

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 24**

**Representative Combs**

**Cosponsors: Representatives Wachtmann, Patmon, Garland, Derickson,  
Maag, Fedor, Adams, J., Blessing, Beck, O'Brien**

—

**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  
51

(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.

(N) "Public registry-qualified juvenile offender registrant" 388  
means a person who is adjudicated a delinquent child and on whom a 389  
juvenile court has imposed a serious youthful offender 390  
dispositional sentence under section 2152.13 of the Revised Code 391  
before, on, or after January 1, 2008, and to whom all of the 392  
following apply: 393

(1) The person is adjudicated a delinquent child for 394  
committing, attempting to commit, conspiring to commit, or 395  
complicity in committing one of the following acts: 396

(a) A violation of section 2907.02 of the Revised Code, 397  
division (B) of section 2907.05 of the Revised Code, or section 398  
2907.03 of the Revised Code if the victim of the violation was 399  
less than twelve years of age; 400

(b) A violation of section 2903.01, 2903.02, or 2905.01 of 401  
the Revised Code that was committed with a purpose to gratify the 402  
sexual needs or desires of the child. 403

(2) The person was fourteen, fifteen, sixteen, or seventeen 404  
years of age at the time of committing the act. 405

(3) A juvenile court judge, pursuant to an order issued under 406  
section 2152.86 of the Revised Code, classifies the person a 407  
juvenile offender registrant, specifies the person has a duty to 408  
comply with sections 2950.04, 2950.05, and 2950.06 of the Revised 409  
Code, and classifies the person a public registry-qualified 410  
juvenile offender registrant, and the classification of the person 411  
as a public registry-qualified juvenile offender registrant has 412  
not been terminated pursuant to division (D) of section 2152.86 of 413  
the Revised Code. 414

(O) "Secure facility" means any facility that is designed and 415  
operated to ensure that all of its entrances and exits are locked 416  
and under the exclusive control of its staff and to ensure that, 417  
because of that exclusive control, no person who is 418

institutionalized or confined in the facility may leave the 419  
facility without permission or supervision. 420

(P) "Out-of-state juvenile offender registrant" means a 421  
person who is adjudicated a delinquent child in a court in another 422  
state, in a federal court, military court, or Indian tribal court, 423  
or in a court in any nation other than the United States for 424  
committing a sexually oriented offense or a child-victim oriented 425  
offense, who on or after January 1, 2002, moves to and resides in 426  
this state or temporarily is domiciled in this state for more than 427  
five days, and who has a duty under section 2950.04 or 2950.041 of 428  
the Revised Code to register in this state and the duty to 429  
otherwise comply with that applicable section and sections 2950.05 430  
and 2950.06 of the Revised Code. "Out-of-state juvenile offender 431  
registrant" includes a person who prior to January 1, 2008, was an 432  
"out-of-state juvenile offender registrant" under the definition 433  
of the term in existence prior to January 1, 2008, and a person 434  
who prior to July 31, 2003, was an "out-of-state juvenile sex 435  
offender registrant" under the former definition of that former 436  
term. 437

(Q) "Juvenile court judge" includes a magistrate to whom the 438  
juvenile court judge confers duties pursuant to division (A)(15) 439  
of section 2151.23 of the Revised Code. 440

(R) "Adjudicated a delinquent child for committing a sexually 441  
oriented offense" includes a child who receives a serious youthful 442  
offender dispositional sentence under section 2152.13 of the 443  
Revised Code for committing a sexually oriented offense. 444

(S) "School" and "school premises" have the same meanings as 445  
in section 2925.01 of the Revised Code. 446

(T) "Residential premises" means the building in which a 447  
residential unit is located and the grounds upon which that 448  
building stands, extending to the perimeter of the property. 449

"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 480  
offense or a child-victim oriented offense and is classified a 481  
juvenile offender registrant or is an out-of-state juvenile 482  
offender registrant based on that adjudication, and if the 483  
offender or delinquent child is in any category specified in 484  
division (F)(1)(a), (b), or (c) of this section, the sheriff with 485  
whom the offender or delinquent child has most recently registered 486  
under section 2950.04, 2950.041, or 2950.05 of the Revised Code 487  
and the sheriff to whom the offender or delinquent child most 488  
recently sent a notice of intent to reside under section 2950.04 489  
or 2950.041 of the Revised Code, within the period of time 490  
specified in division (C) of this section, shall provide a written 491  
notice containing the information set forth in division (B) of 492  
this section to all of the persons described in divisions (A)(1) 493  
to ~~(10)~~(11) of this section. If the sheriff has sent a notice to 494  
the persons described in those divisions as a result of receiving 495  
a notice of intent to reside and if the offender or delinquent 496  
child registers a residence address that is the same residence 497  
address described in the notice of intent to reside, the sheriff 498  
is not required to send an additional notice when the offender or 499  
delinquent child registers. The sheriff shall provide the notice 500  
to all of the following persons: 501

(1)(a) Any occupant of each residential unit that is located 502  
within one thousand feet of the offender's or delinquent child's 503  
residential premises, that is located within the county served by 504  
the sheriff, and that is not located in a multi-unit building. 505  
Division (D)(3) of this section applies regarding notices required 506  
under this division. 507

(b) If the offender or delinquent child resides in a 508  
multi-unit building, any occupant of each residential unit that is 509  
located in that multi-unit building and that shares a common 510  
hallway with the offender or delinquent child. For purposes of 511

this division, an occupant's unit shares a common hallway with the 512  
offender or delinquent child if the entrance door into the 513  
occupant's unit is located on the same floor and opens into the 514  
same hallway as the entrance door to the unit the offender or 515  
delinquent child occupies. Division (D)(3) of this section applies 516  
regarding notices required under this division. 517

(c) The building manager, or the person the building owner or 518  
condominium unit owners association authorizes to exercise 519  
management and control, of each multi-unit building that is 520  
located within one thousand feet of the offender's or delinquent 521  
child's residential premises, including a multi-unit building in 522  
which the offender or delinquent child resides, and that is 523  
located within the county served by the sheriff. In addition to 524  
notifying the building manager or the person authorized to 525  
exercise management and control in the multi-unit building under 526  
this division, the sheriff shall post a copy of the notice 527  
prominently in each common entryway in the building and any other 528  
location in the building the sheriff determines appropriate. The 529  
manager or person exercising management and control of the 530  
building shall permit the sheriff to post copies of the notice 531  
under this division as the sheriff determines appropriate. In lieu 532  
of posting copies of the notice as described in this division, a 533  
sheriff may provide notice to all occupants of the multi-unit 534  
building by mail or personal contact; if the sheriff so notifies 535  
all the occupants, the sheriff is not required to post copies of 536  
the notice in the common entryways to the building. Division 537  
(D)(3) of this section applies regarding notices required under 538  
this division. 539

(d) All additional persons who are within any category of 540  
neighbors of the offender or delinquent child that the attorney 541  
general by rule adopted under section 2950.13 of the Revised Code 542  
requires to be provided the notice and who reside within the 543

county served by the sheriff; 544

(2) The executive director of the public children services 545  
agency that has jurisdiction within the specified geographical 546  
notification area and that is located within the county served by 547  
the sheriff; 548

(3)(a) The superintendent of each board of education of a 549  
school district that has schools within the specified geographical 550  
notification area and that is located within the county served by 551  
the sheriff; 552

(b) The principal of the school within the specified 553  
geographical notification area and within the county served by the 554  
sheriff that the delinquent child attends; 555

(c) If the delinquent child attends a school outside of the 556  
specified geographical notification area or outside of the school 557  
district where the delinquent child resides, the superintendent of 558  
the board of education of a school district that governs the 559  
school that the delinquent child attends and the principal of the 560  
school that the delinquent child attends. 561

(4)(a) The appointing or hiring officer of each chartered 562  
nonpublic school located within the specified geographical 563  
notification area and within the county served by the sheriff or 564  
of each other school located within the specified geographical 565  
notification area and within the county served by the sheriff and 566  
that is not operated by a board of education described in division 567  
(A)(3) of this section; 568

(b) Regardless of the location of the school, the appointing 569  
or hiring officer of a chartered nonpublic school that the 570  
delinquent child attends. 571

(5) The director, head teacher, elementary principal, or site 572  
administrator of each preschool program governed by Chapter 3301. 573  
of the Revised Code that is located within the specified 574

geographical notification area and within the county served by the sheriff; 575  
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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. 577  
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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; 586  
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(8) The sheriff of each county that includes any portion of the specified geographical notification area; 594  
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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; 596  
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(10) Volunteer organizations in which contact with minors or other vulnerable individuals might occur or any organization, 604  
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company, or individual who requests notification as provided in 606  
division (J) of this section; 607

(11)(a) The manager of a long-term care facility where the 608  
offender or delinquent child will reside or that is located within 609  
the specified geographical notification area and within the county 610  
served by the sheriff; 611

(b) The manager of a long-term care facility who receives any 612  
notice pursuant to division (A)(11)(a) of this section shall 613  
provide a copy of the notice to all residents of the long-term 614  
care facility and to the sponsor of each of those residents. 615

(B) The notice required under division (A) of this section 616  
shall include all of the following information regarding the 617  
subject offender or delinquent child: 618

(1) The offender's or delinquent child's name; 619

(2) The address or addresses of the offender's or public 620  
registry-qualified juvenile offender registrant's residence, 621  
school, institution of higher education, or place of employment, 622  
as applicable, or the residence address or addresses of a 623  
delinquent child who is not a public registry-qualified juvenile 624  
offender registrant; 625

(3) The sexually oriented offense or child-victim oriented 626  
offense of which the offender was convicted, to which the offender 627  
pleaded guilty, or for which the child was adjudicated a 628  
delinquent child; 629

(4) A statement that identifies the category specified in 630  
division (F)(1)(a), (b), or (c) of this section that includes the 631  
offender or delinquent child and that subjects the offender or 632  
delinquent child to this section; 633

(5) The offender's or delinquent child's photograph. 634

(C) If a sheriff with whom an offender or delinquent child 635

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

or, if the sheriff is required by division (C) of this section to 668  
provide the notices, no later than five days after the sheriff is 669  
provided the notice described in division (A)(8) of this section. 670

(2) If an offender or delinquent child in relation to whom 671  
division (A) of this section applies verifies the offender's or 672  
delinquent child's current residence, school, institution of 673  
higher education, or place of employment address, as applicable, 674  
with a sheriff pursuant to section 2950.06 of the Revised Code, 675  
the sheriff may provide a written notice containing the 676  
information set forth in division (B) of this section to the 677  
persons identified in divisions (A)(1) to ~~(10)~~(11) of this 678  
section. If a sheriff provides a notice pursuant to this division 679  
to the sheriff of one or more other counties in accordance with 680  
division (A)(8) of this section, the sheriff of each of the other 681  
counties who is provided the notice under division (A)(8) of this 682  
section may provide, but is not required to provide, a written 683  
notice containing the information set forth in division (B) of 684  
this section to the persons identified in divisions (A)(1) to (7) 685  
and (A)(9) ~~and (10)~~ to (11) of this section. 686

(3) A sheriff may provide notice under division (A)(1)(a) or 687  
(b) of this section, and may provide notice under division 688  
(A)(1)(c) of this section to a building manager or person 689  
authorized to exercise management and control of a building, by 690  
mail, by personal contact, or by leaving the notice at or under 691  
the entry door to a residential unit. For purposes of divisions 692  
(A)(1)(a) and (b) of this section, and the portion of division 693  
(A)(1)(c) of this section relating to the provision of notice to 694  
occupants of a multi-unit building by mail or personal contact, 695  
the provision of one written notice per unit is deemed as 696  
providing notice to all occupants of that unit. 697

(E) All information that a sheriff possesses regarding an 698  
offender or delinquent child who is in a category specified in 699

division (F)(1)(a), (b), or (c) of this section that is described 700  
in division (B) of this section and that must be provided in a 701  
notice required under division (A) or (C) of this section or that 702  
may be provided in a notice authorized under division (D)(2) of 703  
this section is a public record that is open to inspection under 704  
section 149.43 of the Revised Code. 705

The sheriff shall not cause to be publicly disseminated by 706  
means of the internet any of the information described in this 707  
division that is provided by a delinquent child unless that child 708  
is in a category specified in division (F)(1)(a), (b), or (c) of 709  
this section. 710

(F)(1) Except as provided in division (F)(2) of this section, 711  
the duties to provide the notices described in divisions (A) and 712  
(C) of this section apply regarding any offender or delinquent 713  
child who is in any of the following categories: 714

(a) The offender is a tier III sex offender/child-victim 715  
offender, or the delinquent child is a public registry-qualified 716  
juvenile offender registrant, and a juvenile court has not removed 717  
pursuant to section 2950.15 of the Revised Code the delinquent 718  
child's duty to comply with sections 2950.04, 2950.041, 2950.05, 719  
and 2950.06 of the Revised Code. 720

(b) The delinquent child is a tier III sex 721  
offender/child-victim offender who is not a ~~public registry~~ 722  
~~qualified~~ public registry-qualified juvenile offender registrant, 723  
the delinquent child was subjected to this section prior to ~~the~~ 724  
~~effective date of this amendment~~ January 1, 2008, as a sexual 725  
predator, habitual sex offender, child-victim predator, or 726  
habitual child-victim offender, as those terms were defined in 727  
section 2950.01 of the Revised Code as it existed prior to ~~the~~ 728  
~~effective date of this amendment~~ January 1, 2008, and a juvenile 729  
court has not removed pursuant to section 2152.84 or 2152.85 of 730  
the Revised Code the delinquent child's duty to comply with 731



sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code. 732  
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(c) The delinquent child is a tier III sex offender/child-victim offender who is not a public registry-qualified juvenile offender registrant, the delinquent child was classified a juvenile offender registrant on or after ~~the effective date of this amendment~~ January 1, 2008, the court has imposed a requirement under section 2152.82, 2152.83, or 2152.84 of the Revised Code subjecting the delinquent child to this section, and a juvenile court has not removed pursuant to section 2152.84 or 2152.85 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. 734  
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(2) The notification provisions of this section do not apply to a person described in division (F)(1)(a), (b), or (c) of this section if a court finds at a hearing after considering the factors described in this division that the person would not be subject to the notification provisions of this section that were in the version of this section that existed immediately prior to ~~the effective date of this amendment~~ January 1, 2008. In making the determination of whether a person would have been subject to the notification provisions under prior law as described in this division, the court shall consider the following factors: 745  
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(a) The offender's or delinquent child's age; 755

(b) The offender's or delinquent child's prior criminal or delinquency record regarding all offenses, including, but not limited to, all sexual offenses; 756  
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(c) The age of the victim of the sexually oriented offense for which sentence is to be imposed or the order of disposition is to be made; 759  
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(d) Whether the sexually oriented offense for which sentence 762

is to be imposed or the order of disposition is to be made 763  
involved multiple victims; 764

(e) Whether the offender or delinquent child used drugs or 765  
alcohol to impair the victim of the sexually oriented offense or 766  
to prevent the victim from resisting; 767

(f) If the offender or delinquent child previously has been 768  
convicted of or pleaded guilty to, or been adjudicated a 769  
delinquent child for committing an act that if committed by an 770  
adult would be, a criminal offense, whether the offender or 771  
delinquent child completed any sentence or dispositional order 772  
imposed for the prior offense or act and, if the prior offense or 773  
act was a sex offense or a sexually oriented offense, whether the 774  
offender or delinquent child participated in available programs 775  
for sexual offenders; 776

(g) Any mental illness or mental disability of the offender 777  
or delinquent child; 778

(h) The nature of the offender's or delinquent child's sexual 779  
conduct, sexual contact, or interaction in a sexual context with 780  
the victim of the sexually oriented offense and whether the sexual 781  
conduct, sexual contact, or interaction in a sexual context was 782  
part of a demonstrated pattern of abuse; 783

(i) Whether the offender or delinquent child, during the 784  
commission of the sexually oriented offense for which sentence is 785  
to be imposed or the order of disposition is to be made, displayed 786  
cruelty or made one or more threats of cruelty; 787

(j) Whether the offender or delinquent child would have been 788  
a habitual sex offender or a habitual child victim offender under 789  
the definitions of those terms set forth in section 2950.01 of the 790  
Revised Code as that section existed prior to ~~the effective date~~ 791  
~~of this amendment~~ January 1, 2008; 792

(k) Any additional behavioral characteristics that contribute 793

to the offender's or delinquent child's conduct. 794

(G)(1) The department of job and family services shall 795  
compile, maintain, and update in January and July of each year, a 796  
list of all agencies, centers, or homes of a type described in 797  
division (A)(2) or (6) of this section that contains the name of 798  
each agency, center, or home of that type, the county in which it 799  
is located, its address and telephone number, and the name of an 800  
administrative officer or employee of the agency, center, or home. 801

(2) The department of education shall compile, maintain, and 802  
update in January and July of each year, a list of all boards of 803  
education, schools, or programs of a type described in division 804  
(A)(3), (4), or (5) of this section that contains the name of each 805  
board of education, school, or program of that type, the county in 806  
which it is located, its address and telephone number, the name of 807  
the superintendent of the board or of an administrative officer or 808  
employee of the school or program, and, in relation to a board of 809  
education, the county or counties in which each of its schools is 810  
located and the address of each such school. 811

(3) The Ohio board of regents shall compile, maintain, and 812  
update in January and July of each year, a list of all 813  
institutions of a type described in division (A)(7) of this 814  
section that contains the name of each such institution, the 815  
county in which it is located, its address and telephone number, 816  
and the name of its president or other chief administrative 817  
officer. 818

(4) A sheriff required by division (A) or (C) of this 819  
section, or authorized by division (D)(2) of this section, to 820  
provide notices regarding an offender or delinquent child, or a 821  
designee of a sheriff of that type, may request the department of 822  
job and family services, department of education, department of 823  
health, or Ohio board of regents, by telephone, in person, or by 824  
mail, to provide the sheriff or designee with the names, 825

addresses, and telephone numbers of the appropriate persons and 826  
entities to whom the notices described in divisions (A)(2) to (7) 827  
and (11) of this section are to be provided. Upon receipt of a 828  
request, the department or board shall provide the requesting 829  
sheriff or designee with the names, addresses, and telephone 830  
numbers of the appropriate persons and entities to whom those 831  
notices are to be provided. 832

(5) The department of health shall compile, maintain, and 833  
update in January and July of each year, a list of all long-term 834  
care facilities that contains the name of each long-term care 835  
facility, the county in which it is located, and its address and 836  
telephone number. 837

(H)(1) Upon the motion of the offender or the prosecuting 838  
attorney of the county in which the offender was convicted of or 839  
pleaded guilty to the sexually oriented offense or child-victim 840  
oriented offense for which the offender is subject to community 841  
notification under this section, or upon the motion of the 842  
sentencing judge or that judge's successor in office, the judge 843  
may schedule a hearing to determine whether the interests of 844  
justice would be served by suspending the community notification 845  
requirement under this section in relation to the offender. The 846  
judge may dismiss the motion without a hearing but may not issue 847  
an order suspending the community notification requirement without 848  
a hearing. At the hearing, all parties are entitled to be heard, 849  
and the judge shall consider all of the factors set forth in 850  
division (K) of this section. If, at the conclusion of the 851  
hearing, the judge finds that the offender has proven by clear and 852  
convincing evidence that the offender is unlikely to commit in the 853  
future a sexually oriented offense or a child-victim oriented 854  
offense and if the judge finds that suspending the community 855  
notification requirement is in the interests of justice, the judge 856  
may suspend the application of this section in relation to the 857

offender. The order shall contain both of these findings. 858

The judge promptly shall serve a copy of the order upon the 859  
sheriff with whom the offender most recently registered under 860  
section 2950.04, 2950.041, or 2950.05 of the Revised Code and upon 861  
the bureau of criminal identification and investigation. 862

An order suspending the community notification requirement 863  
does not suspend or otherwise alter an offender's duties to comply 864  
with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 865  
Revised Code and does not suspend the victim notification 866  
requirement under section 2950.10 of the Revised Code. 867

(2) A prosecuting attorney, a sentencing judge or that 868  
judge's successor in office, and an offender who is subject to the 869  
community notification requirement under this section may 870  
initially make a motion under division (H)(1) of this section upon 871  
the expiration of twenty years after the offender's duty to comply 872  
with division (A)(2), (3), or (4) of section 2950.04, division 873  
(A)(2), (3), or (4) of section 2950.041 and sections 2950.05 and 874  
2950.06 of the Revised Code begins in relation to the offense for 875  
which the offender is subject to community notification. After the 876  
initial making of a motion under division (H)(1) of this section, 877  
thereafter, the prosecutor, judge, and offender may make a 878  
subsequent motion under that division upon the expiration of five 879  
years after the judge has entered an order denying the initial 880  
motion or the most recent motion made under that division. 881

(3) The offender and the prosecuting attorney have the right 882  
to appeal an order approving or denying a motion made under 883  
division (H)(1) of this section. 884

(4) Divisions (H)(1) to (3) of this section do not apply to 885  
any of the following types of offender: 886

(a) A person who is convicted of or pleads guilty to a 887  
violent sex offense or designated homicide, assault, or kidnapping 888

offense and who, in relation to that offense, is adjudicated a 889  
sexually violent predator; 890

(b) A person who is convicted of or pleads guilty to a 891  
sexually oriented offense that is a violation of division 892  
(A)(1)(b) of section 2907.02 of the Revised Code committed on or 893  
after January 2, 2007, and either who is sentenced under section 894  
2971.03 of the Revised Code or upon whom a sentence of life 895  
without parole is imposed under division (B) of section 2907.02 of 896  
the Revised Code; 897

(c) A person who is convicted of or pleads guilty to a 898  
sexually oriented offense that is attempted rape committed on or 899  
after January 2, 2007, and who also is convicted of or pleads 900  
guilty to a specification of the type described in section 901  
2941.1418, 2941.1419, or 2941.1420 of the Revised Code; 902

(d) A person who is convicted of or pleads guilty to an 903  
offense described in division (B)(3)(a), (b), (c), or (d) of 904  
section 2971.03 of the Revised Code and who is sentenced for that 905  
offense pursuant to that division; 906

(e) An offender who is in a category specified in division 907  
(F)(1)(a), (b), or (c) of this section and who, subsequent to 908  
being subjected to community notification, has pleaded guilty to 909  
or been convicted of a sexually oriented offense or child-victim 910  
oriented offense. 911

(I) If a person is convicted of, pleads guilty to, has been 912  
convicted of, or has pleaded guilty to a sexually oriented offense 913  
or a child-victim oriented offense or a person is or has been 914  
adjudicated a delinquent child for committing a sexually oriented 915  
offense or a child-victim oriented offense and is classified a 916  
juvenile offender registrant or is an out-of-state juvenile 917  
offender registrant based on that adjudication, and if the 918  
offender or delinquent child is not in any category specified in 919

division (F)(1)(a), (b), or (c) of this section, the sheriff with whom the offender or delinquent child has most recently registered under section 2950.04, 2950.041, or 2950.05 of the Revised Code and the sheriff 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, within the period of time specified in division (D) of this section, shall provide a written notice containing the information set forth in division (B) of this section to the executive director of the public children services agency that has jurisdiction within the specified geographical notification area and that is located within the county served by the sheriff.

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

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

(1) The offender's age;

(2) The offender's prior criminal or delinquency record regarding all offenses, including, but not limited to, all sexually oriented offenses or child-victim oriented offenses;

(3) The age of the victim of the sexually oriented offense or child-victim oriented offense the offender committed;	952 953
(4) Whether the sexually oriented offense or child-victim oriented offense the offender committed involved multiple victims;	954 955
(5) Whether the offender used drugs or alcohol to impair the victim of the sexually oriented offense or child-victim oriented <u>offense</u> the offender committed or to prevent the victim from resisting;	956 957 958 959
(6) If the offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing an act that if committed by an adult would be a criminal offense, whether the offender completed any sentence or dispositional order imposed for the prior offense or act and, if the prior offense or act was a sexually oriented offense or a child-victim oriented offense, whether the offender or delinquent child participated in available programs for sex offenders or child-victim offenders;	960 961 962 963 964 965 966 967
(7) Any mental illness or mental disability of the offender;	968
(8) The nature of the offender's sexual conduct, sexual contact, or interaction in a sexual context with the victim of the sexually oriented offense the offender committed or the nature of the offender's interaction in a sexual context with the victim of the child-victim oriented offense the offender committed, whichever is applicable, and whether the sexual conduct, sexual contact, or interaction in a sexual context was part of a demonstrated pattern of abuse;	969 970 971 972 973 974 975 976
(9) Whether the offender, during the commission of the sexually oriented offense or child-victim oriented offense the offender committed, displayed cruelty or made one or more threats of cruelty;	977 978 979 980
(10) Any additional behavioral characteristics that contribute to the offender's conduct.	981 982



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

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

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

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

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

(4) A supervising officer and an officer or employee of the adult parole authority of the department of rehabilitation and correction;

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

(6) A supervisor and a caseworker or employee of a public

children services agency acting pursuant to section 5153.16 of the Revised Code;

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

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

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

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

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

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

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

**Sec. 2950.13.** (A) The attorney general shall do all of the following:

(1) No later than July 1, 1997, establish and maintain a state registry of sex offenders and child-victim offenders that is housed at the bureau of criminal identification and investigation and that contains all of the registration, change of residence, school, institution of higher education, or place of employment

address, and verification information the bureau receives pursuant 1043  
to sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 1044  
Code regarding each person who is convicted of, pleads guilty to, 1045  
has been convicted of, or has pleaded guilty to a sexually 1046  
oriented offense or a child-victim oriented offense and each 1047  
person who is or has been adjudicated a delinquent child for 1048  
committing a sexually oriented offense or a child-victim oriented 1049  
offense and is classified a juvenile offender registrant or is an 1050  
out-of-state juvenile offender registrant based on that 1051  
adjudication, all of the information the bureau receives pursuant 1052  
to section 2950.14 of the Revised Code, and any notice of an order 1053  
terminating or modifying an offender's or delinquent child's duty 1054  
to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of 1055  
the Revised Code the bureau receives pursuant to section 2152.84, 1056  
2152.85, or 2950.15 of the Revised Code. For a person who was 1057  
convicted of or pleaded guilty to the sexually oriented offense or 1058  
child-victim related offense, the registry also shall indicate 1059  
whether the person was convicted of or pleaded guilty to the 1060  
offense in a criminal prosecution or in a serious youthful 1061  
offender case. The registry shall not be open to inspection by the 1062  
public or by any person other than a person identified in division 1063  
(A) of section 2950.08 of the Revised Code. In addition to the 1064  
information and material previously identified in this division, 1065  
the registry shall include all of the following regarding each 1066  
person who is listed in the registry: 1067

(a) A citation for, and the name of, all sexually oriented 1068  
offenses or child-victim oriented offenses of which the person was 1069  
convicted, to which the person pleaded guilty, or for which the 1070  
person was adjudicated a delinquent child and that resulted in a 1071  
registration duty, and the date on which those offenses were 1072  
committed; 1073

(b) The text of the sexually oriented offenses or 1074

child-victim oriented offenses identified in division (A)(1)(a) of 1075  
this section as those offenses existed at the time the person was 1076  
convicted of, pleaded guilty to, or was adjudicated a delinquent 1077  
child for committing those offenses, or a link to a database that 1078  
sets forth the text of those offenses; 1079

(c) A statement as to whether the person is a tier I sex 1080  
offender/child-victim offender, a tier II sex 1081  
offender/child-victim offender, or a tier III sex 1082  
offender/child-victim offender for the sexually oriented offenses 1083  
or child-victim oriented offenses identified in division (A)(1)(a) 1084  
of this section; 1085

(d) The community supervision status of the person, 1086  
including, but not limited to, whether the person is serving a 1087  
community control sanction and the nature of any such sanction, 1088  
whether the person is under supervised release and the nature of 1089  
the release, or regarding a juvenile, whether the juvenile is 1090  
under any type of release authorized under Chapter 2152. or 5139. 1091  
of the Revised Code and the nature of any such release; 1092

(e) The offense and delinquency history of the person, as 1093  
determined from information gathered or provided under sections 1094  
109.57 and 2950.14 of the Revised Code; 1095

(f) The bureau of criminal identification and investigation 1096  
tracking number assigned to the person if one has been so 1097  
assigned, the federal bureau of investigation number assigned to 1098  
the person if one has been assigned and the bureau of criminal 1099  
identification and investigation is aware of the number, and any 1100  
other state identification number assigned to the person of which 1101  
the bureau is aware; 1102

(g) Fingerprints and palmprints of the person; 1103

(h) A DNA specimen, as defined in section 109.573 of the 1104  
Revised Code, from the person; 1105

(i) Whether the person has any outstanding arrest warrants;	1106
(j) Whether the person is in compliance with the person's duties under this chapter.	1107 1108
(2) In consultation with local law enforcement representatives and no later than July 1, 1997, adopt rules that contain guidelines necessary for the implementation of this chapter;	1109 1110 1111 1112
(3) In consultation with local law enforcement representatives, adopt rules for the implementation and administration of the provisions contained in section 2950.11 of the Revised Code that pertain to the notification of neighbors of an offender or a delinquent child who has committed a sexually oriented offense or a child-victim oriented offense and <del>and</del> is in a category specified in division (F)(1) of that section and rules that prescribe a manner in which victims of a sexually oriented offense or a child-victim oriented offense committed by an offender or a delinquent child who is in a category specified in division (B)(1) of section 2950.10 of the Revised Code may make a request that specifies that the victim would like to be provided the notices described in divisions (A)(1) and (2) of section 2950.10 of the Revised Code;	1113 1114 1115 1116 1117 1118 1119 1120 1121 1122 1123 1124 1125 1126
(4) In consultation with local law enforcement representatives and through the bureau of criminal identification and investigation, prescribe the forms to be used by judges and 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 <sub>7</sub> 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	1127 1128 1129 1130 1131 1132 1133 1134 1135 1136 1137

prescribe the forms to be used by sheriffs relative to those 1138  
duties of filing a notice of intent to reside, registration, 1139  
change of residence, school, institution of higher education, or 1140  
place of employment address notification, and address 1141  
verification; 1142

(5) Make copies of the forms prescribed under division (A)(4) 1143  
of this section available to judges, officials, and sheriffs; 1144

(6) Through the bureau of criminal identification and 1145  
investigation, provide the notifications, the information and 1146  
materials, and the documents that the bureau is required to 1147  
provide to appropriate law enforcement officials and to the 1148  
federal bureau of investigation pursuant to sections 2950.04, 1149  
2950.041, 2950.05, and 2950.06 of the Revised Code; 1150

(7) Through the bureau of criminal identification and 1151  
investigation, maintain the verification forms returned under the 1152  
address verification mechanism set forth in section 2950.06 of the 1153  
Revised Code; 1154

(8) In consultation with representatives of the officials, 1155  
judges, and sheriffs, adopt procedures for officials, judges, and 1156  
sheriffs to use to forward information, photographs, and 1157  
fingerprints to the bureau of criminal identification and 1158  
investigation pursuant to the requirements of sections 2950.03, 1159  
2950.04, 2950.041, 2950.05, 2950.06, and 2950.11 of the Revised 1160  
Code; 1161

(9) In consultation with the director of education, the 1162  
director of job and family services, and the director of 1163  
rehabilitation and correction, adopt rules that contain guidelines 1164  
to be followed by boards of education of a school district, 1165  
chartered nonpublic schools or other schools not operated by a 1166  
board of education, preschool programs, child day-care centers, 1167  
type A family day-care homes, certified type B family day-care 1168

homes, and institutions of higher education regarding the proper 1169  
use and administration of information received pursuant to section 1170  
2950.11 of the Revised Code relative to an offender or delinquent 1171  
child who has committed a sexually oriented offense or a 1172  
child-victim oriented offense and is in a category specified in 1173  
division (F)(1) of that section; 1174

(10) In consultation with local law enforcement 1175  
representatives and no later than July 1, 1997, adopt rules that 1176  
designate a geographic area or areas within which the notice 1177  
described in division (B) of section 2950.11 of the Revised Code 1178  
must be given to the persons identified in divisions (A)(2) to (8) 1179  
~~and (A)~~, (10), and (11) of that section; 1180

(11) Through the bureau of criminal identification and 1181  
investigation, not later than January 1, 2004, establish and 1182  
operate on the internet a sex offender and child-victim offender 1183  
database that contains information for every offender who has 1184  
committed a sexually oriented offense or a child-victim oriented 1185  
offense and registers in any county in this state pursuant to 1186  
section 2950.04 or 2950.041 of the Revised Code and for every 1187  
delinquent child who has committed a sexually oriented offense, is 1188  
a public registry-qualified juvenile offender registrant, and 1189  
registers in any county in this state pursuant to either such 1190  
section. The bureau shall not include on the database the identity 1191  
of any offender's or public registry-qualified juvenile offender 1192  
registrant's victim, any offender's or public registry-qualified 1193  
juvenile offender registrant's social security number, the name of 1194  
any school or institution of higher education attended by any 1195  
offender or public registry-qualified juvenile offender 1196  
registrant, the name of the place of employment of any offender or 1197  
public registry-qualified juvenile offender registrant, any 1198  
tracking or identification number described in division (A)(1)(f) 1199  
of this section, or any information described in division (C)(7) 1200

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

(a) The information described in divisions (A)(1)(a), (b), 1227  
(c), and (d) of this section relative to the offender or public 1228  
registry-qualified juvenile offender registrant; 1229

(b) The address of the offender's or public 1230  
registry-qualified juvenile offender registrant's school, 1231  
institution of higher education, or place of employment provided 1232



in a registration form; 1233

(c) The information described in division (C)(6) of section 1234  
2950.04 or 2950.041 of the Revised Code; 1235

(d) A chart describing which sexually oriented offenses and 1236  
child-victim oriented offenses are included in the definitions of 1237  
tier I sex offender/child-victim offender, tier II sex 1238  
offender/child-victim offender, and tier III sex 1239  
offender/child-victim offender; 1240

(e) Fingerprints and ~~palm prints~~ palprints of the offender 1241  
or public registry-qualified juvenile offender registrant and a 1242  
DNA specimen from the offender or public registry-qualified 1243  
juvenile offender registrant; 1244

(f) The information set forth in division (B) of section 1245  
2950.11 of the Revised Code; 1246

(g) Any outstanding arrest warrants for the offender or 1247  
public registry-qualified juvenile offender registrant; 1248

(h) The offender's or public registry-qualified juvenile 1249  
offender registrant's compliance status with duties under this 1250  
chapter. 1251

(12) Develop software to be used by sheriffs in establishing 1252  
on the internet a sex offender and child-victim offender database 1253  
for the public dissemination of some or all of the information and 1254  
materials described in division (A) of section 2950.081 of the 1255  
Revised Code that are public records under that division, that are 1256  
not prohibited from inclusion by division (B) of that section, and 1257  
that pertain to offenders and public registry-qualified juvenile 1258  
offender registrants who register in the sheriff's county pursuant 1259  
to section 2950.04 or 2950.041 of the Revised Code and for the 1260  
public dissemination of information the sheriff receives pursuant 1261  
to section 2950.14 of the Revised Code and, upon the request of 1262  
any sheriff, provide technical guidance to the requesting sheriff 1263

in establishing on the internet such a database; 1264

(13) Through the bureau of criminal identification and 1265  
investigation, not later than January 1, 2004, establish and 1266  
operate on the internet a database that enables local law 1267  
enforcement representatives to remotely search by electronic means 1268  
the state registry of sex offenders and child-victim offenders 1269  
described in division (A)(1) of this section and any information 1270  
and materials the bureau receives pursuant to sections 2950.04, 1271  
2950.041, 2950.05, 2950.06, and 2950.14 of the Revised Code. The 1272  
database shall enable local law enforcement representatives to 1273  
obtain detailed information regarding each offender and delinquent 1274  
child who is included in the registry, including, but not limited 1275  
to the offender's or delinquent child's name, aliases, residence 1276  
address, name and address of any place of employment, school, 1277  
institution of higher education, if applicable, license plate 1278  
number of each vehicle identified in division (C)(5) of section 1279  
2950.04 or 2950.041 of the Revised Code to the extent applicable, 1280  
victim preference if available, date of most recent release from 1281  
confinement if applicable, fingerprints, and palmprints, all of 1282  
the information and material described in ~~division~~ divisions 1283  
(A)(1)(a) to (h) of this section regarding the offender or 1284  
delinquent child, and other identification parameters the bureau 1285  
considers appropriate. The database is not a public record open 1286  
for inspection under section 149.43 of the Revised Code and shall 1287  
be available only to law enforcement representatives as described 1288  
in this division. Information obtained by local law enforcement 1289  
representatives through use of this database is not open to 1290  
inspection by the public or by any person other than a person 1291  
identified in division (A) of section 2950.08 of the Revised Code. 1292

(14) Through the bureau of criminal identification and 1293  
investigation, maintain a list of requests for notice about a 1294  
specified offender or delinquent child or specified geographical 1295

notification area made pursuant to division (J) of section 2950.11 1296  
of the Revised Code and, when an offender or delinquent child 1297  
changes residence to another county, forward any requests for 1298  
information about that specific offender or delinquent child to 1299  
the appropriate sheriff; 1300

(15) Through the bureau of criminal identification and 1301  
investigation, establish and operate a system for the immediate 1302  
notification by electronic means of the appropriate officials in 1303  
other states specified in this division each time an offender or 1304  
delinquent child registers a residence, school, institution of 1305  
higher education, or place of employment address under section 1306  
2950.04 or 2950.041 of the ~~revised~~ Revised Code or provides a 1307  
notice of a change of address or registers a new address under 1308  
division (A) or (B) of section 2950.05 of the Revised Code. The 1309  
immediate notification by electronic means shall be provided to 1310  
the appropriate officials in each state in which the offender or 1311  
delinquent child is required to register a residence, school, 1312  
institution of higher education, or place of employment address. 1313  
The notification shall contain the offender's or delinquent 1314  
child's name and all of the information the bureau receives from 1315  
the sheriff with whom the offender or delinquent child registered 1316  
the address or provided the notice of change of address or 1317  
registered the new address. 1318

(B) The attorney general in consultation with local law 1319  
enforcement representatives, may adopt rules that establish one or 1320  
more categories of neighbors of an offender or delinquent child 1321  
who, in addition to the occupants of residential premises and 1322  
other persons specified in division (A)(1) of section 2950.11 of 1323  
the Revised Code, must be given the notice described in division 1324  
(B) of that section. 1325

(C) No person, other than a local law enforcement 1326  
representative, shall knowingly do any of the following: 1327

(1) Gain or attempt to gain access to the database 1328  
established and operated by the attorney general, through the 1329  
bureau of criminal identification and investigation, pursuant to 1330  
division (A)(13) of this section. 1331

(2) Permit any person to inspect any information obtained 1332  
through use of the database described in division (C)(1) of this 1333  
section, other than as permitted under that division. 1334

(D) As used in this section, "local law enforcement 1335  
representatives" means representatives of the sheriffs of this 1336  
state, representatives of the municipal chiefs of police and 1337  
marshals of this state, and representatives of the township 1338  
constables and chiefs of police of the township police departments 1339  
or police district police forces of this state. 1340

**Section 2.** That existing sections 2950.01, 2950.11, 2950.12, 1341  
and 2950.13 of the Revised Code are hereby repealed. 1342