtained or attempted 1361  
to recruit, lure, entice, harbor, transport, provide, or obtain 1362  
the victim for the purpose of engaging in a commercial sex act, a 1363  
sexually explicit performance, labor, or services by any means. 1364

(2) Benefits financially or receives anything of value from 1365  
participation as an organizer, supervisor, financier, or manager 1366  
in a scheme or course of conduct described in division (I)(1) of 1367  
this section. 1368

**Sec. 2905.32.** No person shall engage in a pattern of 1369  
trafficking in persons. 1370

(B) Whoever violates this section is guilty of trafficking in 1371  
persons, a felony of the first degree. 1372

(C) Evidence of any of the following does not constitute a 1373  
defense to a violation of this section: 1374

(1) The victim's sexual history or history of performing a 1375  
commercial sex act; 1376

(2) The victim's connection by blood or marriage to the 1377  
defendant; 1378

(3) Consent of or permission by the victim or any other 1379  
person on the victim's behalf to performing a commercial sex act 1380  
or a sexually explicit performance; 1381

(4) The victim's age. 1382

Sec. 2905.33. (A) No person shall knowingly sell or offer to 1383  
sell travel-related services that include or facilitate in-state 1384  
or out-of-state travel that would result in a violation of section 1385  
2907.23 or 2907.24 of the Revised Code. 1386

(B) Whoever violates this section is guilty of promoting sex 1387  
tourism, a felony of the section degree. 1388

Sec. 2905.34. (A) An organization that knowingly aids a 1389  
person in or participates in a violation of section 2905.32 of the 1390  
Revised Code is criminally liable in accordance with section 1391  
2901.23 of the Revised Code. 1392

(B) In addition to any fine imposed under section 2901.23 of 1393  
the Revised Code, if an organization is convicted of violating 1394  
section 2905.32 of the Revised Code, the court may do any of the 1395  
following: 1396

(1) Order the dissolution or reorganization of the 1397  
organization; 1398

(2) Order the suspension or revocation of any license, 1399  
permit, or prior approval granted to the organization by any state 1400  
agency; 1401

(3) Order the surrender of the organization's charter if the 1402  
organization is organized under the laws of this state or the 1403  
revocation of the organization's certificate to conduct business 1404  
in this state if the organization is not organized under the laws 1405  
of this state. 1406

Sec. 2905.35. (A) In addition to any other penalty or 1407  
disposition authorized or required by law, the court shall order 1408  
any person who is convicted of or pleads guilty to a violation of 1409  
section 2905.32 of the Revised Code to criminally forfeit to the 1410  
state any personal or real property to which the person has an 1411

interest and that was used in the course of or intended for use in 1412  
the course of a violation of section 2905.32 of the Revised Code 1413  
or that was derived from or realized through conduct in violation 1414  
of section 2905.32 of the Revised Code. 1415

(B) All property ordered forfeited pursuant to this section 1416  
shall be held by the law enforcement agency for distribution and 1417  
disposal pursuant to section 2933.41 of the Revised Code. The 1418  
agency shall maintain an accurate record of each item of property 1419  
so seized and held. The record shall include the date on which 1420  
each item was seized, the manner and date of disposition by the 1421  
agency, and, if applicable, the name of the person who received 1422  
the item. The record shall not identify or enable the 1423  
identification of the individual officer who seized the property. 1424  
The record is a public record open for inspection under section 1425  
149.43 of the Revised Code. Each law enforcement agency that 1426  
seizes and holds in any calendar year any item of property that is 1427  
ordered forfeited pursuant to this section shall prepare a report 1428  
covering the calendar year that cumulates all of the information 1429  
contained in all of the records kept by the agency pursuant to 1430  
this division for that calendar year and shall send the cumulative 1431  
report, not later than the first day of March in the calendar year 1432  
following the calendar year covered by the report, to the attorney 1433  
general. Each report received by the attorney general is a public 1434  
record open for inspection under section 149.43 of the Revised 1435  
Code. Not later than the fifteenth day of April in the calendar 1436  
year in which the reports were received, the attorney general 1437  
shall send to the president of the senate and the speaker of the 1438  
house of representatives a written notification that does all of 1439  
the following: 1440

(1) Indicates that the attorney general has received from law 1441  
enforcement agencies reports of the type described in this 1442  
division that cover the previous calendar year and indicates that 1443

the reports were received under this division; 1444

(2) Indicates that the reports are open for inspection under section 149.43 of the Revised Code; 1445  
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(3) Indicates that the attorney general will provide a copy of any or all of the reports to the president of the senate or the speaker of the house of representatives upon request. 1447  
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(C) Notwithstanding the notice and procedure prescribed by division (E) of this section, an order of criminal forfeiture entered under division (A) of this section shall authorize an appropriate law enforcement agency to seize the property declared forfeited under this section upon the terms and conditions relating to the time and manner of seizure that the court determines proper. 1450  
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(D)(1) Upon entry of a judgment of forfeiture pursuant to division (A) of this section, the court shall cause notice of the judgment to be sent by certified mail, return receipt requested, to all persons known to have, or appearing to have, an interest in the property that was acquired pursuant to division (A) of this section. If the notices cannot be given to those persons in that manner, the court shall cause publication of the notice of the judgment of forfeiture pursuant to the Rules of Civil Procedure. 1457  
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(2) Within thirty days after receipt of a notice or after the date of publication of a notice under division (D)(1) of this section, any person, other than the defendant, who claims an interest in the property that is subject to forfeiture may petition the court for a hearing to determine the validity of the claim. The petition shall be signed and sworn to by the petitioner and shall set forth the nature and extent of the petitioner's interest in the property, the date and circumstances of the petitioner's acquisition of the interest, any additional allegations supporting the claim, and the relief sought. The 1465  
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petitioner shall furnish the prosecuting attorney with a copy of 1475  
the petition. 1476

(3) The court, to the extent practicable and consistent with 1477  
the interests of justice, shall hold the hearing described in 1478  
division (D)(2) of this section within thirty days from the filing 1479  
of the petition. The court may consolidate the hearings on all 1480  
petitions filed by third party claimants under this section. At 1481  
the hearing, the petitioner may testify and present evidence on 1482  
the petitioner's own behalf and cross-examine witnesses. The 1483  
prosecuting attorney may present evidence and witnesses in 1484  
rebuttal and in defense of the claim of the state to the property 1485  
and cross-examine witnesses. The court, in making its 1486  
determination, shall consider the testimony and evidence presented 1487  
at the hearing and the relevant portions of the record of the 1488  
criminal proceeding that resulted in the judgment of forfeiture. 1489

(4) If at a hearing held under division (E)(3) of this 1490  
section the court, by a preponderance of the evidence, determines 1491  
either that the petitioner has a legal right, title, or interest 1492  
in the property that, at the time of the commission of the acts 1493  
giving rise to the forfeiture of the property, was vested in the 1494  
petitioner and not in the defendant or was superior to the right, 1495  
title, or interest of the defendant, or that the petitioner is a 1496  
bona fide purchaser for value of the right, title, or interest in 1497  
the property and was at the time of the purchase reasonably 1498  
without cause to believe that the property was subject to 1499  
forfeiture under this section, the court shall amend, in 1500  
accordance with its determination, the judgment of forfeiture to 1501  
protect the rights of innocent persons. 1502

(E) Except as provided in division (D) of this section, no 1503  
person claiming an interest in property that is subject to 1504  
forfeiture under this section shall do either of the following: 1505

(1) Intervene in a trial or appeal of a criminal case that 1506

involves the forfeiture of property; 1507

(2) File an action against the state concerning the validity 1508  
of the person's alleged interest in the property subsequent to the 1509  
filing of the indictment, count in the indictment, or information 1510  
that alleges that the property is subject to forfeiture under this 1511  
section. 1512

(F) Unclaimed or forfeited property in the custody of a law 1513  
enforcement agency shall be disposed of pursuant to the procedure 1514  
in section 2933.41 of the Revised Code, except that the proceeds 1515  
from property disposed of pursuant to section 2933.41 of the 1516  
Revised Code shall first be used to pay restitution to the victim 1517  
of a violation of section 2905.32 of the Revised Code as provided 1518  
in section 2929.181 of the Revised Code, as well as to pay any 1519  
punitive or exemplary damages awarded to that victim in a civil 1520  
action filed pursuant to section 2307.54 of the Revised Code. 1521

**Sec. 2905.36.** No provision of Title XXIX of the Revised Code 1522  
that prohibits a person from engaging in specified criminal 1523  
activity applies to a victim of a violation of section 2905.32 of 1524  
the Revised Code who violated that provision of Title XXIX of the 1525  
Revised Code while the victim was under duress or coercion that 1526  
resulted from that violation of section 2905.32 of the Revised 1527  
Code and the victim committed the violation because of that duress 1528  
or coercion. 1529

**Sec. 2921.22.** (A) No person, knowing that a felony has been 1530  
or is being committed, shall knowingly fail to report such 1531  
information to law enforcement authorities. 1532

(B) Except for conditions that are within the scope of 1533  
division (E) of this section, no physician, limited practitioner, 1534  
nurse, or other person giving aid to a sick or injured person 1535  
shall negligently fail to report to law enforcement authorities 1536

any gunshot or stab wound treated or observed by the physician, 1537  
limited practitioner, nurse, or person, or any serious physical 1538  
harm to persons that the physician, limited practitioner, nurse, 1539  
or person knows or has reasonable cause to believe resulted from 1540  
an offense of violence. 1541

(C) No person who discovers the body or acquires the first 1542  
knowledge of the death of a person shall fail to report the death 1543  
immediately to a physician whom the person knows to be treating 1544  
the deceased for a condition from which death at such time would 1545  
not be unexpected, or to a law enforcement officer, an ambulance 1546  
service, an emergency squad, or the coroner in a political 1547  
subdivision in which the body is discovered, the death is believed 1548  
to have occurred, or knowledge concerning the death is obtained. 1549

(D) No person shall fail to provide upon request of the 1550  
person to whom a report required by division (C) of this section 1551  
was made, or to any law enforcement officer who has reasonable 1552  
cause to assert the authority to investigate the circumstances 1553  
surrounding the death, any facts within the person's knowledge 1554  
that may have a bearing on the investigation of the death. 1555

(E)(1) As used in this division, "burn injury" means any of 1556  
the following: 1557

(a) Second or third degree burns; 1558

(b) Any burns to the upper respiratory tract or laryngeal 1559  
edema due to the inhalation of superheated air; 1560

(c) Any burn injury or wound that may result in death; 1561

(d) Any physical harm to persons caused by or as the result 1562  
of the use of fireworks, novelties and trick noisemakers, and wire 1563  
sparklers, as each is defined by section 3743.01 of the Revised 1564  
Code. 1565

(2) No physician, nurse, or limited practitioner who, outside 1566

a hospital, sanitarium, or other medical facility, attends or 1567  
treats a person who has sustained a burn injury that is inflicted 1568  
by an explosion or other incendiary device or that shows evidence 1569  
of having been inflicted in a violent, malicious, or criminal 1570  
manner shall fail to report the burn injury immediately to the 1571  
local arson, or fire and explosion investigation, bureau, if there 1572  
is a bureau of this type in the jurisdiction in which the person 1573  
is attended or treated, or otherwise to local law enforcement 1574  
authorities. 1575

(3) No manager, superintendent, or other person in charge of 1576  
a hospital, sanitarium, or other medical facility in which a 1577  
person is attended or treated for any burn injury that is 1578  
inflicted by an explosion or other incendiary device or that shows 1579  
evidence of having been inflicted in a violent, malicious, or 1580  
criminal manner shall fail to report the burn injury immediately 1581  
to the local arson, or fire and explosion investigation, bureau, 1582  
if there is a bureau of this type in the jurisdiction in which the 1583  
person is attended or treated, or otherwise to local law 1584  
enforcement authorities. 1585

(4) No person who is required to report any burn injury under 1586  
division (E)(2) or (3) of this section shall fail to file, within 1587  
three working days after attending or treating the victim, a 1588  
written report of the burn injury with the office of the state 1589  
fire marshal. The report shall comply with the uniform standard 1590  
developed by the state fire marshal pursuant to division (A)(15) 1591  
of section 3737.22 of the Revised Code. 1592

(5) Anyone participating in the making of reports under 1593  
division (E) of this section or anyone participating in a judicial 1594  
proceeding resulting from the reports is immune from any civil or 1595  
criminal liability that otherwise might be incurred or imposed as 1596  
a result of such actions. Notwithstanding section 4731.22 of the 1597  
Revised Code, the physician-patient relationship is not a ground 1598

for excluding evidence regarding a person's burn injury or the 1599  
cause of the burn injury in any judicial proceeding resulting from 1600  
a report submitted under division (E) of this section. 1601

(F)(1) Any doctor of medicine or osteopathic medicine, 1602  
hospital intern or resident, registered or licensed practical 1603  
nurse, psychologist, social worker, independent social worker, 1604  
social work assistant, professional clinical counselor, or 1605  
professional counselor who knows or has reasonable cause to 1606  
believe that a patient or client has been the victim of domestic 1607  
violence, as defined in section 3113.31 of the Revised Code, shall 1608  
note that knowledge or belief and the basis for it in the 1609  
patient's or client's records. 1610

(2) Notwithstanding section 4731.22 of the Revised Code, the 1611  
doctor-patient privilege shall not be a ground for excluding any 1612  
information regarding the report containing the knowledge or 1613  
belief noted under division (F)(1) of this section, and the 1614  
information may be admitted as evidence in accordance with the 1615  
Rules of Evidence. 1616

(G) Divisions (A) and (D) of this section do not require 1617  
disclosure of information, when any of the following applies: 1618

(1) The information is privileged by reason of the 1619  
relationship between attorney and client; doctor and patient; 1620  
licensed psychologist or licensed school psychologist and client; 1621  
member of the clergy, rabbi, minister, or priest and any person 1622  
communicating information confidentially to the member of the 1623  
clergy, rabbi, minister, or priest for a religious counseling 1624  
purpose of a professional character; husband and wife; ~~or~~ a 1625  
communications assistant and those who are a party to a 1626  
telecommunications relay service call; or a victim of a violation 1627  
of section 2905.32 of the Revised Code and a 1628  
trafficking-in-persons caseworker, as defined in section 2317.02 1629  
of the Revised Code. 1630

(2) The information would tend to incriminate a member of the actor's immediate family. 1631  
1632

(3) Disclosure of the information would amount to revealing a news source, privileged under section 2739.04 or 2739.12 of the Revised Code. 1633  
1634  
1635

(4) Disclosure of the information would amount to disclosure by a member of the ordained clergy of an organized religious body of a confidential communication made to that member of the clergy in that member's capacity as a member of the clergy by a person seeking the aid or counsel of that member of the clergy. 1636  
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(5) Disclosure would amount to revealing information acquired by the actor in the course of the actor's duties in connection with a bona fide program of treatment or services for drug dependent persons or persons in danger of drug dependence, which program is maintained or conducted by a hospital, clinic, person, agency, or organization certified pursuant to section 3793.06 of the Revised Code. 1641  
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(6) Disclosure would amount to revealing information acquired by the actor in the course of the actor's duties in connection with a bona fide program for providing counseling services to victims of crimes that are violations of section 2907.02 or 2907.05 of the Revised Code or to victims of felonious sexual penetration in violation of former section 2907.12 of the Revised Code. As used in this division, "counseling services" include services provided in an informal setting by a person who, by education or experience, is competent to provide those services. 1648  
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(H) No disclosure of information pursuant to this section gives rise to any liability or recrimination for a breach of privilege or confidence. 1657  
1658  
1659

(I) Whoever violates division (A) or (B) of this section is guilty of failure to report a crime. Violation of division (A) of 1660  
1661

this section is a misdemeanor of the fourth degree. Violation of 1662  
division (B) of this section is a misdemeanor of the second 1663  
degree. 1664

(J) Whoever violates division (C) or (D) of this section is 1665  
guilty of failure to report knowledge of a death, a misdemeanor of 1666  
the fourth degree. 1667

(K)(1) Whoever negligently violates division (E) of this 1668  
section is guilty of a minor misdemeanor. 1669

(2) Whoever knowingly violates division (E) of this section 1670  
is guilty of a misdemeanor of the second degree. 1671

**Sec. 2923.01.** (A) No person, with purpose to commit or to 1672  
promote or facilitate the commission of aggravated murder, murder, 1673  
kidnapping, compelling prostitution, promoting prostitution, 1674  
trafficking in persons, aggravated arson, arson, aggravated 1675  
robbery, robbery, aggravated burglary, burglary, engaging in a 1676  
pattern of corrupt activity, corrupting another with drugs, a 1677  
felony drug trafficking, manufacturing, processing, or possession 1678  
offense, theft of drugs, or illegal processing of drug documents, 1679  
the commission of a felony offense of unauthorized use of a 1680  
vehicle, illegally transmitting multiple commercial electronic 1681  
mail messages or unauthorized access of a computer in violation of 1682  
section 2923.421 of the Revised Code, or the commission of a 1683  
violation of any provision of Chapter 3734. of the Revised Code, 1684  
other than section 3734.18 of the Revised Code, that relates to 1685  
hazardous wastes, shall do either of the following: 1686

(1) With another person or persons, plan or aid in planning 1687  
the commission of any of the specified offenses; 1688

(2) Agree with another person or persons that one or more of 1689  
them will engage in conduct that facilitates the commission of any 1690  
of the specified offenses. 1691

(B) No person shall be convicted of conspiracy unless a 1692  
substantial overt act in furtherance of the conspiracy is alleged 1693  
and proved to have been done by the accused or a person with whom 1694  
the accused conspired, subsequent to the accused's entrance into 1695  
the conspiracy. For purposes of this section, an overt act is 1696  
substantial when it is of a character that manifests a purpose on 1697  
the part of the actor that the object of the conspiracy should be 1698  
completed. 1699

(C) When the offender knows or has reasonable cause to 1700  
believe that a person with whom the offender conspires also has 1701  
conspired or is conspiring with another to commit the same 1702  
offense, the offender is guilty of conspiring with that other 1703  
person, even though the other person's identity may be unknown to 1704  
the offender. 1705

(D) It is no defense to a charge under this section that, in 1706  
retrospect, commission of the offense that was the object of the 1707  
conspiracy was impossible under the circumstances. 1708

(E) A conspiracy terminates when the offense or offenses that 1709  
are its objects are committed or when it is abandoned by all 1710  
conspirators. In the absence of abandonment, it is no defense to a 1711  
charge under this section that no offense that was the object of 1712  
the conspiracy was committed. 1713

(F) A person who conspires to commit more than one offense is 1714  
guilty of only one conspiracy, when the offenses are the object of 1715  
the same agreement or continuous conspiratorial relationship. 1716

(G) When a person is convicted of committing or attempting to 1717  
commit a specific offense or of complicity in the commission of or 1718  
attempt to commit the specific offense, the person shall not be 1719  
convicted of conspiracy involving the same offense. 1720

(H)(1) No person shall be convicted of conspiracy upon the 1721  
testimony of a person with whom the defendant conspired, 1722



unsupported by other evidence. 1723

(2) If a person with whom the defendant allegedly has 1724  
conspired testifies against the defendant in a case in which the 1725  
defendant is charged with conspiracy and if the testimony is 1726  
supported by other evidence, the court, when it charges the jury, 1727  
shall state substantially the following: 1728

"The testimony of an accomplice that is supported by other 1729  
evidence does not become inadmissible because of the accomplice's 1730  
complicity, moral turpitude, or self-interest, but the admitted or 1731  
claimed complicity of a witness may affect the witness' 1732  
credibility and make the witness' testimony subject to grave 1733  
suspicion, and require that it be weighed with great caution. 1734

It is for you, as jurors, in the light of all the facts 1735  
presented to you from the witness stand, to evaluate such 1736  
testimony and to determine its quality and worth or its lack of 1737  
quality and worth." 1738

(3) "Conspiracy," as used in division (H)(1) of this section, 1739  
does not include any conspiracy that results in an attempt to 1740  
commit an offense or in the commission of an offense. 1741

(I) The following are affirmative defenses to a charge of 1742  
conspiracy: 1743

(1) After conspiring to commit an offense, the actor thwarted 1744  
the success of the conspiracy under circumstances manifesting a 1745  
complete and voluntary renunciation of the actor's criminal 1746  
purpose. 1747

(2) After conspiring to commit an offense, the actor 1748  
abandoned the conspiracy prior to the commission of or attempt to 1749  
commit any offense that was the object of the conspiracy, either 1750  
by advising all other conspirators of the actor's abandonment, or 1751  
by informing any law enforcement authority of the existence of the 1752  
conspiracy and of the actor's participation in the conspiracy. 1753

(J) Whoever violates this section is guilty of conspiracy, 1754  
which is one of the following: 1755

(1) A felony of the first degree, when one of the objects of 1756  
the conspiracy is aggravated murder, murder, trafficking in 1757  
persons, or an offense for which the maximum penalty is 1758  
imprisonment for life; 1759

(2) A felony of the next lesser degree than the most serious 1760  
offense that is the object of the conspiracy, when the most 1761  
serious offense that is the object of the conspiracy is a felony 1762  
of the first, second, third, or fourth degree; 1763

(3) A felony punishable by a fine of not more than 1764  
twenty-five thousand dollars or imprisonment for not more than 1765  
eighteen months, or both, when the offense that is the object of 1766  
the conspiracy is a violation of any provision of Chapter 3734. of 1767  
the Revised Code, other than section 3734.18 of the Revised Code, 1768  
that relates to hazardous wastes; 1769

(4) A misdemeanor of the first degree, when the most serious 1770  
offense that is the object of the conspiracy is a felony of the 1771  
fifth degree. 1772

(K) This section does not define a separate conspiracy 1773  
offense or penalty where conspiracy is defined as an offense by 1774  
one or more sections of the Revised Code, other than this section. 1775  
In such a case, however: 1776

(1) With respect to the offense specified as the object of 1777  
the conspiracy in the other section or sections, division (A) of 1778  
this section defines the voluntary act or acts and culpable mental 1779  
state necessary to constitute the conspiracy; 1780

(2) Divisions (B) to (I) of this section are incorporated by 1781  
reference in the conspiracy offense defined by the other section 1782  
or sections of the Revised Code. 1783

(L)(1) In addition to the penalties that otherwise are 1784  
imposed for conspiracy, a person who is found guilty of conspiracy 1785  
to engage in a pattern of corrupt activity is subject to divisions 1786  
(B)(2) and (3) of section 2923.32, division (A) of section 1787  
2981.04, and division (D) of section 2981.06 of the Revised Code. 1788

(2) If a person is convicted of or pleads guilty to 1789  
conspiracy and if the most serious offense that is the object of 1790  
the conspiracy is a felony drug trafficking, manufacturing, 1791  
processing, or possession offense, in addition to the penalties or 1792  
sanctions that may be imposed for the conspiracy under division 1793  
(J)(2) or (4) of this section and Chapter 2929. of the Revised 1794  
Code, both of the following apply: 1795

(a) The provisions of divisions (D), (F), and (G) of section 1796  
2925.03, division (D) of section 2925.04, division (D) of section 1797  
2925.05, division (D) of section 2925.06, and division (E) of 1798  
section 2925.11 of the Revised Code that pertain to mandatory and 1799  
additional fines, driver's or commercial driver's license or 1800  
permit suspensions, and professionally licensed persons and that 1801  
would apply under the appropriate provisions of those divisions to 1802  
a person who is convicted of or pleads guilty to the felony drug 1803  
trafficking, manufacturing, processing, or possession offense that 1804  
is the most serious offense that is the basis of the conspiracy 1805  
shall apply to the person who is convicted of or pleads guilty to 1806  
the conspiracy as if the person had been convicted of or pleaded 1807  
guilty to the felony drug trafficking, manufacturing, processing, 1808  
or possession offense that is the most serious offense that is the 1809  
basis of the conspiracy. 1810

(b) The court that imposes sentence upon the person who is 1811  
convicted of or pleads guilty to the conspiracy shall comply with 1812  
the provisions identified as being applicable under division 1813  
(L)(2) of this section, in addition to any other penalty or 1814  
sanction that it imposes for the conspiracy under division (J)(2) 1815

or (4) of this section and Chapter 2929. of the Revised Code.	1816
(M) As used in this section:	1817
(1) "Felony drug trafficking, manufacturing, processing, or possession offense" means any of the following that is a felony:	1818
(a) A violation of section 2925.03, 2925.04, 2925.05, or 2925.06 of the Revised Code;	1819
(a) A violation of section 2925.03, 2925.04, 2925.05, or 2925.06 of the Revised Code;	1820
(a) A violation of section 2925.03, 2925.04, 2925.05, or 2925.06 of the Revised Code;	1821
(b) A violation of section 2925.11 of the Revised Code that is not a minor drug possession offense.	1822
(b) A violation of section 2925.11 of the Revised Code that is not a minor drug possession offense.	1823
(2) "Minor drug possession offense" has the same meaning as in section 2925.01 of the Revised Code.	1824
(2) "Minor drug possession offense" has the same meaning as in section 2925.01 of the Revised Code.	1825
<b>Sec. 2923.31.</b> As used in sections 2923.31 to 2923.36 of the Revised Code:	1826
<b>Sec. 2923.31.</b> As used in sections 2923.31 to 2923.36 of the Revised Code:	1827
(A) "Beneficial interest" means any of the following:	1828
(1) The interest of a person as a beneficiary under a trust in which the trustee holds title to personal or real property;	1829
(1) The interest of a person as a beneficiary under a trust in which the trustee holds title to personal or real property;	1830
(2) The interest of a person as a beneficiary under any other trust arrangement under which any other person holds title to personal or real property for the benefit of such person;	1831
(2) The interest of a person as a beneficiary under any other trust arrangement under which any other person holds title to personal or real property for the benefit of such person;	1832
(2) The interest of a person as a beneficiary under any other trust arrangement under which any other person holds title to personal or real property for the benefit of such person;	1833
(3) The interest of a person under any other form of express fiduciary arrangement under which any other person holds title to personal or real property for the benefit of such person.	1834
(3) The interest of a person under any other form of express fiduciary arrangement under which any other person holds title to personal or real property for the benefit of such person.	1835
(3) The interest of a person under any other form of express fiduciary arrangement under which any other person holds title to personal or real property for the benefit of such person.	1836
"Beneficial interest" does not include the interest of a stockholder in a corporation or the interest of a partner in either a general or limited partnership.	1837
"Beneficial interest" does not include the interest of a stockholder in a corporation or the interest of a partner in either a general or limited partnership.	1838
"Beneficial interest" does not include the interest of a stockholder in a corporation or the interest of a partner in either a general or limited partnership.	1839
(B) "Costs of investigation and prosecution" and "costs of investigation and litigation" mean all of the costs incurred by the state or a county or municipal corporation under sections 2923.31 to 2923.36 of the Revised Code in the prosecution and investigation of any criminal action or in the litigation and	1840
(B) "Costs of investigation and prosecution" and "costs of investigation and litigation" mean all of the costs incurred by the state or a county or municipal corporation under sections 2923.31 to 2923.36 of the Revised Code in the prosecution and investigation of any criminal action or in the litigation and	1841
(B) "Costs of investigation and prosecution" and "costs of investigation and litigation" mean all of the costs incurred by the state or a county or municipal corporation under sections 2923.31 to 2923.36 of the Revised Code in the prosecution and investigation of any criminal action or in the litigation and	1842
(B) "Costs of investigation and prosecution" and "costs of investigation and litigation" mean all of the costs incurred by the state or a county or municipal corporation under sections 2923.31 to 2923.36 of the Revised Code in the prosecution and investigation of any criminal action or in the litigation and	1843
(B) "Costs of investigation and prosecution" and "costs of investigation and litigation" mean all of the costs incurred by the state or a county or municipal corporation under sections 2923.31 to 2923.36 of the Revised Code in the prosecution and investigation of any criminal action or in the litigation and	1844

investigation of any civil action, and includes, but is not 1845  
limited to, the costs of resources and personnel. 1846

(C) "Enterprise" includes any individual, sole 1847  
proprietorship, partnership, limited partnership, corporation, 1848  
trust, union, government agency, or other legal entity, or any 1849  
organization, association, or group of persons associated in fact 1850  
although not a legal entity. "Enterprise" includes illicit as well 1851  
as licit enterprises. 1852

(D) "Innocent person" includes any bona fide purchaser of 1853  
property that is allegedly involved in a violation of section 1854  
2923.32 of the Revised Code, including any person who establishes 1855  
a valid claim to or interest in the property in accordance with 1856  
division (E) of section 2981.04 of the Revised Code, and any 1857  
victim of an alleged violation of that section or of any 1858  
underlying offense involved in an alleged violation of that 1859  
section. 1860

(E) "Pattern of corrupt activity" means two or more incidents 1861  
of corrupt activity, whether or not there has been a prior 1862  
conviction, that are related to the affairs of the same 1863  
enterprise, are not isolated, and are not so closely related to 1864  
each other and connected in time and place that they constitute a 1865  
single event. 1866

At least one of the incidents forming the pattern shall occur 1867  
on or after January 1, 1986. Unless any incident was an aggravated 1868  
murder or murder, the last of the incidents forming the pattern 1869  
shall occur within six years after the commission of any prior 1870  
incident forming the pattern, excluding any period of imprisonment 1871  
served by any person engaging in the corrupt activity. 1872

For the purposes of the criminal penalties that may be 1873  
imposed pursuant to section 2923.32 of the Revised Code, at least 1874  
one of the incidents forming the pattern shall constitute a felony 1875

under the laws of this state in existence at the time it was 1876  
committed or, if committed in violation of the laws of the United 1877  
States or of any other state, shall constitute a felony under the 1878  
law of the United States or the other state and would be a 1879  
criminal offense under the law of this state if committed in this 1880  
state. 1881

(F) "Pecuniary value" means money, a negotiable instrument, a 1882  
commercial interest, or anything of value, as defined in section 1883  
1.03 of the Revised Code, or any other property or service that 1884  
has a value in excess of one hundred dollars. 1885

(G) "Person" means any person, as defined in section 1.59 of 1886  
the Revised Code, and any governmental officer, employee, or 1887  
entity. 1888

(H) "Personal property" means any personal property, any 1889  
interest in personal property, or any right, including, but not 1890  
limited to, bank accounts, debts, corporate stocks, patents, or 1891  
copyrights. Personal property and any beneficial interest in 1892  
personal property are deemed to be located where the trustee of 1893  
the property, the personal property, or the instrument evidencing 1894  
the right is located. 1895

(I) "Corrupt activity" means engaging in, attempting to 1896  
engage in, conspiring to engage in, or soliciting, coercing, or 1897  
intimidating another person to engage in any of the following: 1898

(1) Conduct defined as "racketeering activity" under the 1899  
"Organized Crime Control Act of 1970," 84 Stat. 941, 18 U.S.C. 1900  
1961(1)(B), (1)(C), (1)(D), and (1)(E), as amended; 1901

(2) Conduct constituting any of the following: 1902

(a) A violation of section 1315.55, 1322.02, 2903.01, 1903  
2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2905.01, 2905.02, 1904  
2905.11, 2905.22, 2905.32, 2907.321, 2907.322, 2907.323, 2909.02, 1905  
2909.03, 2909.22, 2909.23, 2909.24, 2909.26, 2909.27, 2909.28, 1906

2909.29, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2911.31, 1907  
2913.05, 2913.06, 2921.02, 2921.03, 2921.04, 2921.11, 2921.12, 1908  
2921.32, 2921.41, 2921.42, 2921.43, 2923.12, or 2923.17; division 1909  
(F)(1)(a), (b), or (c) of section 1315.53; division (A)(1) or (2) 1910  
of section 1707.042; division (B), (C)(4), (D), (E), or (F) of 1911  
section 1707.44; division (A)(1) or (2) of section 2923.20; 1912  
division (J)(1) of section 4712.02; section 4719.02, 4719.05, or 1913  
4719.06; division (C), (D), or (E) of section 4719.07; section 1914  
4719.08; or division (A) of section 4719.09 of the Revised Code. 1915

(b) Any violation of section 3769.11, 3769.15, 3769.16, or 1916  
3769.19 of the Revised Code as it existed prior to July 1, 1996, 1917  
any violation of section 2915.02 of the Revised Code that occurs 1918  
on or after July 1, 1996, and that, had it occurred prior to that 1919  
date, would have been a violation of section 3769.11 of the 1920  
Revised Code as it existed prior to that date, or any violation of 1921  
section 2915.05 of the Revised Code that occurs on or after July 1922  
1, 1996, and that, had it occurred prior to that date, would have 1923  
been a violation of section 3769.15, 3769.16, or 3769.19 of the 1924  
Revised Code as it existed prior to that date. 1925

(c) Any violation of section 2907.21, 2907.22, 2907.31, 1926  
2913.02, 2913.11, 2913.21, 2913.31, 2913.32, 2913.34, 2913.42, 1927  
2913.47, 2913.51, 2915.03, 2925.03, 2925.04, 2925.05, or 2925.37 1928  
of the Revised Code, any violation of section 2925.11 of the 1929  
Revised Code that is a felony of the first, second, third, or 1930  
fourth degree and that occurs on or after July 1, 1996, any 1931  
violation of section 2915.02 of the Revised Code that occurred 1932  
prior to July 1, 1996, any violation of section 2915.02 of the 1933  
Revised Code that occurs on or after July 1, 1996, and that, had 1934  
it occurred prior to that date, would not have been a violation of 1935  
section 3769.11 of the Revised Code as it existed prior to that 1936  
date, any violation of section 2915.06 of the Revised Code as it 1937  
existed prior to July 1, 1996, or any violation of division (B) of 1938

section 2915.05 of the Revised Code as it exists on and after July 1939  
1, 1996, when the proceeds of the violation, the payments made in 1940  
the violation, the amount of a claim for payment or for any other 1941  
benefit that is false or deceptive and that is involved in the 1942  
violation, or the value of the contraband or other property 1943  
illegally possessed, sold, or purchased in the violation exceeds 1944  
five hundred dollars, or any combination of violations described 1945  
in division (I)(2)(c) of this section when the total proceeds of 1946  
the combination of violations, payments made in the combination of 1947  
violations, amount of the claims for payment or for other benefits 1948  
that is false or deceptive and that is involved in the combination 1949  
of violations, or value of the contraband or other property 1950  
illegally possessed, sold, or purchased in the combination of 1951  
violations exceeds five hundred dollars; 1952

(d) Any violation of section 5743.112 of the Revised Code 1953  
when the amount of unpaid tax exceeds one hundred dollars; 1954

(e) Any violation or combination of violations of section 1955  
2907.32 of the Revised Code involving any material or performance 1956  
containing a display of bestiality or of sexual conduct, as 1957  
defined in section 2907.01 of the Revised Code, that is explicit 1958  
and depicted with clearly visible penetration of the genitals or 1959  
clearly visible penetration by the penis of any orifice when the 1960  
total proceeds of the violation or combination of violations, the 1961  
payments made in the violation or combination of violations, or 1962  
the value of the contraband or other property illegally possessed, 1963  
sold, or purchased in the violation or combination of violations 1964  
exceeds five hundred dollars; 1965

(f) Any combination of violations described in division 1966  
(I)(2)(c) of this section and violations of section 2907.32 of the 1967  
Revised Code involving any material or performance containing a 1968  
display of bestiality or of sexual conduct, as defined in section 1969  
2907.01 of the Revised Code, that is explicit and depicted with 1970



clearly visible penetration of the genitals or clearly visible 1971  
penetration by the penis of any orifice when the total proceeds of 1972  
the combination of violations, payments made in the combination of 1973  
violations, amount of the claims for payment or for other benefits 1974  
that is false or deceptive and that is involved in the combination 1975  
of violations, or value of the contraband or other property 1976  
illegally possessed, sold, or purchased in the combination of 1977  
violations exceeds five hundred dollars. 1978

(3) Conduct constituting a violation of any law of any state 1979  
other than this state that is substantially similar to the conduct 1980  
described in division (I)(2) of this section, provided the 1981  
defendant was convicted of the conduct in a criminal proceeding in 1982  
the other state; 1983

(4) Animal or ecological terrorism. 1984

(J) "Real property" means any real property or any interest 1985  
in real property, including, but not limited to, any lease of, or 1986  
mortgage upon, real property. Real property and any beneficial 1987  
interest in it is deemed to be located where the real property is 1988  
located. 1989

(K) "Trustee" means any of the following: 1990

(1) Any person acting as trustee under a trust in which the 1991  
trustee holds title to personal or real property; 1992

(2) Any person who holds title to personal or real property 1993  
for which any other person has a beneficial interest; 1994

(3) Any successor trustee. 1995

"Trustee" does not include an assignee or trustee for an 1996  
insolvent debtor or an executor, administrator, administrator with 1997  
the will annexed, testamentary trustee, guardian, or committee, 1998  
appointed by, under the control of, or accountable to a court. 1999

(L) "Unlawful debt" means any money or other thing of value 2000

constituting principal or interest of a debt that is legally 2001  
unenforceable in this state in whole or in part because the debt 2002  
was incurred or contracted in violation of any federal or state 2003  
law relating to the business of gambling activity or relating to 2004  
the business of lending money at an usurious rate unless the 2005  
creditor proves, by a preponderance of the evidence, that the 2006  
usurious rate was not intentionally set and that it resulted from 2007  
a good faith error by the creditor, notwithstanding the 2008  
maintenance of procedures that were adopted by the creditor to 2009  
avoid an error of that nature. 2010

(M) "Animal activity" means any activity that involves the 2011  
use of animals or animal parts, including, but not limited to, 2012  
hunting, fishing, trapping, traveling, camping, the production, 2013  
preparation, or processing of food or food products, clothing or 2014  
garment manufacturing, medical research, other research, 2015  
entertainment, recreation, agriculture, biotechnology, or service 2016  
activity that involves the use of animals or animal parts. 2017

(N) "Animal facility" means a vehicle, building, structure, 2018  
nature preserve, or other premises in which an animal is lawfully 2019  
kept, handled, housed, exhibited, bred, or offered for sale, 2020  
including, but not limited to, a zoo, rodeo, circus, amusement 2021  
park, hunting preserve, or premises in which a horse or dog event 2022  
is held. 2023

(O) "Animal or ecological terrorism" means the commission of 2024  
any felony that involves causing or creating a substantial risk of 2025  
physical harm to any property of another, the use of a deadly 2026  
weapon or dangerous ordnance, or purposely, knowingly, or 2027  
recklessly causing serious physical harm to property and that 2028  
involves an intent to obstruct, impede, or deter any person from 2029  
participating in a lawful animal activity, from mining, foresting, 2030  
harvesting, gathering, or processing natural resources, or from 2031  
being lawfully present in or on an animal facility or research 2032

facility. 2033

(P) "Research facility" means a place, laboratory, 2034  
institution, medical care facility, government facility, or public 2035  
or private educational institution in which a scientific test, 2036  
experiment, or investigation involving the use of animals or other 2037  
living organisms is lawfully carried out, conducted, or attempted. 2038

**Sec. 2929.18.** (A) Except as otherwise provided in this 2039  
division and in addition to imposing court costs pursuant to 2040  
section 2947.23 of the Revised Code, the court imposing a sentence 2041  
upon an offender for a felony may sentence the offender to any 2042  
financial sanction or combination of financial sanctions 2043  
authorized under this section or, in the circumstances specified 2044  
in section 2929.32 of the Revised Code, may impose upon the 2045  
offender a fine in accordance with that section. Financial 2046  
sanctions that may be imposed pursuant to this section include, 2047  
but are not limited to, the following: 2048

(1) ~~Restitution~~ Except as otherwise provided in section 2049  
2929.181 of the Revised Code, restitution by the offender to the 2050  
victim of the offender's crime or any survivor of the victim, in 2051  
an amount based on the victim's economic loss. If the court 2052  
imposes restitution, the court shall order that the restitution be 2053  
made to the victim in open court, to the adult probation 2054  
department that serves the county on behalf of the victim, to the 2055  
clerk of courts, or to another agency designated by the court. If 2056  
the court imposes restitution, at sentencing, the court shall 2057  
determine the amount of restitution to be made by the offender. If 2058  
the court imposes restitution, the court may base the amount of 2059  
restitution it orders on an amount recommended by the victim, the 2060  
offender, a presentence investigation report, estimates or 2061  
receipts indicating the cost of repairing or replacing property, 2062  
and other information, provided that the amount the court orders 2063

as restitution shall not exceed the amount of the economic loss 2064  
suffered by the victim as a direct and proximate result of the 2065  
commission of the offense. If the court decides to impose 2066  
restitution, the court shall hold a hearing on restitution if the 2067  
offender, victim, or survivor disputes the amount. All restitution 2068  
payments shall be credited against any recovery of economic loss 2069  
in a civil action brought by the victim or any survivor of the 2070  
victim against the offender. 2071

If the court imposes restitution, the court may order that 2072  
the offender pay a surcharge of not more than five per cent of the 2073  
amount of the restitution otherwise ordered to the entity 2074  
responsible for collecting and processing restitution payments. 2075

The victim or survivor may request that the prosecutor in the 2076  
case file a motion, or the offender may file a motion, for 2077  
modification of the payment terms of any restitution ordered. If 2078  
the court grants the motion, it may modify the payment terms as it 2079  
determines appropriate. 2080

(2) Except as provided in division (B)(1), (3), or (4) of 2081  
this section, a fine payable by the offender to the state, to a 2082  
political subdivision, or as described in division (B)(2) of this 2083  
section to one or more law enforcement agencies, with the amount 2084  
of the fine based on a standard percentage of the offender's daily 2085  
income over a period of time determined by the court and based 2086  
upon the seriousness of the offense. A fine ordered under this 2087  
division shall not exceed the maximum conventional fine amount 2088  
authorized for the level of the offense under division (A)(3) of 2089  
this section. 2090

(3) Except as provided in division (B)(1), (3), or (4) of 2091  
this section, a fine payable by the offender to the state, to a 2092  
political subdivision when appropriate for a felony, or as 2093  
described in division (B)(2) of this section to one or more law 2094  
enforcement agencies, in the following amount: 2095

(a) For a felony of the first degree, not more than twenty thousand dollars;	2096 2097
(b) For a felony of the second degree, not more than fifteen thousand dollars;	2098 2099
(c) For a felony of the third degree, not more than ten thousand dollars;	2100 2101
(d) For a felony of the fourth degree, not more than five thousand dollars;	2102 2103
(e) For a felony of the fifth degree, not more than two thousand five hundred dollars.	2104 2105
(4) A state fine or costs as defined in section 2949.111 of the Revised Code.	2106 2107
(5)(a) Reimbursement by the offender of any or all of the costs of sanctions incurred by the government, including the following:	2108 2109 2110
(i) All or part of the costs of implementing any community control sanction, including a supervision fee under section 2951.021 of the Revised Code;	2111 2112 2113
(ii) All or part of the costs of confinement under a sanction imposed pursuant to section 2929.14, 2929.142, or 2929.16 of the Revised Code, provided that the amount of reimbursement ordered under this division shall not exceed the total amount of reimbursement the offender is able to pay as determined at a hearing and shall not exceed the actual cost of the confinement.	2114 2115 2116 2117 2118 2119
(b) If the offender is sentenced to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a facility operated by a board of county commissioners, a legislative authority of a municipal corporation, or another local governmental entity, if, pursuant to section 307.93, 341.14, 341.19, 341.23, 753.02, 753.04, 753.16, 2301.56,	2120 2121 2122 2123 2124 2125

or 2947.19 of the Revised Code and section 2929.37 of the Revised Code, the board, legislative authority, or other local governmental entity requires prisoners to reimburse the county, municipal corporation, or other entity for its expenses incurred by reason of the prisoner's confinement, and if the court does not impose a financial sanction under division (A)(5)(a)(ii) of this section, confinement costs may be assessed pursuant to section 2929.37 of the Revised Code. In addition, the offender may be required to pay the fees specified in section 2929.38 of the Revised Code in accordance with that section.

(c) Reimbursement by the offender for costs pursuant to section 2929.71 of the Revised Code.

(B)(1) For a first, second, or third degree felony violation of any provision of Chapter 2925., 3719., or 4729. of the Revised Code, the sentencing court shall impose upon the offender a mandatory fine of at least one-half of, but not more than, the maximum statutory fine amount authorized for the level of the offense pursuant to division (A)(3) of this section. If an offender alleges in an affidavit filed with the court prior to sentencing that the offender is indigent and unable to pay the mandatory fine and if the court determines the offender is an indigent person and is unable to pay the mandatory fine described in this division, the court shall not impose the mandatory fine upon the offender.

(2) Any mandatory fine imposed upon an offender under division (B)(1) of this section and any fine imposed upon an offender under division (A)(2) or (3) of this section for any fourth or fifth degree felony violation of any provision of Chapter 2925., 3719., or 4729. of the Revised Code shall be paid to law enforcement agencies pursuant to division (F) of section 2925.03 of the Revised Code.

(3) For a fourth degree felony OVI offense and for a third

degree felony OVI offense, the sentencing court shall impose upon 2158  
the offender a mandatory fine in the amount specified in division 2159  
(G)(1)(d) or (e) of section 4511.19 of the Revised Code, whichever 2160  
is applicable. The mandatory fine so imposed shall be disbursed as 2161  
provided in the division pursuant to which it is imposed. 2162

(4) Notwithstanding any fine otherwise authorized or required 2163  
to be imposed under division (A)(2) or (3) or (B)(1) of this 2164  
section or section 2929.31 of the Revised Code for a violation of 2165  
section 2925.03 of the Revised Code, in addition to any penalty or 2166  
sanction imposed for that offense under section 2925.03 or 2167  
sections 2929.11 to 2929.18 of the Revised Code and in addition to 2168  
the forfeiture of property in connection with the offense as 2169  
prescribed in Chapter 2981. of the Revised Code, the court that 2170  
sentences an offender for a violation of section 2925.03 of the 2171  
Revised Code may impose upon the offender a fine in addition to 2172  
any fine imposed under division (A)(2) or (3) of this section and 2173  
in addition to any mandatory fine imposed under division (B)(1) of 2174  
this section. The fine imposed under division (B)(4) of this 2175  
section shall be used as provided in division (H) of section 2176  
2925.03 of the Revised Code. A fine imposed under division (B)(4) 2177  
of this section shall not exceed whichever of the following is 2178  
applicable: 2179

(a) The total value of any personal or real property in which 2180  
the offender has an interest and that was used in the course of, 2181  
intended for use in the course of, derived from, or realized 2182  
through conduct in violation of section 2925.03 of the Revised 2183  
Code, including any property that constitutes proceeds derived 2184  
from that offense; 2185

(b) If the offender has no interest in any property of the 2186  
type described in division (B)(4)(a) of this section or if it is 2187  
not possible to ascertain whether the offender has an interest in 2188  
any property of that type in which the offender may have an 2189

interest, the amount of the mandatory fine for the offense imposed 2190  
under division (B)(1) of this section or, if no mandatory fine is 2191  
imposed under division (B)(1) of this section, the amount of the 2192  
fine authorized for the level of the offense imposed under 2193  
division (A)(3) of this section. 2194

(5) Prior to imposing a fine under division (B)(4) of this 2195  
section, the court shall determine whether the offender has an 2196  
interest in any property of the type described in division 2197  
(B)(4)(a) of this section. Except as provided in division (B)(6) 2198  
or (7) of this section, a fine that is authorized and imposed 2199  
under division (B)(4) of this section does not limit or affect the 2200  
imposition of the penalties and sanctions for a violation of 2201  
section 2925.03 of the Revised Code prescribed under those 2202  
sections or sections 2929.11 to 2929.18 of the Revised Code and 2203  
does not limit or affect a forfeiture of property in connection 2204  
with the offense as prescribed in Chapter 2981. of the Revised 2205  
Code. 2206

(6) If the sum total of a mandatory fine amount imposed for a 2207  
first, second, or third degree felony violation of section 2925.03 2208  
of the Revised Code under division (B)(1) of this section plus the 2209  
amount of any fine imposed under division (B)(4) of this section 2210  
does not exceed the maximum statutory fine amount authorized for 2211  
the level of the offense under division (A)(3) of this section or 2212  
section 2929.31 of the Revised Code, the court may impose a fine 2213  
for the offense in addition to the mandatory fine and the fine 2214  
imposed under division (B)(4) of this section. The sum total of 2215  
the amounts of the mandatory fine, the fine imposed under division 2216  
(B)(4) of this section, and the additional fine imposed under 2217  
division (B)(6) of this section shall not exceed the maximum 2218  
statutory fine amount authorized for the level of the offense 2219  
under division (A)(3) of this section or section 2929.31 of the 2220  
Revised Code. The clerk of the court shall pay any fine that is 2221



imposed under division (B)(6) of this section to the county, 2222  
township, municipal corporation, park district as created pursuant 2223  
to section 511.18 or 1545.04 of the Revised Code, or state law 2224  
enforcement agencies in this state that primarily were responsible 2225  
for or involved in making the arrest of, and in prosecuting, the 2226  
offender pursuant to division (F) of section 2925.03 of the 2227  
Revised Code. 2228

(7) If the sum total of the amount of a mandatory fine 2229  
imposed for a first, second, or third degree felony violation of 2230  
section 2925.03 of the Revised Code plus the amount of any fine 2231  
imposed under division (B)(4) of this section exceeds the maximum 2232  
statutory fine amount authorized for the level of the offense 2233  
under division (A)(3) of this section or section 2929.31 of the 2234  
Revised Code, the court shall not impose a fine under division 2235  
(B)(6) of this section. 2236

(C)(1) The offender shall pay reimbursements imposed upon the 2237  
offender pursuant to division (A)(5)(a) of this section to pay the 2238  
costs incurred by the department of rehabilitation and correction 2239  
in operating a prison or other facility used to confine offenders 2240  
pursuant to sanctions imposed under section 2929.14, 2929.142, or 2241  
2929.16 of the Revised Code to the treasurer of state. The 2242  
treasurer of state shall deposit the reimbursements in the 2243  
confinement cost reimbursement fund that is hereby created in the 2244  
state treasury. The department of rehabilitation and correction 2245  
shall use the amounts deposited in the fund to fund the operation 2246  
of facilities used to confine offenders pursuant to sections 2247  
2929.14, 2929.142, and 2929.16 of the Revised Code. 2248

(2) Except as provided in section 2951.021 of the Revised 2249  
Code, the offender shall pay reimbursements imposed upon the 2250  
offender pursuant to division (A)(5)(a) of this section to pay the 2251  
costs incurred by a county pursuant to any sanction imposed under 2252  
this section or section 2929.16 or 2929.17 of the Revised Code or 2253

in operating a facility used to confine offenders pursuant to a 2254  
sanction imposed under section 2929.16 of the Revised Code to the 2255  
county treasurer. The county treasurer shall deposit the 2256  
reimbursements in the sanction cost reimbursement fund that each 2257  
board of county commissioners shall create in its county treasury. 2258  
The county shall use the amounts deposited in the fund to pay the 2259  
costs incurred by the county pursuant to any sanction imposed 2260  
under this section or section 2929.16 or 2929.17 of the Revised 2261  
Code or in operating a facility used to confine offenders pursuant 2262  
to a sanction imposed under section 2929.16 of the Revised Code. 2263

(3) Except as provided in section 2951.021 of the Revised 2264  
Code, the offender shall pay reimbursements imposed upon the 2265  
offender pursuant to division (A)(5)(a) of this section to pay the 2266  
costs incurred by a municipal corporation pursuant to any sanction 2267  
imposed under this section or section 2929.16 or 2929.17 of the 2268  
Revised Code or in operating a facility used to confine offenders 2269  
pursuant to a sanction imposed under section 2929.16 of the 2270  
Revised Code to the treasurer of the municipal corporation. The 2271  
treasurer shall deposit the reimbursements in a special fund that 2272  
shall be established in the treasury of each municipal 2273  
corporation. The municipal corporation shall use the amounts 2274  
deposited in the fund to pay the costs incurred by the municipal 2275  
corporation pursuant to any sanction imposed under this section or 2276  
section 2929.16 or 2929.17 of the Revised Code or in operating a 2277  
facility used to confine offenders pursuant to a sanction imposed 2278  
under section 2929.16 of the Revised Code. 2279

(4) Except as provided in section 2951.021 of the Revised 2280  
Code, the offender shall pay reimbursements imposed pursuant to 2281  
division (A)(5)(a) of this section for the costs incurred by a 2282  
private provider pursuant to a sanction imposed under this section 2283  
or section 2929.16 or 2929.17 of the Revised Code to the provider. 2284

(D) Except as otherwise provided in this division, a 2285

financial sanction imposed pursuant to division (A) or (B) of this 2286  
section is a judgment in favor of the state or a political 2287  
subdivision in which the court that imposed the financial sanction 2288  
is located, and the offender subject to the financial sanction is 2289  
the judgment debtor. A financial sanction of reimbursement imposed 2290  
pursuant to division (A)(5)(a)(ii) of this section upon an 2291  
offender who is incarcerated in a state facility or a municipal 2292  
jail is a judgment in favor of the state or the municipal 2293  
corporation, and the offender subject to the financial sanction is 2294  
the judgment debtor. A financial sanction of reimbursement imposed 2295  
upon an offender pursuant to this section for costs incurred by a 2296  
private provider of sanctions is a judgment in favor of the 2297  
private provider, and the offender subject to the financial 2298  
sanction is the judgment debtor. A financial sanction of 2299  
restitution imposed pursuant to this section is an order in favor 2300  
of the victim of the offender's criminal act that can be collected 2301  
through execution as described in division (D)(1) of this section 2302  
or through an order as described in division (D)(2) of this 2303  
section, and the offender shall be considered for purposes of the 2304  
collection as the judgment debtor. Imposition of a financial 2305  
sanction and execution on the judgment does not preclude any other 2306  
power of the court to impose or enforce sanctions on the offender. 2307  
Once the financial sanction is imposed as a judgment or order 2308  
under this division, the victim, private provider, state, or 2309  
political subdivision may bring an action to do any of the 2310  
following: 2311

    (1) Obtain execution of the judgment or order through any 2312  
available procedure, including: 2313

        (a) An execution against the property of the judgment debtor 2314  
under Chapter 2329. of the Revised Code; 2315

        (b) An execution against the person of the judgment debtor 2316  
under Chapter 2331. of the Revised Code; 2317

(c) A proceeding in aid of execution under Chapter 2333. of the Revised Code, including:	2318 2319
(i) A proceeding for the examination of the judgment debtor under sections 2333.09 to 2333.12 and sections 2333.15 to 2333.27 of the Revised Code;	2320 2321 2322
(ii) A proceeding for attachment of the person of the judgment debtor under section 2333.28 of the Revised Code;	2323 2324
(iii) A creditor's suit under section 2333.01 of the Revised Code.	2325 2326
(d) The attachment of the property of the judgment debtor under Chapter 2715. of the Revised Code;	2327 2328
(e) The garnishment of the property of the judgment debtor under Chapter 2716. of the Revised Code.	2329 2330
(2) Obtain an order for the assignment of wages of the judgment debtor under section 1321.33 of the Revised Code.	2331 2332
(E) A court that imposes a financial sanction upon an offender may hold a hearing if necessary to determine whether the offender is able to pay the sanction or is likely in the future to be able to pay it.	2333 2334 2335 2336
(F) Each court imposing a financial sanction upon an offender under this section or under section 2929.32 of the Revised Code may designate the clerk of the court or another person to collect the financial sanction. The clerk or other person authorized by law or the court to collect the financial sanction may enter into contracts with one or more public agencies or private vendors for the collection of, amounts due under the financial sanction imposed pursuant to this section or section 2929.32 of the Revised Code. Before entering into a contract for the collection of amounts due from an offender pursuant to any financial sanction imposed pursuant to this section or section 2929.32 of the Revised	2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347

Code, a court shall comply with sections 307.86 to 307.92 of the Revised Code. 2348  
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(G) If a court that imposes a financial sanction under division (A) or (B) of this section finds that an offender satisfactorily has completed all other sanctions imposed upon the offender and that all restitution that has been ordered has been paid as ordered, the court may suspend any financial sanctions imposed pursuant to this section or section 2929.32 of the Revised Code that have not been paid. 2350  
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(H) No financial sanction imposed under this section or section 2929.32 of the Revised Code shall preclude a victim from bringing a civil action against the offender. 2357  
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Sec. 2929.181. (A) The court shall require an offender who violated section 2905.32 of the Revised Code to pay restitution to the victim of the offender's crime or to any survivor of that victim. 2360  
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(B) Restitution under this section shall include all of the following: 2364  
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(1) The cost of medical and psychological treatment for the victim; 2366  
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(2) The cost of physical and occupational therapy and rehabilitation for the victim; 2368  
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(3) The cost of necessary transportation, temporary housing, and child care for the victim; 2370  
2371

(4) Attorney's fees and other costs; 2372

(5) The greater of the following: 2373

(a) The gross income or value to the defendant of all commercial sex acts, sexually explicit performances, labor, or services of the victim that were performed as a result of the 2374  
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offense; 2377

(b) The value of the victim's labor that was performed as a 2378  
result of the offense as guaranteed under the minimum wage and 2379  
overtime provisions of the "Fair Labor Standards Act," 52 Stat. 2380  
1062, 29 U.S.C.A. 201, as amended, and state labor laws. 2381

(6) The return of property of the victim, the cost of damage 2382  
to property of the victim, or full value of the property if the 2383  
property is destroyed; 2384

(7) Compensation for emotional distress, pain, and suffering; 2385

(8) Expenses incurred by an adult victim in relocating away 2386  
from the defendant, including, but not limited to, deposits for 2387  
utilities and telephone service, deposits for rental housing, 2388  
temporary lodging, food expenses, clothing, and personal items. 2389  
Expenses incurred pursuant to this division shall be verified by a 2390  
law enforcement agency to be necessary for the personal safety of 2391  
the victim or by a mental health treatment provider to be 2392  
necessary for the emotional well-being of the victim. 2393

(C) The offender shall promptly pay restitution to the victim 2394  
upon the conviction of the offender, with the proceeds from 2395  
property forfeited pursuant to section 2905.34 of the Revised Code 2396  
applied first to the payment of restitution. The return of the 2397  
victim to the victim's home country or other absence of the victim 2398  
from the jurisdiction shall not prevent the victim from receiving 2399  
restitution. 2400

(D) As used in this section, "commercial sex act," "labor," 2401  
"services," and "sexually explicit performance" have the same 2402  
meanings as in section 2905.31 of the Revised Code. 2403

**Sec. 2930.21.** A law enforcement agency shall take all steps 2404  
necessary to identify victims of violations of section 2905.32 of 2405  
the Revised Code, including interviewing all persons charged with 2406

a violation of section 2907.25 of the Revised Code. A law 2407  
enforcement agency that identifies a victim of a violation of 2408  
section 2905.32 of the Revised Code shall provide reasonable 2409  
protection to the victim to prevent recapture of the victim by the 2410  
person who committed the violation or the associates of that 2411  
person, secure the victim and the victim's family from threats, 2412  
reprisals, or intimidation by the person who committed the 2413  
violation or the associates of that person, and ensure that the 2414  
victim has an opportunity to consult with a victim advocate or 2415  
other appropriate person to develop a safety plan for the victim. 2416

Sec. 2930.22. (A) Within one hundred eighty days of the 2417  
effective date of this section, the Ohio prevention of trafficking 2418  
in persons task force, in consultation with interested 2419  
not-for-profit organizations, shall develop a plan for the 2420  
provision of appropriate services for victims of violations of 2421  
section 2905.32 of the Revised Code and dependent children 2422  
accompanying the victims, including, but not limited to, the 2423  
following: 2424

(1) Appropriate housing, considering the person's status as a 2425  
victim of crime, and including safe conditions for sleeping, 2426  
eating, and personal hygiene; 2427

(2) Psychological counseling in a language the victim can 2428  
comprehend; 2429

(3) Medical assistance in a language the victim can 2430  
comprehend; 2431

(4) Employment, educational, and training opportunities for 2432  
the victim; 2433

(5) Legal assistance in a language the victim can comprehend. 2434

(B) A victim's residence in a shelter or other facility shall 2435  
be voluntary. 2436

(C) A victim of a violation of section 2905.32 of the Revised Code shall be given the option to communicate with and receive visits from family, friends, an attorney, and victim's rights advocates. 2437  
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(D) Whenever possible, a victim of a violation of section 2905.32 of the Revised Code shall not be housed in a prison or other detention facility for accused or convicted offenders. A child victim of a violation of section 2905.32 of the Revised Code shall not be housed in a prison or other detention facility for accused or convicted offenders under any circumstances. 2441  
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(E) The attorney general shall take into consideration the age, gender, and special needs of a victim of a violation of section 2905.32 of the Revised Code and the victim's dependent children in creating a plan to provide services to victims of violations of that section and in delivering services to those victims and children. 2447  
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(F) To the extent that other sources of funding for victim services are unavailable, the costs of providing the services to victims of a violation of section 2905.32 of the Revised Code described in this section shall be paid out of funds from the reparations fund created pursuant to section 2743.191 of the Revised Code. 2453  
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**Sec. 2930.23.** (A) A victim of a violation of section 2905.32 of the Revised Code who is a minor shall be provided with appropriate services, which may include an explanation of the victim's rights, privacy, housing, care, and age-appropriate support and rights. 2459  
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(B) The Ohio Supreme court shall develop special procedures to accommodate witnesses who are minors, including procedures for taking the testimony of a minor outside a court setting or by video and procedures to ensure that all testimony of a minor 2464  
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witness and all court proceedings otherwise involving a minor take 2468  
place with the minor's parent, legal guardian, or foster parent 2469  
present. 2470

(C) The department of job and family services shall develop 2471  
procedures for reuniting the minor with family members in the 2472  
minor's country of origin or destination country whenever it is 2473  
possible and safe to do so. 2474

(D) The departments of health and mental health shall develop 2475  
procedures for providing special physical and mental health care 2476  
tailored to the minor's needs. 2477

(E) To the extent that other sources of funding for victim 2478  
services are unavailable, the costs of providing the services to 2479  
victims of a violation of section 2905.32 of the Revised Code 2480  
described in this section shall be paid out of funds from the 2481  
reparations fund created pursuant to section 2743.191 of the 2482  
Revised Code. 2483

**Section 2.** That existing sections 109.42, 109.73, 2317.02, 2484  
2743.191, 2901.13, 2921.22, 2923.01, 2923.31, and 2929.18 of the 2485  
Revised Code are hereby repealed. 2486

**Section 3.** (A) There is hereby created the Ohio Prevention of 2487  
Trafficking in Persons Task Force, consisting of twelve members to 2488  
be appointed by the Governor. The task force shall develop and 2489  
implement a plan for the prevention of trafficking in persons. The 2490  
task force shall study all aspects of trafficking, including, but 2491  
not limited to, sex trafficking and labor trafficking of citizens 2492  
of the United States and citizens of foreign countries. 2493

(B) The task force shall include the following members: 2494

(1) A representative from the Attorney General's office; 2495

(2) A representative from the Ohio Association of Chiefs of 2496

Police;	2497
(3) A representative from the Buckeye State Sheriffs Association;	2498 2499
(4) A representative from the Department of Public Safety, representing the State Highway Patrol;	2500 2501
(5) A representative from the Department of Health;	2502
(6) A representative from the Department of Job and Family services;	2503 2504
(7) A representative from the Supreme Court;	2505
(8) A representative from the Office of Criminal Justice Services;	2506 2507
(9) Four persons with experience in the private sector or academic institutions with the issues involved in trafficking in persons, children's services, and runaway services.	2508 2509 2510
(C) The task force shall carry out the following activities:	2511
(1) Develop a state plan for the prevention of trafficking in persons;	2512 2513
(2) Explore the establishment of state policies for time limits for the issuance of the law enforcement agency endorsement regulations, 8 C.F.R. 214.11(f)(1)(2006);	2514 2515 2516
(3) Recommend policies to enable the state to work with nongovernmental organizations to prevent trafficking in persons and provide assistance to citizens of the United States and foreign nations who are victims of trafficking in persons;	2517 2518 2519 2520
(4) Review the existing services and facilities that aid victims of trafficking in persons and recommend a system that would coordinate those services, including, but not limited to, health services, housing, education and job training, English as a second language courses, interpreting services, legal and	2521 2522 2523 2524 2525

immigration services, and victim compensation;	2526
(5) Evaluate various approaches used by other state and local governments to increase public awareness of the offense of trafficking in persons;	2527 2528 2529
(6) Recommend ways to protect a victim of trafficking in persons who is a witness to the offense, including evaluating the feasibility of witness relocation, new employment or work permits, protection of the victim's identity and location, and providing the victim with a new identity;	2530 2531 2532 2533 2534
(7) Determine the best way to provide a victim of trafficking in persons with all of the following:	2535 2536
(a) An application for a visa for an alien classified as a nonimmigrant under 8 U.S.C. 1101(a)(15)(T) or (U);	2537 2538
(b) An application for legal permanent residence for an eligible recipient of a visa for an alien classified as a nonimmigrant under 8 U.S.C. 1101(a)(15)(T) or (U);	2539 2540 2541
(c) Identification of and application for available public benefits, including, but not limited to, temporary financial assistance, refugee match grants, refugee cash assistance, food stamps, child care, and medical assistance;	2542 2543 2544 2545
(d) Access to both short-term and long-term safe and appropriate housing;	2546 2547
(e) Access to necessary medical and dental care and mental health treatment, including, but not limited to, care or treatment for victims of a sex offense, free optional testing for the HIV infection and other sexually transmitted diseases, and a counseling session by a medically trained professional on the accuracy of those tests and the risk of the transmission of sexually transmitted diseases;	2548 2549 2550 2551 2552 2553 2554
(f) Access to language translation services in the victim's	2555

native language or language of fluency;	2556
(g) Access to education or English as a second language	2557
training;	2558
(h) Access to any other services necessary to safeguard the	2559
health and well-being of a victim of trafficking in persons.	2560
(8) Developing a method for assisting a victim of trafficking	2561
in persons with the application for a visa for an alien classified	2562
as a nonimmigrant under 8 U.S.C. 1101(a)(15)(T) or (U), assisting	2563
a victim of trafficking in persons with completing a written	2564
request to the appropriate authorities requesting that the victim	2565
be granted temporary immigration status known as "continued	2566
presence," completing, or assisting a victim of trafficking in	2567
persons with completing, a written request to the Attorney General	2568
for documents necessary to support an application for a visa for	2569
an alien classified as a nonimmigrant under 8 U.S.C.	2570
1101(a)(15)(T) or (U), including an endorsement of person's victim	2571
status on Supplement B, Declaration of Law Enforcement Officer for	2572
Victim of Trafficking in Persons, of Form I-914, and assisting a	2573
victim of trafficking in persons with completing a written request	2574
to the Attorney General for the documentation necessary to support	2575
the victim's request for benefits and services authorized under	2576
the "Victims of Trafficking and Violence Protection Act of 2000,"	2577
22 U.S.C. 7105, et. seq.	2578
(9) Evaluate available funding streams, including but not	2579
limited to, federal grants that may be available to assist the	2580
state in establishing or expanding programs for victims of	2581
trafficking in persons, to provide services to victims of	2582
trafficking in persons, and to create and disseminate training and	2583
educational materials on trafficking in persons and technical	2584
assistance to state agencies that are applying for that funding.	2585
(E) The task force shall submit a report of its findings and	2586

recommendations to the Governor, the Speaker of the House of 2587  
Representatives, and the President of the Senate by December 31, 2588  
2008. Upon submission of the report, the task force shall cease to 2589  
exist. 2590

**Section 4.** Section 2317.02 of the Revised Code is presented 2591  
in this act as a composite of the section as amended by Sub. H.B. 2592  
144, Sub. S.B. 8, and Am. Sub. S.B. 17 of the 126th General 2593  
Assembly. Section 2929.18 of the Revised Code is presented in this 2594  
act as a composite of the section as amended by both Sub. H.B. 241 2595  
and Am. Sub. H.B. 461 of the 126th General Assembly. The General 2596  
Assembly, applying the principle stated in division (B) of section 2597  
1.52 of the Revised Code that amendments are to be harmonized if 2598  
reasonably capable of simultaneous operation, finds that the 2599  
composites are the resulting versions of the sections in effect 2600  
prior to the effective date of the sections as presented in this 2601  
act. 2602