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Representative Combs

**Cosponsors: Representatives Derickson, Grossman, Patmon, Pillich, Beck,
Stinziano, Dovilla, Maag, Blair, Stebelton, Rosenberger, Hackett, Ashford,
Winburn, Garland, Williams, Weddington, Bubp, Blessing, Hayes, Slaby,
Antonio, Brenner, DeGeeter, Duffey, Fedor, Gerberry, Goyal, Hagan, C.,
Hagan, R., Heard, Hottinger, Letson, Lundy, Mallory, Mecklenborg, O'Brien,
Szollosi, Uecker, Yuko Speaker Batchelder**

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A B I L L

To amend sections 959.99, 2152.19, 2903.213, 1
2903.214, 2919.26, 3113.31, 4732.141, and 4757.33 2
and to enact section 4731.284 of the Revised Code 3
to revise the penalties and sentencing provisions 4
regarding violations of the cruelty to animals 5
statutes and to include the protection of 6
companion animals in temporary protection orders, 7
domestic violence protection orders, anti-stalking 8
protection orders, and related protection orders. 9

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

Section 1. That sections 959.99, 2152.19, 2903.213, 2903.214, 10
2919.26, 3113.31, 4732.141, and 4757.33 be amended and section 11
4731.284 of the Revised Code be enacted to read as follows: 12

Sec. 959.99. (A) Whoever violates section 959.18 or 959.19 of 13
the Revised Code is guilty of a minor misdemeanor. 14

(B) Except as otherwise provided in this division, whoever violates section 959.02 of the Revised Code is guilty of a misdemeanor of the second degree. If the value of the animal killed or the injury done amounts to three hundred dollars or more, whoever violates section 959.02 of the Revised Code is guilty of a misdemeanor of the first degree.

(C) Whoever violates section 959.03, 959.06, 959.12, 959.15, or 959.17 of the Revised Code is guilty of a misdemeanor of the fourth degree.

(D) Whoever violates division (A) of section 959.13 of the Revised Code is guilty of a misdemeanor of the second degree on a first offense and a misdemeanor of the first degree on each subsequent offense. In addition, the court may order the offender to forfeit the animal or livestock and may provide for its disposition, including, but not limited to, the sale of the animal or livestock. If an animal or livestock is forfeited and sold pursuant to this division, the proceeds from the sale first shall be applied to pay the expenses incurred with regard to the care of the animal from the time it was taken from the custody of the former owner. The balance of the proceeds from the sale, if any, shall be paid to the former owner of the animal.

(E)(1)(a) Whoever violates division (B) of section 959.131 of the Revised Code is guilty of a misdemeanor of the first degree on a first offense and a felony of the fifth degree on each subsequent offense. In addition to any other sanction imposed for a felony violation of division (B) of section 959.131 of the Revised Code if the offender is not already undergoing counseling pursuant to division (E)(4) of this section, a court shall impose a term of basic probation supervision or a term of intensive probation supervision.

(b) As used in division (E)(1)(a) of this section, "basic probation supervision" and "intensive probation supervision" have

the same meanings as in section 2929.01 of the Revised Code. 47

(2) Whoever violates section 959.01 of the Revised Code or 48
division (C) of section 959.131 of the Revised Code is guilty of a 49
misdemeanor of the second degree on a first offense and a 50
misdemeanor of the first degree on each subsequent offense. 51

(3)(a) A court may order a person who is convicted of or 52
pleads guilty to a violation of section 959.131 of the Revised 53
Code to forfeit to an impounding agency, as defined in section 54
959.132 of the Revised Code, any or all of the companion animals 55
in that person's ownership or care. The court also may prohibit or 56
place limitations on the person's ability to own or care for any 57
companion animals for a specified or indefinite period of time. 58

(b) A court may order a person who is convicted of or pleads 59
guilty to a violation of section 959.131 of the Revised Code to 60
reimburse an impounding agency for the reasonably necessary costs 61
incurred by the agency for the care of a companion animal that the 62
agency impounded as a result of the investigation or prosecution 63
of the violation, provided that the costs were not otherwise paid 64
under section 959.132 of the Revised Code. 65

(4) ~~If~~ (a) Except as otherwise provided in division (E)(4)(b) 66
of this section, if a court has reason to believe that a person 67
who is convicted of or pleads guilty to a violation of section 68
959.131 of the Revised Code suffers from a mental or emotional 69
disorder that contributed to the violation, the court may impose 70
as a community control sanction or as a condition of probation a 71
requirement that the offender undergo psychological evaluation or 72
counseling. The court shall order the offender to pay the costs of 73
the evaluation or counseling. 74

(b) The court shall require a child under eighteen years of 75
age who is adjudicated a delinquent child under Chapter 2152. of 76
the Revised Code for a violation of division (B) of section 77

959.131 of the Revised Code to undergo psychological evaluation 78
and, if the evaluation determines that it is appropriate, to 79
undergo counseling in accordance with division (F) of section 80
2152.19 of the Revised Code. 81

(F) Whoever violates section 959.14 of the Revised Code is 82
guilty of a misdemeanor of the second degree on a first offense 83
and a misdemeanor of the first degree on each subsequent offense. 84

(G) Whoever violates section 959.05 or 959.20 of the Revised 85
Code is guilty of a misdemeanor of the first degree. 86

(H) Whoever violates section 959.16 of the Revised Code is 87
guilty of a felony of the fourth degree ~~for~~ on a first offense and 88
a felony of the third degree on each subsequent offense. 89

Sec. 2152.19. (A) If a child is adjudicated a delinquent 90
child, the court may make any of the following orders of 91
disposition, in addition to any other disposition authorized or 92
required by this chapter: 93

(1) Any order that is authorized by section 2151.353 of the 94
Revised Code for the care and protection of an abused, neglected, 95
or dependent child; 96

(2) Commit the child to the temporary custody of any school, 97
camp, institution, or other facility operated for the care of 98
delinquent children by the county, by a district organized under 99
section ~~2152.41 or~~ 2151.65 or 2152.41 of the Revised Code, or by a 100
private agency or organization, within or without the state, that 101
is authorized and qualified to provide the care, treatment, or 102
placement required, including, but not limited to, a school, camp, 103
or facility operated under section 2151.65 of the Revised Code; 104

(3) Place the child in a detention facility or district 105
detention facility operated under section 2152.41 of the Revised 106
Code, for up to ninety days; 107

(4) Place the child on community control under any sanctions, 108
services, and conditions that the court prescribes. As a condition 109
of community control in every case and in addition to any other 110
condition that it imposes upon the child, the court shall require 111
the child to abide by the law during the period of community 112
control. As referred to in this division, community control 113
includes, but is not limited to, the following sanctions and 114
conditions: 115

(a) A period of basic probation supervision in which the 116
child is required to maintain contact with a person appointed to 117
supervise the child in accordance with sanctions imposed by the 118
court; 119

(b) A period of intensive probation supervision in which the 120
child is required to maintain frequent contact with a person 121
appointed by the court to supervise the child while the child is 122
seeking or maintaining employment and participating in training, 123
education, and treatment programs as the order of disposition; 124

(c) A period of day reporting in which the child is required 125
each day to report to and leave a center or another approved 126
reporting location at specified times in order to participate in 127
work, education or training, treatment, and other approved 128
programs at the center or outside the center; 129

(d) A period of community service of up to five hundred hours 130
for an act that would be a felony or a misdemeanor of the first 131
degree if committed by an adult, up to two hundred hours for an 132
act that would be a misdemeanor of the second, third, or fourth 133
degree if committed by an adult, or up to thirty hours for an act 134
that would be a minor misdemeanor if committed by an adult; 135

(e) A requirement that the child obtain a high school 136
diploma, a certificate of high school equivalence, vocational 137
training, or employment; 138

(f) A period of drug and alcohol use monitoring;	139
(g) A requirement of alcohol or drug assessment or counseling, or a period in an alcohol or drug treatment program with a level of security for the child as determined necessary by the court;	140 141 142 143
(h) A period in which the court orders the child to observe a curfew that may involve daytime or evening hours;	144 145
(i) A requirement that the child serve monitored time;	146
(j) A period of house arrest without electronic monitoring or continuous alcohol monitoring;	147 148
(k) A period of electronic monitoring or continuous alcohol monitoring without house arrest, or house arrest with electronic monitoring or continuous alcohol monitoring or both electronic monitoring and continuous alcohol monitoring, that does not exceed the maximum sentence of imprisonment that could be imposed upon an adult who commits the same act.	149 150 151 152 153 154
A period of house arrest with electronic monitoring or continuous alcohol monitoring or both electronic monitoring and continuous alcohol monitoring, imposed under this division shall not extend beyond the child's twenty-first birthday. If a court imposes a period of house arrest with electronic monitoring or continuous alcohol monitoring or both electronic monitoring and continuous alcohol monitoring, upon a child under this division, it shall require the child: to remain in the child's home or other specified premises for the entire period of house arrest with electronic monitoring or continuous alcohol monitoring or both except when the court permits the child to leave those premises to go to school or to other specified premises. Regarding electronic monitoring, the court also shall require the child to be monitored by a central system that can determine the child's location at designated times; to report periodically to a person designated by	155 156 157 158 159 160 161 162 163 164 165 166 167 168 169

the court; and to enter into a written contract with the court 170
agreeing to comply with all requirements imposed by the court, 171
agreeing to pay any fee imposed by the court for the costs of the 172
house arrest with electronic monitoring, and agreeing to waive the 173
right to receive credit for any time served on house arrest with 174
electronic monitoring toward the period of any other dispositional 175
order imposed upon the child if the child violates any of the 176
requirements of the dispositional order of house arrest with 177
electronic monitoring. The court also may impose other reasonable 178
requirements upon the child. 179

Unless ordered by the court, a child shall not receive credit 180
for any time served on house arrest with electronic monitoring or 181
continuous alcohol monitoring or both toward any other 182
dispositional order imposed upon the child for the act for which 183
was imposed the dispositional order of house arrest with 184
electronic monitoring or continuous alcohol monitoring. As used in 185
this division and division (A)(4)~~(i)~~(j) of this section, 186
"continuous alcohol monitoring" has the same meaning as in section 187
2929.01 of the Revised Code. 188

(1) A suspension of the driver's license, probationary 189
driver's license, or temporary instruction permit issued to the 190
child for a period of time prescribed by the court, or a 191
suspension of the registration of all motor vehicles registered in 192
the name of the child for a period of time prescribed by the 193
court. A child whose license or permit is so suspended is 194
ineligible for issuance of a license or permit during the period 195
of suspension. At the end of the period of suspension, the child 196
shall not be reissued a license or permit until the child has paid 197
any applicable reinstatement fee and complied with all 198
requirements governing license reinstatement. 199

(5) Commit the child to the custody of the court; 200

(6) Require the child to not be absent without legitimate 201

excuse from the public school the child is supposed to attend for 202
five or more consecutive days, seven or more school days in one 203
school month, or twelve or more school days in a school year; 204

(7)(a) If a child is adjudicated a delinquent child for being 205
a chronic truant or a habitual truant who previously has been 206
adjudicated an unruly child for being a habitual truant, do either 207
or both of the following: 208

(i) Require the child to participate in a truancy prevention 209
mediation program; 210

(ii) Make any order of disposition as authorized by this 211
section, except that the court shall not commit the child to a 212
facility described in division (A)(2) or (3) of this section 213
unless the court determines that the child violated a lawful court 214
order made pursuant to division (C)(1)(e) of section 2151.354 of 215
the Revised Code or division (A)(6) of this section. 216

(b) If a child is adjudicated a delinquent child for being a 217
chronic truant or a habitual truant who previously has been 218
adjudicated an unruly child for being a habitual truant and the 219
court determines that the parent, guardian, or other person having 220
care of the child has failed to cause the child's attendance at 221
school in violation of section 3321.38 of the Revised Code, do 222
either or both of the following: 223

(i) Require the parent, guardian, or other person having care 224
of the child to participate in a truancy prevention mediation 225
program; 226

(ii) Require the parent, guardian, or other person having 227
care of the child to participate in any community service program, 228
preferably a community service program that requires the 229
involvement of the parent, guardian, or other person having care 230
of the child in the school attended by the child. 231

(8) Make any further disposition that the court finds proper, 232

except that the child shall not be placed in any of the following: 233

(a) A state correctional institution, a county, multicounty, 234
or municipal jail or workhouse, or another place in which an adult 235
convicted of a crime, under arrest, or charged with a crime is 236
held; 237

(b) A community corrections facility, if the child would be 238
covered by the definition of public safety beds for purposes of 239
sections 5139.41 to 5139.43 of the Revised Code if the court 240
exercised its authority to commit the child to the legal custody 241
of the department of youth services for institutionalization or 242
institutionalization in a secure facility pursuant to this 243
chapter. 244

(B) If a child is adjudicated a delinquent child, in addition 245
to any order of disposition made under division (A) of this 246
section, the court, in the following situations and for the 247
specified periods of time, shall suspend the child's temporary 248
instruction permit, restricted license, probationary driver's 249
license, or nonresident operating privilege, or suspend the 250
child's ability to obtain such a permit: 251

(1) If the child is adjudicated a delinquent child for 252
violating section 2923.122 of the Revised Code, impose a class 253
four suspension of the child's license, permit, or privilege from 254
the range specified in division (A)(4) of section 4510.02 of the 255
Revised Code or deny the child the issuance of a license or permit 256
in accordance with division (F)(1) of section 2923.122 of the 257
Revised Code. 258

(2) If the child is adjudicated a delinquent child for 259
committing an act that if committed by an adult would be a drug 260
abuse offense or for violating division (B) of section 2917.11 of 261
the Revised Code, suspend the child's license, permit, or 262
privilege for a period of time prescribed by the court. The court, 263

in its discretion, may terminate the suspension if the child 264
attends and satisfactorily completes a drug abuse or alcohol abuse 265
education, intervention, or treatment program specified by the 266
court. During the time the child is attending a program described 267
in this division, the court shall retain the child's temporary 268
instruction permit, probationary driver's license, or driver's 269
license, and the court shall return the permit or license if it 270
terminates the suspension as described in this division. 271

(C) The court may establish a victim-offender mediation 272
program in which victims and their offenders meet to discuss the 273
offense and suggest possible restitution. If the court obtains the 274
assent of the victim of the delinquent act committed by the child, 275
the court may require the child to participate in the program. 276

(D)(1) If a child is adjudicated a delinquent child for 277
committing an act that would be a felony if committed by an adult 278
and if the child caused, attempted to cause, threatened to cause, 279
or created a risk of physical harm to the victim of the act, the 280
court, prior to issuing an order of disposition under this 281
section, shall order the preparation of a victim impact statement 282
by the probation department of the county in which the victim of 283
the act resides, by the court's own probation department, or by a 284
victim assistance program that is operated by the state, a county, 285
a municipal corporation, or another governmental entity. The court 286
shall consider the victim impact statement in determining the 287
order of disposition to issue for the child. 288

(2) Each victim impact statement shall identify the victim of 289
the act for which the child was adjudicated a delinquent child, 290
itemize any economic loss suffered by the victim as a result of 291
the act, identify any physical injury suffered by the victim as a 292
result of the act and the seriousness and permanence of the 293
injury, identify any change in the victim's personal welfare or 294
familial relationships as a result of the act and any 295

psychological impact experienced by the victim or the victim's 296
family as a result of the act, and contain any other information 297
related to the impact of the act upon the victim that the court 298
requires. 299

(3) A victim impact statement shall be kept confidential and 300
is not a public record. However, the court may furnish copies of 301
the statement to the department of youth services if the 302
delinquent child is committed to the department or to both the 303
adjudicated delinquent child or the adjudicated delinquent child's 304
counsel and the prosecuting attorney. The copy of a victim impact 305
statement furnished by the court to the department pursuant to 306
this section shall be kept confidential and is not a public 307
record. If an officer is preparing pursuant to section 2947.06 or 308
2951.03 of the Revised Code or Criminal Rule 32.2 a presentence 309
investigation report pertaining to a person, the court shall make 310
available to the officer, for use in preparing the report, a copy 311
of any victim impact statement regarding that person. The copies 312
of a victim impact statement that are made available to the 313
adjudicated delinquent child or the adjudicated delinquent child's 314
counsel and the prosecuting attorney pursuant to this division 315
shall be returned to the court by the person to whom they were 316
made available immediately following the imposition of an order of 317
disposition for the child under this chapter. 318

The copy of a victim impact statement that is made available 319
pursuant to this division to an officer preparing a criminal 320
presentence investigation report shall be returned to the court by 321
the officer immediately following its use in preparing the report. 322

(4) The department of youth services shall work with local 323
probation departments and victim assistance programs to develop a 324
standard victim impact statement. 325

(E) If a child is adjudicated a delinquent child for being a 326
chronic truant or a habitual truant who previously has been 327

adjudicated an unruly child for being a habitual truant and the 328
court determines that the parent, guardian, or other person having 329
care of the child has failed to cause the child's attendance at 330
school in violation of section 3321.38 of the Revised Code, in 331
addition to any order of disposition it makes under this section, 332
the court shall warn the parent, guardian, or other person having 333
care of the child that any subsequent adjudication of the child as 334
an unruly or delinquent child for being a habitual or chronic 335
truant may result in a criminal charge against the parent, 336
guardian, or other person having care of the child for a violation 337
of division (C) of section 2919.21 or section 2919.24 of the 338
Revised Code. 339

(F) If a child under eighteen years of age is adjudicated a 340
delinquent child for a violation of division (B) of section 341
959.131 of the Revised Code, the court, in addition to any other 342
disposition that it makes under this section, shall require the 343
child to undergo a psychological evaluation. The evaluation shall 344
determine if the child needs individual or family counseling and 345
shall make a recommendation as to the frequency and the length of 346
time that the counseling should occur. If individual or family 347
counseling is recommended by the evaluation, the court shall 348
require the counseling to take place and shall establish the 349
frequency and the length of time of the counseling. The court may 350
order the parent, guardian, or other person having care of the 351
child to pay the costs of the evaluation, any counseling, or both. 352

(G)(1) During the period of a delinquent child's community 353
control granted under this section, authorized probation officers 354
who are engaged within the scope of their supervisory duties or 355
responsibilities may search, with or without a warrant, the person 356
of the delinquent child, the place of residence of the delinquent 357
child, and a motor vehicle, another item of tangible or intangible 358
personal property, or other real property in which the delinquent 359

child has a right, title, or interest or for which the delinquent 360
child has the express or implied permission of a person with a 361
right, title, or interest to use, occupy, or possess if the 362
probation officers have reasonable grounds to believe that the 363
delinquent child is not abiding by the law or otherwise is not 364
complying with the conditions of the delinquent child's community 365
control. The court that places a delinquent child on community 366
control under this section shall provide the delinquent child with 367
a written notice that informs the delinquent child that authorized 368
probation officers who are engaged within the scope of their 369
supervisory duties or responsibilities may conduct those types of 370
searches during the period of community control if they have 371
reasonable grounds to believe that the delinquent child is not 372
abiding by the law or otherwise is not complying with the 373
conditions of the delinquent child's community control. The court 374
also shall provide the written notice described in division 375
~~(E)~~(G)(2) of this section to each parent, guardian, or custodian 376
of the delinquent child who is described in that division. 377

(2) The court that places a child on community control under 378
this section shall provide the child's parent, guardian, or other 379
custodian with a written notice that informs them that authorized 380
probation officers may conduct searches pursuant to division 381
(E)(1) of this section. The notice shall specifically state that a 382
permissible search might extend to a motor vehicle, another item 383
of tangible or intangible personal property, or a place of 384
residence or other real property in which a notified parent, 385
guardian, or custodian has a right, title, or interest and that 386
the parent, guardian, or custodian expressly or impliedly permits 387
the child to use, occupy, or possess. 388

~~(G)~~(H) If a juvenile court commits a delinquent child to the 389
custody of any person, organization, or entity pursuant to this 390
section and if the delinquent act for which the child is so 391

committed is a sexually oriented offense or is a child-victim 392
oriented offense, the court in the order of disposition shall do 393
one of the following: 394

(1) Require that the child be provided treatment as described 395
in division (A)(2) of section 5139.13 of the Revised Code; 396

(2) Inform the person, organization, or entity that it is the 397
preferred course of action in this state that the child be 398
provided treatment as described in division (A)(2) of section 399
5139.13 of the Revised Code and encourage the person, 400
organization, or entity to provide that treatment. 401

Sec. 2903.213. (A) Except when the complaint involves a 402
person who is a family or household member as defined in section 403
2919.25 of the Revised Code, upon the filing of a complaint that 404
alleges a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 405
2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of 406
a municipal ordinance substantially similar to section 2903.13, 407
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or 408
the commission of a sexually oriented offense, the complainant, 409
the alleged victim, or a family or household member of an alleged 410
victim may file a motion that requests the issuance of a 411
protection order as a pretrial condition of release of the alleged 412
offender, in addition to any bail set under Criminal Rule 46. The 413
motion shall be filed with the clerk of the court that has 414
jurisdiction of the case at any time after the filing of the 415
complaint. If the complaint involves a person who is a family or 416
household member, the complainant, the alleged victim, or the 417
family or household member may file a motion for a temporary 418
protection order pursuant to section 2919.26 of the Revised Code. 419

(B) A motion for a protection order under this section shall 420
be prepared on a form that is provided by the clerk of the court, 421
and the form shall be substantially as follows: 422

"Motion for Protection Order	423
.....	424
Name and address of court	425
State of Ohio	426
v.	No. 427
.....	428
Name of Defendant	429
(Name of person), moves the court to issue a protection order	430
containing terms designed to ensure the safety and protection of	431
the complainant or the alleged victim in the above-captioned case	432
<u>and any companion animal that is in the complainant's or alleged</u>	433
<u>victim's residence</u> , in relation to the named defendant, pursuant	434
to its authority to issue a protection order under section	435
2903.213 of the Revised Code.	436
A complaint, a copy of which has been attached to this	437
motion, has been filed in this court charging the named defendant	438
with a violation of section 2903.11, 2903.12, 2903.13, 2903.21,	439
2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of	440
a municipal ordinance substantially similar to section 2903.13,	441
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or	442
the commission of a sexually oriented offense.	443
I understand that I must appear before the court, at a time	444
set by the court not later than the next day that the court is in	445
session after the filing of this motion, for a hearing on the	446
motion, and that any protection order granted pursuant to this	447
motion is a pretrial condition of release and is effective only	448
until the disposition of the criminal proceeding arising out of	449
the attached complaint or until the issuance under section	450
2903.214 of the Revised Code of a protection order arising out of	451
the same activities as those that were the basis of the attached	452
complaint.	453

.....	454
Signature of person	455
.....	456
Address of person"	457
(C)(1) As soon as possible after the filing of a motion that	458
requests the issuance of a protection order under this section,	459
but not later than the next day that the court is in session after	460
the filing of the motion, the court shall conduct a hearing to	461
determine whether to issue the order. The person who requested the	462
order shall appear before the court and provide the court with the	463
information that it requests concerning the basis of the motion.	464
If the court finds that the safety and protection of the	465
complainant or the alleged victim may be impaired by the continued	466
presence of the alleged offender, the court may issue a protection	467
order under this section, as a pretrial condition of release, that	468
contains terms designed to ensure the safety and protection of the	469
complainant or the alleged victim, including a requirement that	470
the alleged offender refrain from entering the residence, school,	471
business, or place of employment of the complainant or the alleged	472
victim. <u>The court may include within the scope of a protection</u>	473
<u>order issued under this section any companion animal that is in</u>	474
<u>the complainant's or alleged victim's residence.</u>	475
(2)(a) If the court issues a protection order under this	476
section that includes a requirement that the alleged offender	477
refrain from entering the residence, school, business, or place of	478
employment of the complainant or the alleged victim, the order	479
shall clearly state that the order cannot be waived or nullified	480
by an invitation to the alleged offender from the complainant, the	481
alleged victim, or a family or household member to enter the	482
residence, school, business, or place of employment or by the	483
alleged offender's entry into one of those places otherwise upon	484

the consent of the complainant, the alleged victim, or a family or household member. 485
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(b) Division (C)(2)(a) of this section does not limit any discretion of a court to determine that an alleged offender charged with a violation of section 2919.27 of the Revised Code, with a violation of a municipal ordinance substantially equivalent to that section, or with contempt of court, which charge is based on an alleged violation of a protection order issued under this section, did not commit the violation or was not in contempt of court. 487
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(D)(1) Except when the complaint involves a person who is a family or household member as defined in section 2919.25 of the Revised Code, upon the filing of a complaint that alleges a violation specified in division (A) of this section, the court, upon its own motion, may issue a protection order under this section as a pretrial condition of release of the alleged offender if it finds that the safety and protection of the complainant or the alleged victim may be impaired by the continued presence of the alleged offender. The court may include within the scope of a protection order issued under this section any companion animal that is in the complainant's or alleged victim's residence. 495
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(2) If the court issues a protection order under this section as an ex parte order, it shall conduct, as soon as possible after the issuance of the order but not later than the next day that the court is in session after its issuance, a hearing to determine whether the order should remain in effect, be modified, or be revoked. The hearing shall be conducted under the standards set forth in division (C) of this section. 506
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(3) If a municipal court or a county court issues a protection order under this section and if, subsequent to the issuance of the order, the alleged offender who is the subject of the order is bound over to the court of common pleas for 513
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prosecution of a felony arising out of the same activities as 517
those that were the basis of the complaint upon which the order is 518
based, notwithstanding the fact that the order was issued by a 519
municipal court or county court, the order shall remain in effect, 520
as though it were an order of the court of common pleas, while the 521
charges against the alleged offender are pending in the court of 522
common pleas, for the period of time described in division (E)(2) 523
of this section, and the court of common pleas has exclusive 524
jurisdiction to modify the order issued by the municipal court or 525
county court. This division applies when the alleged offender is 526
bound over to the court of common pleas as a result of the person 527
waiving a preliminary hearing on the felony charge, as a result of 528
the municipal court or county court having determined at a 529
preliminary hearing that there is probable cause to believe that 530
the felony has been committed and that the alleged offender 531
committed it, as a result of the alleged offender having been 532
indicted for the felony, or in any other manner. 533

(E) A protection order that is issued as a pretrial condition 534
of release under this section: 535

(1) Is in addition to, but shall not be construed as a part 536
of, any bail set under Criminal Rule 46; 537

(2) Is effective only until the disposition, by the court 538
that issued the order or, in the circumstances described in 539
division (D)(3) of this section, by the court of common pleas to 540
which the alleged offender is bound over for prosecution, of the 541
criminal proceeding arising out of the complaint upon which the 542
order is based or until the issuance under section 2903.214 of the 543
Revised Code of a protection order arising out of the same 544
activities as those that were the basis of the complaint filed 545
under this section; 546

(3) Shall not be construed as a finding that the alleged 547
offender committed the alleged offense and shall not be introduced 548

as evidence of the commission of the offense at the trial of the 549
alleged offender on the complaint upon which the order is based. 550

(F) A person who meets the criteria for bail under Criminal 551
Rule 46 and who, if required to do so pursuant to that rule, 552
executes or posts bond or deposits cash or securities as bail, 553
shall not be held in custody pending a hearing before the court on 554
a motion requesting a protection order under this section. 555

(G)(1) A copy of a protection order that is issued under this 556
section shall be issued by the court to the complainant, to the 557
alleged victim, to the person who requested the order, to the 558
defendant, and to all law enforcement agencies that have 559
jurisdiction to enforce the order. The court shall direct that a 560
copy of the order be delivered to the defendant on the same day 561
that the order is entered. If a municipal court or a county court 562
issues a protection order under this section and if, subsequent to 563
the issuance of the order, the defendant who is the subject of the 564
order is bound over to the court of common pleas for prosecution 565
as described in division (D)(3) of this section, the municipal 566
court or county court shall direct that a copy of the order be 567
delivered to the court of common pleas to which the defendant is 568
bound over. 569

(2) All law enforcement agencies shall establish and maintain 570
an index for the protection orders delivered to the agencies 571
pursuant to division (G)(1) of this section. With respect to each 572
order delivered, each agency shall note on the index the date and 573
time of the agency's receipt of the order. 574

(3) Regardless of whether the petitioner has registered the 575
protection order in the county in which the officer's agency has 576
jurisdiction, any officer of a law enforcement agency shall 577
enforce a protection order issued pursuant to this section in 578
accordance with the provisions of the order. 579

(H) Upon a violation of a protection order issued pursuant to 580
this section, the court may issue another protection order under 581
this section, as a pretrial condition of release, that modifies 582
the terms of the order that was violated. 583

(I) Notwithstanding any provision of law to the contrary and 584
regardless of whether a protection order is issued or a consent 585
agreement is approved by a court of another county or by a court 586
of another state, no court or unit of state or local government 587
shall charge any fee, cost, deposit, or money in connection with 588
the filing of a motion pursuant to this section, in connection 589
with the filing, issuance, registration, or service of a 590
protection order or consent agreement, or for obtaining certified 591
copies of a protection order or consent agreement. 592

(J) As used in this section, ~~"sexually:~~ 593

(1) "Sexually oriented offense" has the same meaning as in 594
section 2950.01 of the Revised Code. 595

(2) "Companion animal" has the same meaning as in section 596
959.131 of the Revised Code. 597

Sec. 2903.214. (A) As used in this section: 598

(1) "Court" means the court of common pleas of the county in 599
which the person to be protected by the protection order resides. 600

(2) "Victim advocate" means a person who provides support and 601
assistance for a person who files a petition under this section. 602

(3) "Family or household member" has the same meaning as in 603
section 3113.31 of the Revised Code. 604

(4) "Protection order issued by a court of another state" has 605
the same meaning as in section 2919.27 of the Revised Code. 606

(5) "Sexually oriented offense" has the same meaning as in 607
section 2950.01 of the Revised Code. 608

(6) "Electronic monitoring" has the same meaning as in section 2929.01 of the Revised Code. 609
610

(7) "Companion animal" has the same meaning as in section 959.131 of the Revised Code. 611
612

(B) The court has jurisdiction over all proceedings under this section. 613
614

(C) A person may seek relief under this section for the person, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state all of the following: 615
616
617
618
619

(1) An allegation that the respondent is eighteen years of age or older and engaged in a violation of section 2903.211 of the Revised Code against the person to be protected by the protection order or committed a sexually oriented offense against the person to be protected by the protection order, including a description of the nature and extent of the violation; 620
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622
623
624
625

(2) If the petitioner seeks relief in the form of electronic monitoring of the respondent, an allegation that at any time preceding the filing of the petition the respondent engaged in conduct that would cause a reasonable person to believe that the health, welfare, or safety of the person to be protected was at risk, a description of the nature and extent of that conduct, and an allegation that the respondent presents a continuing danger to the person to be protected; 626
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(3) A request for relief under this section. 634

(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing as soon as possible after the petition is filed, but not later than the next day that the court is in session after the petition is filed. The court, for good cause shown at the ex parte 635
636
637
638
639

hearing, may enter any temporary orders, with or without bond, 640
that the court finds necessary for the safety and protection of 641
the person to be protected by the order. Immediate and present 642
danger to the person to be protected by the protection order 643
constitutes good cause for purposes of this section. Immediate and 644
present danger includes, but is not limited to, situations in 645
which the respondent has threatened the person to be protected by 646
the protection order with bodily harm or in which the respondent 647
previously has been convicted of or pleaded guilty to a violation 648
of section 2903.211 of the Revised Code or a sexually oriented 649
offense against the person to be protected by the protection 650
order. 651

(2)(a) If the court, after an ex parte hearing, issues a 652
protection order described in division (E) of this section, the 653
court shall schedule a full hearing for a date that is within ten 654
court days after the ex parte hearing. The court shall give the 655
respondent notice of, and an opportunity to be heard at, the full 656
hearing. The court shall hold the full hearing on the date 657
scheduled under this division unless the court grants a 658
continuance of the hearing in accordance with this division. Under 659
any of the following circumstances or for any of the following 660
reasons, the court may grant a continuance of the full hearing to 661
a reasonable time determined by the court: 662

(i) Prior to the date scheduled for the full hearing under 663
this division, the respondent has not been served with the 664
petition filed pursuant to this section and notice of the full 665
hearing. 666

(ii) The parties consent to the continuance. 667

(iii) The continuance is needed to allow a party to obtain 668
counsel. 669

(iv) The continuance is needed for other good cause. 670

(b) An ex parte order issued under this section does not 671
expire because of a failure to serve notice of the full hearing 672
upon the respondent before the date set for the full hearing under 673
division (D)(2)(a) of this section or because the court grants a 674
continuance under that division. 675

(3) If a person who files a petition pursuant to this section 676
does not request an ex parte order, or if a person requests an ex 677
parte order but the court does not issue an ex parte order after 678
an ex parte hearing, the court shall proceed as in a normal civil 679
action and grant a full hearing on the matter. 680

(E)(1)(a) After an ex parte or full hearing, the court may 681
issue any protection order, with or without bond, that contains 682
terms designed to ensure the safety and protection of the person 683
to be protected by the protection order, including, but not 684
limited to, a requirement that the respondent refrain from 685
entering the residence, school, business, or place of employment 686
of the petitioner or family or household member. If the court 687
includes a requirement that the respondent refrain from entering 688
the residence, school, business, or place of employment of the 689
petitioner or family or household member in the order, it also 690
shall include in the order provisions of the type described in 691
division (E)(5) of this section. The court may include within the 692
scope of a protection order issued under this section any 693
companion animal that is in the residence of the person to be 694
protected. 695

(b) After a full hearing, if the court considering a petition 696
that includes an allegation of the type described in division 697
(C)(2) of this section, or the court upon its own motion, finds 698
upon clear and convincing evidence that the petitioner reasonably 699
believed that the respondent's conduct at any time preceding the 700
filing of the petition endangered the health, welfare, or safety 701
of the person to be protected and that the respondent presents a 702

continuing danger to the person to be protected, the court may 703
order that the respondent be electronically monitored for a period 704
of time and under the terms and conditions that the court 705
determines are appropriate. Electronic monitoring shall be in 706
addition to any other relief granted to the petitioner. 707

(2)(a) Any protection order issued pursuant to this section 708
shall be valid until a date certain but not later than five years 709
from the date of its issuance. 710

(b) Any protection order issued pursuant to this section may 711
be renewed in the same manner as the original order was issued. 712

(3) A court may not issue a protection order that requires a 713
petitioner to do or to refrain from doing an act that the court 714
may require a respondent to do or to refrain from doing under 715
division (E)(1) of this section unless all of the following apply: 716

(a) The respondent files a separate petition for a protection 717
order in accordance with this section. 718

(b) The petitioner is served with notice of the respondent's 719
petition at least forty-eight hours before the court holds a 720
hearing with respect to the respondent's petition, or the 721
petitioner waives the right to receive this notice. 722

(c) If the petitioner has requested an ex parte order 723
pursuant to division (D) of this section, the court does not delay 724
any hearing required by that division beyond the time specified in 725
that division in order to consolidate the hearing with a hearing 726
on the petition filed by the respondent. 727

(d) After a full hearing at which the respondent presents 728
evidence in support of the request for a protection order and the 729
petitioner is afforded an opportunity to defend against that 730
evidence, the court determines that the petitioner has committed a 731
violation of section 2903.211 of the Revised Code against the 732
person to be protected by the protection order issued pursuant to 733

division (E)(3) of this section, has committed a sexually oriented 734
offense against the person to be protected by the protection order 735
issued pursuant to division (E)(3) of this section, or has 736
violated a protection order issued pursuant to section 2903.213 of 737
the Revised Code relative to the person to be protected by the 738
protection order issued pursuant to division (E)(3) of this 739
section. 740

(4) No protection order issued pursuant to this section shall 741
in any manner affect title to any real property. 742

(5)(a) If the court issues a protection order under this 743
section that includes a requirement that the alleged offender 744
refrain from entering the residence, school, business, or place of 745
employment of the petitioner or a family or household member, the 746
order shall clearly state that the order cannot be waived or 747
nullified by an invitation to the alleged offender from the 748
complainant to enter the residence, school, business, or place of 749
employment or by the alleged offender's entry into one of those 750
places otherwise upon the consent of the petitioner or family or 751
household member. 752

(b) Division (E)(5)(a) of this section does not limit any 753
discretion of a court to determine that an alleged offender 754
charged with a violation of section 2919.27 of the Revised Code, 755
with a violation of a municipal ordinance substantially equivalent 756
to that section, or with contempt of court, which charge is based 757
on an alleged violation of a protection order issued under this 758
section, did not commit the violation or was not in contempt of 759
court. 760

(F)(1) The court shall cause the delivery of a copy of any 761
protection order that is issued under this section to the 762
petitioner, to the respondent, and to all law enforcement agencies 763
that have jurisdiction to enforce the order. The court shall 764
direct that a copy of the order be delivered to the respondent on 765

the same day that the order is entered. 766

(2) Upon the issuance of a protection order under this 767
section, the court shall provide the parties to the order with the 768
following notice orally or by form: 769

"NOTICE 770

As a result of this order, it may be unlawful for you to 771
possess or purchase a firearm, including a rifle, pistol, or 772
revolver, or ammunition pursuant to federal law under 18 U.S.C. 773
922(g)(8). If you have any questions whether this law makes it 774
illegal for you to possess or purchase a firearm or ammunition, 775
you should consult an attorney." 776

(3) All law enforcement agencies shall establish and maintain 777
an index for the protection orders delivered to the agencies 778
pursuant to division (F)(1) of this section. With respect to each 779
order delivered, each agency shall note on the index the date and 780
time that it received the order. 781

(4) Regardless of whether the petitioner has registered the 782
protection order in the county in which the officer's agency has 783
jurisdiction pursuant to division (M) of this section, any officer 784
of a law enforcement agency shall enforce a protection order 785
issued pursuant to this section by any court in this state in 786
accordance with the provisions of the order, including removing 787
the respondent from the premises, if appropriate. 788

(G) Any proceeding under this section shall be conducted in 789
accordance with the Rules of Civil Procedure, except that a 790
protection order may be obtained under this section with or 791
without bond. An order issued under this section, other than an ex 792
parte order, that grants a protection order, or that refuses to 793
grant a protection order, is a final, appealable order. The 794
remedies and procedures provided in this section are in addition 795
to, and not in lieu of, any other available civil or criminal 796

remedies.	797
(H) The filing of proceedings under this section does not	798
excuse a person from filing any report or giving any notice	799
required by section 2151.421 of the Revised Code or by any other	800
law.	801
(I) Any law enforcement agency that investigates an alleged	802
violation of section 2903.211 of the Revised Code or an alleged	803
commission of a sexually oriented offense shall provide	804
information to the victim and the family or household members of	805
the victim regarding the relief available under this section and	806
section 2903.213 of the Revised Code.	807
(J) Notwithstanding any provision of law to the contrary and	808
regardless of whether a protection order is issued or a consent	809
agreement is approved by a court of another county or by a court	810
of another state, no court or unit of state or local government	811
shall charge any fee, cost, deposit, or money in connection with	812
the filing of a petition pursuant to this section, in connection	813
with the filing, issuance, registration, or service of a	814
protection order or consent agreement, or for obtaining a	815
certified copy of a protection order or consent agreement.	816
(K)(1) A person who violates a protection order issued under	817
this section is subject to the following sanctions:	818
(a) Criminal prosecution for a violation of section 2919.27	819
of the Revised Code, if the violation of the protection order	820
constitutes a violation of that section;	821
(b) Punishment for contempt of court.	822
(2) The punishment of a person for contempt of court for	823
violation of a protection order issued under this section does not	824
bar criminal prosecution of the person for a violation of section	825
2919.27 of the Revised Code. However, a person punished for	826
contempt of court is entitled to credit for the punishment imposed	827

upon conviction of a violation of that section, and a person 828
convicted of a violation of that section shall not subsequently be 829
punished for contempt of court arising out of the same activity. 830

(L) In all stages of a proceeding under this section, a 831
petitioner may be accompanied by a victim advocate. 832

(M)(1) A petitioner who obtains a protection order under this 833
section or a protection order under section 2903.213 of the 834
Revised Code may provide notice of the issuance or approval of the 835
order to the judicial and law enforcement officials in any county 836
other than the county in which the order is issued by registering 837
that order in the other county pursuant to division (M)(2) of this 838
section and filing a copy of the registered order with a law 839
enforcement agency in the other county in accordance with that 840
division. A person who obtains a protection order issued by a 841
court of another state may provide notice of the issuance of the 842
order to the judicial and law enforcement officials in any county 843
of this state by registering the order in that county pursuant to 844
section 2919.272 of the Revised Code and filing a copy of the 845
registered order with a law enforcement agency in that county. 846

(2) A petitioner may register a protection order issued 847
pursuant to this section or section 2903.213 of the Revised Code 848
in a county other than the county in which the court that issued 849
the order is located in the following manner: 850

(a) The petitioner shall obtain a certified copy of the order 851
from the clerk of the court that issued the order and present that 852
certified copy to the clerk of the court of common pleas or the 853
clerk of a municipal court or county court in the county in which 854
the order is to be registered. 855

(b) Upon accepting the certified copy of the order for 856
registration, the clerk of the court of common pleas, municipal 857
court, or county court shall place an endorsement of registration 858

on the order and give the petitioner a copy of the order that 859
bears that proof of registration. 860

(3) The clerk of each court of common pleas, municipal court, 861
or county court shall maintain a registry of certified copies of 862
protection orders that have been issued by courts in other 863
counties pursuant to this section or section 2903.213 of the 864
Revised Code and that have been registered with the clerk. 865

(N)(1) If the court orders electronic monitoring of the 866
respondent under this section, the court shall direct the 867
sheriff's office or any other appropriate law enforcement agency 868
to install the electronic monitoring device and to monitor the 869
respondent. Unless the court determines that the respondent is 870
indigent, the court shall order the respondent to pay the cost of 871
the installation and monitoring of the electronic monitoring 872
device. If the court determines that the respondent is indigent 873
and subject to the maximum amount allowable to be paid in any year 874
from the fund and the rules promulgated by the attorney general 875
under division (N)(2) of this section, the cost of the 876
installation and monitoring of the electronic monitoring device 877
may be paid out of funds from the reparations fund created 878
pursuant to section 2743.191 of the Revised Code. The total amount 879
of costs for the installation and monitoring of electronic 880
monitoring devices paid pursuant to this division and sections 881
2151.34 and 2919.27 of the Revised Code from the reparations fund 882
shall not exceed three hundred thousand dollars per year. 883

(2) The attorney general may promulgate rules pursuant to 884
section 111.15 of the Revised Code to govern payments made from 885
the reparations fund pursuant to this division and sections 886
2151.34 and 2919.27 of the Revised Code. The rules may include 887
reasonable limits on the total cost paid pursuant to this division 888
and sections 2151.34 and 2919.27 of the Revised Code per 889
respondent, the amount of the three hundred thousand dollars 890

allocated to each county, and how invoices may be submitted by a 891
county, court, or other entity. 892

Sec. 2919.26. (A)(1) Upon the filing of a complaint that 893
alleges a violation of section 2909.06, 2909.07, 2911.12, or 894
2911.211 of the Revised Code if the alleged victim of the 895
violation was a family or household member at the time of the 896
violation, a violation of a municipal ordinance that is 897
substantially similar to any of those sections if the alleged 898
victim of the violation was a family or household member at the 899
time of the violation, any offense of violence if the alleged 900
victim of the offense was a family or household member at the time 901
of the commission of the offense, or any sexually oriented offense 902
if the alleged victim of the offense was a family or household 903
member at the time of the commission of the offense, the 904
complainant, the alleged victim, or a family or household member 905
of an alleged victim may file, or, if in an emergency the alleged 906
victim is unable to file, a person who made an arrest for the 907
alleged violation or offense under section 2935.03 of the Revised 908
Code may file on behalf of the alleged victim, a motion that 909
requests the issuance of a temporary protection order as a 910
pretrial condition of release of the alleged offender, in addition 911
to any bail set under Criminal Rule 46. The motion shall be filed 912
with the clerk of the court that has jurisdiction of the case at 913
any time after the filing of the complaint. 914

(2) For purposes of section 2930.09 of the Revised Code, all 915
stages of a proceeding arising out of a complaint alleging the 916
commission of a violation, offense of violence, or sexually 917
oriented offense described in division (A)(1) of this section, 918
including all proceedings on a motion for a temporary protection 919
order, are critical stages of the case, and a victim may be 920
accompanied by a victim advocate or another person to provide 921
support to the victim as provided in that section. 922

(B) The motion shall be prepared on a form that is provided 923
by the clerk of the court, which form shall be substantially as 924
follows: 925

"MOTION FOR TEMPORARY PROTECTION ORDER 926

..... Court 927

Name and address of court 928

State of Ohio 929

v. No. 930

..... 931

Name of Defendant 932

(name of person), moves the court to issue a temporary protection 933
order containing terms designed to ensure the safety and 934
protection of the complainant, alleged victim, ~~and~~ other family or 935
household members, and any companion animal that is in the 936
complainant's or alleged victim's residence, in relation to the 937
named defendant, pursuant to its authority to issue such an order 938
under section 2919.26 of the Revised Code. 939

A complaint, a copy of which has been attached to this 940
motion, has been filed in this court charging the named defendant 941
with (name of the specified violation, 942
the offense of violence, or sexually oriented offense charged) in 943
circumstances in which the victim was a family or household member 944
in violation of (section of the Revised Code designating the 945
specified violation, offense of violence, or sexually oriented 946
offense charged), or charging the named defendant with a violation 947
of a municipal ordinance that is substantially similar to 948
..... (section of the Revised Code designating 949
the specified violation, offense of violence, or sexually oriented 950
offense charged) involving a family or household member. 951

I understand that I must appear before the court, at a time 952
set by the court within twenty-four hours after the filing of this 953

motion, for a hearing on the motion or that, if I am unable to 954
appear because of hospitalization or a medical condition resulting 955
from the offense alleged in the complaint, a person who can 956
provide information about my need for a temporary protection order 957
must appear before the court in lieu of my appearing in court. I 958
understand that any temporary protection order granted pursuant to 959
this motion is a pretrial condition of release and is effective 960
only until the disposition of the criminal proceeding arising out 961
of the attached complaint, or the issuance of a civil protection 962
order or the approval of a consent agreement, arising out of the 963
same activities as those that were the basis of the complaint, 964
under section 3113.31 of the Revised Code. 965

..... 966

Signature of person 967

(or signature of the arresting officer who filed the motion on 968
behalf of the alleged victim) 969

..... 970

Address of person (or office address of the arresting officer who 971
filed the motion on behalf of the alleged victim)" 972

(C)(1) As soon as possible after the filing of a motion that 973
requests the issuance of a temporary protection order, but not 974
later than twenty-four hours after the filing of the motion, the 975
court shall conduct a hearing to determine whether to issue the 976
order. The person who requested the order shall appear before the 977
court and provide the court with the information that it requests 978
concerning the basis of the motion. If the person who requested 979
the order is unable to appear and if the court finds that the 980
failure to appear is because of the person's hospitalization or 981
medical condition resulting from the offense alleged in the 982
complaint, another person who is able to provide the court with 983
the information it requests may appear in lieu of the person who 984

requested the order. If the court finds that the safety and 985
protection of the complainant, alleged victim, or any other family 986
or household member of the alleged victim may be impaired by the 987
continued presence of the alleged offender, the court may issue a 988
temporary protection order, as a pretrial condition of release, 989
that contains terms designed to ensure the safety and protection 990
of the complainant, alleged victim, or the family or household 991
member, including a requirement that the alleged offender refrain 992
from entering the residence, school, business, or place of 993
employment of the complainant, alleged victim, or the family or 994
household member. The court may include within the scope of a 995
protection order issued under this section any companion animal 996
that is in the complainant's or alleged victim's residence. 997

(2)(a) If the court issues a temporary protection order that 998
includes a requirement that the alleged offender refrain from 999
entering the residence, school, business, or place of employment 1000
of the complainant, the alleged victim, or the family or household 1001
member, the order shall state clearly that the order cannot be 1002
waived or nullified by an invitation to the alleged offender from 1003
the complainant, alleged victim, or family or household member to 1004
enter the residence, school, business, or place of employment or 1005
by the alleged offender's entry into one of those places otherwise 1006
upon the consent of the complainant, alleged victim, or family or 1007
household member. 1008

(b) Division (C)(2)(a) of this section does not limit any 1009
discretion of a court to determine that an alleged offender 1010
charged with a violation of section 2919.27 of the Revised Code, 1011
with a violation of a municipal ordinance substantially equivalent 1012
to that section, or with contempt of court, which charge is based 1013
on an alleged violation of a temporary protection order issued 1014
under this section, did not commit the violation or was not in 1015
contempt of court. 1016

(D)(1) Upon the filing of a complaint that alleges a violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of the Revised Code if the alleged victim of the violation was a family or household member at the time of the violation, a violation of a municipal ordinance that is substantially similar to any of those sections if the alleged victim of the violation was a family or household member at the time of the violation, any offense of violence if the alleged victim of the offense was a family or household member at the time of the commission of the offense, or any sexually oriented offense if the alleged victim of the offense was a family or household member at the time of the commission of the offense, the court, upon its own motion, may issue a temporary protection order as a pretrial condition of release if it finds that the safety and protection of the complainant, alleged victim, or other family or household member of the alleged offender may be impaired by the continued presence of the alleged offender. The court may include within the scope of a protection order issued under this section any companion animal that is in the complainant's or alleged victim's residence.

(2) If the court issues a temporary protection order under this section as an ex parte order, it shall conduct, as soon as possible after the issuance of the order, a hearing in the presence of the alleged offender not later than the next day on which the court is scheduled to conduct business after the day on which the alleged offender was arrested or at the time of the appearance of the alleged offender pursuant to summons to determine whether the order should remain in effect, be modified, or be revoked. The hearing shall be conducted under the standards set forth in division (C) of this section.

(3) An order issued under this section shall contain only those terms authorized in orders issued under division (C) of this section.

(4) If a municipal court or a county court issues a temporary protection order under this section and if, subsequent to the issuance of the order, the alleged offender who is the subject of the order is bound over to the court of common pleas for prosecution of a felony arising out of the same activities as those that were the basis of the complaint upon which the order is based, notwithstanding the fact that the order was issued by a municipal court or county court, the order shall remain in effect, as though it were an order of the court of common pleas, while the charges against the alleged offender are pending in the court of common pleas, for the period of time described in division (E)(2) of this section, and the court of common pleas has exclusive jurisdiction to modify the order issued by the municipal court or county court. This division applies when the alleged offender is bound over to the court of common pleas as a result of the person waiving a preliminary hearing on the felony charge, as a result of the municipal court or county court having determined at a preliminary hearing that there is probable cause to believe that the felony has been committed and that the alleged offender committed it, as a result of the alleged offender having been indicted for the felony, or in any other manner.

(E) A temporary protection order that is issued as a pretrial condition of release under this section:

(1) Is in addition to, but shall not be construed as a part of, any bail set under Criminal Rule 46;

(2) Is effective only until the occurrence of either of the following:

(a) The disposition, by the court that issued the order or, in the circumstances described in division (D)(4) of this section, by the court of common pleas to which the alleged offender is bound over for prosecution, of the criminal proceeding arising out of the complaint upon which the order is based;

(b) The issuance of a protection order or the approval of a consent agreement, arising out of the same activities as those that were the basis of the complaint upon which the order is based, under section 3113.31 of the Revised Code;

(3) Shall not be construed as a finding that the alleged offender committed the alleged offense, and shall not be introduced as evidence of the commission of the offense at the trial of the alleged offender on the complaint upon which the order is based.

(F) A person who meets the criteria for bail under Criminal Rule 46 and who, if required to do so pursuant to that rule, executes or posts bond or deposits cash or securities as bail, shall not be held in custody pending a hearing before the court on a motion requesting a temporary protection order.

(G)(1) A copy of any temporary protection order that is issued under this section shall be issued by the court to the complainant, to the alleged victim, to the person who requested the order, to the defendant, and to all law enforcement agencies that have jurisdiction to enforce the order. The court shall direct that a copy of the order be delivered to the defendant on the same day that the order is entered. If a municipal court or a county court issues a temporary protection order under this section and if, subsequent to the issuance of the order, the defendant who is the subject of the order is bound over to the court of common pleas for prosecution as described in division (D)(4) of this section, the municipal court or county court shall direct that a copy of the order be delivered to the court of common pleas to which the defendant is bound over.

(2) Upon the issuance of a protection order under this section, the court shall provide the parties to the order with the following notice orally or by form:

"NOTICE 1112

As a result of this protection order, it may be unlawful for 1113
you to possess or purchase a firearm, including a rifle, pistol, 1114
or revolver, or ammunition pursuant to federal law under 18 U.S.C. 1115
922(g)(8). If you have any questions whether this law makes it 1116
illegal for you to possess or purchase a firearm or ammunition, 1117
you should consult an attorney." 1118

(3) All law enforcement agencies shall establish and maintain 1119
an index for the temporary protection orders delivered to the 1120
agencies pursuant to division (G)(1) of this section. With respect 1121
to each order delivered, each agency shall note on the index, the 1122
date and time of the receipt of the order by the agency. 1123

(4) A complainant, alleged victim, or other person who 1124
obtains a temporary protection order under this section may 1125
provide notice of the issuance of the temporary protection order 1126
to the judicial and law enforcement officials in any county other 1127
than the county in which the order is issued by registering that 1128
order in the other county in accordance with division (N) of 1129
section 3113.31 of the Revised Code and filing a copy of the 1130
registered protection order with a law enforcement agency in the 1131
other county in accordance with that division. 1132

(5) Any officer of a law enforcement agency shall enforce a 1133
temporary protection order issued by any court in this state in 1134
accordance with the provisions of the order, including removing 1135
the defendant from the premises, regardless of whether the order 1136
is registered in the county in which the officer's agency has 1137
jurisdiction as authorized by division (G)(4) of this section. 1138

(H) Upon a violation of a temporary protection order, the 1139
court may issue another temporary protection order, as a pretrial 1140
condition of release, that modifies the terms of the order that 1141
was violated. 1142

(I)(1) As used in divisions (I)(1) and (2) of this section, 1143
"defendant" means a person who is alleged in a complaint to have 1144
committed a violation, offense of violence, or sexually oriented 1145
offense of the type described in division (A) of this section. 1146

(2) If a complaint is filed that alleges that a person 1147
committed a violation, offense of violence, or sexually oriented 1148
offense of the type described in division (A) of this section, the 1149
court may not issue a temporary protection order under this 1150
section that requires the complainant, the alleged victim, or 1151
another family or household member of the defendant to do or 1152
refrain from doing an act that the court may require the defendant 1153
to do or refrain from doing under a temporary protection order 1154
unless both of the following apply: 1155

(a) The defendant has filed a separate complaint that alleges 1156
that the complainant, alleged victim, or other family or household 1157
member in question who would be required under the order to do or 1158
refrain from doing the act committed a violation or offense of 1159
violence of the type described in division (A) of this section. 1160

(b) The court determines that both the complainant, alleged 1161
victim, or other family or household member in question who would 1162
be required under the order to do or refrain from doing the act 1163
and the defendant acted primarily as aggressors, that neither the 1164
complainant, alleged victim, or other family or household member 1165
in question who would be required under the order to do or refrain 1166
from doing the act nor the defendant acted primarily in 1167
self-defense, and, in accordance with the standards and criteria 1168
of this section as applied in relation to the separate complaint 1169
filed by the defendant, that it should issue the order to require 1170
the complainant, alleged victim, or other family or household 1171
member in question to do or refrain from doing the act. 1172

(J) Notwithstanding any provision of law to the contrary and 1173
regardless of whether a protection order is issued or a consent 1174

agreement is approved by a court of another county or a court of 1175
another state, no court or unit of state or local government shall 1176
charge any fee, cost, deposit, or money in connection with the 1177
filing of a motion pursuant to this section, in connection with 1178
the filing, issuance, registration, or service of a protection 1179
order or consent agreement, or for obtaining a certified copy of a 1180
protection order or consent agreement. 1181

(K) As used in this section: 1182

(1) "Companion animal" has the same meaning as in section 1183
959.131 of the Revised Code. 1184

(2) "Sexually oriented offense" has the same meaning as in 1185
section 2950.01 of the Revised Code. 1186

~~(2)~~(3) "Victim advocate" means a person who provides support 1187
and assistance for a victim of an offense during court 1188
proceedings. 1189

Sec. 3113.31. (A) As used in this section: 1190

(1) "Domestic violence" means the occurrence of one or more 1191
of the following acts against a family or household member: 1192

(a) Attempting to cause or recklessly causing bodily injury; 1193

(b) Placing another person by the threat of force in fear of 1194
imminent serious physical harm or committing a violation of 1195
section 2903.211 or 2911.211 of the Revised Code; 1196

(c) Committing any act with respect to a child that would 1197
result in the child being an abused child, as defined in section 1198
2151.031 of the Revised Code; 1199

(d) Committing a sexually oriented offense. 1200

(2) "Court" means the domestic relations division of the 1201
court of common pleas in counties that have a domestic relations 1202
division and the court of common pleas in counties that do not 1203

have a domestic relations division, or the juvenile division of 1204
the court of common pleas of the county in which the person to be 1205
protected by a protection order issued or a consent agreement 1206
approved under this section resides if the respondent is less than 1207
eighteen years of age. 1208

(3) "Family or household member" means any of the following: 1209

(a) Any of the following who is residing with or has resided 1210
with the respondent: 1211

(i) A spouse, a person living as a spouse, or a former spouse 1212
of the respondent; 1213

(ii) A parent, a foster parent, or a child of the respondent, 1214
or another person related by consanguinity or affinity to the 1215
respondent; 1216

(iii) A parent or a child of a spouse, person living as a 1217
spouse, or former spouse of the respondent, or another person 1218
related by consanguinity or affinity to a spouse, person living as 1219
a spouse, or former spouse of the respondent. 1220

(b) The natural parent of any child of whom the respondent is 1221
the other natural parent or is the putative other natural parent. 1222

(4) "Person living as a spouse" means a person who is living 1223
or has lived with the respondent in a common law marital 1224
relationship, who otherwise is cohabiting with the respondent, or 1225
who otherwise has cohabited with the respondent within five years 1226
prior to the date of the alleged occurrence of the act in 1227
question. 1228

(5) "Victim advocate" means a person who provides support and 1229
assistance for a person who files a petition under this section. 1230

(6) "Sexually oriented offense" has the same meaning as in 1231
section 2950.01 of the Revised Code. 1232

(7) "Companion animal" has the same meaning as in section 1233

959.131 of the Revised Code. 1234

(B) The court has jurisdiction over all proceedings under 1235
this section. The petitioner's right to relief under this section 1236
is not affected by the petitioner's leaving the residence or 1237
household to avoid further domestic violence. 1238

(C) A person may seek relief under this section on the 1239
person's own behalf, or any parent or adult household member may 1240
seek relief under this section on behalf of any other family or 1241
household member, by filing a petition with the court. The 1242
petition shall contain or state: 1243

(1) An allegation that the respondent engaged in domestic 1244
violence against a family or household member of the respondent, 1245
including a description of the nature and extent of the domestic 1246
violence; 1247

(2) The relationship of the respondent to the petitioner, and 1248
to the victim if other than the petitioner; 1249

(3) A request for relief under this section. 1250

(D)(1) If a person who files a petition pursuant to this 1251
section requests an ex parte order, the court shall hold an ex 1252
parte hearing on the same day that the petition is filed. The 1253
court, for good cause shown at the ex parte hearing, may enter any 1254
temporary orders, with or without bond, including, but not limited 1255
to, an order described in division (E)(1)(a), (b), or (c) of this 1256
section, that the court finds necessary to protect the family or 1257
household member from domestic violence. Immediate and present 1258
danger of domestic violence to the family or household member 1259
constitutes good cause for purposes of this section. Immediate and 1260
present danger includes, but is not limited to, situations in 1261
which the respondent has threatened the family or household member 1262
with bodily harm, in which the respondent has threatened the 1263
family or household member with a sexually oriented offense, or in 1264

which the respondent previously has been convicted of, pleaded 1265
guilty to, or been adjudicated a delinquent child for an offense 1266
that constitutes domestic violence against the family or household 1267
member. 1268

(2)(a) If the court, after an ex parte hearing, issues an 1269
order described in division (E)(1)(b) or (c) of this section, the 1270
court shall schedule a full hearing for a date that is within 1271
seven court days after the ex parte hearing. If any other type of 1272
protection order that is authorized under division (E) of this 1273
section is issued by the court after an ex parte hearing, the 1274
court shall schedule a full hearing for a date that is within ten 1275
court days after the ex parte hearing. The court shall give the 1276
respondent notice of, and an opportunity to be heard at, the full 1277
hearing. The court shall hold the full hearing on the date 1278
scheduled under this division unless the court grants a 1279
continuance of the hearing in accordance with this division. Under 1280
any of the following circumstances or for any of the following 1281
reasons, the court may grant a continuance of the full hearing to 1282
a reasonable time determined by the court: 1283

(i) Prior to the date scheduled for the full hearing under 1284
this division, the respondent has not been served with the 1285
petition filed pursuant to this section and notice of the full 1286
hearing. 1287

(ii) The parties consent to the continuance. 1288

(iii) The continuance is needed to allow a party to obtain 1289
counsel. 1290

(iv) The continuance is needed for other good cause. 1291

(b) An ex parte order issued under this section does not 1292
expire because of a failure to serve notice of the full hearing 1293
upon the respondent before the date set for the full hearing under 1294
division (D)(2)(a) of this section or because the court grants a 1295

continuance under that division. 1296

(3) If a person who files a petition pursuant to this section 1297
does not request an ex parte order, or if a person requests an ex 1298
parte order but the court does not issue an ex parte order after 1299
an ex parte hearing, the court shall proceed as in a normal civil 1300
action and grant a full hearing on the matter. 1301

(E)(1) After an ex parte or full hearing, the court may grant 1302
any protection order, with or without bond, or approve any consent 1303
agreement to bring about a cessation of domestic violence against 1304
the family or household members. The order or agreement may: 1305

(a) Direct the respondent to refrain from abusing or from 1306
committing sexually oriented offenses against the family or 1307
household members; 1308

(b) Grant possession of the residence or household to the 1309
petitioner or other family or household member, to the exclusion 1310
of the respondent, by evicting the respondent, when the residence 1311
or household is owned or leased solely by the petitioner or other 1312
family or household member, or by ordering the respondent to 1313
vacate the premises, when the residence or household is jointly 1314
owned or leased by the respondent, and the petitioner or other 1315
family or household member; 1316

(c) When the respondent has a duty to support the petitioner 1317
or other family or household member living in the residence or 1318
household and the respondent is the sole owner or lessee of the 1319
residence or household, grant possession of the residence or 1320
household to the petitioner or other family or household member, 1321
to the exclusion of the respondent, by ordering the respondent to 1322
vacate the premises, or, in the case of a consent agreement, allow 1323
the respondent to provide suitable, alternative housing; 1324

(d) Temporarily allocate parental rights and responsibilities 1325
for the care of, or establish temporary parenting time rights with 1326

regard to, minor children, if no other court has determined, or is 1327
determining, the allocation of parental rights and 1328
responsibilities for the minor children or parenting time rights; 1329

(e) Require the respondent to maintain support, if the 1330
respondent customarily provides for or contributes to the support 1331
of the family or household member, or if the respondent has a duty 1332
to support the petitioner or family or household member; 1333

(f) Require the respondent, petitioner, victim of domestic 1334
violence, or any combination of those persons, to seek counseling; 1335

(g) Require the respondent to refrain from entering the 1336
residence, school, business, or place of employment of the 1337
petitioner or family or household member; 1338

(h) Grant other relief that the court considers equitable and 1339
fair, including, but not limited to, ordering the respondent to 1340
permit the use of a motor vehicle by the petitioner or other 1341
family or household member and the apportionment of household and 1342
family personal property. 1343

(2) If a protection order has been issued pursuant to this 1344
section in a prior action involving the respondent and the 1345
petitioner or one or more of the family or household members or 1346
victims, the court may include in a protection order that it 1347
issues a prohibition against the respondent returning to the 1348
residence or household. If it includes a prohibition against the 1349
respondent returning to the residence or household in the order, 1350
it also shall include in the order provisions of the type 1351
described in division (E)(7) of this section. This division does 1352
not preclude the court from including in a protection order or 1353
consent agreement, in circumstances other than those described in 1354
this division, a requirement that the respondent be evicted from 1355
or vacate the residence or household or refrain from entering the 1356
residence, school, business, or place of employment of the 1357

petitioner or a family or household member, and, if the court 1358
includes any requirement of that type in an order or agreement, 1359
the court also shall include in the order provisions of the type 1360
described in division (E)(7) of this section. 1361

(3)(a) Any protection order issued or consent agreement 1362
approved under this section shall be valid until a date certain, 1363
but not later than five years from the date of its issuance or 1364
approval, or not later than the date a respondent who is less than 1365
eighteen years of age attains nineteen years of age, unless 1366
modified or terminated as provided in division (E)(8) of this 1367
section. 1368

(b) Subject to the limitation on the duration of an order or 1369
agreement set forth in division (E)(3)(a) of this section, any 1370
order under division (E)(1)(d) of this section shall terminate on 1371
the date that a court in an action for divorce, dissolution of 1372
marriage, or legal separation brought by the petitioner or 1373
respondent issues an order allocating parental rights and 1374
responsibilities for the care of children or on the date that a 1375
juvenile court in an action brought by the petitioner or 1376
respondent issues an order awarding legal custody of minor 1377
children. Subject to the limitation on the duration of an order or 1378
agreement set forth in division (E)(3)(a) of this section, any 1379
order under division (E)(1)(e) of this section shall terminate on 1380
the date that a court in an action for divorce, dissolution of 1381
marriage, or legal separation brought by the petitioner or 1382
respondent issues a support order or on the date that a juvenile 1383
court in an action brought by the petitioner or respondent issues 1384
a support order. 1385

(c) Any protection order issued or consent agreement approved 1386
pursuant to this section may be renewed in the same manner as the 1387
original order or agreement was issued or approved. 1388

(4) A court may not issue a protection order that requires a 1389

petitioner to do or to refrain from doing an act that the court 1390
may require a respondent to do or to refrain from doing under 1391
division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this 1392
section unless all of the following apply: 1393

(a) The respondent files a separate petition for a protection 1394
order in accordance with this section. 1395

(b) The petitioner is served notice of the respondent's 1396
petition at least forty-eight hours before the court holds a 1397
hearing with respect to the respondent's petition, or the 1398
petitioner waives the right to receive this notice. 1399

(c) If the petitioner has requested an ex parte order 1400
pursuant to division (D) of this section, the court does not delay 1401
any hearing required by that division beyond the time specified in 1402
that division in order to consolidate the hearing with a hearing 1403
on the petition filed by the respondent. 1404

(d) After a full hearing at which the respondent presents 1405
evidence in support of the request for a protection order and the 1406
petitioner is afforded an opportunity to defend against that 1407
evidence, the court determines that the petitioner has committed 1408
an act of domestic violence or has violated a temporary protection 1409
order issued pursuant to section 2919.26 of the Revised Code, that 1410
both the petitioner and the respondent acted primarily as 1411
aggressors, and that neither the petitioner nor the respondent 1412
acted primarily in self-defense. 1413

(5) No protection order issued or consent agreement approved 1414
under this section shall in any manner affect title to any real 1415
property. 1416

(6)(a) If a petitioner, or the child of a petitioner, who 1417
obtains a protection order or consent agreement pursuant to 1418
division (E)(1) of this section or a temporary protection order 1419
pursuant to section 2919.26 of the Revised Code and is the subject 1420

of a parenting time order issued pursuant to section 3109.051 or 1421
3109.12 of the Revised Code or a visitation or companionship order 1422
issued pursuant to section 3109.051, 3109.11, or 3109.12 of the 1423
Revised Code or division (E)(1)(d) of this section granting 1424
parenting time rights to the respondent, the court may require the 1425
public children services agency of the county in which the court 1426
is located to provide supervision of the respondent's exercise of 1427
parenting time or visitation or companionship rights with respect 1428
to the child for a period not to exceed nine months, if the court 1429
makes the following findings of fact: 1430

(i) The child is in danger from the respondent; 1431

(ii) No other person or agency is available to provide the 1432
supervision. 1433

(b) A court that requires an agency to provide supervision 1434
pursuant to division (E)(6)(a) of this section shall order the 1435
respondent to reimburse the agency for the cost of providing the 1436
supervision, if it determines that the respondent has sufficient 1437
income or resources to pay that cost. 1438

(7)(a) If a protection order issued or consent agreement 1439
approved under this section includes a requirement that the 1440
respondent be evicted from or vacate the residence or household or 1441
refrain from entering the residence, school, business, or place of 1442
employment of the petitioner or a family or household member, the 1443
order or agreement shall state clearly that the order or agreement 1444
cannot be waived or nullified by an invitation to the respondent 1445
from the petitioner or other family or household member to enter 1446
the residence, school, business, or place of employment or by the 1447
respondent's entry into one of those places otherwise upon the 1448
consent of the petitioner or other family or household member. 1449

(b) Division (E)(7)(a) of this section does not limit any 1450
discretion of a court to determine that a respondent charged with 1451

a violation of section 2919.27 of the Revised Code, with a 1452
violation of a municipal ordinance substantially equivalent to 1453
that section, or with contempt of court, which charge is based on 1454
an alleged violation of a protection order issued or consent 1455
agreement approved under this section, did not commit the 1456
violation or was not in contempt of court. 1457

(8)(a) The court may modify or terminate as provided in 1458
division (E)(8) of this section a protection order or consent 1459
agreement that was issued after a full hearing under this section. 1460
The court that issued the protection order or approved the consent 1461
agreement shall hear a motion for modification or termination of 1462
the protection order or consent agreement pursuant to division 1463
(E)(8) of this section. 1464

(b) Either the petitioner or the respondent of the original 1465
protection order or consent agreement may bring a motion for 1466
modification or termination of a protection order or consent 1467
agreement that was issued or approved after a full hearing. The 1468
court shall require notice of the motion to be made as provided by 1469
the Rules of Civil Procedure. If the petitioner for the original 1470
protection order or consent agreement has requested that the 1471
petitioner's address be kept confidential, the court shall not 1472
disclose the address to the respondent of the original protection 1473
order or consent agreement or any other person, except as 1474
otherwise required by law. The moving party has the burden of 1475
proof to show, by a preponderance of the evidence, that 1476
modification or termination of the protection order or consent 1477
agreement is appropriate because either the protection order or 1478
consent agreement is no longer needed or because the terms of the 1479
original protection order or consent agreement are no longer 1480
appropriate. 1481

(c) In considering whether to modify or terminate a 1482
protection order or consent agreement issued or approved under 1483

this section, the court shall consider all relevant factors,	1484
including, but not limited to, the following:	1485
(i) Whether the petitioner consents to modification or	1486
termination of the protection order or consent agreement;	1487
(ii) Whether the petitioner fears the respondent;	1488
(iii) The current nature of the relationship between the	1489
petitioner and the respondent;	1490
(iv) The circumstances of the petitioner and respondent,	1491
including the relative proximity of the petitioner's and	1492
respondent's workplaces and residences and whether the petitioner	1493
and respondent have minor children together;	1494
(v) Whether the respondent has complied with the terms and	1495
conditions of the original protection order or consent agreement;	1496
(vi) Whether the respondent has a continuing involvement with	1497
illegal drugs or alcohol;	1498
(vii) Whether the respondent has been convicted of, pleaded	1499
guilty to, or been adjudicated a delinquent child for an offense	1500
of violence since the issuance of the protection order or approval	1501
of the consent agreement;	1502
(viii) Whether any other protection orders, consent	1503
agreements, restraining orders, or no contact orders have been	1504
issued against the respondent pursuant to this section, section	1505
2919.26 of the Revised Code, any other provision of state law, or	1506
the law of any other state;	1507
(ix) Whether the respondent has participated in any domestic	1508
violence treatment, intervention program, or other counseling	1509
addressing domestic violence and whether the respondent has	1510
completed the treatment, program, or counseling;	1511
(x) The time that has elapsed since the protection order was	1512
issued or since the consent agreement was approved;	1513

(xi) The age and health of the respondent; 1514

(xii) When the last incident of abuse, threat of harm, or 1515
commission of a sexually oriented offense occurred or other 1516
relevant information concerning the safety and protection of the 1517
petitioner or other protected parties. 1518

(d) If a protection order or consent agreement is modified or 1519
terminated as provided in division (E)(8) of this section, the 1520
court shall issue copies of the modified or terminated order or 1521
agreement as provided in division (F) of this section. A 1522
petitioner may also provide notice of the modification or 1523
termination to the judicial and law enforcement officials in any 1524
county other than the county in which the order or agreement is 1525
modified or terminated as provided in division (N) of this 1526
section. 1527

(e) If the respondent moves for modification or termination 1528
of a protection order or consent agreement pursuant to this 1529
section, the court may assess costs against the respondent for the 1530
filing of the motion. 1531

(9) Any protection order issued or any consent agreement 1532
approved pursuant to this section shall include a provision that 1533
the court will automatically seal all of the records of the 1534
proceeding in which the order is issued or agreement approved on 1535
the date the respondent attains the age of nineteen years unless 1536
the petitioner provides the court with evidence that the 1537
respondent has not complied with all of the terms of the 1538
protection order or consent agreement. The protection order or 1539
consent agreement shall specify the date when the respondent 1540
attains the age of nineteen years. 1541

(10) The court may include in a protection order issued or 1542
consent agreement approved under this section any companion animal 1543
that is in the petitioner's residence. 1544

(F)(1) A copy of any protection order, or consent agreement, 1545
that is issued, approved, modified, or terminated under this 1546
section shall be issued by the court to the petitioner, to the 1547
respondent, and to all law enforcement agencies that have 1548
jurisdiction to enforce the order or agreement. The court shall 1549
direct that a copy of an order be delivered to the respondent on 1550
the same day that the order is entered. 1551

(2) Upon the issuance of a protection order or the approval 1552
of a consent agreement under this section, the court shall provide 1553
the parties to the order or agreement with the following notice 1554
orally or by form: 1555

"NOTICE 1556

As a result of this order or consent agreement, it may be 1557
unlawful for you to possess or purchase a firearm, including a 1558
rifle, pistol, or revolver, or ammunition pursuant to federal law 1559
under 18 U.S.C. 922(g)(8). If you have any questions whether this 1560
law makes it illegal for you to possess or purchase a firearm or 1561
ammunition, you should consult an attorney." 1562

(3) All law enforcement agencies shall establish and maintain 1563
an index for the protection orders and the approved consent 1564
agreements delivered to the agencies pursuant to division (F)(1) 1565
of this section. With respect to each order and consent agreement 1566
delivered, each agency shall note on the index the date and time 1567
that it received the order or consent agreement. 1568

(4) Regardless of whether the petitioner has registered the 1569
order or agreement in the county in which the officer's agency has 1570
jurisdiction pursuant to division (N) of this section, any officer 1571
of a law enforcement agency shall enforce a protection order 1572
issued or consent agreement approved by any court in this state in 1573
accordance with the provisions of the order or agreement, 1574
including removing the respondent from the premises, if 1575
appropriate. 1576

(G) Any proceeding under this section shall be conducted in 1577
accordance with the Rules of Civil Procedure, except that an order 1578
under this section may be obtained with or without bond. An order 1579
issued under this section, other than an ex parte order, that 1580
grants a protection order or approves a consent agreement, that 1581
refuses to grant a protection order or approve a consent agreement 1582
that modifies or terminates a protection order or consent 1583
agreement, or that refuses to modify or terminate a protection 1584
order or consent agreement, is a final, appealable order. The 1585
remedies and procedures provided in this section are in addition 1586
to, and not in lieu of, any other available civil or criminal 1587
remedies. 1588

(H) The filing of proceedings under this section does not 1589
excuse a person from filing any report or giving any notice 1590
required by section 2151.421 of the Revised Code or by any other 1591
law. When a petition under this section alleges domestic violence 1592
against minor children, the court shall report the fact, or cause 1593
reports to be made, to a county, township, or municipal peace 1594
officer under section 2151.421 of the Revised Code. 1595

(I) Any law enforcement agency that investigates a domestic 1596
dispute shall provide information to the family or household 1597
members involved regarding the relief available under this section 1598
and section 2919.26 of the Revised Code. 1599

(J) Notwithstanding any provision of law to the contrary and 1600
regardless of whether a protection order is issued or a consent 1601
agreement is approved by a court of another county or a court of 1602
another state, no court or unit of state or local government shall 1603
charge any fee, cost, deposit, or money in connection with the 1604
filing of a petition pursuant to this section or in connection 1605
with the filing, issuance, registration, or service of a 1606
protection order or consent agreement, or for obtaining a 1607
certified copy of a protection order or consent agreement. 1608

(K)(1) The court shall comply with Chapters 3119., 3121., 1609
3123., and 3125. of the Revised Code when it makes or modifies an 1610
order for child support under this section. 1611

(2) If any person required to pay child support under an 1612
order made under this section on or after April 15, 1985, or 1613
modified under this section on or after December 31, 1986, is 1614
found in contempt of court for failure to make support payments 1615
under the order, the court that makes the finding, in addition to 1616
any other penalty or remedy imposed, shall assess all court costs 1617
arising out of the contempt proceeding against the person and 1618
require the person to pay any reasonable attorney's fees of any 1619
adverse party, as determined by the court, that arose in relation 1620
to the act of contempt. 1621

(L)(1) A person who violates a protection order issued or a 1622
consent agreement approved under this section is subject to the 1623
following sanctions: 1624

(a) Criminal prosecution or a delinquent child proceeding for 1625
a violation of section 2919.27 of the Revised Code, if the 1626
violation of the protection order or consent agreement constitutes 1627
a violation of that section; 1628

(b) Punishment for contempt of court. 1629

(2) The punishment of a person for contempt of court for 1630
violation of a protection order issued or a consent agreement 1631
approved under this section does not bar criminal prosecution of 1632
the person or a delinquent child proceeding concerning the person 1633
for a violation of section 2919.27 of the Revised Code. However, a 1634
person punished for contempt of court is entitled to credit for 1635
the punishment imposed upon conviction of or adjudication as a 1636
delinquent child for a violation of that section, and a person 1637
convicted of or adjudicated a delinquent child for a violation of 1638
that section shall not subsequently be punished for contempt of 1639

court arising out of the same activity. 1640

(M) In all stages of a proceeding under this section, a 1641
petitioner may be accompanied by a victim advocate. 1642

(N)(1) A petitioner who obtains a protection order or consent 1643
agreement under this section or a temporary protection order under 1644
section 2919.26 of the Revised Code may provide notice of the 1645
issuance or approval of the order or agreement to the judicial and 1646
law enforcement officials in any county other than the county in 1647
which the order is issued or the agreement is approved by 1648
registering that order or agreement in the other county pursuant 1649
to division (N)(2) of this section and filing a copy of the 1650
registered order or registered agreement with a law enforcement 1651
agency in the other county in accordance with that division. A 1652
person who obtains a protection order issued by a court of another 1653
state may provide notice of the issuance of the order to the 1654
judicial and law enforcement officials in any county of this state 1655
by registering the order in that county pursuant to section 1656
2919.272 of the Revised Code and filing a copy of the registered 1657
order with a law enforcement agency in that county. 1658

(2) A petitioner may register a temporary protection order, 1659
protection order, or consent agreement in a county other than the 1660
county in which the court that issued the order or approved the 1661
agreement is located in the following manner: 1662

(a) The petitioner shall obtain a certified copy of the order 1663
or agreement from the clerk of the court that issued the order or 1664
approved the agreement and present that certified copy to the 1665
clerk of the court of common pleas or the clerk of a municipal 1666
court or county court in the county in which the order or 1667
agreement is to be registered. 1668

(b) Upon accepting the certified copy of the order or 1669
agreement for registration, the clerk of the court of common 1670

pleas, municipal court, or county court shall place an endorsement 1671
of registration on the order or agreement and give the petitioner 1672
a copy of the order or agreement that bears that proof of 1673
registration. 1674

(3) The clerk of each court of common pleas, the clerk of 1675
each municipal court, and the clerk of each county court shall 1676
maintain a registry of certified copies of temporary protection 1677
orders, protection orders, or consent agreements that have been 1678
issued or approved by courts in other counties and that have been 1679
registered with the clerk. 1680

(O) Nothing in this section prohibits the domestic relations 1681
division of a court of common pleas in counties that have a 1682
domestic relations division or a court of common pleas in counties 1683
that do not have a domestic relations division from designating a 1684
minor child as a protected party on a protection order or consent 1685
agreement. 1686

Sec. 4731.284. The state medical board shall approve one or 1687
more continuing medical education courses of study included within 1688
the programs certified by the Ohio state medical association and 1689
the Ohio osteopathic association pursuant to section 4731.281 of 1690
the Revised Code with regard to the counseling of individuals who 1691
abuse animals. 1692

Sec. 4732.141. (A)(1) On or before the thirty-first day of 1693
August of each even-numbered year beginning in 1998 and until the 1694
requirement set forth in division (A)(2) of this section applies, 1695
each person licensed under this chapter by the state board of 1696
psychology shall have completed, in the preceding two-year period, 1697
not less than twenty hours of continuing education in psychology 1698
or the number of hours determined under division (D) of this 1699
section. 1700

(2) On or before the thirty-first day of August of each 1701
even-numbered year after the biennium in which this amendment 1702
takes effect, each person licensed under this chapter by the state 1703
board of psychology shall have completed, in the preceding 1704
two-year period, not less than twenty-three hours of continuing 1705
education in psychology, including not less than three hours of 1706
continuing education in professional conduct and ethics, or the 1707
number of hours determined under division (D) of this section. 1708

(3) Each person subject to division (A)(1) or (2) of this 1709
section shall certify to the board, at the time of biennial 1710
registration pursuant to section 4732.14 of the Revised Code and 1711
on the registration form prescribed by the board under that 1712
section, that in the preceding two years the person has completed 1713
continuing psychology education in compliance with this section. 1714
The board shall adopt rules establishing the procedure for a 1715
person to certify to the board and for properly recording with the 1716
Ohio psychological association or the state board of education 1717
completion of the continuing education. 1718

(B) Continuing psychology education may be applied to meet 1719
the requirement of division (A) of this section if both of the 1720
following requirements are met: 1721

(1) It is obtained through a program or course approved by 1722
the state board of psychology, the Ohio psychological association, 1723
the Ohio association of black psychologists, or the American 1724
psychological association or, in the case of a licensed school 1725
psychologist or a licensed psychologist with a school psychology 1726
specialty, by the state board of education, the Ohio school 1727
psychologists association, or the national association of school 1728
psychologists; 1729

(2) Completion of the program or course is recorded with the 1730
Ohio psychological association or the state board of education in 1731
accordance with rules adopted by the state board of psychology in 1732

accordance with division (A) of this section. 1733

The state board of psychology may disapprove any program or 1734
course that has been approved by the Ohio psychological 1735
association, Ohio association of black psychologists, American 1736
psychological association, state board of education, Ohio school 1737
psychologists association, or national association of school 1738
psychologists. Such program or course may not be applied to meet 1739
the requirement of division (A) of this section. 1740

(C) Each person licensed under this chapter shall be given a 1741
sufficient choice of continuing education programs or courses in 1742
psychology, including programs or courses on professional conduct 1743
and ethics when required under division (A)(2) of this section, to 1744
ensure that the person has had a reasonable opportunity to 1745
participate in programs or courses that are relevant to the 1746
person's practice in terms of subject matter and level. 1747

(D) The board shall adopt rules providing for reductions of 1748
the hours of continuing psychology education required by this 1749
section for persons in their first registration period. 1750

(E) Each person licensed under this chapter shall retain in 1751
the person's records for at least three years the receipts, 1752
vouchers, or certificates necessary to document completion of 1753
continuing psychology education. Proof of continuing psychology 1754
education recorded with the Ohio psychological association or the 1755
state board of education in accordance with the procedures 1756
established pursuant to division (A) of this section shall serve 1757
as sufficient documentation of completion. With cause, the board 1758
may request the documentation from the person. The board also may 1759
request the documentation from persons licensed under this chapter 1760
selected at random, without cause. The board may review any 1761
continuing psychology education records recorded by the Ohio 1762
psychological association or the state board of education. 1763

(F) The board may excuse persons licensed under this chapter, 1764
as a group or as individuals, from all or any part of the 1765
requirements of this section because of an unusual circumstance, 1766
emergency, or special hardship. 1767

(G) The state board of psychology shall approve one or more 1768
continuing education courses of study that assist psychologists 1769
and school psychologists in recognizing the signs of domestic 1770
violence and its relationship to child abuse. Psychologists and 1771
school psychologists are not required to take the courses. 1772

(H) The state board of psychology shall approve one or more 1773
continuing education courses of study with regard to the 1774
counseling of individuals who abuse animals. 1775

Sec. 4757.33. (A) Except as provided in division (B) of this 1776
section, each person who holds a license or certificate of 1777
registration issued under this chapter shall complete during the 1778
period that the license or certificate is in effect not less than 1779
thirty clock hours of continuing professional education as a 1780
condition of receiving a renewed license or certificate. To have a 1781
lapsed license or certificate of registration restored, a person 1782
shall complete the number of hours of continuing education 1783
specified by the counselor, social worker, and marriage and family 1784
therapist board in rules it shall adopt in accordance with Chapter 1785
119. of the Revised Code. 1786

The professional standards committees of the counselor, 1787
social worker, and marriage and family therapist board shall adopt 1788
rules in accordance with Chapter 119. of the Revised Code 1789
establishing standards and procedures to be followed by the 1790
committees in conducting the continuing education approval 1791
process. 1792

(B) The board may waive the continuing education requirements 1793
established under this section for persons who are unable to 1794

fulfill them because of military service, illness, residence 1795
abroad, or any other reason the committee considers acceptable. 1796

In the case of a social worker licensed by virtue of 1797
receiving, prior to October 10, 1992, a baccalaureate degree in a 1798
program closely related to social work, as a condition of the 1799
first renewal of the license, the social worker ~~must~~ shall 1800
complete at an accredited educational institution a minimum of 1801
five semester hours of social work graduate or undergraduate 1802
credit, or their equivalent, that is acceptable to the committee 1803
and includes a course in social work theory and a course in social 1804
work methods. 1805

(C) The professional standards committees of the counselor, 1806
social worker, and marriage and family therapist board shall 1807
approve one or more continuing education courses of study with 1808
regard to the counseling of individuals who abuse animals. 1809

Section 2. That existing sections 959.99, 2152.19, 2903.213, 1810
2903.214, 2919.26, 3113.31, 4732.141, and 4757.33 of the Revised 1811
Code are hereby repealed. 1812