

As Reported by the House Criminal Justice Committee

**129th General Assembly
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H. B. No. 24

Representative Combs

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

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A B I L L

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

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

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

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

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

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

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

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

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

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

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

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

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

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

years of age and the offender is not a parent of the victim of the offense; 50
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 offender or delinquent child if the entrance door into the occupant's unit is located on the same floor and opens into the same hallway as the entrance door to the unit the offender or delinquent child occupies. Division (D)(3) of this section applies regarding notices required under this division.

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

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

county served by the sheriff; 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 920
whom the offender or delinquent child has most recently registered 921
under section 2950.04, 2950.041, or 2950.05 of the Revised Code 922
and the sheriff to whom the offender or delinquent child most 923
recently sent a notice of intent to reside under section 2950.04 924
or 2950.041 of the Revised Code, within the period of time 925
specified in division (D) of this section, shall provide a written 926
notice containing the information set forth in division (B) of 927
this section to the executive director of the public children 928
services agency that has jurisdiction within the specified 929
geographical notification area and that is located within the 930
county served by the sheriff. 931

(J) Each sheriff shall allow a volunteer organization or 932
other organization, company, or individual who wishes to receive 933
the notice described in division (A)(10) of this section regarding 934
a specific offender or delinquent child or notice regarding all 935
offenders and delinquent children who are located in the specified 936
geographical notification area to notify the sheriff by electronic 937
mail or through the sheriff's web site of this election. The 938
sheriff shall promptly inform the bureau of criminal 939
identification and investigation of these requests in accordance 940
with the forwarding procedures adopted by the attorney general 941
pursuant to section 2950.13 of the Revised Code. 942

(K) In making a determination under division (H)(1) of this 943
section as to whether to suspend the community notification 944
requirement under this section for an offender, the judge shall 945
consider all relevant factors, including, but not limited to, all 946
of the following: 947

(1) The offender's age; 948

(2) The offender's prior criminal or delinquency record 949
regarding all offenses, including, but not limited to, all 950
sexually oriented offenses or child-victim oriented offenses; 951

(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; 1013
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(7) A managing officer of a state correctional institution and an officer or employee of the department of rehabilitation and correction; 1015
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(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; 1018
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(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. 1022
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(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: 1026
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(1) The act or omission was manifestly outside the scope of the person's employment or official responsibilities. 1030
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(2) The act or omission was with malicious purpose, in bad faith, or in a wanton or reckless manner. 1032
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(3) Liability for the act or omission is expressly imposed by a section of the Revised Code. 1034
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Sec. 2950.13. (A) The attorney general shall do all of the following: 1036
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(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 1038
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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 and 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 ₇ 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 2950.04 or 2950.041 of the Revised Code;	1234 1235
(d) A chart describing which sexually oriented offenses and child-victim oriented offenses are included in the definitions of tier I sex offender/child-victim offender, tier II sex offender/child-victim offender, and tier III sex offender/child-victim offender;	1236 1237 1238 1239 1240
(e) Fingerprints and palm prints <u>palprints</u> of the offender or public registry-qualified juvenile offender registrant and a DNA specimen from the offender or public registry-qualified juvenile offender registrant;	1241 1242 1243 1244
(f) The information set forth in division (B) of section 2950.11 of the Revised Code;	1245 1246
(g) Any outstanding arrest warrants for the offender or public registry-qualified juvenile offender registrant;	1247 1248
(h) The offender's or public registry-qualified juvenile offender registrant's compliance status with duties under this chapter.	1249 1250 1251
(12) Develop software to be used by sheriffs in establishing on the internet a sex offender and child-victim offender database for the public dissemination of some or all of the information and materials described in division (A) of section 2950.081 of the Revised Code that are public records under that division, that are not prohibited from inclusion by division (B) of that section, and that pertain to offenders and public registry-qualified juvenile offender registrants who register in the sheriff's county pursuant to section 2950.04 or 2950.041 of the Revised Code and for the public dissemination of information the sheriff receives pursuant to section 2950.14 of the Revised Code and, upon the request of any sheriff, provide technical guidance to the requesting sheriff	1252 1253 1254 1255 1256 1257 1258 1259 1260 1261 1262 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