

As Introduced

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H. B. No. 98

Representative Combs

**Cosponsors: Representatives Huffman, Grossman, Bulp, Evans, Stebelton,
Harwood, Chandler, Okey, Derickson, Newcomb**

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A B I L L

To amend sections 2950.01, 2950.11, 2950.12, and 1
2950.13 of the Revised Code to provide notice to a 2
long-term care facility when a Tier III or similar 3
category sex offender/child-victim offender 4
indicates an intent to reside in the facility or 5
registers an address within the specified 6
geographical notification area including the 7
facility. 8

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

Section 1. That sections 2950.01, 2950.11, 2950.12, and 9
2950.13 of the Revised Code be amended to read as follows: 10

Sec. 2950.01. As used in this chapter, unless the context 11
clearly requires otherwise: 12

(A) "Sexually oriented offense" means any of the following 13
violations or offenses committed by a person, regardless of the 14
person's age: 15

(1) A violation of section 2907.02, 2907.03, 2907.05, 16
2907.06, 2907.07, 2907.08, 2907.21, 2907.32, 2907.321, 2907.322, 17
or 2907.323 of the Revised Code; 18

(2) A violation of section 2907.04 of the Revised Code when 19
the offender is less than four years older than the other person 20
with whom the offender engaged in sexual conduct, the other person 21
did not consent to the sexual conduct, and the offender previously 22
has not been convicted of or pleaded guilty to a violation of 23
section 2907.02, 2907.03, or 2907.04 of the Revised Code or a 24
violation of former section 2907.12 of the Revised Code; 25

(3) A violation of section 2907.04 of the Revised Code when 26
the offender is at least four years older than the other person 27
with whom the offender engaged in sexual conduct or when the 28
offender is less than four years older than the other person with 29
whom the offender engaged in sexual conduct and the offender 30
previously has been convicted of or pleaded guilty to a violation 31
of section 2907.02, 2907.03, or 2907.04 of the Revised Code or a 32
violation of former section 2907.12 of the Revised Code; 33

(4) A violation of section 2903.01, 2903.02, or 2903.11 of 34
the Revised Code when the violation was committed with a sexual 35
motivation; 36

(5) A violation of division (A) of section 2903.04 of the 37
Revised Code when the offender committed or attempted to commit 38
the felony that is the basis of the violation with a sexual 39
motivation; 40

(6) A violation of division (A)(3) of section 2903.211 of the 41
Revised Code; 42

(7) A violation of division (A)(1), (2), (3), or (5) of 43
section 2905.01 of the Revised Code when the offense is committed 44
with a sexual motivation; 45

(8) A violation of division (A)(4) of section 2905.01 of the 46
Revised Code; 47

(9) A violation of division (B) of section 2905.01 of the 48
Revised Code when the victim of the offense is under eighteen 49

years of age and the offender is not a parent of the victim of the offense; 50
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(10) A violation of division (B) of section 2905.02, of 52
division (B) of section 2905.03, of division (B) of section 53
2905.05, or of division (B)(5) of section 2919.22 of the Revised 54
Code; 55

(11) A violation of any former law of this state, any 56
existing or former municipal ordinance or law of another state or 57
the United States, any existing or former law applicable in a 58
military court or in an Indian tribal court, or any existing or 59
former law of any nation other than the United States that is or 60
was substantially equivalent to any offense listed in division 61
(A)(1), (2), (3), (4), (5), (6), (7), (8), (9), or (10) of this 62
section; 63

(12) Any attempt to commit, conspiracy to commit, or 64
complicity in committing any offense listed in division (A)(1), 65
(2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of this 66
section. 67

(B)(1) "Sex offender" means, subject to division (B)(2) of 68
this section, a person who is convicted of, pleads guilty to, has 69
been convicted of, has pleaded guilty to, is adjudicated a 70
delinquent child for committing, or has been adjudicated a 71
delinquent child for committing any sexually oriented offense. 72

(2) "Sex offender" does not include a person who is convicted 73
of, pleads guilty to, has been convicted of, has pleaded guilty 74
to, is adjudicated a delinquent child for committing, or has been 75
adjudicated a delinquent child for committing a sexually oriented 76
offense if the offense involves consensual sexual conduct or 77
consensual sexual contact and either of the following applies: 78

(a) The victim of the sexually oriented offense was eighteen 79
years of age or older and at the time of the sexually oriented 80

offense was not under the custodial authority of the person who is 81
convicted of, pleads guilty to, has been convicted of, has pleaded 82
guilty to, is adjudicated a delinquent child for committing, or 83
has been adjudicated a delinquent child for committing the 84
sexually oriented offense. 85

(b) The victim of the offense was thirteen years of age or 86
older, and the person who is convicted of, pleads guilty to, has 87
been convicted of, has pleaded guilty to, is adjudicated a 88
delinquent child for committing, or has been adjudicated a 89
delinquent child for committing the sexually oriented offense is 90
not more than four years older than the victim. 91

(C) "Child-victim oriented offense" means any of the 92
following violations or offenses committed by a person, regardless 93
of the person's age, when the victim is under eighteen years of 94
age and is not a child of the person who commits the violation: 95

(1) A violation of division (A)(1), (2), (3), or (5) of 96
section 2905.01 of the Revised Code when the violation is not 97
included in division (A)(7) of this section; 98

(2) A violation of division (A) of section 2905.02, division 99
(A) of section 2905.03, or division (A) of section 2905.05 of the 100
Revised Code; 101

(3) A violation of any former law of this state, any existing 102
or former municipal ordinance or law of another state or the 103
United States, any existing or former law applicable in a military 104
court or in an Indian tribal court, or any existing or former law 105
of any nation other than the United States that is or was 106
substantially equivalent to any offense listed in division (C)(1) 107
or (2) of this section; 108

(4) Any attempt to commit, conspiracy to commit, or 109
complicity in committing any offense listed in division (C)(1), 110
(2), or (3) of this section. 111

(D) "Child-victim offender" means a person who is convicted 112
of, pleads guilty to, has been convicted of, has pleaded guilty 113
to, is adjudicated a delinquent child for committing, or has been 114
adjudicated a delinquent child for committing any child-victim 115
oriented offense. 116

(E) "Tier I sex offender/child-victim offender" means any of 117
the following: 118

(1) A sex offender who is convicted of, pleads guilty to, has 119
been convicted of, or has pleaded guilty to any of the following 120
sexually oriented offenses: 121

(a) A violation of section 2907.06, 2907.07, 2907.08, or 122
2907.32 of the Revised Code; 123

(b) A violation of section 2907.04 of the Revised Code when 124
the offender is less than four years older than the other person 125
with whom the offender engaged in sexual conduct, the other person 126
did not consent to the sexual conduct, and the offender previously 127
has not been convicted of or pleaded guilty to a violation of 128
section 2907.02, 2907.03, or 2907.04 of the Revised Code or a 129
violation of former section 2907.12 of the Revised Code; 130

(c) A violation of division (A)(1), (2), (3), or (5) of 131
section 2907.05 of the Revised Code; 132

(d) A violation of division (A)(3) of section 2907.323 of the 133
Revised Code; 134

(e) A violation of division (A)(3) of section 2903.211, of 135
division (B) of section 2905.03, or of division (B) of section 136
2905.05 of the Revised Code; 137

(f) A violation of any former law of this state, any existing 138
or former municipal ordinance or law of another state or the 139
United States, any existing or former law applicable in a military 140
court or in an Indian tribal court, or any existing or former law 141

of any nation other than the United States, that is or was 142
substantially equivalent to any offense listed in division 143
(E)(1)(a), (b), (c), (d), or (e) of this section; 144

(g) Any attempt to commit, conspiracy to commit, or 145
complicity in committing any offense listed in division (E)(1)(a), 146
(b), (c), (d), (e), or (f) of this section. 147

(2) A child-victim offender who is convicted of, pleads 148
guilty to, has been convicted of, or has pleaded guilty to a 149
child-victim oriented offense and who is not within either 150
category of child-victim offender described in division (F)(2) or 151
(G)(2) of this section. 152

(3) A sex offender who is adjudicated a delinquent child for 153
committing or has been adjudicated a delinquent child for 154
committing any sexually oriented offense and who a juvenile court, 155
pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the 156
Revised Code, classifies a tier I sex offender/child-victim 157
offender relative to the offense. 158

(4) A child-victim offender who is adjudicated a delinquent 159
child for committing or has been adjudicated a delinquent child 160
for committing any child-victim oriented offense and who a 161
juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 162
2152.85 of the Revised Code, classifies a tier I sex 163
offender/child-victim offender relative to the offense. 164

(F) "Tier II sex offender/child-victim offender" means any of 165
the following: 166

(1) A sex offender who is convicted of, pleads guilty to, has 167
been convicted of, or has pleaded guilty to any of the following 168
sexually oriented offenses: 169

(a) A violation of section 2907.21, 2907.321, or 2907.322 of 170
the Revised Code; 171

(b) A violation of section 2907.04 of the Revised Code when 172
the offender is at least four years older than the other person 173
with whom the offender engaged in sexual conduct, or when the 174
offender is less than four years older than the other person with 175
whom the offender engaged in sexual conduct and the offender 176
previously has been convicted of or pleaded guilty to a violation 177
of section 2907.02, 2907.03, or 2907.04 of the Revised Code or 178
former section 2907.12 of the Revised Code; 179

(c) A violation of division (A)(4) of section 2907.05 or of 180
division (A)(1) or (2) of section 2907.323 of the Revised Code; 181

(d) A violation of division (A)(1), (2), (3), or (5) of 182
section 2905.01 of the Revised Code when the offense is committed 183
with a sexual motivation; 184

(e) A violation of division (A)(4) of section 2905.01 of the 185
Revised Code when the victim of the offense is eighteen years of 186
age or older; 187

(f) A violation of division (B) of section 2905.02 or of 188
division (B)(5) of section 2919.22 of the Revised Code; 189

(g) A violation of any former law of this state, any existing 190
or former municipal ordinance or law of another state or the 191
United States, any existing or former law applicable in a military 192
court or in an Indian tribal court, or any existing or former law 193
of any nation other than the United States that is or was 194
substantially equivalent to any offense listed in division 195
(F)(1)(a), (b), (c), (d), (e), or (f) of this section; 196

(h) Any attempt to commit, conspiracy to commit, or 197
complicity in committing any offense listed in division (F)(1)(a), 198
(b), (c), (d), (e), (f), or (g) of this section; 199

(i) Any sexually oriented offense that is committed after the 200
sex offender previously has been convicted of, pleaded guilty to, 201
or has been adjudicated a delinquent child for committing any 202

sexually oriented offense or child-victim oriented offense for 203
which the offender was classified a tier I sex 204
offender/child-victim offender. 205

(2) A child-victim offender who is convicted of, pleads 206
guilty to, has been convicted of, or has pleaded guilty to any 207
child-victim oriented offense when the child-victim oriented 208
offense is committed after the child-victim offender previously 209
has been convicted of, pleaded guilty to, or been adjudicated a 210
delinquent child for committing any sexually oriented offense or 211
child-victim oriented offense for which the offender was 212
classified a tier I sex offender/child-victim offender. 213

(3) A sex offender who is adjudicated a delinquent child for 214
committing or has been adjudicated a delinquent child for 215
committing any sexually oriented offense and who a juvenile court, 216
pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the 217
Revised Code, classifies a tier II sex offender/child-victim 218
offender relative to the offense. 219

(4) A child-victim offender who is adjudicated a delinquent 220
child for committing or has been adjudicated a delinquent child 221
for committing any child-victim oriented offense and whom a 222
juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 223
2152.85 of the Revised Code, classifies a tier II sex 224
offender/child-victim offender relative to the current offense. 225

(5) A sex offender or child-victim offender who is not in any 226
category of tier II sex offender/child-victim offender set forth 227
in division (F)(1), (2), (3), or (4) of this section, who prior to 228
January 1, 2008, was adjudicated a delinquent child for committing 229
a sexually oriented offense or child-victim oriented offense, and 230
who prior to that date was determined to be a habitual sex 231
offender or determined to be a habitual child-victim offender, 232
unless either of the following applies: 233

(a) The sex offender or child-victim offender is reclassified pursuant to section 2950.031 or 2950.032 of the Revised Code as a tier I sex offender/child-victim offender or a tier III sex offender/child-victim offender relative to the offense.	234 235 236 237
(b) A juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies the child a tier I sex offender/child-victim offender or a tier III sex offender/child-victim offender relative to the offense.	238 239 240 241
(G) "Tier III sex offender/child-victim offender" means any of the following:	242 243
(1) A sex offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to any of the following sexually oriented offenses:	244 245 246
(a) A violation of section 2907.02 or 2907.03 of the Revised Code;	247 248
(b) A violation of division (B) of section 2907.05 of the Revised Code;	249 250
(c) A violation of section 2903.01, 2903.02, or 2903.11 of the Revised Code when the violation was committed with a sexual motivation;	251 252 253
(d) A violation of division (A) of section 2903.04 of the Revised Code when the offender committed or attempted to commit the felony that is the basis of the violation with a sexual motivation;	254 255 256 257
(e) A violation of division (A)(4) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age;	258 259 260
(f) A violation of division (B) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age and the offender is not a parent of the victim of the	261 262 263

offense;	264
(g) A violation of any former law of this state, any existing	265
or former municipal ordinance or law of another state or the	266
United States, any existing or former law applicable in a military	267
court or in an Indian tribal court, or any existing or former law	268
of any nation other than the United States that is or was	269
substantially equivalent to any offense listed in division	270
(G)(1)(a), (b), (c), (d), (e), or (f) of this section;	271
(h) Any attempt to commit, conspiracy to commit, or	272
complicity in committing any offense listed in division (G)(1)(a),	273
(b), (c), (d), (e), (f), or (g) of this section;	274
(i) Any sexually oriented offense that is committed after the	275
sex offender previously has been convicted of, pleaded guilty to,	276
or been adjudicated a delinquent child for committing any sexually	277
oriented offense or child-victim oriented offense for which the	278
offender was classified a tier II sex offender/child-victim	279
offender or a tier III sex offender/child-victim offender.	280
(2) A child-victim offender who is convicted of, pleads	281
guilty to, has been convicted of, or has pleaded guilty to any	282
child-victim oriented offense when the child-victim oriented	283
offense is committed after the child-victim offender previously	284
has been convicted of, pleaded guilty to, or been adjudicated a	285
delinquent child for committing any sexually oriented offense or	286
child-victim oriented offense for which the offender was	287
classified a tier II sex offender/child-victim offender or a tier	288
III sex offender/child-victim offender.	289
(3) A sex offender who is adjudicated a delinquent child for	290
committing or has been adjudicated a delinquent child for	291
committing any sexually oriented offense and who a juvenile court,	292
pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the	293
Revised Code, classifies a tier III sex offender/child-victim	294

offender relative to the offense. 295

(4) A child-victim offender who is adjudicated a delinquent 296
child for committing or has been adjudicated a delinquent child 297
for committing any child-victim oriented offense and whom a 298
juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 299
2152.85 of the Revised Code, classifies a tier III sex 300
offender/child-victim offender relative to the current offense. 301

(5) A sex offender or child-victim offender who is not in any 302
category of tier III sex offender/child-victim offender set forth 303
in division (G)(1), (2), (3), or (4) of this section, who prior to 304
January 1, 2008, was convicted of or pleaded guilty to a sexually 305
oriented offense or child-victim oriented offense or was 306
adjudicated a delinquent child for committing a sexually oriented 307
offense or child-victim oriented offense and classified a juvenile 308
offender registrant, and who prior to that date was adjudicated a 309
sexual predator or adjudicated a child-victim predator, unless 310
either of the following applies: 311

(a) The sex offender or child-victim offender is reclassified 312
pursuant to section 2950.031 or 2950.032 of the Revised Code as a 313
tier I sex offender/child-victim offender or a tier II sex 314
offender/child-victim offender relative to the offense. 315

(b) The sex offender or child-victim offender is a delinquent 316
child, and a juvenile court, pursuant to section 2152.82, 2152.83, 317
2152.84, or 2152.85 of the Revised Code, classifies the child a 318
tier I sex offender/child-victim offender or a tier II sex 319
offender/child-victim offender relative to the offense. 320

(6) A sex offender who is convicted of, pleads guilty to, was 321
convicted of, or pleaded guilty to a sexually oriented offense, if 322
the sexually oriented offense and the circumstances in which it 323
was committed are such that division (F) of section 2971.03 of the 324
Revised Code automatically classifies the offender as a tier III 325

sex offender/child-victim offender; 326

(7) A sex offender or child-victim offender who is convicted 327
of, pleads guilty to, was convicted of, pleaded guilty to, is 328
adjudicated a delinquent child for committing, or was adjudicated 329
a delinquent child for committing a sexually oriented offense or 330
child-victim offense in another state, in a federal court, 331
military court, or Indian tribal court, or in a court in any 332
nation other than the United States if both of the following 333
apply: 334

(a) Under the law of the jurisdiction in which the offender 335
was convicted or pleaded guilty or the delinquent child was 336
adjudicated, the offender or delinquent child is in a category 337
substantially equivalent to a category of tier III sex 338
offender/child-victim offender described in division (G)(1), (2), 339
(3), (4), (5), or (6) of this section. 340

(b) Subsequent to the conviction, plea of guilty, or 341
adjudication in the other jurisdiction, the offender or delinquent 342
child resides, has temporary domicile, attends school or an 343
institution of higher education, is employed, or intends to reside 344
in this state in any manner and for any period of time that 345
subjects the offender or delinquent child to a duty to register or 346
provide notice of intent to reside under section 2950.04 or 347
2950.041 of the Revised Code. 348

(H) "Confinement" includes, but is not limited to, a 349
community residential sanction imposed pursuant to section 2929.16 350
or 2929.26 of the Revised Code. 351

(I) "Prosecutor" has the same meaning as in section 2935.01 352
of the Revised Code. 353

(J) "Supervised release" means a release of an offender from 354
a prison term, a term of imprisonment, or another type of 355
confinement that satisfies either of the following conditions: 356

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

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

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

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

(M) "Juvenile offender registrant" means a person who is adjudicated a delinquent child for committing on or after January 1, 2002, a sexually oriented offense or a child-victim oriented offense, who is fourteen years of age or older at the time of committing the offense, and who a juvenile court judge, pursuant to an order issued under section 2152.82, 2152.83, 2152.84, 2152.85, or 2152.86 of the Revised Code, classifies a juvenile offender registrant and specifies has a duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code. "Juvenile offender registrant" includes a person who prior to January 1, 2008, was a "juvenile offender registrant" under the definition of the term in existence prior to January 1, 2008, and a person who prior to July 31, 2003, was a "juvenile sex offender registrant" under the former definition of that former term.

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(N) "Public registry-qualified juvenile offender registrant" 389
means a person who is adjudicated a delinquent child and on whom a 390
juvenile court has imposed a serious youthful offender 391
dispositional sentence under section 2152.13 of the Revised Code 392
before, on, or after January 1, 2008, and to whom all of the 393
following apply: 394

(1) The person is adjudicated a delinquent child for 395
committing, attempting to commit, conspiring to commit, or 396
complicity in committing one of the following acts: 397

(a) A violation of section 2907.02 of the Revised Code, 398
division (B) of section 2907.05 of the Revised Code, or section 399
2907.03 of the Revised Code if the victim of the violation was 400
less than twelve years of age; 401

(b) A violation of section 2903.01, 2903.02, or 2905.01 of 402
the Revised Code that was committed with a purpose to gratify the 403
sexual needs or desires of the child. 404

(2) The person was fourteen, fifteen, sixteen, or seventeen 405
years of age at the time of committing the act. 406

(3) A juvenile court judge, pursuant to an order issued under 407
section 2152.86 of the Revised Code, classifies the person a 408
juvenile offender registrant, specifies the person has a duty to 409
comply with sections 2950.04, 2950.05, and 2950.06 of the Revised 410
Code, and classifies the person a public registry-qualified 411
juvenile offender registrant, and the classification of the person 412
as a public registry-qualified juvenile offender registrant has 413
not been terminated pursuant to division (D) of section 2152.86 of 414
the Revised Code. 415

(O) "Secure facility" means any facility that is designed and 416
operated to ensure that all of its entrances and exits are locked 417
and under the exclusive control of its staff and to ensure that, 418
because of that exclusive control, no person who is 419

institutionalized or confined in the facility may leave the 420
facility without permission or supervision. 421

(P) "Out-of-state juvenile offender registrant" means a 422
person who is adjudicated a delinquent child in a court in another 423
state, in a federal court, military court, or Indian tribal court, 424
or in a court in any nation other than the United States for 425
committing a sexually oriented offense or a child-victim oriented 426
offense, who on or after January 1, 2002, moves to and resides in 427
this state or temporarily is domiciled in this state for more than 428
five days, and who has a duty under section 2950.04 or 2950.041 of 429
the Revised Code to register in this state and the duty to 430
otherwise comply with that applicable section and sections 2950.05 431
and 2950.06 of the Revised Code. "Out-of-state juvenile offender 432
registrant" includes a person who prior to January 1, 2008, was an 433
"out-of-state juvenile offender registrant" under the definition 434
of the term in existence prior to January 1, 2008, and a person 435
who prior to July 31, 2003, was an "out-of-state juvenile sex 436
offender registrant" under the former definition of that former 437
term. 438

(Q) "Juvenile court judge" includes a magistrate to whom the 439
juvenile court judge confers duties pursuant to division (A)(15) 440
of section 2151.23 of the Revised Code. 441

(R) "Adjudicated a delinquent child for committing a sexually 442
oriented offense" includes a child who receives a serious youthful 443
offender dispositional sentence under section 2152.13 of the 444
Revised Code for committing a sexually oriented offense. 445

(S) "School" and "school premises" have the same meanings as 446
in section 2925.01 of the Revised Code. 447

(T) "Residential premises" means the building in which a 448
residential unit is located and the grounds upon which that 449
building stands, extending to the perimeter of the property. 450

"Residential premises" includes any type of structure in which a residential unit is located, including, but not limited to, multi-unit buildings and mobile and manufactured homes.

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

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

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

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

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

Sec. 2950.11. (A) Regardless of when the sexually oriented offense or child-victim oriented offense was committed, if a person is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to a sexually oriented offense or a child-victim oriented offense or a person is or has been

adjudicated a delinquent child for committing a sexually oriented 481
offense or a child-victim oriented offense and is classified a 482
juvenile offender registrant or is an out-of-state juvenile 483
offender registrant based on that adjudication, and if the 484
offender or delinquent child is in any category specified in 485
division (F)(1)(a), (b), or (c) of this section, the sheriff with 486
whom the offender or delinquent child has most recently registered 487
under section 2950.04, 2950.041, or 2950.05 of the Revised Code 488
and the sheriff to whom the offender or delinquent child most 489
recently sent a notice of intent to reside under section 2950.04 490
or 2950.041 of the Revised Code, within the period of time 491
specified in division (C) of this section, shall provide a written 492
notice containing the information set forth in division (B) of 493
this section to all of the persons described in divisions (A)(1) 494
to ~~(10)~~(11) of this section. If the sheriff has sent a notice to 495
the persons described in those divisions as a result of receiving 496
a notice of intent to reside and if the offender or delinquent 497
child registers a residence address that is the same residence 498
address described in the notice of intent to reside, the sheriff 499
is not required to send an additional notice when the offender or 500
delinquent child registers. The sheriff shall provide the notice 501
to all of the following persons: 502

(1)(a) Any occupant of each residential unit that is located 503
within one thousand feet of the offender's or delinquent child's 504
residential premises, that is located within the county served by 505
the sheriff, and that is not located in a multi-unit building. 506
Division (D)(3) of this section applies regarding notices required 507
under this division. 508

(b) If the offender or delinquent child resides in a 509
multi-unit building, any occupant of each residential unit that is 510
located in that multi-unit building and that shares a common 511
hallway with the offender or delinquent child. For purposes of 512

this division, an occupant's unit shares a common hallway with the offender or delinquent child if the entrance door into the occupant's unit is located on the same floor and opens into the same hallway as the entrance door to the unit the offender or delinquent child occupies. Division (D)(3) of this section applies regarding notices required under this division.

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

(d) All additional persons who are within any category of neighbors of the offender or delinquent child that the attorney general by rule adopted under section 2950.13 of the Revised Code requires to be provided the notice and who reside within the

county served by the sheriff; 545

(2) The executive director of the public children services 546
agency that has jurisdiction within the specified geographical 547
notification area and that is located within the county served by 548
the sheriff; 549

(3)(a) The superintendent of each board of education of a 550
school district that has schools within the specified geographical 551
notification area and that is located within the county served by 552
the sheriff; 553

(b) The principal of the school within the specified 554
geographical notification area and within the county served by the 555
sheriff that the delinquent child attends; 556

(c) If the delinquent child attends a school outside of the 557
specified geographical notification area or outside of the school 558
district where the delinquent child resides, the superintendent of 559
the board of education of a school district that governs the 560
school that the delinquent child attends and the principal of the 561
school that the delinquent child attends. 562

(4)(a) The appointing or hiring officer of each chartered 563
nonpublic school located within the specified geographical 564
notification area and within the county served by the sheriff or 565
of each other school located within the specified geographical 566
notification area and within the county served by the sheriff and 567
that is not operated by a board of education described in division 568
(A)(3) of this section; 569

(b) Regardless of the location of the school, the appointing 570
or hiring officer of a chartered nonpublic school that the 571
delinquent child attends. 572

(5) The director, head teacher, elementary principal, or site 573
administrator of each preschool program governed by Chapter 3301. 574
of the Revised Code that is located within the specified 575

geographical notification area and within the county served by the sheriff; 576
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(6) The administrator of each child day-care center or type A family day-care home that is located within the specified geographical notification area and within the county served by the sheriff, and the provider of each certified type B family day-care home that is located within the specified geographical notification area and within the county served by the sheriff. As used in this division, "child day-care center," "type A family day-care home," and "certified type B family day-care home" have the same meanings as in section 5104.01 of the Revised Code. 578
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(7) The president or other chief administrative officer of each institution of higher education, as defined in section 2907.03 of the Revised Code, that is located within the specified geographical notification area and within the county served by the sheriff, and the chief law enforcement officer of the state university law enforcement agency or campus police department established under section 3345.04 or 1713.50 of the Revised Code, if any, that serves that institution; 587
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(8) The sheriff of each county that includes any portion of the specified geographical notification area; 595
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(9) If the offender or delinquent child resides within the county served by the sheriff, the chief of police, marshal, or other chief law enforcement officer of the municipal corporation in which the offender or delinquent child resides or, if the offender or delinquent child resides in an unincorporated area, the constable or chief of the police department or police district police force of the township in which the offender or delinquent child resides; 597
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(10) Volunteer organizations in which contact with minors or other vulnerable individuals might occur or any organization, 605
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company, or individual who requests notification as provided in 607
division (J) of this section; 608

(11)(a) The manager of a long-term care facility where the 609
offender or delinquent child will reside or that is located within 610
the specified geographical notification area and within the county 611
served by the sheriff; 612

(b) The manager of a long-term care facility who receives any 613
notice pursuant to division (A)(11)(a) of this section shall 614
provide a copy of the notice to all residents of the long-term 615
care facility and to the sponsor of each of those residents. 616

(B) The notice required under division (A) of this section 617
shall include all of the following information regarding the 618
subject offender or delinquent child: 619

(1) The offender's or delinquent child's name; 620

(2) The address or addresses of the offender's or public 621
registry-qualified juvenile offender registrant's residence, 622
school, institution of higher education, or place of employment, 623
as applicable, or the residence address or addresses of a 624
delinquent child who is not a public registry-qualified juvenile 625
offender registrant; 626

(3) The sexually oriented offense or child-victim oriented 627
offense of which the offender was convicted, to which the offender 628
pleaded guilty, or for which the child was adjudicated a 629
delinquent child; 630

(4) A statement that identifies the category specified in 631
division (F)(1)(a), (b), or (c) of this section that includes the 632
offender or delinquent child and that subjects the offender or 633
delinquent child to this section; 634

(5) The offender's or delinquent child's photograph. 635

(C) If a sheriff with whom an offender or delinquent child 636

registers under section 2950.04, 2950.041, or 2950.05 of the Revised Code or to whom the offender or delinquent child most recently sent a notice of intent to reside under section 2950.04 or 2950.041 of the Revised Code is required by division (A) of this section to provide notices regarding an offender or delinquent child and if, pursuant to that requirement, the sheriff provides a notice to a sheriff of one or more other counties in accordance with division (A)(8) of this section, the sheriff of each of the other counties who is provided notice under division (A)(8) of this section shall provide the notices described in divisions (A)(1) to (7) and (A)(9) ~~and (10)~~ to (11) of this section to each person or entity identified within those divisions that is located within the specified geographical notification area and within the county served by the sheriff in question.

(D)(1) A sheriff required by division (A) or (C) of this section to provide notices regarding an offender or delinquent child shall provide the notice to the neighbors that are described in division (A)(1) of this section and the notices to law enforcement personnel that are described in divisions (A)(8) and (9) of this section as soon as practicable, but no later than five days after the offender sends the notice of intent to reside to the sheriff and again no later than five days after the offender or delinquent child registers with the sheriff or, if the sheriff is required by division (C) of this section to provide the notices, no later than five days after the sheriff is provided the notice described in division (A)(8) of this section.

A sheriff required by division (A) or (C) of this section to provide notices regarding an offender or delinquent child shall provide the notices to all other specified persons that are described in divisions (A)(2) to (7) ~~and (A), (10), and (11)~~ of this section as soon as practicable, but not later than seven days

after the offender or delinquent child registers with the sheriff 669
or, if the sheriff is required by division (C) of this section to 670
provide the notices, no later than five days after the sheriff is 671
provided the notice described in division (A)(8) of this section. 672
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(2) If an offender or delinquent child in relation to whom 674
division (A) of this section applies verifies the offender's or 675
delinquent child's current residence, school, institution of 676
higher education, or place of employment address, as applicable, 677
with a sheriff pursuant to section 2950.06 of the Revised Code, 678
the sheriff may provide a written notice containing the 679
information set forth in division (B) of this section to the 680
persons identified in divisions (A)(1) to ~~(10)~~(11) of this 681
section. If a sheriff provides a notice pursuant to this division 682
to the sheriff of one or more other counties in accordance with 683
division (A)(8) of this section, the sheriff of each of the other 684
counties who is provided the notice under division (A)(8) of this 685
section may provide, but is not required to provide, a written 686
notice containing the information set forth in division (B) of 687
this section to the persons identified in divisions (A)(1) to (7) 688
and (A)(9) ~~and (10)~~ to (11) of this section. 689

(3) A sheriff may provide notice under division (A)(1)(a) or 690
(b) of this section, and may provide notice under division 691
(A)(1)(c) of this section to a building manager or person 692
authorized to exercise management and control of a building, by 693
mail, by personal contact, or by leaving the notice at or under 694
the entry door to a residential unit. For purposes of divisions 695
(A)(1)(a) and (b) of this section, and the portion of division 696
(A)(1)(c) of this section relating to the provision of notice to 697
occupants of a multi-unit building by mail or personal contact, 698
the provision of one written notice per unit is deemed as 699
providing notice to all occupants of that unit. 700

(E) All information that a sheriff possesses regarding an offender or delinquent child who is in a category specified in division (F)(1)(a), (b), or (c) of this section that is described in division (B) of this section and that must be provided in a notice required under division (A) or (C) of this section or that may be provided in a notice authorized under division (D)(2) of this section is a public record that is open to inspection under section 149.43 of the Revised Code.

The sheriff shall not cause to be publicly disseminated by means of the internet any of the information described in this division that is provided by a delinquent child unless that child is in a category specified in division (F)(1)(a), (b), or (c) of this section.

(F)(1) Except as provided in division (F)(2) of this section, the duties to provide the notices described in divisions (A) and (C) of this section apply regarding any offender or delinquent child who is in any of the following categories:

(a) The offender is a tier III sex offender/child-victim offender, or the delinquent child is a public registry-qualified juvenile offender registrant, and a juvenile court has not removed pursuant to section 2950.15 of the Revised Code the delinquent child's duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code.

(b) The delinquent child is a tier III sex offender/child-victim offender who is not a ~~public registry qualified~~ public registry-qualified juvenile offender registrant, the delinquent child was subjected to this section prior to ~~the effective date of this amendment~~ January 1, 2008, as a sexual predator, habitual sex offender, child-victim predator, or habitual child-victim offender, as those terms were defined in section 2950.01 of the Revised Code as it existed prior to ~~the effective date of this amendment~~ January 1, 2008, and a juvenile

court has not removed pursuant to section 2152.84 or 2152.85 of 733
the Revised Code the delinquent child's duty to comply with 734
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 735
Code. 736

(c) The delinquent child is a tier III sex 737
offender/child-victim offender who is not a public 738
registry-qualified juvenile offender registrant, the delinquent 739
child was classified a juvenile offender registrant on or after 740
~~the effective date of this amendment~~ January 1, 2008, the court 741
has imposed a requirement under section 2152.82, 2152.83, or 742
2152.84 of the Revised Code subjecting the delinquent child to 743
this section, and a juvenile court has not removed pursuant to 744
section 2152.84 or 2152.85 of the Revised Code the delinquent 745
child's duty to comply with sections 2950.04, 2950.041, 2950.05, 746
and 2950.06 of the Revised Code. 747

(2) The notification provisions of this section do not apply 748
to a person described in division (F)(1)(a), (b), or (c) of this 749
section if a court finds at a hearing after considering the 750
factors described in this division that the person would not be 751
subject to the notification provisions of this section that were 752
in the version of this section that existed immediately prior to 753
~~the effective date of this amendment~~ January 1, 2008. In making 754
the determination of whether a person would have been subject to 755
the notification provisions under prior law as described in this 756
division, the court shall consider the following factors: 757

(a) The offender's or delinquent child's age; 758

(b) The offender's or delinquent child's prior criminal or 759
delinquency record regarding all offenses, including, but not 760
limited to, all sexual offenses; 761

(c) The age of the victim of the sexually oriented offense 762
for which sentence is to be imposed or the order of disposition is 763

to be made;	764
(d) Whether the sexually oriented offense for which sentence	765
is to be imposed or the order of disposition is to be made	766
involved multiple victims;	767
(e) Whether the offender or delinquent child used drugs or	768
alcohol to impair the victim of the sexually oriented offense or	769
to prevent the victim from resisting;	770
(f) If the offender or delinquent child previously has been	771
convicted of or pleaded guilty to, or been adjudicated a	772
delinquent child for committing an act that if committed by an	773
adult would be, a criminal offense, whether the offender or	774
delinquent child completed any sentence or dispositional order	775
imposed for the prior offense or act and, if the prior offense or	776
act was a sex offense or a sexually oriented offense, whether the	777
offender or delinquent child participated in available programs	778
for sexual offenders;	779
(g) Any mental illness or mental disability of the offender	780
or delinquent child;	781
(h) The nature of the offender's or delinquent child's sexual	782
conduct, sexual contact, or interaction in a sexual context with	783
the victim of the sexually oriented offense and whether the sexual	784
conduct, sexual contact, or interaction in a sexual context was	785
part of a demonstrated pattern of abuse;	786
(i) Whether the offender or delinquent child, during the	787
commission of the sexually oriented offense for which sentence is	788
to be imposed or the order of disposition is to be made, displayed	789
cruelty or made one or more threats of cruelty;	790
(j) Whether the offender or delinquent child would have been	791
a habitual sex offender or a habitual child victim offender under	792
the definitions of those terms set forth in section 2950.01 of the	793
Revised Code as that section existed prior to the effective date	794

~~of this amendment~~ January 1, 2008; 795

(k) Any additional behavioral characteristics that contribute 796
to the offender's or delinquent child's conduct. 797

(G)(1) The department of job and family services shall 798
compile, maintain, and update in January and July of each year, a 799
list of all agencies, centers, or homes of a type described in 800
division (A)(2) or (6) of this section that contains the name of 801
each agency, center, or home of that type, the county in which it 802
is located, its address and telephone number, and the name of an 803
administrative officer or employee of the agency, center, or home. 804

(2) The department of education shall compile, maintain, and 805
update in January and July of each year, a list of all boards of 806
education, schools, or programs of a type described in division 807
(A)(3), (4), or (5) of this section that contains the name of each 808
board of education, school, or program of that type, the county in 809
which it is located, its address and telephone number, the name of 810
the superintendent of the board or of an administrative officer or 811
employee of the school or program, and, in relation to a board of 812
education, the county or counties in which each of its schools is 813
located and the address of each such school. 814

(3) The Ohio board of regents shall compile, maintain, and 815
update in January and July of each year, a list of all 816
institutions of a type described in division (A)(7) of this 817
section that contains the name of each such institution, the 818
county in which it is located, its address and telephone number, 819
and the name of its president or other chief administrative 820
officer. 821

(4) A sheriff required by division (A) or (C) of this 822
section, or authorized by division (D)(2) of this section, to 823
provide notices regarding an offender or delinquent child, or a 824
designee of a sheriff of that type, may request the department of 825

job and family services, department of education, department of 826
health, or Ohio board of regents, by telephone, in person, or by 827
mail, to provide the sheriff or designee with the names, 828
addresses, and telephone numbers of the appropriate persons and 829
entities to whom the notices described in divisions (A)(2) to (7) 830
and (11) of this section are to be provided. Upon receipt of a 831
request, the department or board shall provide the requesting 832
sheriff or designee with the names, addresses, and telephone 833
numbers of the appropriate persons and entities to whom those 834
notices are to be provided. 835

(5) The department of health shall compile, maintain, and 836
update in January and July of each year, a list of all long-term 837
care facilities that contains the name of each long-term care 838
facility, the county in which it is located, and its address and 839
telephone number. 840

(H)(1) Upon the motion of the offender or the prosecuting 841
attorney of the county in which the offender was convicted of or 842
pleaded guilty to the sexually oriented offense or child-victim 843
oriented offense for which the offender is subject to community 844
notification under this section, or upon the motion of the 845
sentencing judge or that judge's successor in office, the judge 846
may schedule a hearing to determine whether the interests of 847
justice would be served by suspending the community notification 848
requirement under this section in relation to the offender. The 849
judge may dismiss the motion without a hearing but may not issue 850
an order suspending the community notification requirement without 851
a hearing. At the hearing, all parties are entitled to be heard, 852
and the judge shall consider all of the factors set forth in 853
division (K) of this section. If, at the conclusion of the 854
hearing, the judge finds that the offender has proven by clear and 855
convincing evidence that the offender is unlikely to commit in the 856
future a sexually oriented offense or a child-victim oriented 857

offense and if the judge finds that suspending the community notification requirement is in the interests of justice, the judge may suspend the application of this section in relation to the offender. The order shall contain both of these findings.

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

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

(2) A prosecuting attorney, a sentencing judge or that judge's successor in office, and an offender who is subject to the community notification requirement under this section may initially make a motion under division (H)(1) of this section upon the expiration of twenty years after the offender's duty to comply with division (A)(2), (3), or (4) of section 2950.04, division (A)(2), (3), or (4) of section 2950.041 and sections 2950.05 and 2950.06 of the Revised Code begins in relation to the offense for which the offender is subject to community notification. After the initial making of a motion under division (H)(1) of this section, thereafter, the prosecutor, judge, and offender may make a subsequent motion under that division upon the expiration of five years after the judge has entered an order denying the initial motion or the most recent motion made under that division.

(3) The offender and the prosecuting attorney have the right to appeal an order approving or denying a motion made under division (H)(1) of this section.

(4) Divisions (H)(1) to (3) of this section do not apply to 890
any of the following types of offender: 891

(a) A person who is convicted of or pleads guilty to a 892
violent sex offense or designated homicide, assault, or kidnapping 893
offense and who, in relation to that offense, is adjudicated a 894
sexually violent predator; 895

(b) A person who is convicted of or pleads guilty to a 896
sexually oriented offense that is a violation of division 897
(A)(1)(b) of section 2907.02 of the Revised Code committed on or 898
after January 2, 2007, and either who is sentenced under section 899
2971.03 of the Revised Code or upon whom a sentence of life 900
without parole is imposed under division (B) of section 2907.02 of 901
the Revised Code; 902

(c) A person who is convicted of or pleads guilty to a 903
sexually oriented offense that is attempted rape committed on or 904
after January 2, 2007, and who also is convicted of or pleads 905
guilty to a specification of the type described in section 906
2941.1418, 2941.1419, or 2941.1420 of the Revised Code; 907

(d) A person who is convicted of or pleads guilty to an 908
offense described in division (B)(3)(a), (b), (c), or (d) of 909
section 2971.03 of the Revised Code and who is sentenced for that 910
offense pursuant to that division; 911

(e) An offender who is in a category specified in division 912
(F)(1)(a), (b), or (c) of this section and who, subsequent to 913
being subjected to community notification, has pleaded guilty to 914
or been convicted of a sexually oriented offense or child-victim 915
oriented offense. 916

(I) If a person is convicted of, pleads guilty to, has been 917
convicted of, or has pleaded guilty to a sexually oriented offense 918
or a child-victim oriented offense or a person is or has been 919
adjudicated a delinquent child for committing a sexually oriented 920

offense or a child-victim oriented offense and is classified a 921
juvenile offender registrant or is an out-of-state juvenile 922
offender registrant based on that adjudication, and if the 923
offender or delinquent child is not in any category specified in 924
division (F)(1)(a), (b), or (c) of this section, the sheriff with 925
whom the offender or delinquent child has most recently registered 926
under section 2950.04, 2950.041, or 2950.05 of the Revised Code 927
and the sheriff to whom the offender or delinquent child most 928
recently sent a notice of intent to reside under section 2950.04 929
or 2950.041 of the Revised Code, within the period of time 930
specified in division (D) of this section, shall provide a written 931
notice containing the information set forth in division (B) of 932
this section to the executive director of the public children 933
services agency that has jurisdiction within the specified 934
geographical notification area and that is located within the 935
county served by the sheriff. 936

(J) Each sheriff shall allow a volunteer organization or 937
other organization, company, or individual who wishes to receive 938
the notice described in division (A)(10) of this section regarding 939
a specific offender or delinquent child or notice regarding all 940
offenders and delinquent children who are located in the specified 941
geographical notification area to notify the sheriff by electronic 942
mail or through the sheriff's web site of this election. The 943
sheriff shall promptly inform the bureau of criminal 944
identification and investigation of these requests in accordance 945
with the forwarding procedures adopted by the attorney general 946
pursuant to section 2950.13 of the Revised Code. 947

(K) In making a determination under division (H)(1) of this 948
section as to whether to suspend the community notification 949
requirement under this section for an offender, the judge shall 950
consider all relevant factors, including, but not limited to, all 951
of the following: 952

(1) The offender's age;	953
(2) The offender's prior criminal or delinquency record	954
regarding all offenses, including, but not limited to, all	955
sexually oriented offenses or child-victim oriented offenses;	956
(3) The age of the victim of the sexually oriented offense or	957
child-victim oriented offense the offender committed;	958
(4) Whether the sexually oriented offense or child-victim	959
oriented offense the offender committed involved multiple victims;	960
(5) Whether the offender used drugs or alcohol to impair the	961
victim of the sexually oriented offense or child-victim oriented	962
<u>offense</u> the offender committed or to prevent the victim from	963
resisting;	964
(6) If the offender previously has been convicted of, pleaded	965
guilty to, or been adjudicated a delinquent child for committing	966
an act that if committed by an adult would be a criminal offense,	967
whether the offender completed any sentence or dispositional order	968
imposed for the prior offense or act and, if the prior offense or	969
act was a sexually oriented offense or a child-victim oriented	970
offense, whether the offender or delinquent child participated in	971
available programs for sex offenders or child-victim offenders;	972
(7) Any mental illness or mental disability of the offender;	973
(8) The nature of the offender's sexual conduct, sexual	974
contact, or interaction in a sexual context with the victim of the	975
sexually oriented offense the offender committed or the nature of	976
the offender's interaction in a sexual context with the victim of	977
the child-victim oriented offense the offender committed,	978
whichever is applicable, and whether the sexual conduct, sexual	979
contact, or interaction in a sexual context was part of a	980
demonstrated pattern of abuse;	981
(9) Whether the offender, during the commission of the	982

sexually oriented offense or child-victim oriented offense the 983
offender committed, displayed cruelty or made one or more threats 984
of cruelty; 985

(10) Any additional behavioral characteristics that 986
contribute to the offender's conduct. 987

(L) As used in this section, "specified geographical 988
notification area" means the geographic area or areas within which 989
the attorney general, by rule adopted under section 2950.13 of the 990
Revised Code, requires the notice described in division (B) of 991
this section to be given to the persons identified in divisions 992
(A)(2) to (8) and (11) of this section. 993

Sec. 2950.12. (A) Except as provided in division (B) of this 994
section, any of the following persons shall be immune from 995
liability in a civil action to recover damages for injury, death, 996
or loss to person or property allegedly caused by an act or 997
omission in connection with a power, duty, responsibility, or 998
authorization under this chapter or under rules adopted under 999
authority of this chapter: 1000

(1) An officer or employee of the bureau of criminal 1001
identification and investigation; 1002

(2) The attorney general, a chief of police, marshal, or 1003
other chief law enforcement officer of a municipal corporation, a 1004
sheriff, a constable or chief of police of a township police 1005
department or police district police force, and a deputy, officer, 1006
or employee of the office of the attorney general, the law 1007
enforcement agency served by the marshal or the municipal or 1008
township chief, the office of the sheriff, or the constable; 1009

(3) A prosecutor and an officer or employee of the office of 1010
a prosecutor; 1011

(4) A supervising officer and an officer or employee of the 1012

adult parole authority of the department of rehabilitation and 1013
correction; 1014

(5) A supervising officer and an officer or employee of the 1015
department of youth services; 1016

(6) A supervisor and a caseworker or employee of a public 1017
children services agency acting pursuant to section 5153.16 of the 1018
Revised Code; 1019

(7) A managing officer of a state correctional institution 1020
and an officer or employee of the department of rehabilitation and 1021
correction; 1022

(8) A person identified in division (A)(2), (3), (4), (5), 1023
(6), ~~or (7)~~, or (11) of section 2950.11 of the Revised Code, an 1024
organization or person identified in division (A)(10) of that 1025
section, or the agent of that person or organization; 1026

(9) A person identified in division (A)(2) of section 1027
2950.111 of the Revised Code, regarding the person's provision of 1028
information pursuant to that division to a sheriff or a designee 1029
of a sheriff. 1030

(B) The immunity described in division (A) of this section 1031
does not apply to a person described in divisions (A)(1) to (8) of 1032
this section if, in relation to the act or omission in question, 1033
any of the following applies: 1034

(1) The act or omission was manifestly outside the scope of 1035
the person's employment or official responsibilities. 1036

(2) The act or omission was with malicious purpose, in bad 1037
faith, or in a wanton or reckless manner. 1038

(3) Liability for the act or omission is expressly imposed by 1039
a section of the Revised Code. 1040

Sec. 2950.13. (A) The attorney general shall do all of the 1041

following: 1042

(1) No later than July 1, 1997, establish and maintain a 1043
state registry of sex offenders and child-victim offenders that is 1044
housed at the bureau of criminal identification and investigation 1045
and that contains all of the registration, change of residence, 1046
school, institution of higher education, or place of employment 1047
address, and verification information the bureau receives pursuant 1048
to sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 1049
Code regarding each person who is convicted of, pleads guilty to, 1050
has been convicted of, or has pleaded guilty to a sexually 1051
oriented offense or a child-victim oriented offense and each 1052
person who is or has been adjudicated a delinquent child for 1053
committing a sexually oriented offense or a child-victim oriented 1054
offense and is classified a juvenile offender registrant or is an 1055
out-of-state juvenile offender registrant based on that 1056
adjudication, all of the information the bureau receives pursuant 1057
to section 2950.14 of the Revised Code, and any notice of an order 1058
terminating or modifying an offender's or delinquent child's duty 1059
to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of 1060
the Revised Code the bureau receives pursuant to section 2152.84, 1061
2152.85, or 2950.15 of the Revised Code. For a person who was 1062
convicted of or pleaded guilty to the sexually oriented offense or 1063
child-victim related offense, the registry also shall indicate 1064
whether the person was convicted of or pleaded guilty to the 1065
offense in a criminal prosecution or in a serious youthful 1066
offender case. The registry shall not be open to inspection by the 1067
public or by any person other than a person identified in division 1068
(A) of section 2950.08 of the Revised Code. In addition to the 1069
information and material previously identified in this division, 1070
the registry shall include all of the following regarding each 1071
person who is listed in the registry: 1072
1073

(a) A citation for, and the name of, all sexually oriented offenses or child-victim oriented offenses of which the person was convicted, to which the person pleaded guilty, or for which the person was adjudicated a delinquent child and that resulted in a registration duty, and the date on which those offenses were committed;

(b) The text of the sexually oriented offenses or child-victim oriented offenses identified in division (A)(1)(a) of this section as those offenses existed at the time the person was convicted of, pleaded guilty to, or was adjudicated a delinquent child for committing those offenses, or a link to a database that sets forth the text of those offenses;

(c) A statement as to whether the person is a tier I sex offender/child-victim offender, a tier II sex offender/child-victim offender, or a tier III sex offender/child-victim offender for the sexually oriented offenses or child-victim oriented offenses identified in division (A)(1)(a) of this section;

(d) The community supervision status of the person, including, but not limited to, whether the person is serving a community control sanction and the nature of any such sanction, whether the person is under supervised release and the nature of the release, or regarding a juvenile, whether the juvenile is under any type of release authorized under Chapter 2152. or 5139. of the Revised Code and the nature of any such release;

(e) The offense and delinquency history of the person, as determined from information gathered or provided under sections 109.57 and 2950.14 of the Revised Code;

(f) The bureau of criminal identification and investigation tracking number assigned to the person if one has been so assigned, the federal bureau of investigation number assigned to

the person if one has been assigned and the bureau of criminal 1105
identification and investigation is aware of the number, and any 1106
other state identification number assigned to the person of which 1107
the bureau is aware; 1108

(g) Fingerprints and palmprints of the person; 1109

(h) A DNA specimen, as defined in section 109.573 of the 1110
Revised Code, from the person; 1111

(i) Whether the person has any outstanding arrest warrants; 1112

(j) Whether the person is in compliance with the person's 1113
duties under this chapter. 1114

(2) In consultation with local law enforcement 1115
representatives and no later than July 1, 1997, adopt rules that 1116
contain guidelines necessary for the implementation of this 1117
chapter; 1118

(3) In consultation with local law enforcement 1119
representatives, adopt rules for the implementation and 1120
administration of the provisions contained in section 2950.11 of 1121
the Revised Code that pertain to the notification of neighbors of 1122
an offender or a delinquent child who has committed a sexually 1123
oriented offense or a child-victim oriented offense and ~~and~~ is in 1124
a category specified in division (F)(1) of that section and rules 1125
that prescribe a manner in which victims of a sexually oriented 1126
offense or a child-victim oriented offense committed by an 1127
offender or a delinquent child who is in a category specified in 1128
division (B)(1) of section 2950.10 of the Revised Code may make a 1129
request that specifies that the victim would like to be provided 1130
the notices described in divisions (A)(1) and (2) of section 1131
2950.10 of the Revised Code; 1132

(4) In consultation with local law enforcement 1133
representatives and through the bureau of criminal identification 1134
and investigation, prescribe the forms to be used by judges and 1135

officials pursuant to section 2950.03 or 2950.032 of the Revised Code to advise offenders and delinquent children of their duties of filing a notice of intent to reside, registration, notification of a change of residence, school, institution of higher education, or place of employment address and registration of the new school, institution of higher education, or place of employment address, as applicable, and address verification under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code, and prescribe the forms to be used by sheriffs relative to those duties of filing a notice of intent to reside, registration, change of residence, school, institution of higher education, or place of employment address notification, and address verification;

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

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

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

(8) In consultation with representatives of the officials, judges, and sheriffs, adopt procedures for officials, judges, and sheriffs to use to forward information, photographs, and fingerprints to the bureau of criminal identification and investigation pursuant to the requirements of sections 2950.03, 2950.04, 2950.041, 2950.05, 2950.06, and 2950.11 of the Revised Code;

(9) In consultation with the director of education, the 1168
director of job and family services, and the director of 1169
rehabilitation and correction, adopt rules that contain guidelines 1170
to be followed by boards of education of a school district, 1171
chartered nonpublic schools or other schools not operated by a 1172
board of education, preschool programs, child day-care centers, 1173
type A family day-care homes, certified type B family day-care 1174
homes, and institutions of higher education regarding the proper 1175
use and administration of information received pursuant to section 1176
2950.11 of the Revised Code relative to an offender or delinquent 1177
child who has committed a sexually oriented offense or a 1178
child-victim oriented offense and is in a category specified in 1179
division (F)(1) of that section; 1180

(10) In consultation with local law enforcement 1181
representatives and no later than July 1, 1997, adopt rules that 1182
designate a geographic area or areas within which the notice 1183
described in division (B) of section 2950.11 of the Revised Code 1184
must be given to the persons identified in divisions (A)(2) to (8) 1185
~~and (A), (10), and (11)~~ of that section; 1186

(11) Through the bureau of criminal identification and 1187
investigation, not later than January 1, 2004, establish and 1188
operate on the internet a sex offender and child-victim offender 1189
database that contains information for every offender who has 1190
committed a sexually oriented offense or a child-victim oriented 1191
offense and registers in any county in this state pursuant to 1192
section 2950.04 or 2950.041 of the Revised Code and for every 1193
delinquent child who has committed a sexually oriented offense, is 1194
a public registry-qualified juvenile offender registrant, and 1195
registers in any county in this state pursuant to either such 1196
section. The bureau shall not include on the database the identity 1197
of any offender's or public registry-qualified juvenile offender 1198
registrant's victim, any offender's or public registry-qualified 1199

juvenile offender registrant's social security number, the name of 1200
any school or institution of higher education attended by any 1201
offender or public registry-qualified juvenile offender 1202
registrant, the name of the place of employment of any offender or 1203
public registry-qualified juvenile offender registrant, any 1204
tracking or identification number described in division (A)(1)(f) 1205
of this section, or any information described in division (C)(7) 1206
of section 2950.04 or 2950.041 of the Revised Code. The bureau 1207
shall provide on the database, for each offender and each public 1208
registry-qualified juvenile offender registrant, at least the 1209
information specified in divisions (A)(11)(a) to (h) of this 1210
section. Otherwise, the bureau shall determine the information to 1211
be provided on the database for each offender and public 1212
registry-qualified juvenile offender registrant and shall obtain 1213
that information from the information contained in the state 1214
registry of sex offenders and child-victim offenders described in 1215
division (A)(1) of this section, which information, while in the 1216
possession of the sheriff who provided it, is a public record open 1217
for inspection as described in section 2950.081 of the Revised 1218
Code. The database is a public record open for inspection under 1219
section 149.43 of the Revised Code, and it shall be searchable by 1220
offender or public registry-qualified juvenile offender registrant 1221
name, by county, by zip code, and by school district. The database 1222
shall provide a link to the web site of each sheriff who has 1223
established and operates on the internet a sex offender and 1224
child-victim offender database that contains information for 1225
offenders and public registry-qualified juvenile offender 1226
registrants who register in that county pursuant to section 1227
2950.04 or 2950.041 of the Revised Code, with the link being a 1228
direct link to the sex offender and child-victim offender database 1229
for the sheriff. The bureau shall provide on the database, for 1230
each offender and public registry-qualified juvenile offender 1231
registrant, at least the following information: 1232

1233

(a) The information described in divisions (A)(1)(a), (b), 1234
(c), and (d) of this section relative to the offender or public 1235
registry-qualified juvenile offender registrant; 1236

(b) The address of the offender's or public 1237
registry-qualified juvenile offender registrant's school, 1238
institution of higher education, or place of employment provided 1239
in a registration form; 1240

(c) The information described in division (C)(6) of section 1241
2950.04 or 2950.041 of the Revised Code; 1242

(d) A chart describing which sexually oriented offenses and 1243
child-victim oriented offenses are included in the definitions of 1244
tier I sex offender/child-victim offender, tier II sex 1245
offender/child-victim offender, and tier III sex 1246
offender/child-victim offender; 1247

(e) Fingerprints and ~~palm prints~~ palprints of the offender 1248
or public registry-qualified juvenile offender registrant and a 1249
DNA specimen from the offender or public registry-qualified 1250
juvenile offender registrant; 1251

(f) The information set forth in division (B) of section 1252
2950.11 of the Revised Code; 1253

(g) Any outstanding arrest warrants for the offender or 1254
public registry-qualified juvenile offender registrant; 1255

(h) The offender's or public registry-qualified juvenile 1256
offender registrant's compliance status with duties under this 1257
chapter. 1258

(12) Develop software to be used by sheriffs in establishing 1259
on the internet a sex offender and child-victim offender database 1260
for the public dissemination of some or all of the information and 1261
materials described in division (A) of section 2950.081 of the 1262

Revised Code that are public records under that division, that are 1263
not prohibited from inclusion by division (B) of that section, and 1264
that pertain to offenders and public registry-qualified juvenile 1265
offender registrants who register in the sheriff's county pursuant 1266
to section 2950.04 or 2950.041 of the Revised Code and for the 1267
public dissemination of information the sheriff receives pursuant 1268
to section 2950.14 of the Revised Code and, upon the request of 1269
any sheriff, provide technical guidance to the requesting sheriff 1270
in establishing on the internet such a database; 1271

1272
(13) Through the bureau of criminal identification and 1273
investigation, not later than January 1, 2004, establish and 1274
operate on the internet a database that enables local law 1275
enforcement representatives to remotely search by electronic means 1276
the state registry of sex offenders and child-victim offenders 1277
described in division (A)(1) of this section and any information 1278
and materials the bureau receives pursuant to sections 2950.04, 1279
2950.041, 2950.05, 2950.06, and 2950.14 of the Revised Code. The 1280
database shall enable local law enforcement representatives to 1281
obtain detailed information regarding each offender and delinquent 1282
child who is included in the registry, including, but not limited 1283
to the offender's or delinquent child's name, aliases, residence 1284
address, name and address of any place of employment, school, 1285
institution of higher education, if applicable, license plate 1286
number of each vehicle identified in division (C)(5) of section 1287
2950.04 or 2950.041 of the Revised Code to the extent applicable, 1288
victim preference if available, date of most recent release from 1289
confinement if applicable, fingerprints, and palmprints, all of 1290
the information and material described in ~~division~~ divisions 1291
(A)(1)(a) to (h) of this section regarding the offender or 1292
delinquent child, and other identification parameters the bureau 1293
considers appropriate. The database is not a public record open 1294
for inspection under section 149.43 of the Revised Code and shall 1295

be available only to law enforcement representatives as described 1296
in this division. Information obtained by local law enforcement 1297
representatives through use of this database is not open to 1298
inspection by the public or by any person other than a person 1299
identified in division (A) of section 2950.08 of the Revised Code. 1300
1301

(14) Through the bureau of criminal identification and 1302
investigation, maintain a list of requests for notice about a 1303
specified offender or delinquent child or specified geographical 1304
notification area made pursuant to division (J) of section 2950.11 1305
of the Revised Code and, when an offender or delinquent child 1306
changes residence to another county, forward any requests for 1307
information about that specific offender or delinquent child to 1308
the appropriate sheriff; 1309

(15) Through the bureau of criminal identification and 1310
investigation, establish and operate a system for the immediate 1311
notification by electronic means of the appropriate officials in 1312
other states specified in this division each time an offender or 1313
delinquent child registers a residence, school, institution of 1314
higher education, or place of employment address under section 1315
2950.04 or 2950.041 of the ~~revised~~ Revised Code or provides a 1316
notice of a change of address or registers a new address under 1317
division (A) or (B) of section 2950.05 of the Revised Code. The 1318
immediate notification by electronic means shall be provided to 1319
the appropriate officials in each state in which the offender or 1320
delinquent child is required to register a residence, school, 1321
institution of higher education, or place of employment address. 1322
The notification shall contain the offender's or delinquent 1323
child's name and all of the information the bureau receives from 1324
the sheriff with whom the offender or delinquent child registered 1325
the address or provided the notice of change of address or 1326
registered the new address. 1327

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

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

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

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

(D) As used in this section, "local law enforcement representatives" means representatives of the sheriffs of this state, representatives of the municipal chiefs of police and marshals of this state, and representatives of the township constables and chiefs of police of the township police departments or police district police forces of this state.

Section 2. That existing sections 2950.01, 2950.11, 2950.12, and 2950.13 of the Revised Code are hereby repealed.