

# As Introduced

**129th General Assembly  
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**H. B. No. 105**

**Representative Murray**

**Cosponsors: Representatives Driehaus, Garland, Weddington, Hagan,  
Pillich, Yuko, Phillips, Clyde**

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## **A B I L L**

To amend section 3113.31 and to enact sections 9.131, 1  
4113.80, 4113.81, 5321.171, 5321.172, 5321.173, 2  
5321.174, and 5321.175 of the Revised Code to 3  
allow an employee who is a victim of domestic 4  
violence to take unpaid leave for purposes 5  
relating to the incident of domestic violence, to 6  
allow an employee who is a victim of domestic 7  
violence to file a civil action against that 8  
employee's employer if the employer terminates the 9  
employee as a result of the employee taking unpaid 10  
leave for purposes relating to the incident of 11  
domestic violence, to allow a tenant who is a 12  
victim of domestic violence to terminate a rental 13  
agreement or have the tenant's name removed from 14  
the rental agreement under certain circumstances, 15  
to require a landlord of a tenant who is a victim 16  
of domestic violence or menacing by stalking to 17  
change the lock to the dwelling unit where the 18  
tenant resides under certain circumstances, to 19  
require a metropolitan housing authority to 20  
transfer a tenant who is a victim of domestic 21  
violence or menacing by stalking if the tenant 22

requests such a transfer and provides the 23  
metropolitan housing authority with certain 24  
specified information, and to prohibit a county, 25  
municipal corporation, township, or law 26  
enforcement agency of such a political subdivision 27  
from charging any victim of domestic violence a 28  
fee for assisting the victim. 29

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

**Section 1.** That section 3113.31 be amended and sections 30  
9.131, 4113.80, 4113.81, 5321.171, 5321.172, 5321.173, 5321.174, 31  
and 5321.175 of the Revised Code be enacted to read as follows: 32

**Sec. 9.131.** No county, municipal corporation, or township, 33  
nor any law enforcement agency of a county, municipal corporation, 34  
or township, may charge any victim of domestic violence or any 35  
property owner where a victim of domestic violence resides for any 36  
assistance that law enforcement officers provide to a victim of 37  
domestic violence. 38

As used in this section, "domestic violence" has the same 39  
meaning as in section 4113.80 of the Revised Code. 40

**Sec. 3113.31.** (A) As used in this section: 41

(1) "Domestic violence" means the occurrence of one or more 42  
of the following acts against a family or household member: 43

(a) Attempting to cause or recklessly causing bodily injury; 44

(b) Placing another person by the threat of force in fear of 45  
imminent serious physical harm or committing a violation of 46  
section 2903.211 or 2911.211 of the Revised Code; 47

(c) Committing any act with respect to a child that would 48

result in the child being an abused child, as defined in section	49
2151.031 of the Revised Code;	50
(d) Committing a sexually oriented offense.	51
(2) "Court" means the domestic relations division of the	52
court of common pleas in counties that have a domestic relations	53
division and the court of common pleas in counties that do not	54
have a domestic relations division, or the juvenile division of	55
the court of common pleas of the county in which the person to be	56
protected by a protection order issued or a consent agreement	57
approved under this section resides if the respondent is less than	58
eighteen years of age.	59
(3) "Family or household member" means any of the following:	60
(a) Any of the following who is residing with or has resided	61
with the respondent:	62
(i) A spouse, a person living as a spouse, or a former spouse	63
of the respondent;	64
(ii) A parent, a foster parent, or a child of the respondent,	65
or another person related by consanguinity or affinity to the	66
respondent;	67
(iii) A parent or a child of a spouse, person living as a	68
spouse, or former spouse of the respondent, or another person	69
related by consanguinity or affinity to a spouse, person living as	70
a spouse, or former spouse of the respondent.	71
(b) The natural parent of any child of whom the respondent is	72
the other natural parent or is the putative other natural parent.	73
(4) "Person living as a spouse" means a person who is living	74
or has lived with the respondent in a common law marital	75
relationship, who otherwise is cohabiting with the respondent, or	76
who otherwise has cohabited with the respondent within five years	77
prior to the date of the alleged occurrence of the act in	78

question.	79
(5) "Victim advocate" means a person who provides support and assistance for a person who files a petition under this section.	80 81
(6) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	82 83
(B) The court has jurisdiction over all proceedings under this section. The petitioner's right to relief under this section is not affected by the petitioner's leaving the residence or household to avoid further domestic violence.	84 85 86 87
(C) A person may seek relief under this section on the person's own behalf, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state:	88 89 90 91 92
(1) An allegation that the respondent engaged in domestic violence against a family or household member of the respondent, including a description of the nature and extent of the domestic violence;	93 94 95 96
(2) The relationship of the respondent to the petitioner, and to the victim if other than the petitioner;	97 98
(3) A request for relief under this section.	99
(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing on the same day that the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, including, but not limited to, an order described in division (E)(1)(a), (b), or (c) of this section, that the court finds necessary to protect the family or household member from domestic violence. Immediate and present danger of domestic violence to the family or household member	100 101 102 103 104 105 106 107 108

constitutes good cause for purposes of this section. Immediate and 109  
present danger includes, but is not limited to, situations in 110  
which the respondent has threatened the family or household member 111  
with bodily harm, in which the respondent has threatened the 112  
family or household member with a sexually oriented offense, or in 113  
which the respondent previously has been convicted of, pleaded 114  
guilty to, or been adjudicated a delinquent child for an offense 115  
that constitutes domestic violence against the family or household 116  
member. 117

(2)(a) If the court, after an ex parte hearing, issues an 118  
order described in division (E)(1)(b) or (c) of this section, the 119  
court shall schedule a full hearing for a date that is within 120  
seven court days after the ex parte hearing. If any other type of 121  
protection order that is authorized under division (E) of this 122  
section is issued by the court after an ex parte hearing, the 123  
court shall schedule a full hearing for a date that is within ten 124  
court days after the ex parte hearing. The court shall give the 125  
respondent notice of, and an opportunity to be heard at, the full 126  
hearing. The court shall hold the full hearing on the date 127  
scheduled under this division unless the court grants a 128  
continuance of the hearing in accordance with this division. Under 129  
any of the following circumstances or for any of the following 130  
reasons, the court may grant a continuance of the full hearing to 131  
a reasonable time determined by the court: 132

(i) Prior to the date scheduled for the full hearing under 133  
this division, the respondent has not been served with the 134  
petition filed pursuant to this section and notice of the full 135  
hearing. 136

(ii) The parties consent to the continuance. 137

(iii) The continuance is needed to allow a party to obtain 138  
counsel. 139

(iv) The continuance is needed for other good cause.	140
(b) An ex parte order issued under this section does not expire because of a failure to serve notice of the full hearing upon the respondent before the date set for the full hearing under division (D)(2)(a) of this section or because the court grants a continuance under that division.	141 142 143 144 145
(3) If a person who files a petition pursuant to this section does not request an ex parte order, or if a person requests an ex parte order but the court does not issue an ex parte order after an ex parte hearing, the court shall proceed as in a normal civil action and grant a full hearing on the matter.	146 147 148 149 150
(E)(1) After an ex parte or full hearing, the court may grant any protection order, with or without bond, or approve any consent agreement to bring about a cessation of domestic violence against the family or household members. The order or agreement may:	151 152 153 154
(a) Direct the respondent to refrain from abusing or from committing sexually oriented offenses against the family or household members;	155 156 157
(b) Grant possession of the residence or household to the petitioner or other family or household member, to the exclusion of the respondent, by evicting the respondent, when the residence or household is owned or leased solely by the petitioner or other family or household member, or by ordering the respondent to vacate the premises, when the residence or household is jointly owned or leased by the respondent, and the petitioner or other family or household member;	158 159 160 161 162 163 164 165
(c) When the respondent has a duty to support the petitioner or other family or household member living in the residence or household and the respondent is the sole owner or lessee of the residence or household, grant possession of the residence or household to the petitioner or other family or household member,	166 167 168 169 170

to the exclusion of the respondent, by ordering the respondent to 171  
vacate the premises, or, in the case of a consent agreement, allow 172  
the respondent to provide suitable, alternative housing; 173

(d) Temporarily allocate parental rights and responsibilities 174  
for the care of, or establish temporary parenting time rights with 175  
regard to, minor children, if no other court has determined, or is 176  
determining, the allocation of parental rights and 177  
responsibilities for the minor children or parenting time rights; 178

(e) Require the respondent to maintain support, if the 179  
respondent customarily provides for or contributes to the support 180  
of the family or household member, or if the respondent has a duty 181  
to support the petitioner or family or household member; 182

(f) Require the respondent, petitioner, victim of domestic 183  
violence, or any combination of those persons, to seek counseling; 184

(g) Require the respondent to refrain from entering the 185  
residence, school, business, or place of employment of the 186  
petitioner or family or household member; 187

(h) Grant other relief that the court considers equitable and 188  
fair, including, but not limited to, ordering the respondent to 189  
permit the use of a motor vehicle by the petitioner or other 190  
family or household member and the apportionment of household and 191  
family personal property. 192

(2) If a protection order has been issued pursuant to this 193  
section in a prior action involving the respondent and the 194  
petitioner or one or more of the family or household members or 195  
victims, the court may include in a protection order that it 196  
issues a prohibition against the respondent returning to the 197  
residence or household. If it includes a prohibition against the 198  
respondent returning to the residence or household in the order, 199  
it also shall include in the order provisions of the type 200  
described in division (E)(7) of this section. This division does 201

not preclude the court from including in a protection order or 202  
consent agreement, in circumstances other than those described in 203  
this division, a requirement that the respondent be evicted from 204  
or vacate the residence or household or refrain from entering the 205  
residence, school, business, or place of employment of the 206  
petitioner or a family or household member, and, if the court 207  
includes any requirement of that type in an order or agreement, 208  
the court also shall include in the order provisions of the type 209  
described in division (E)(7) of this section. 210

(3)(a) Any protection order issued or consent agreement 211  
approved under this section shall be valid until a date certain, 212  
but not later than five years from the date of its issuance or 213  
approval, or not later than the date a respondent who is less than 214  
eighteen years of age attains nineteen years of age, unless 215  
modified or terminated as provided in division (E)(8) of this 216  
section. 217

(b) Subject to the limitation on the duration of an order or 218  
agreement set forth in division (E)(3)(a) of this section, any 219  
order under division (E)(1)(d) of this section shall terminate on 220  
the date that a court in an action for divorce, dissolution of 221  
marriage, or legal separation brought by the petitioner or 222  
respondent issues an order allocating parental rights and 223  
responsibilities for the care of children or on the date that a 224  
juvenile court in an action brought by the petitioner or 225  
respondent issues an order awarding legal custody of minor 226  
children. Subject to the limitation on the duration of an order or 227  
agreement set forth in division (E)(3)(a) of this section, any 228  
order under division (E)(1)(e) of this section shall terminate on 229  
the date that a court in an action for divorce, dissolution of 230  
marriage, or legal separation brought by the petitioner or 231  
respondent issues a support order or on the date that a juvenile 232  
court in an action brought by the petitioner or respondent issues 233



a support order.	234
(c) Any protection order issued or consent agreement approved pursuant to this section may be renewed in the same manner as the original order or agreement was issued or approved.	235 236 237
(4) A court may not issue a protection order that requires a petitioner to do or to refrain from doing an act that the court may require a respondent to do or to refrain from doing under division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this section unless all of the following apply:	238 239 240 241 242
(a) The respondent files a separate petition for a protection order in accordance with this section.	243 244
(b) The petitioner is served notice of the respondent's petition at least forty-eight hours before the court holds a hearing with respect to the respondent's petition, or the petitioner waives the right to receive this notice.	245 246 247 248
(c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay any hearing required by that division beyond the time specified in that division in order to consolidate the hearing with a hearing on the petition filed by the respondent.	249 250 251 252 253
(d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of domestic violence or has violated a temporary protection order issued pursuant to section 2919.26 of the Revised Code, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense.	254 255 256 257 258 259 260 261 262
(5) No protection order issued or consent agreement approved under this section shall in any manner affect title to any real	263 264

property. 265

(6)(a) If a petitioner, or the child of a petitioner, who 266  
obtains a protection order or consent agreement pursuant to 267  
division (E)(1) of this section or a temporary protection order 268  
pursuant to section 2919.26 of the Revised Code and is the subject 269  
of a parenting time order issued pursuant to section 3109.051 or 270  
3109.12 of the Revised Code or a visitation or companionship order 271  
issued pursuant to section 3109.051, 3109.11, or 3109.12 of the 272  
Revised Code or division (E)(1)(d) of this section granting 273  
parenting time rights to the respondent, the court may require the 274  
public children services agency of the county in which the court 275  
is located to provide supervision of the respondent's exercise of 276  
parenting time or visitation or companionship rights with respect 277  
to the child for a period not to exceed nine months, if the court 278  
makes the following findings of fact: 279

(i) The child is in danger from the respondent; 280

(ii) No other person or agency is available to provide the 281  
supervision. 282

(b) A court that requires an agency to provide supervision 283  
pursuant to division (E)(6)(a) of this section shall order the 284  
respondent to reimburse the agency for the cost of providing the 285  
supervision, if it determines that the respondent has sufficient 286  
income or resources to pay that cost. 287

(7)(a) If a protection order issued or consent agreement 288  
approved under this section includes a requirement that the 289  
respondent be evicted from or vacate the residence or household or 290  
refrain from entering the residence, school, business, or place of 291  
employment of the petitioner or a family or household member, the 292  
order or agreement shall state clearly that the order or agreement 293  
cannot be waived or nullified by an invitation to the respondent 294  
from the petitioner or other family or household member to enter 295

the residence, school, business, or place of employment or by the 296  
respondent's entry into one of those places otherwise upon the 297  
consent of the petitioner or other family or household member. The 298  
petitioner shall submit a copy of any order the court issues under 299  
this section to the landlord or owner of the property where the 300  
resident resides. 301

(b) Division (E)(7)(a) of this section does not limit any 302  
discretion of a court to determine that a respondent charged with 303  
a violation of section 2919.27 of the Revised Code, with a 304  
violation of a municipal ordinance substantially equivalent to 305  
that section, or with contempt of court, which charge is based on 306  
an alleged violation of a protection order issued or consent 307  
agreement approved under this section, did not commit the 308  
violation or was not in contempt of court. 309

(8)(a) The court may modify or terminate as provided in 310  
division (E)(8) of this section a protection order or consent 311  
agreement that was issued after a full hearing under this section. 312  
The court that issued the protection order or approved the consent 313  
agreement shall hear a motion for modification or termination of 314  
the protection order or consent agreement pursuant to division 315  
(E)(8) of this section. 316

(b) Either the petitioner or the respondent of the original 317  
protection order or consent agreement may bring a motion for 318  
modification or termination of a protection order or consent 319  
agreement that was issued or approved after a full hearing. The 320  
court shall require notice of the motion to be made as provided by 321  
the Rules of Civil Procedure. If the petitioner for the original 322  
protection order or consent agreement has requested that the 323  
petitioner's address be kept confidential, the court shall not 324  
disclose the address to the respondent of the original protection 325  
order or consent agreement or any other person, except as 326  
otherwise required by law. The moving party has the burden of 327

proof to show, by a preponderance of the evidence, that 328  
modification or termination of the protection order or consent 329  
agreement is appropriate because either the protection order or 330  
consent agreement is no longer needed or because the terms of the 331  
original protection order or consent agreement are no longer 332  
appropriate. 333

(c) In considering whether to modify or terminate a 334  
protection order or consent agreement issued or approved under 335  
this section, the court shall consider all relevant factors, 336  
including, but not limited to, the following: 337

(i) Whether the petitioner consents to modification or 338  
termination of the protection order or consent agreement; 339

(ii) Whether the petitioner fears the respondent; 340

(iii) The current nature of the relationship between the 341  
petitioner and the respondent; 342

(iv) The circumstances of the petitioner and respondent, 343  
including the relative proximity of the petitioner's and 344  
respondent's workplaces and residences and whether the petitioner 345  
and respondent have minor children together; 346

(v) Whether the respondent has complied with the terms and 347  
conditions of the original protection order or consent agreement; 348

(vi) Whether the respondent has a continuing involvement with 349  
illegal drugs or alcohol; 350

(vii) Whether the respondent has been convicted of, pleaded 351  
guilty to, or been adjudicated a delinquent child for an offense 352  
of violence since the issuance of the protection order or approval 353  
of the consent agreement; 354

(viii) Whether any other protection orders, consent 355  
agreements, restraining orders, or no contact orders have been 356  
issued against the respondent pursuant to this section, section 357

2919.26 of the Revised Code, any other provision of state law, or	358
the law of any other state;	359
(ix) Whether the respondent has participated in any domestic	360
violence treatment, intervention program, or other counseling	361
addressing domestic violence and whether the respondent has	362
completed the treatment, program, or counseling;	363
(x) The time that has elapsed since the protection order was	364
issued or since the consent agreement was approved;	365
(xi) The age and health of the respondent;	366
(xii) When the last incident of abuse, threat of harm, or	367
commission of a sexually oriented offense occurred or other	368
relevant information concerning the safety and protection of the	369
petitioner or other protected parties.	370
(d) If a protection order or consent agreement is modified or	371
terminated as provided in division (E)(8) of this section, the	372
court shall issue copies of the modified or terminated order or	373
agreement as provided in division (F) of this section. A	374
petitioner may also provide notice of the modification or	375
termination to the judicial and law enforcement officials in any	376
county other than the county in which the order or agreement is	377
modified or terminated as provided in division (N) of this	378
section.	379
(e) If the respondent moves for modification or termination	380
of a protection order or consent agreement pursuant to this	381
section, the court may assess costs against the respondent for the	382
filing of the motion.	383
(9) Any protection order issued or any consent agreement	384
approved pursuant to this section shall include a provision that	385
the court will automatically seal all of the records of the	386
proceeding in which the order is issued or agreement approved on	387
the date the respondent attains the age of nineteen years unless	388

the petitioner provides the court with evidence that the 389  
respondent has not complied with all of the terms of the 390  
protection order or consent agreement. The protection order or 391  
consent agreement shall specify the date when the respondent 392  
attains the age of nineteen years. 393

(F)(1) A copy of any protection order, or consent agreement, 394  
that is issued, approved, modified, or terminated under this 395  
section shall be issued by the court to the petitioner, to the 396  
respondent, and to all law enforcement agencies that have 397  
jurisdiction to enforce the order or agreement. The court shall 398  
direct that a copy of an order be delivered to the respondent on 399  
the same day that the order is entered. 400

(2) Upon the issuance of a protection order or the approval 401  
of a consent agreement under this section, the court shall provide 402  
the parties to the order or agreement with the following notice 403  
orally or by form: 404

"NOTICE 405

As a result of this order or consent agreement, it may be 406  
unlawful for you to possess or purchase a firearm, including a 407  
rifle, pistol, or revolver, or ammunition pursuant to federal law 408  
under 18 U.S.C. 922(g)(8). If you have any questions whether this 409  
law makes it illegal for you to possess or purchase a firearm or 410  
ammunition, you should consult an attorney." 411

(3) All law enforcement agencies shall establish and maintain 412  
an index for the protection orders and the approved consent 413  
agreements delivered to the agencies pursuant to division (F)(1) 414  
of this section. With respect to each order and consent agreement 415  
delivered, each agency shall note on the index the date and time 416  
that it received the order or consent agreement. 417

(4) Regardless of whether the petitioner has registered the 418  
order or agreement in the county in which the officer's agency has 419

jurisdiction pursuant to division (N) of this section, any officer 420  
of a law enforcement agency shall enforce a protection order 421  
issued or consent agreement approved by any court in this state in 422  
accordance with the provisions of the order or agreement, 423  
including removing the respondent from the premises, if 424  
appropriate. 425

(G) Any proceeding under this section shall be conducted in 426  
accordance with the Rules of Civil Procedure, except that an order 427  
under this section may be obtained with or without bond. An order 428  
issued under this section, other than an ex parte order, that 429  
grants a protection order or approves a consent agreement, that 430  
refuses to grant a protection order or approve a consent agreement 431  
that modifies or terminates a protection order or consent 432  
agreement, or that refuses to modify or terminate a protection 433  
order or consent agreement, is a final, appealable order. The 434  
remedies and procedures provided in this section are in addition 435  
to, and not in lieu of, any other available civil or criminal 436  
remedies. 437

(H) The filing of proceedings under this section does not 438  
excuse a person from filing any report or giving any notice 439  
required by section 2151.421 of the Revised Code or by any other 440  
law. When a petition under this section alleges domestic violence 441  
against minor children, the court shall report the fact, or cause 442  
reports to be made, to a county, township, or municipal peace 443  
officer under section 2151.421 of the Revised Code. 444

(I) Any law enforcement agency that investigates a domestic 445  
dispute shall provide information to the family or household 446  
members involved regarding the relief available under this section 447  
and section 2919.26 of the Revised Code. 448

(J) Notwithstanding any provision of law to the contrary and 449  
regardless of whether a protection order is issued or a consent 450  
agreement is approved by a court of another county or a court of 451

another state, no court or unit of state or local government shall 452  
charge any fee, cost, deposit, or money in connection with the 453  
filing of a petition pursuant to this section or in connection 454  
with the filing, issuance, registration, or service of a 455  
protection order or consent agreement, or for obtaining a 456  
certified copy of a protection order or consent agreement. 457

(K)(1) The court shall comply with Chapters 3119., 3121., 458  
3123., and 3125. of the Revised Code when it makes or modifies an 459  
order for child support under this section. 460

(2) If any person required to pay child support under an 461  
order made under this section on or after April 15, 1985, or 462  
modified under this section on or after December 31, 1986, is 463  
found in contempt of court for failure to make support payments 464  
under the order, the court that makes the finding, in addition to 465  
any other penalty or remedy imposed, shall assess all court costs 466  
arising out of the contempt proceeding against the person and 467  
require the person to pay any reasonable attorney's fees of any 468  
adverse party, as determined by the court, that arose in relation 469  
to the act of contempt. 470

(L)(1) A person who violates a protection order issued or a 471  
consent agreement approved under this section is subject to the 472  
following sanctions: 473

(a) Criminal prosecution or a delinquent child proceeding for 474  
a violation of section 2919.27 of the Revised Code, if the 475  
violation of the protection order or consent agreement constitutes 476  
a violation of that section; 477

(b) Punishment for contempt of court. 478

(2) The punishment of a person for contempt of court for 479  
violation of a protection order issued or a consent agreement 480  
approved under this section does not bar criminal prosecution of 481  
the person or a delinquent child proceeding concerning the person 482



for a violation of section 2919.27 of the Revised Code. However, a 483  
person punished for contempt of court is entitled to credit for 484  
the punishment imposed upon conviction of or adjudication as a 485  
delinquent child for a violation of that section, and a person 486  
convicted of or adjudicated a delinquent child for a violation of 487  
that section shall not subsequently be punished for contempt of 488  
court arising out of the same activity. 489

(M) In all stages of a proceeding under this section, a 490  
petitioner may be accompanied by a victim advocate. 491

(N)(1) A petitioner who obtains a protection order or consent 492  
agreement under this section or a temporary protection order under 493  
section 2919.26 of the Revised Code may provide notice of the 494  
issuance or approval of the order or agreement to the judicial and 495  
law enforcement officials in any county other than the county in 496  
which the order is issued or the agreement is approved by 497  
registering that order or agreement in the other county pursuant 498  
to division (N)(2) of this section and filing a copy of the 499  
registered order or registered agreement with a law enforcement 500  
agency in the other county in accordance with that division. A 501  
person who obtains a protection order issued by a court of another 502  
state may provide notice of the issuance of the order to the 503  
judicial and law enforcement officials in any county of this state 504  
by registering the order in that county pursuant to section 505  
2919.272 of the Revised Code and filing a copy of the registered 506  
order with a law enforcement agency in that county. 507

(2) A petitioner may register a temporary protection order, 508  
protection order, or consent agreement in a county other than the 509  
county in which the court that issued the order or approved the 510  
agreement is located in the following manner: 511

(a) The petitioner shall obtain a certified copy of the order 512  
or agreement from the clerk of the court that issued the order or 513  
approved the agreement and present that certified copy to the 514

clerk of the court of common pleas or the clerk of a municipal 515  
court or county court in the county in which the order or 516  
agreement is to be registered. 517

(b) Upon accepting the certified copy of the order or 518  
agreement for registration, the clerk of the court of common 519  
pleas, municipal court, or county court shall place an endorsement 520  
of registration on the order or agreement and give the petitioner 521  
a copy of the order or agreement that bears that proof of 522  
registration. 523

(3) The clerk of each court of common pleas, the clerk of 524  
each municipal court, and the clerk of each county court shall 525  
maintain a registry of certified copies of temporary protection 526  
orders, protection orders, or consent agreements that have been 527  
issued or approved by courts in other counties and that have been 528  
registered with the clerk. 529

(O) Nothing in this section prohibits the domestic relations 530  
division of a court of common pleas in counties that have a 531  
domestic relations division or a court of common pleas in counties 532  
that do not have a domestic relations division from designating a 533  
minor child as a protected party on a protection order or consent 534  
agreement. 535

Sec. 4113.80. As used in this section and section 4113.81 of 536  
the Revised Code: 537

(A) "Domestic violence" has the same meaning as in section 538  
3113.31 of the Revised Code. 539

(B) "Employee" has the same meaning as in section 4113.51 of 540  
the Revised Code. 541

(C) "Employer" includes both of the following: 542

(1) The state or any agency or instrumentality of the state, 543  
and any municipal corporation, county, township, school district, 544

or other political subdivision or any agency or instrumentality 545  
thereof; 546

(2) Any person who employs fifty or more employees for each 547  
working day during each of twenty or more calendar work weeks in 548  
the current or preceding calendar year. 549

(D) "Person" means an individual, corporation, business 550  
trust, estate, trust, partnership, or association. 551

**Sec. 4113.81.** (A)(1) Subject to divisions (A)(2), (B)(1), 552  
(C), and (D) of this section, an employee who is a victim of 553  
domestic violence and who has been employed by the employee's 554  
employer for at least twelve months may take a maximum of five 555  
days per year of unpaid leave, and an employee who is a victim of 556  
domestic violence and who has been employed by the employee's 557  
employer for less than twelve months may take a maximum of three 558  
days per year of unpaid leave, to do any of the following: 559

(a) File a petition under section 3113.31 of the Revised Code 560  
or attend a hearing on the petition, file a petition and a request 561  
for an ex parte order under section 3113.31 of the Revised Code or 562  
attend a hearing on the petition, or file a petition for a 563  
protection order or no-contact order under any substantially 564  
similar law of another state or a substantially similar municipal 565  
ordinance of this state or another state; 566

(b) File a motion for a protection order or attend a hearing 567  
on the protection order pursuant to section 2919.26 of the Revised 568  
Code or file a motion for a protection order or no-contact order 569  
issued under any substantially similar law of another state or a 570  
substantially similar municipal ordinance of this state or another 571  
state; 572

(c) File a motion for a protection order or attend a hearing 573  
on the protection order pursuant to section 2903.213 of the 574

Revised Code or file a motion for a protection order or no-contact order issued under any substantially similar law of another state or a substantially similar municipal ordinance of this state or another state; 575  
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(d) Seek emergency medical attention related to an incident of domestic violence. 579  
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(2) An employee shall provide the employee's employer with as much notice as practicable before taking any unpaid leave under division (A)(1) of this section. 581  
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(B)(1) An employee shall make reasonable efforts when possible to address matters related to domestic violence during nonwork hours. 584  
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(2) Subject to divisions (B)(1) and (3), (C), and (D) of this section, if it is not reasonably practical for an employee to schedule appointments outside the employee's working hours, the employee may take unpaid leave under division (A)(1) of this section with notice to the employee's employer pursuant to division (B)(3) of this section to do any of the following: 587  
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(a) Seek nonemergency medical attention related to an incident of domestic violence; 593  
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(b) Meet with law enforcement officers with respect to an incident of domestic violence; 595  
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(c) Seek legal assistance or other assistance from a counselor, social worker, victim advocate, health care provider, or other professional who assists persons in dealing with an incident of domestic violence; 597  
598  
599  
600

(d) Attend a court proceeding concerning a civil protection order under section 3113.31 of the Revised Code or other injunctive relief for the employee's self or the employee's child; 601  
602  
603

(e) Attend a criminal court proceeding relating to the 604

prosecution of an incident of domestic violence. 605

(3) The employee shall provide notice as soon as the employee 606  
knows of the need for unpaid leave under division (A)(1) of this 607  
section for the reasons set forth in division (B)(2) of this 608  
section and when an appointment necessitating that unpaid leave 609  
has been scheduled. In no case shall the employee provide notice 610  
any later than the start of the employee's shift or the beginning 611  
of the employee's work day. 612

(C)(1) An employer may require an employee who takes unpaid 613  
leave pursuant to divisions (A) and (B) of this section to provide 614  
documentation of the domestic violence. The employee may satisfy 615  
the documentation requirement by providing the employer with any 616  
of the following: 617

(a) If the leave is to file a petition under section 3113.31 618  
of the Revised Code, a petition and a request for an ex parte 619  
order under section 3113.31 of the Revised Code, a motion for a 620  
protection order or no-contact order issued under any 621  
substantially similar law of another state or a substantially 622  
similar municipal ordinance of this state or another state, a 623  
motion for a protection order pursuant to section 2919.26 of the 624  
Revised Code, a motion for a protection order or no-contact order 625  
issued under any substantially similar law of another state or a 626  
substantially similar municipal ordinance of this state or another 627  
state, a motion for a protection order pursuant to section 628  
2903.213 of the Revised Code, or a motion for a protection order 629  
or no-contact order issued under any substantially similar law of 630  
another state or a substantially similar municipal ordinance of 631  
this state or another state, documentation of that filing from the 632  
court; 633

(b) If the leave is to attend a court proceeding described in 634  
division (A)(1)(b) or (c) or (B)(2)(d) or (e) of this section, 635  
documentation of that proceeding from the court, the docket, 636

pleadings, subpoenas, the prosecutor, the victim's attorney, or a 637  
registered victim advocate; 638

(c) If the leave is for medical purposes, documentation 639  
supporting the fact of treatment by the health care provider; 640

(d) If the leave is to meet with a law enforcement officer or 641  
a prosecutor, documentation of that meeting from the officer or 642  
prosecutor; 643

(e) If the leave is to meet with counsel, an attorney, or 644  
other person providing assistance or services, documentation of 645  
that meeting from the counsel, attorney, or person providing the 646  
assistance or services. 647

(2) An employer who requires documentation as set forth in 648  
division (C)(1) of this section shall grant the employee a 649  
reasonable period of time not to exceed fourteen days to provide 650  
the documentation. The employer may discharge or otherwise 651  
discipline the employee for taking the unpaid leave without the 652  
approval of the employer if the employee fails to supply the 653  
documentation within the period of time granted by the employer. 654

(D) The maximum amount of unpaid leave an employee who is a 655  
victim of domestic violence and who has been employed by the 656  
employee's employer for less than twelve months may take per year 657  
under this section is three days. The maximum amount of unpaid 658  
leave an employee who is a victim of domestic violence and who has 659  
been employed by the employee's employer for at least twelve 660  
months is five days. An employee who is a victim of domestic 661  
violence may elect, or an employer may require the employee to 662  
substitute, any accrued paid vacation leave or personal leave the 663  
employee may have for the unpaid leave taken pursuant to this 664  
section. 665

(E) If an employee who is the victim of domestic violence 666  
takes unpaid leave pursuant to this section and the taking of that 667

unpaid leave results in the termination of the employee's 668  
employment, that employee may file a civil action against the 669  
employer in the common pleas court of the county of that 670  
employment. That civil action filed under this division is the 671  
employee's sole and exclusive remedy. The relief the court may 672  
grant shall be limited to reinstatement of the employee's 673  
employment with back pay plus reasonable attorney's fees. That 674  
civil action shall be barred unless it is filed within one hundred 675  
and eighty days immediately following the termination of the 676  
employee's employment. 677

Sec. 5321.171. (A) As used in this section and sections 678  
5321.172 and 5321.173 of the Revised Code: 679

(1) "Domestic violence" has the same meaning as in section 680  
3113.31 of the Revised Code. 681

(2) "Household member" means an individual who meets either 682  
of the following requirements: 683

(a) The individual is one of the following and is 684  
specifically identified in the lease agreement: 685

(i) The tenant's parent, child, spouse, or person living as a 686  
spouse; 687

(ii) The parent or child of the tenant's spouse or former 688  
spouse; 689

(iii) The parent or child of a person living as a spouse of 690  
the tenant; 691

(iv) An individual otherwise related by consanguinity or 692  
affinity to the tenant. 693

(b) The individual is an adult who notified the landlord 694  
within fourteen days after entering the tenant's household that 695  
the individual is occupying the tenant's housing unit as the 696  
individual's usual place of residence. 697

(B)(1) A tenant may terminate a rental agreement or have the 698  
tenant's name removed from the rental agreement as a cotenant if 699  
that tenant, or a household member of that tenant, is a victim of 700  
domestic violence. To terminate a rental agreement or to remove 701  
the tenant's name as a cotenant from the agreement, the tenant 702  
shall notify the landlord in writing that the tenant or household 703  
member is a victim of domestic violence and shall supply the 704  
landlord with any of the following: 705

(a) A civil protection order issued after a full hearing 706  
under section 2903.214 or 3113.31 of the Revised Code or a consent 707  
agreement approved under section 3113.31 of the Revised Code; 708

(b) A temporary protection order or a no-contact order issued 709  
under section 2919.26 of the Revised Code, a criminal protection 710  
order issued under section 2903.213 of the Revised Code, or a 711  
protection order or no-contact order issued under any 712  
substantially similar law of another state or a substantially 713  
similar municipal ordinance of this state or another state. 714

(2) A tenant shall give the landlord the written notice this 715  
section requires within ninety days after the incident of domestic 716  
violence. The tenant and landlord shall terminate the rental 717  
agreement, or the landlord shall remove the tenant's name from the 718  
rental agreement, by a mutually agreed upon date, not to exceed 719  
thirty days after the date the tenant gives the required notice. 720  
If the tenant and landlord do not agree on a date to terminate the 721  
rental agreement or remove the tenant's name from the agreement, 722  
the rental agreement shall terminate or the landlord shall remove 723  
the tenant's name from the rental agreement thirty days after the 724  
tenant gives the required notice. 725

(3) At any time within thirty days after a tenant having the 726  
tenant's name removed from a rental agreement for which there is 727  
at least one cotenant, the landlord may terminate the rental 728  
agreement as to any or all cotenants. 729



(4) A tenant who terminates a rental agreement or removes the 730  
tenant's name from a rental agreement is liable for the tenant's 731  
share of rent, prorated up to the date of the termination of the 732  
rental agreement or the removal of the tenant's name from the 733  
rental agreement. 734

(5) Except as otherwise provided in section 5321.16 of the 735  
Revised Code, if a tenant terminates a rental agreement or removes 736  
the tenant's name from a rental agreement as provided in this 737  
section, the landlord is entitled to retain the tenant's share of 738  
any security deposit. 739

(C) In response to a request to terminate a rental agreement 740  
or remove the tenant's name from a rental agreement pursuant to 741  
division (B) of this section, a landlord may offer the tenant an 742  
opportunity to rent another unit at the location that is 743  
sufficiently distant from the tenant's current unit. Whether to 744  
accept that offer is at the tenant's discretion. 745

(D) No landlord shall knowingly terminate a tenancy because 746  
of the status of a tenant or household member as a victim of 747  
domestic violence or the offense of menacing by stalking, because 748  
the tenant or a household member requested emergency services as 749  
such a victim, or because the tenant previously terminated a 750  
rental agreement in accordance with this section. 751

(E) A tenant who is injured by a landlord's violation of 752  
division (D) of this section may recover damages in the amount of 753  
one month's rent and any security deposit as section 5321.16 of 754  
the Revised Code provides, plus reasonable attorney's fees. 755

(F) A landlord does not incur any additional duty of care for 756  
a tenant the landlord accommodates pursuant to this section and 757  
section 5321.172 of the Revised Code, and the landlord gains no 758  
new or additional liability for any third party act that occurs 759  
after an accommodation the landlord makes pursuant to those 760

sections. 761

(G) A tenant who is a victim of domestic violence may make a 762  
request to terminate a rental agreement pursuant to division (B) 763  
of this section only if the tenant has not made more than one 764  
other request to terminate a rental agreement pursuant to division 765  
(B) of this section during the previous five years. 766

**Sec. 5321.172.** (A) A landlord of a tenant who is a victim of 767  
domestic violence or the offense of menacing by stalking shall 768  
change the lock to the dwelling unit where the tenant resides upon 769  
receipt of a written request from the tenant and a copy of a court 770  
order or protection order that orders the respondent or defendant 771  
named in the order to stay away from the tenant. Within 772  
forty-eight hours after receiving the notice and a copy of the 773  
order, the landlord shall change the lock and shall make a good 774  
faith effort to provide a key to the new lock to the tenant and 775  
any remaining cotenant not later than twenty-four hours after the 776  
landlord changes the lock. The tenant shall reimburse the landlord 777  
for the actual expense the landlord incurs in changing the lock. 778  
If the landlord fails to change the lock within the 779  
forty-eight-hour time period as this section requires, the tenant 780  
may change the lock without the landlord's permission. If the 781  
tenant changes the lock, the tenant shall do so in a competent and 782  
workmanlike manner with locks of similar or better quality than 783  
the original lock and shall make a good faith offer to provide a 784  
key to the landlord and any remaining cotenant not later than 785  
twenty-four hours after the tenant changes the lock. If within 786  
thirty days after the landlord changes the lock the tenant does 787  
not reimburse the landlord for the expenses the landlord incurs in 788  
changing the locks, the landlord may deduct that amount from the 789  
security deposit or assess that amount as a charge to the tenant. 790

(B)(1) A landlord who receives a request and copy of an order 791

under this section shall not, by any act, provide the respondent 792  
who is named in the order and who is a tenant of the dwelling unit 793  
access to the dwelling unit for which the landlord or tenant has 794  
changed the locks unless the order allows the respondent to return 795  
to the dwelling unit to retrieve the respondent's personal 796  
possessions and the respondent is accompanied by a law enforcement 797  
escort. 798

(2) A respondent who is a tenant of the dwelling unit remains 799  
liable under the rental agreement for rent or any damage to the 800  
dwelling unit as provided in the rental agreement, unless the 801  
respondent can demonstrate that the tenant who changed the lock or 802  
had the lock changed intentionally damaged the dwelling unit. 803

(C) A landlord who changes a lock to a dwelling unit in 804  
accordance with this section is not liable for excluding from the 805  
dwelling unit a respondent named in an order the landlord receives 806  
from a tenant under this section or for loss of use or damage to 807  
the respondent's personal property while that property is in the 808  
dwelling unit after the lock has been changed. 809

(D) If a landlord takes action to prevent a tenant who has 810  
complied with this section from changing a lock, the tenant may 811  
seek a temporary restraining order, preliminary injunction, or 812  
permanent injunction ordering the landlord to refrain from 813  
preventing the tenant from changing the lock. 814

**Sec. 5321.173.** (A) A victim of domestic violence or the 815  
offense of menacing by stalking who is a tenant in a unit owned or 816  
operated by a metropolitan housing authority as described in 817  
section 3735.27 of the Revised Code may request that the housing 818  
authority transfer the tenant to another location. A tenant may 819  
make any such request only if the tenant has made not more than 820  
one other such request during the previous five years. The tenant 821  
shall make any such request for transfer in writing, informing the 822

housing authority that the tenant or a household member is a 823  
victim of domestic violence or the offense of menacing by stalking 824  
and affirming that the tenant has made not more than one other 825  
such request during the previous five years. The tenant shall 826  
supply the housing authority with any one or more of the following 827  
as evidence of the need for the transfer: 828

(1) A civil protection order issued after a full hearing 829  
under section 2903.214 or 3113.31 of the Revised Code or a consent 830  
agreement approved under section 3113.31 of the Revised Code; 831

(2) A temporary protection order or a no-contact order issued 832  
under section 2919.26 of the Revised Code, a criminal protection 833  
order issued under section 2903.213 of the Revised Code, or a 834  
protection order or no-contact order issued under any 835  
substantially similar law of another state or a substantially 836  
similar municipal ordinance of this state or another state; 837

(3) Medical documentation describing the incident of domestic 838  
violence or menacing by stalking; 839

(4) A sworn, notarized statement provided by a counselor, 840  
social worker, victim advocate, health care provider, or other 841  
professional who assists or has assisted the tenant or household 842  
member in dealing with the incident of domestic violence or 843  
menacing by stalking. 844

(B) Upon receipt of a request made pursuant to this section, 845  
and if the tenant has not made more than one other such request 846  
during the previous five years, the housing authority shall move 847  
the tenant as soon as practicable to another location if the 848  
authority has a unit available in another location. 849

(C) A housing authority does not incur any additional duty of 850  
care for a tenant it transfers or fails to transfer pursuant to 851  
this section, and the authority gains no new or additional 852

liability for any third party act that occurs after a transfer. 853

(D) If a metropolitan housing authority wrongfully fails to 854  
comply with division (B) of this section, the tenant may recover 855  
actual damages resulting from the failure to transfer, obtain 856  
injunctive relief, and obtain a judgment for reasonable attorney's 857  
fees. 858

**Sec. 5321.174.** (A) Except to the extent that a landlord 859  
reasonably believes it is necessary to share information for the 860  
safety of any tenant or any other person, any information a 861  
landlord receives from a tenant under section 5321.171, 5321.172, 862  
or 5321.173 of the Revised Code is confidential. A landlord shall 863  
not share any confidential information with any other past, 864  
current, or prospective landlord, and a landlord shall not share 865  
any information with respect to a tenant's status as a victim of 866  
domestic violence or the offense of menacing by stalking with any 867  
other past, current, or prospective landlord. If the tenant shares 868  
any information that the tenant provides to a landlord under this 869  
section, that sharing does not waive the confidentiality of the 870  
information or the nature of the privileged communication. 871

(B) A landlord is not liable for any good faith violation of 872  
the confidentiality requirement this section establishes. 873

**Sec. 5321.175.** If a tenant has been convicted of or pleaded 874  
guilty to a violation of section 2919.25 of the Revised Code while 875  
the tenant was subject to the rental agreement, the landlord may 876  
terminate the tenant's rental agreement or may remove the tenant's 877  
name from a rental agreement and may retain the tenant's share of 878  
any security deposit. 879

**Section 2.** That existing section 3113.31 of the Revised Code 880  
is hereby repealed. 881

<b>Section 3.</b> Sections 5321.171, 5321.172, 5321.173, and	882
5321.174 of the Revised Code, as enacted by this act, apply to	883
rental agreements entered into or renewed on or after the	884
effective date of this act.	885