

**As Introduced**

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

**S. B. No. 56**

**Senator Tavares**

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**A B I L L**

To amend section 2967.14 of the Revised Code to 1  
require an operator of a halfway house or 2  
community residential center to notify the Adult 3  
Parole Authority when a resident who is under the 4  
Authority's supervisory authority leaves the 5  
facility without permission, cannot be located, or 6  
does not return to the facility at the time 7  
required from a scheduled appointment or work 8  
assignment; to require notice to the Adult Parole 9  
Authority before a halfway house or community 10  
residential center may evict a resident who is 11  
under the Authority's supervisory authority; and 12  
to require the Division of Parole and Community 13  
Services to annually review the licensure 14  
standards for halfway houses and community 15  
residential centers. 16

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

**Section 1.** That section 2967.14 of the Revised Code be 17  
amended to read as follows: 18

**Sec. 2967.14.** (A) The adult parole authority may require a 19  
parolee or releasee to reside in a halfway house or other suitable 20

community residential center that has been licensed by the 21  
division of parole and community services pursuant to division (C) 22  
of this section during a part or for the entire period of the 23  
parolee's conditional release or of the releasee's term of 24  
post-release control. The court of common pleas that placed an 25  
offender under a sanction consisting of a term in a halfway house 26  
or in an alternative residential sanction may require the offender 27  
to reside in a halfway house or other suitable community 28  
residential center that is designated by the court and that has 29  
been licensed by the division pursuant to division (C) of this 30  
section during a part or for the entire period of the offender's 31  
residential sanction. 32

(B) The division of parole and community services may 33  
negotiate and enter into agreements with any public or private 34  
agency or a department or political subdivision of the state that 35  
operates a halfway house or community residential center that has 36  
been licensed by the division pursuant to division (C) of this 37  
section. An agreement under this division shall provide for the 38  
purchase of beds, shall set limits of supervision and levels of 39  
occupancy, and shall determine the scope of services for all 40  
eligible offenders, including those subject to a residential 41  
sanction, as defined in rules adopted by the director of 42  
rehabilitation and correction in accordance with Chapter 119. of 43  
the Revised Code. The payments for beds and services shall be 44  
equal to the halfway house's or community residential center's 45  
average daily per capita costs with its facility at full 46  
occupancy. The payments for beds and services shall not exceed the 47  
total operating costs of the halfway house or community 48  
residential center during the term of an agreement. The director 49  
of rehabilitation and correction shall adopt rules in accordance 50  
with Chapter 119. of the Revised Code for determining includable 51  
and excludable costs and income to be used in computing the 52  
agency's average daily per capita costs with its facility at full 53

occupancy. 54

The department of rehabilitation and correction may use no 55  
more than ten per cent of the amount appropriated to the 56  
department each fiscal year for the halfway house and community 57  
residential center program to pay for contracts for nonresidential 58  
services for offenders under the supervision of the adult parole 59  
authority. The nonresidential services may include, but are not 60  
limited to, treatment for substance abuse, mental health 61  
counseling, and counseling for sex offenders. 62

(C) The division of parole and community services shall adopt 63  
in accordance with Chapter 119. of the Revised Code standards for 64  
the licensure of halfway houses and community residential centers. 65  
The division shall annually review the standards. The division may 66  
license a halfway house or community residential center as a 67  
suitable facility for the care and treatment of adult offenders, 68  
including offenders sentenced under section 2929.16 or 2929.26 of 69  
the Revised Code, only if the halfway house or community 70  
residential center complies with the standards that the division 71  
adopts in accordance with ~~Chapter 119. of the Revised Code~~ this 72  
division for the licensure of halfway houses and community 73  
residential centers. The division shall annually inspect each 74  
licensed halfway house and licensed community residential center 75  
to determine if it is in compliance with the licensure standards. 76

(D)(1) If any staff member of a licensed halfway house or 77  
community residential center knows that a resident who is under 78  
the supervisory authority of the adult parole authority has left 79  
the halfway house or community residential center without 80  
permission, the operator of the facility shall notify the adult 81  
parole authority of that fact immediately upon the staff member 82  
gaining that knowledge. 83

(2) If a resident of a licensed halfway house or community 84  
residential center who is under the supervisory authority of the 85

adult parole authority cannot be located and division (D)(1) of 86  
this section does not apply, the operator of the facility shall 87  
notify the adult parole authority of that fact by whichever of the 88  
following times is applicable: 89

(a) Subject to division (D)(2)(b) of this section, not later 90  
than four hours after it initially is determined that the resident 91  
cannot be located; 92

(b) If the adult parole authority, based upon a resident's 93  
criminal history or risk level, requires notice of a resident's 94  
absence to be given before the expiration of four hours after it 95  
initially is determined that the resident cannot be located, not 96  
later than the time specified by the adult parole authority. 97

(3) If a resident of a licensed halfway house or community 98  
residential center who is under the supervisory authority of the 99  
adult parole authority does not return to the facility at the time 100  
required from a scheduled appointment or work assignment, the 101  
operator or staff members of the halfway house or community 102  
residential center immediately shall attempt to determine the 103  
whereabouts of the resident. If the resident cannot be located and 104  
division (D)(1) of this section does not apply, the operator shall 105  
notify the adult parole authority of that fact by whichever of the 106  
following times is applicable: 107

(a) Subject to division (D)(3)(b) of this section, not later 108  
than four hours after it initially is determined that the resident 109  
has not returned to the facility at the time required; 110

(b) If the adult parole authority, based upon a resident's 111  
criminal history or risk level, requires notice of a resident's 112  
absence to be given before the expiration of four hours after it 113  
initially is determined that the resident has not returned to the 114  
facility at the time required, not later than the time specified 115  
by the adult parole authority. 116

(4) If a resident of a licensed halfway house or community residential center who is under the supervisory authority of the adult parole authority leaves the facility without permission, cannot be located, or does not return to the facility at the time required from a scheduled appointment or work assignment, the operator of the facility shall complete an incident report that documents all attempts to locate the resident and, if division (D)(1), (2), or (3) of this section requires notification to the adult parole authority, that indicates the date and time when the adult parole authority was notified of the resident's absence. The operator of the facility shall send a copy of the completed incident report to the adult parole authority. Upon receipt of the completed incident report, the adult parole authority shall send a copy of the report to the bureau of community sanctions of the department of rehabilitation and correction.

(5) Before evicting any resident who is under the supervisory authority of the adult parole authority, a licensed halfway house or community residential center shall notify the adult parole authority of the planned eviction.

(6) If the operator of a licensed halfway house or community residential center provides the adult parole authority with notice of a resident's absence pursuant to division (D)(1), (2), or (3) of this section, the adult parole authority shall comply with the applicable policies of the division of parole and community services after receiving the notification.

**Section 2.** That existing section 2967.14 of the Revised Code is hereby repealed.