

**As Reported by the House Judiciary Committee**

**128th General Assembly**

**Regular Session**

**2009-2010**

**Am. H. B. No. 95**

**Representative Skindell**

**Cosponsors: Representatives Murray, Evans, Letson, Ujvagi, Phillips,  
Luckie, Harris, Yuko, DeGeeter, Williams, S., Boyd, Hagan, Stewart,  
Domenick, Harwood, Bolon, Chandler, Koziura, Okey, Dolan, Bacon, Bulp,  
Celeste, Coley, Blessing**

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**A B I L L**

To amend section 2717.01 of the Revised Code to 1  
prohibit a court from ordering a statutory change 2  
of name for a person who has committed identity 3  
fraud or who must register under the SORN Law for 4  
having committed a sexually oriented offense or 5  
child-victim oriented offense. 6

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

**Section 1.** That section 2717.01 of the Revised Code be 7  
amended to read as follows: 8

**Sec. 2717.01.** (A) A person desiring a change of name may file 9  
an application in the probate court of the county in which the 10  
person resides. The application shall set forth that the applicant 11  
has been a bona fide resident of that county for at least one year 12  
prior to the filing of the application, the cause for which the 13  
change of name is sought, and the requested new name. The 14  
application shall require the applicant to state whether the 15  
applicant has been convicted of, pleaded guilty to, or been 16

adjudicated a delinquent child for identity fraud or has a duty to 17  
comply with section 2950.04 or 2950.041 of the Revised Code 18  
because the applicant was convicted of, pleaded guilty to, or was 19  
adjudicated a delinquent child for having committed a sexually 20  
oriented offense or a child-victim oriented offense. 21

Notice of the application shall be given once by publication 22  
in a newspaper of general circulation in the county at least 23  
thirty days before the hearing on the application. The notice 24  
shall set forth the court in which the application was filed, the 25  
case number, and the date and time of the hearing. 26

~~Upon~~ Except as provided by division (C) of this section, upon 27  
proof that proper notice was given and that the facts set forth in 28  
the application show reasonable and proper cause for changing the 29  
name of the applicant, the court may order the change of name. 30

(B) An application for change of name may be made on behalf 31  
of a minor by either of the minor's parents, a legal guardian, or 32  
a guardian ad litem. When application is made on behalf of a 33  
minor, in addition to the notice and proof required pursuant to 34  
division (A) of this section, the consent of both living, legal 35  
parents of the minor shall be filed, or notice of the hearing 36  
shall be given to the parent or parents not consenting by 37  
certified mail, return receipt requested. If there is no known 38  
father of the minor, the notice shall be given to the person who 39  
the mother of the minor alleges to be the father. If no father is 40  
so alleged, or if either parent or the address of either parent is 41  
unknown, notice pursuant to division (A) of this section shall be 42  
sufficient as to the father or parent. 43

Any additional notice required by this division may be waived 44  
in writing by any person entitled to the notice. 45

(C)(1) The court shall not order a change of name under 46  
division (A) of this section if the person applying for a change 47

of name or for whom the application for a change of name is made 48  
has a duty to comply with section 2950.04 or 2950.041 of the 49  
Revised Code because the applicant or the person on whose behalf 50  
the application for a change of name is made was convicted of, 51  
pleaded guilty to, or was adjudicated a delinquent child for 52  
having committed a sexually oriented offense or a child-victim 53  
oriented offense. 54

(2) The court shall not order a change of name under division 55  
(A) of this section if the person applying for a change of name or 56  
for whom the application for a change of name is made has pleaded 57  
guilty to, been convicted of, or been adjudicated a delinquent 58  
child for committing a violation of section 2913.49 of the Revised 59  
Code unless the guilty plea, conviction, or adjudication has been 60  
reversed on appeal. 61

(3) As used in this division, "sexually oriented offense" and 62  
"child-victim oriented offense" have the same meanings as in 63  
section 2950.01 of the Revised Code. 64

**Section 2.** That existing section 2717.01 of the Revised Code 65  
is hereby repealed. 66