

As Introduced

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H. B. No. 309

Representatives Pelanda, Antonio

**Cosponsors: Representatives Ruhl, Barborak, Gonzales, Ramos, Sheehy,
Maag, Cera, Heard, Lundy, Hagan, R., Fedor, Phillips, Williams, Ashford,
Grossman, Celebrezze, Reece, Scherer, O'Brien**

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A B I L L

To amend sections 2151.34, 2903.213, 2903.214, 1
2919.26, 2919.272, and 3113.31 of the Revised Code 2
to provide that no fee, cost, deposit, or money 3
may be charged for the modification, enforcement, 4
dismissal, or withdrawal of a domestic violence, 5
anti-stalking, sexually oriented offense, or other 6
type of protection order or consent agreement. 7

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

Section 1. That sections 2151.34, 2903.213, 2903.214, 8
2919.26, 2919.272, and 3113.31 of the Revised Code be amended to 9
read as follows: 10

Sec. 2151.34. (A) As used in this section: 11

(1) "Court" means the juvenile division of the court of 12
common pleas of the county in which the person to be protected by 13
the protection order resides. 14

(2) "Victim advocate" means a person who provides support and 15
assistance for a person who files a petition under this section. 16

(3) "Family or household member" has the same meaning as in section 3113.31 of the Revised Code.	17 18
(4) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code.	19 20
(5) "Petitioner" means a person who files a petition under this section and includes a person on whose behalf a petition under this section is filed.	21 22 23
(6) "Respondent" means a person who is under eighteen years of age and against whom a petition is filed under this section.	24 25
(7) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	26 27
(8) "Electronic monitoring" has the same meaning as in section 2929.01 of the Revised Code.	28 29
(B) The court has jurisdiction over all proceedings under this section.	30 31
(C)(1) Any of the following persons may seek relief under this section by filing a petition with the court:	32 33
(a) Any person on behalf of that person;	34
(b) Any parent or adult family or household member on behalf of any other family or household member;	35 36
(c) Any person who is determined by the court in its discretion as an appropriate person to seek relief under this section on behalf of any child.	37 38 39
(2) The petition shall contain or state all of the following:	40
(a) An allegation that the respondent engaged in a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, committed a sexually oriented offense, or engaged in a violation of any municipal ordinance that is substantially equivalent to any of those offenses against the	41 42 43 44 45

person to be protected by the protection order, including a 46
description of the nature and extent of the violation; 47

(b) If the petitioner seeks relief in the form of electronic 48
monitoring of the respondent, an allegation that at any time 49
preceding the filing of the petition the respondent engaged in 50
conduct that would cause a reasonable person to believe that the 51
health, welfare, or safety of the person to be protected was at 52
risk, a description of the nature and extent of that conduct, and 53
an allegation that the respondent presents a continuing danger to 54
the person to be protected; 55

(c) A request for relief under this section. 56

(3) The court in its discretion may determine whether or not 57
to give notice that a petition has been filed under division 58
(C)(1) of this section on behalf of a child to any of the 59
following: 60

(a) A parent of the child if the petition was filed by any 61
person other than a parent of the child; 62

(b) Any person who is determined by the court to be an 63
appropriate person to receive notice of the filing of the 64
petition. 65

(D)(1) If a person who files a petition pursuant to this 66
section requests an ex parte order, the court shall hold an ex 67
parte hearing as soon as possible after the petition is filed, but 68
not later than the next day after the court is in session after 69
the petition is filed. The court, for good cause shown at the ex 70
parte hearing, may enter any temporary orders, with or without 71
bond, that the court finds necessary for the safety and protection 72
of the person to be protected by the order. Immediate and present 73
danger to the person to be protected by the protection order 74
constitutes good cause for purposes of this section. Immediate and 75
present danger includes, but is not limited to, situations in 76

which the respondent has threatened the person to be protected by 77
the protection order with bodily harm or in which the respondent 78
previously has been convicted of, pleaded guilty to, or been 79
adjudicated a delinquent child for committing a violation of 80
section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, or 81
2911.211 of the Revised Code, a sexually oriented offense, or a 82
violation of any municipal ordinance that is substantially 83
equivalent to any of those offenses against the person to be 84
protected by the protection order. 85

(2)(a) If the court, after an ex parte hearing, issues a 86
protection order described in division (E) of this section, the 87
court shall schedule a full hearing for a date that is within ten 88
court days after the ex parte hearing. The court shall give the 89
respondent notice of, and an opportunity to be heard at, the full 90
hearing. The court also shall give notice of the full hearing to 91
the parent, guardian, or legal custodian of the respondent. The 92
court shall hold the full hearing on the date scheduled under this 93
division unless the court grants a continuance of the hearing in 94
accordance with this division. Under any of the following 95
circumstances or for any of the following reasons, the court may 96
grant a continuance of the full hearing to a reasonable time 97
determined by the court: 98

(i) Prior to the date scheduled for the full hearing under 99
this division, the respondent has not been served with the 100
petition filed pursuant to this section and notice of the full 101
hearing. 102

(ii) The parties consent to the continuance. 103

(iii) The continuance is needed to allow a party to obtain 104
counsel. 105

(iv) The continuance is needed for other good cause. 106

(b) An ex parte order issued under this section does not 107

expire because of a failure to serve notice of the full hearing 108
upon the respondent before the date set for the full hearing under 109
division (D)(2)(a) of this section or because the court grants a 110
continuance under that division. 111

(3) If a person who files a petition pursuant to this section 112
does not request an ex parte order, or if a person requests an ex 113
parte order but the court does not issue an ex parte order after 114
an ex parte hearing, the court shall proceed as in a normal civil 115
action and grant a full hearing on the matter. 116

(E)(1)(a) After an ex parte or full hearing, the court may 117
issue any protection order, with or without bond, that contains 118
terms designed to ensure the safety and protection of the person 119
to be protected by the protection order. 120

(b) After a full hearing, if the court considering a petition 121
that includes an allegation of the type described in division 122
(C)(2)(b) of this section or the court, upon its own motion, finds 123
upon clear and convincing evidence that the petitioner reasonably 124
believed that the respondent's conduct at any time preceding the 125
filing of the petition endangered the health, welfare, or safety 126
of the person to be protected and that the respondent presents a 127
continuing danger to the person to be protected and if division 128
(N) of this section does not prohibit the issuance of an order 129
that the respondent be electronically monitored, the court may 130
order that the respondent be electronically monitored for a period 131
of time and under the terms and conditions that the court 132
determines are appropriate. Electronic monitoring shall be in 133
addition to any other relief granted to the petitioner. 134

(2)(a) Any protection order issued pursuant to this section 135
shall be valid until a date certain but not later than the date 136
the respondent attains nineteen years of age. 137

(b) Any protection order issued pursuant to this section may 138

be renewed in the same manner as the original order was issued. 139

(3) A court may not issue a protection order that requires a 140
petitioner to do or to refrain from doing an act that the court 141
may require a respondent to do or to refrain from doing under 142
division (E)(1) of this section unless all of the following apply: 143

(a) The respondent files a separate petition for a protection 144
order in accordance with this section. 145

(b) The petitioner is served with notice of the respondent's 146
petition at least forty-eight hours before the court holds a 147
hearing with respect to the respondent's petition, or the 148
petitioner waives the right to receive this notice. 149

(c) If the petitioner has requested an ex parte order 150
pursuant to division (D) of this section, the court does not delay 151
any hearing required by that division beyond the time specified in 152
that division in order to consolidate the hearing with a hearing 153
on the petition filed by the respondent. 154

(d) After a full hearing at which the respondent presents 155
evidence in support of the request for a protection order and the 156
petitioner is afforded an opportunity to defend against that 157
evidence, the court determines that the petitioner has committed a 158
violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 159
2903.22, or 2911.211 of the Revised Code, a sexually oriented 160
offense, or a violation of any municipal ordinance that is 161
substantially equivalent to any of those offenses against the 162
person to be protected by the protection order issued pursuant to 163
division (E)(3) of this section, or has violated a protection 164
order issued pursuant to this section or section 2903.213 of the 165
Revised Code relative to the person to be protected by the 166
protection order issued pursuant to division (E)(3) of this 167
section. 168

(4) No protection order issued pursuant to this section shall 169

in any manner affect title to any real property. 170

(5)(a) A protection order issued under this section shall 171
clearly state that the person to be protected by the order cannot 172
waive or nullify by invitation or consent any requirement in the 173
order. 174

(b) Division (E)(5)(a) of this section does not limit any 175
discretion of a court to determine that a respondent alleged to 176
have violated section 2919.27 of the Revised Code, violated a 177
municipal ordinance substantially equivalent to that section, or 178
committed contempt of court, which allegation is based on an 179
alleged violation of a protection order issued under this section, 180
did not commit the violation or was not in contempt of court. 181

(6) Any protection order issued pursuant to this section 182
shall include a provision that the court will automatically seal 183
all of the records of the proceeding in which the order is issued 184
on the date the respondent attains the age of nineteen years 185
unless the petitioner provides the court with evidence that the 186
respondent has not complied with all of the terms of the 187
protection order. The protection order shall specify the date when 188
the respondent attains the age of nineteen years. 189

(F)(1) The court shall cause the delivery of a copy of any 190
protection order that is issued under this section to the 191
petitioner, to the respondent, and to all law enforcement agencies 192
that have jurisdiction to enforce the order. The court shall 193
direct that a copy of the order be delivered to the respondent and 194
the parent, guardian, or legal custodian of the respondent on the 195
same day that the order is entered. 196

(2) Upon the issuance of a protection order under this 197
section, the court shall provide the parties to the order with the 198
following notice orally or by form: 199

"NOTICE 200

As a result of this order, it may be unlawful for you to 201
possess or purchase a firearm, including a rifle, pistol, or 202
revolver, or ammunition pursuant to federal law under 18 U.S.C. 203
922(g)(8). If you have any questions whether this law makes it 204
illegal for you to possess or purchase a firearm or ammunition, 205
you should consult an attorney." 206

(3) All law enforcement agencies shall establish and maintain 207
an index for the protection orders delivered to the agencies 208
pursuant to division (F)(1) of this section. With respect to each 209
order delivered, each agency shall note on the index the date and 210
time that it received the order. 211

(4) Regardless of whether the petitioner has registered the 212
protection order in the county in which the officer's agency has 213
jurisdiction pursuant to division (M) of this section, any officer 214
of a law enforcement agency shall enforce a protection order 215
issued pursuant to this section by any court in this state in 216
accordance with the provisions of the order, including removing 217
the respondent from the premises, if appropriate. 218

(G) Any proceeding under this section shall be conducted in 219
accordance with the Rules of Civil Procedure, except that a 220
protection order may be obtained under this section with or 221
without bond. An order issued under this section, other than an ex 222
parte order, that grants a protection order, or that refuses to 223
grant a protection order, is a final, appealable order. The 224
remedies and procedures provided in this section are in addition 225
to, and not in lieu of, any other available civil or criminal 226
remedies or any other available remedies under Chapter 2151. or 227
2152. of the Revised Code. 228

(H) The filing of proceedings under this section does not 229
excuse a person from filing any report or giving any notice 230
required by section 2151.421 of the Revised Code or by any other 231
law. 232

(I) Any law enforcement agency that investigates an alleged violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, an alleged commission of a sexually oriented offense, or an alleged violation of a municipal ordinance that is substantially equivalent to any of those offenses shall provide information to the victim and the family or household members of the victim regarding the relief available under this section.

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

(K)(1) A person who violates a protection order issued under this section is subject to the following sanctions:

(a) A delinquent child proceeding or a criminal prosecution for a violation of section 2919.27 of the Revised Code, if the violation of the protection order constitutes a violation of that section;

(b) Punishment for contempt of court.

(2) The punishment of a person for contempt of court for violation of a protection order issued under this section does not bar criminal prosecution of the person or a delinquent child proceeding concerning the person for a violation of section 2919.27 of the Revised Code. However, a person punished for contempt of court is entitled to credit for the punishment imposed

upon conviction of or adjudication as a delinquent child for a 264
violation of that section, and a person convicted of or 265
adjudicated a delinquent child for a violation of that section 266
shall not subsequently be punished for contempt of court arising 267
out of the same activity. 268

(L) In all stages of a proceeding under this section, a 269
petitioner may be accompanied by a victim advocate. 270

(M)(1) A petitioner who obtains a protection order under this 271
section may provide notice of the issuance or approval of the 272
order to the judicial and law enforcement officials in any county 273
other than the county in which the order is issued by registering 274
that order in the other county pursuant to division (M)(2) of this 275
section and filing a copy of the registered order with a law 276
enforcement agency in the other county in accordance with that 277
division. A person who obtains a protection order issued by a 278
court of another state may provide notice of the issuance of the 279
order to the judicial and law enforcement officials in any county 280
of this state by registering the order in that county pursuant to 281
section 2919.272 of the Revised Code and filing a copy of the 282
registered order with a law enforcement agency in that county. 283

(2) A petitioner may register a protection order issued 284
pursuant to this section in a county other than the county in 285
which the court that issued the order is located in the following 286
manner: 287

(a) The petitioner shall obtain a certified copy of the order 288
from the clerk of the court that issued the order and present that 289
certified copy to the clerk of the court of common pleas or the 290
clerk of a municipal court or county court in the county in which 291
the order is to be registered. 292

(b) Upon accepting the certified copy of the order for 293
registration, the clerk of the court of common pleas, municipal 294

court, or county court shall place an endorsement of registration 295
on the order and give the petitioner a copy of the order that 296
bears that proof of registration. 297

(3) The clerk of each court of common pleas, municipal court, 298
or county court shall maintain a registry of certified copies of 299
protection orders that have been issued by courts in other 300
counties pursuant to this section and that have been registered 301
with the clerk. 302

(N) If the court orders electronic monitoring of the 303
respondent under this section, the court shall direct the 304
sheriff's office or any other appropriate law enforcement agency 305
to install the electronic monitoring device and to monitor the 306
respondent. Unless the court determines that the respondent is 307
indigent, the court shall order the respondent to pay the cost of 308
the installation and monitoring of the electronic monitoring 309
device. If the court determines that the respondent is indigent 310
and subject to the maximum amount allowable to be paid in any year 311
from the fund and the rules promulgated by the attorney general 312
under section 2903.214 of the Revised Code, the cost of the 313
installation and monitoring of the electronic monitoring device 314
may be paid out of funds from the reparations fund created 315
pursuant to section 2743.191 of the Revised Code. The total amount 316
paid from the reparations fund created pursuant to section 317
2743.191 of the Revised Code for electronic monitoring under this 318
section and sections 2903.214 and 2919.27 of the Revised Code 319
shall not exceed three hundred thousand dollars per year. When the 320
total amount paid from the reparations fund in any year for 321
electronic monitoring under those sections equals or exceeds three 322
hundred thousand dollars, the court shall not order pursuant to 323
this section that an indigent respondent be electronically 324
monitored. 325

(O) The court, in its discretion, may determine if the 326

respondent is entitled to court-appointed counsel in a proceeding 327
under this section. 328

Sec. 2903.213. (A) Except when the complaint involves a 329
person who is a family or household member as defined in section 330
2919.25 of the Revised Code, upon the filing of a complaint that 331
alleges a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 332
2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of 333
a municipal ordinance substantially similar to section 2903.13, 334
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or 335
the commission of a sexually oriented offense, the complainant, 336
the alleged victim, or a family or household member of an alleged 337
victim may file a motion that requests the issuance of a 338
protection order as a pretrial condition of release of the alleged 339
offender, in addition to any bail set under Criminal Rule 46. The 340
motion shall be filed with the clerk of the court that has 341
jurisdiction of the case at any time after the filing of the 342
complaint. If the complaint involves a person who is a family or 343
household member, the complainant, the alleged victim, or the 344
family or household member may file a motion for a temporary 345
protection order pursuant to section 2919.26 of the Revised Code. 346

(B) A motion for a protection order under this section shall 347
be prepared on a form that is provided by the clerk of the court, 348
and the form shall be substantially as follows: 349

"Motion for Protection Order 350
..... 351

Name and address of court 352

State of Ohio 353

v. No. 354

..... 355

Name of Defendant 356

(Name of person), moves the court to issue a protection order 357
containing terms designed to ensure the safety and protection of 358
the complainant or the alleged victim in the above-captioned case, 359
in relation to the named defendant, pursuant to its authority to 360
issue a protection order under section 2903.213 of the Revised 361
Code. 362

A complaint, a copy of which has been attached to this 363
motion, has been filed in this court charging the named defendant 364
with a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 365
2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of 366
a municipal ordinance substantially similar to section 2903.13, 367
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or 368
the commission of a sexually oriented offense. 369

I understand that I must appear before the court, at a time 370
set by the court not later than the next day that the court is in 371
session after the filing of this motion, for a hearing on the 372
motion, and that any protection order granted pursuant to this 373
motion is a pretrial condition of release and is effective only 374
until the disposition of the criminal proceeding arising out of 375
the attached complaint or until the issuance under section 376
2903.214 of the Revised Code of a protection order arising out of 377
the same activities as those that were the basis of the attached 378
complaint. 379

..... 380

Signature of person 381

..... 382

Address of person" 383

(C)(1) As soon as possible after the filing of a motion that 384
requests the issuance of a protection order under this section, 385
but not later than the next day that the court is in session after 386
the filing of the motion, the court shall conduct a hearing to 387

determine whether to issue the order. The person who requested the order shall appear before the court and provide the court with the information that it requests concerning the basis of the motion. If the court 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 issue a protection order under this section, as a pretrial condition of release, that contains terms designed to ensure the safety and protection of the complainant or the alleged victim, including a requirement that the alleged offender refrain from entering the residence, school, business, or place of employment of the complainant or the alleged victim.

(2)(a) If the court issues a protection order under this section that includes a requirement that the alleged offender refrain from entering the residence, school, business, or place of employment of the complainant or the alleged victim, the order shall clearly state that the order cannot be waived or nullified by an invitation to the alleged offender from the complainant, the alleged victim, or a family or household member to enter the residence, school, business, or place of employment or by the alleged offender's entry into one of those places otherwise upon the consent of the complainant, the alleged victim, or a family or household member.

(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.

(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.

(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.

(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 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 452
the felony has been committed and that the alleged offender 453
committed it, as a result of the alleged offender having been 454
indicted for the felony, or in any other manner. 455

(E) A protection order that is issued as a pretrial condition 456
of release under this section: 457

(1) Is in addition to, but shall not be construed as a part 458
of, any bail set under Criminal Rule 46; 459

(2) Is effective only until the disposition, by the court 460
that issued the order or, in the circumstances described in 461
division (D)(3) of this section, by the court of common pleas to 462
which the alleged offender is bound over for prosecution, of the 463
criminal proceeding arising out of the complaint upon which the 464
order is based or until the issuance under section 2903.214 of the 465
Revised Code of a protection order arising out of the same 466
activities as those that were the basis of the complaint filed 467
under this section; 468

(3) Shall not be construed as a finding that the alleged 469
offender committed the alleged offense and shall not be introduced 470
as evidence of the commission of the offense at the trial of the 471
alleged offender on the complaint upon which the order is based. 472

(F) A person who meets the criteria for bail under Criminal 473
Rule 46 and who, if required to do so pursuant to that rule, 474
executes or posts bond or deposits cash or securities as bail, 475
shall not be held in custody pending a hearing before the court on 476
a motion requesting a protection order under this section. 477

(G)(1) A copy of a protection order that is issued under this 478
section shall be issued by the court to the complainant, to the 479
alleged victim, to the person who requested the order, to the 480
defendant, and to all law enforcement agencies that have 481
jurisdiction to enforce the order. The court shall direct that a 482

copy of the order be delivered to the defendant on the same day 483
that the order is entered. If a municipal court or a county court 484
issues a protection order under this section and if, subsequent to 485
the issuance of the order, the defendant who is the subject of the 486
order is bound over to the court of common pleas for prosecution 487
as described in division (D)(3) of this section, the municipal 488
court or county court shall direct that a copy of the order be 489
delivered to the court of common pleas to which the defendant is 490
bound over. 491

(2) All law enforcement agencies shall establish and maintain 492
an index for the protection orders delivered to the agencies 493
pursuant to division (G)(1) of this section. With respect to each 494
order delivered, each agency shall note on the index the date and 495
time of the agency's receipt of the order. 496

(3) Regardless of whether the petitioner has registered the 497
protection order in the county in which the officer's agency has 498
jurisdiction, any officer of a law enforcement agency shall 499
enforce a protection order issued pursuant to this section in 500
accordance with the provisions of the order. 501

(H) Upon a violation of a protection order issued pursuant to 502
this section, the court may issue another protection order under 503
this section, as a pretrial condition of release, that modifies 504
the terms of the order that was violated. 505

(I) Notwithstanding any provision of law to the contrary and 506
regardless of whether a protection order is issued or a consent 507
agreement is approved by a court of another county or by a court 508
of another state, no court or unit of state or local government 509
shall charge any fee, cost, deposit, or money in connection with 510
the filing of a motion pursuant to this section, in connection 511
with the filing, issuance, registration, modification, 512
enforcement, dismissal, withdrawal, or service of a protection 513
order or consent agreement, or for obtaining certified copies of a 514

protection order or consent agreement.	515
(J) As used in this section, "sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	516 517
Sec. 2903.214. (A) As used in this section:	518
(1) "Court" means the court of common pleas of the county in which the person to be protected by the protection order resides.	519 520
(2) "Victim advocate" means a person who provides support and assistance for a person who files a petition under this section.	521 522
(3) "Family or household member" has the same meaning as in section 3113.31 of the Revised Code.	523 524
(4) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code.	525 526
(5) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	527 528
(6) "Electronic monitoring" has the same meaning as in section 2929.01 of the Revised Code.	529 530
(B) The court has jurisdiction over all proceedings under this section.	531 532
(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:	533 534 535 536 537
(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;	538 539 540 541 542 543

(2) If the petitioner seeks relief in the form of electronic 544
monitoring of the respondent, an allegation that at any time 545
preceding the filing of the petition the respondent engaged in 546
conduct that would cause a reasonable person to believe that the 547
health, welfare, or safety of the person to be protected was at 548
risk, a description of the nature and extent of that conduct, and 549
an allegation that the respondent presents a continuing danger to 550
the person to be protected; 551

(3) A request for relief under this section. 552

(D)(1) If a person who files a petition pursuant to this 553
section requests an ex parte order, the court shall hold an ex 554
parte hearing as soon as possible after the petition is filed, but 555
not later than the next day that the court is in session after the 556
petition is filed. The court, for good cause shown at the ex parte 557
hearing, may enter any temporary orders, with or without bond, 558
that the court finds necessary for the safety and protection of 559
the person to be protected by the order. Immediate and present 560
danger to the person to be protected by the protection order 561
constitutes good cause for purposes of this section. Immediate and 562
present danger includes, but is not limited to, situations in 563
which the respondent has threatened the person to be protected by 564
the protection order with bodily harm or in which the respondent 565
previously has been convicted of or pleaded guilty to a violation 566
of section 2903.211 of the Revised Code or a sexually oriented 567
offense against the person to be protected by the protection 568
order. 569

(2)(a) If the court, after an ex parte hearing, issues a 570
protection order described in division (E) of this section, the 571
court shall schedule a full hearing for a date that is within ten 572
court days after the ex parte hearing. The court shall give the 573
respondent notice of, and an opportunity to be heard at, the full 574
hearing. The court shall hold the full hearing on the date 575

scheduled under this division unless the court grants a 576
continuance of the hearing in accordance with this division. Under 577
any of the following circumstances or for any of the following 578
reasons, the court may grant a continuance of the full hearing to 579
a reasonable time determined by the court: 580

(i) Prior to the date scheduled for the full hearing under 581
this division, the respondent has not been served with the 582
petition filed pursuant to this section and notice of the full 583
hearing. 584

(ii) The parties consent to the continuance. 585

(iii) The continuance is needed to allow a party to obtain 586
counsel. 587

(iv) The continuance is needed for other good cause. 588

(b) An ex parte order issued under this section does not 589
expire because of a failure to serve notice of the full hearing 590
upon the respondent before the date set for the full hearing under 591
division (D)(2)(a) of this section or because the court grants a 592
continuance under that division. 593

(3) If a person who files a petition pursuant to this section 594
does not request an ex parte order, or if a person requests an ex 595
parte order but the court does not issue an ex parte order after 596
an ex parte hearing, the court shall proceed as in a normal civil 597
action and grant a full hearing on the matter. 598

(E)(1)(a) After an ex parte or full hearing, the court may 599
issue any protection order, with or without bond, that contains 600
terms designed to ensure the safety and protection of the person 601
to be protected by the protection order, including, but not 602
limited to, a requirement that the respondent refrain from 603
entering the residence, school, business, or place of employment 604
of the petitioner or family or household member. If the court 605
includes a requirement that the respondent refrain from entering 606

the residence, school, business, or place of employment of the 607
petitioner or family or household member in the order, it also 608
shall include in the order provisions of the type described in 609
division (E)(5) of this section. 610

(b) After a full hearing, if the court considering a petition 611
that includes an allegation of the type described in division 612
(C)(2) of this section, or the court upon its own motion, finds 613
upon clear and convincing evidence that the petitioner reasonably 614
believed that the respondent's conduct at any time preceding the 615
filing of the petition endangered the health, welfare, or safety 616
of the person to be protected and that the respondent presents a 617
continuing danger to the person to be protected, the court may 618
order that the respondent be electronically monitored for a period 619
of time and under the terms and conditions that the court 620
determines are appropriate. Electronic monitoring shall be in 621
addition to any other relief granted to the petitioner. 622

(2)(a) Any protection order issued pursuant to this section 623
shall be valid until a date certain but not later than five years 624
from the date of its issuance. 625

(b) Any protection order issued pursuant to this section may 626
be renewed in the same manner as the original order was issued. 627

(3) A court may not issue a protection order that requires a 628
petitioner to do or to refrain from doing an act that the court 629
may require a respondent to do or to refrain from doing under 630
division (E)(1) of this section unless all of the following apply: 631

(a) The respondent files a separate petition for a protection 632
order in accordance with this section. 633

(b) The petitioner is served with notice of the respondent's 634
petition at least forty-eight hours before the court holds a 635
hearing with respect to the respondent's petition, or the 636
petitioner waives the right to receive this notice. 637

(c) If the petitioner has requested an ex parte order 638
pursuant to division (D) of this section, the court does not delay 639
any hearing required by that division beyond the time specified in 640
that division in order to consolidate the hearing with a hearing 641
on the petition filed by the respondent. 642

(d) After a full hearing at which the respondent presents 643
evidence in support of the request for a protection order and the 644
petitioner is afforded an opportunity to defend against that 645
evidence, the court determines that the petitioner has committed a 646
violation of section 2903.211 of the Revised Code against the 647
person to be protected by the protection order issued pursuant to 648
division (E)(3) of this section, has committed a sexually oriented 649
offense against the person to be protected by the protection order 650
issued pursuant to division (E)(3) of this section, or has 651
violated a protection order issued pursuant to section 2903.213 of 652
the Revised Code relative to the person to be protected by the 653
protection order issued pursuant to division (E)(3) of this 654
section. 655

(4) No protection order issued pursuant to this section shall 656
in any manner affect title to any real property. 657

(5)(a) If the court issues a protection order under this 658
section that includes a requirement that the alleged offender 659
refrain from entering the residence, school, business, or place of 660
employment of the petitioner or a family or household member, the 661
order shall clearly state that the order cannot be waived or 662
nullified by an invitation to the alleged offender from the 663
complainant to enter the residence, school, business, or place of 664
employment or by the alleged offender's entry into one of those 665
places otherwise upon the consent of the petitioner or family or 666
household member. 667

(b) Division (E)(5)(a) of this section does not limit any 668
discretion of a court to determine that an alleged offender 669

charged with a violation of section 2919.27 of the Revised Code, 670
with a violation of a municipal ordinance substantially equivalent 671
to that section, or with contempt of court, which charge is based 672
on an alleged violation of a protection order issued under this 673
section, did not commit the violation or was not in contempt of 674
court. 675

(F)(1) The court shall cause the delivery of a copy of any 676
protection order that is issued under this section to the 677
petitioner, to the respondent, and to all law enforcement agencies 678
that have jurisdiction to enforce the order. The court shall 679
direct that a copy of the order be delivered to the respondent on 680
the same day that the order is entered. 681

(2) Upon the issuance of a protection order under this 682
section, the court shall provide the parties to the order with the 683
following notice orally or by form: 684

"NOTICE 685

As a result of this order, it may be unlawful for you to 686
possess or purchase a firearm, including a rifle, pistol, or 687
revolver, or ammunition pursuant to federal law under 18 U.S.C. 688
922(g)(8). If you have any questions whether this law makes it 689
illegal for you to possess or purchase a firearm or ammunition, 690
you should consult an attorney." 691

(3) All law enforcement agencies shall establish and maintain 692
an index for the protection orders delivered to the agencies 693
pursuant to division (F)(1) of this section. With respect to each 694
order delivered, each agency shall note on the index the date and 695
time that it received the order. 696

(4) Regardless of whether the petitioner has registered the 697
protection order in the county in which the officer's agency has 698
jurisdiction pursuant to division (M) of this section, any officer 699
of a law enforcement agency shall enforce a protection order 700

issued pursuant to this section by any court in this state in 701
accordance with the provisions of the order, including removing 702
the respondent from the premises, if appropriate. 703

(G) Any proceeding under this section shall be conducted in 704
accordance with the Rules of Civil Procedure, except that a 705
protection order may be obtained under this section with or 706
without bond. An order issued under this section, other than an ex 707
parte order, that grants a protection order, or that refuses to 708
grant a protection order, is a final, appealable order. The 709
remedies and procedures provided in this section are in addition 710
to, and not in lieu of, any other available civil or criminal 711
remedies. 712

(H) The filing of proceedings under this section does not 713
excuse a person from filing any report or giving any notice 714
required by section 2151.421 of the Revised Code or by any other 715
law. 716

(I) Any law enforcement agency that investigates an alleged 717
violation of section 2903.211 of the Revised Code or an alleged 718
commission of a sexually oriented offense shall provide 719
information to the victim and the family or household members of 720
the victim regarding the relief available under this section and 721
section 2903.213 of the Revised Code. 722

(J) Notwithstanding any provision of law to the contrary and 723
regardless of whether a protection order is issued or a consent 724
agreement is approved by a court of another county or by a court 725
of another state, no court or unit of state or local government 726
shall charge any fee, cost, deposit, or money in connection with 727
the filing of a petition pursuant to this section, in connection 728
with the filing, issuance, registration, modification, 729
enforcement, dismissal, withdrawal, or service of a protection 730
order or consent agreement, or for obtaining a certified copy of a 731
protection order or consent agreement. 732

(K)(1) A person who violates a protection order issued under 733
this section is subject to the following sanctions: 734

(a) Criminal prosecution for a violation of section 2919.27 735
of the Revised Code, if the violation of the protection order 736
constitutes a violation of that section; 737

(b) Punishment for contempt of court. 738

(2) The punishment of a person for contempt of court for 739
violation of a protection order issued under this section does not 740
bar criminal prosecution of the person for a violation of section 741
2919.27 of the Revised Code. However, a person punished for 742
contempt of court is entitled to credit for the punishment imposed 743
upon conviction of a violation of that section, and a person 744
convicted of a violation of that section shall not subsequently be 745
punished for contempt of court arising out of the same activity. 746

(L) In all stages of a proceeding under this section, a 747
petitioner may be accompanied by a victim advocate. 748

(M)(1) A petitioner who obtains a protection order under this 749
section or a protection order under section 2903.213 of the 750
Revised Code may provide notice of the issuance or approval of the 751
order to the judicial and law enforcement officials in any county 752
other than the county in which the order is issued by registering 753
that order in the other county pursuant to division (M)(2) of this 754
section and filing a copy of the registered order with a law 755
enforcement agency in the other county in accordance with that 756
division. A person who obtains a protection order issued by a 757
court of another state may provide notice of the issuance of the 758
order to the judicial and law enforcement officials in any county 759
of this state by registering the order in that county pursuant to 760
section 2919.272 of the Revised Code and filing a copy of the 761
registered order with a law enforcement agency in that county. 762

(2) A petitioner may register a protection order issued 763

pursuant to this section or section 2903.213 of the Revised Code 764
in a county other than the county in which the court that issued 765
the order is located in the following manner: 766

(a) The petitioner shall obtain a certified copy of the order 767
from the clerk of the court that issued the order and present that 768
certified copy to the clerk of the court of common pleas or the 769
clerk of a municipal court or county court in the county in which 770
the order is to be registered. 771

(b) Upon accepting the certified copy of the order for 772
registration, the clerk of the court of common pleas, municipal 773
court, or county court shall place an endorsement of registration 774
on the order and give the petitioner a copy of the order that 775
bears that proof of registration. 776

(3) The clerk of each court of common pleas, municipal court, 777
or county court shall maintain a registry of certified copies of 778
protection orders that have been issued by courts in other 779
counties pursuant to this section or section 2903.213 of the 780
Revised Code and that have been registered with the clerk. 781

(N)(1) If the court orders electronic monitoring of the 782
respondent under this section, the court shall direct the 783
sheriff's office or any other appropriate law enforcement agency 784
to install the electronic monitoring device and to monitor the 785
respondent. Unless the court determines that the respondent is 786
indigent, the court shall order the respondent to pay the cost of 787
the installation and monitoring of the electronic monitoring 788
device. If the court determines that the respondent is indigent 789
and subject to the maximum amount allowable to be paid in any year 790
from the fund and the rules promulgated by the attorney general 791
under division (N)(2) of this section, the cost of the 792
installation and monitoring of the electronic monitoring device 793
may be paid out of funds from the reparations fund created 794
pursuant to section 2743.191 of the Revised Code. The total amount 795

of costs for the installation and monitoring of electronic 796
monitoring devices paid pursuant to this division and sections 797
2151.34 and 2919.27 of the Revised Code from the reparations fund 798
shall not exceed three hundred thousand dollars per year. 799

(2) The attorney general may promulgate rules pursuant to 800
section 111.15 of the Revised Code to govern payments made from 801
the reparations fund pursuant to this division and sections 802
2151.34 and 2919.27 of the Revised Code. The rules may include 803
reasonable limits on the total cost paid pursuant to this division 804
and sections 2151.34 and 2919.27 of the Revised Code per 805
respondent, the amount of the three hundred thousand dollars 806
allocated to each county, and how invoices may be submitted by a 807
county, court, or other entity. 808

Sec. 2919.26. (A)(1) Upon the filing of a complaint that 809
alleges a violation of section 2909.06, 2909.07, 2911.12, or 810
2911.211 of the Revised Code if the alleged victim of the 811
violation was a family or household member at the time of the 812
violation, a violation of a municipal ordinance that is 813
substantially similar to any of those sections if the alleged 814
victim of the violation was a family or household member at the 815
time of the violation, any offense of violence if the alleged 816
victim of the offense was a family or household member at the time 817
of the commission of the offense, or any sexually oriented offense 818
if the alleged victim of the offense was a family or household 819
member at the time of the commission of the offense, the 820
complainant, the alleged victim, or a family or household member 821
of an alleged victim may file, or, if in an emergency the alleged 822
victim is unable to file, a person who made an arrest for the 823
alleged violation or offense under section 2935.03 of the Revised 824
Code may file on behalf of the alleged victim, a motion that 825
requests the issuance of a temporary protection order as a 826
pretrial condition of release of the alleged offender, in addition 827

to any bail set under Criminal Rule 46. The motion shall be filed 828
with the clerk of the court that has jurisdiction of the case at 829
any time after the filing of the complaint. 830

(2) For purposes of section 2930.09 of the Revised Code, all 831
stages of a proceeding arising out of a complaint alleging the 832
commission of a violation, offense of violence, or sexually 833
oriented offense described in division (A)(1) of this section, 834
including all proceedings on a motion for a temporary protection 835
order, are critical stages of the case, and a victim may be 836
accompanied by a victim advocate or another person to provide 837
support to the victim as provided in that section. 838

(B) The motion shall be prepared on a form that is provided 839
by the clerk of the court, which form shall be substantially as 840
follows: 841

"MOTION FOR TEMPORARY PROTECTION ORDER 842

..... Court 843

Name and address of court 844

State of Ohio 845

v. No. 846

..... 847

Name of Defendant 848

(name of person), moves the court to issue a temporary protection 849
order containing terms designed to ensure the safety and 850
protection of the complainant, alleged victim, and other family or 851
household members, in relation to the named defendant, pursuant to 852
its authority to issue such an order under section 2919.26 of the 853
Revised Code. 854

A complaint, a copy of which has been attached to this 855
motion, has been filed in this court charging the named defendant 856
with (name of the specified violation, 857
the offense of violence, or sexually oriented offense charged) in 858

circumstances in which the victim was a family or household member 859
in violation of (section of the Revised Code designating the 860
specified violation, offense of violence, or sexually oriented 861
offense charged), or charging the named defendant with a violation 862
of a municipal ordinance that is substantially similar to 863
..... (section of the Revised Code designating 864
the specified violation, offense of violence, or sexually oriented 865
offense charged) involving a family or household member. 866

I understand that I must appear before the court, at a time 867
set by the court within twenty-four hours after the filing of this 868
motion, for a hearing on the motion or that, if I am unable to 869
appear because of hospitalization or a medical condition resulting 870
from the offense alleged in the complaint, a person who can 871
provide information about my need for a temporary protection order 872
must appear before the court in lieu of my appearing in court. I 873
understand that any temporary protection order granted pursuant to 874
this motion is a pretrial condition of release and is effective 875
only until the disposition of the criminal proceeding arising out 876
of the attached complaint, or the issuance of a civil protection 877
order or the approval of a consent agreement, arising out of the 878
same activities as those that were the basis of the complaint, 879
under section 3113.31 of the Revised Code. 880

..... 881

Signature of person 882

(or signature of the arresting officer who filed the motion on 883
behalf of the alleged victim) 884

..... 885

Address of person (or office address of the arresting officer who 886
filed the motion on behalf of the alleged victim)" 887

(C)(1) As soon as possible after the filing of a motion that 888
requests the issuance of a temporary protection order, but not 889

later than twenty-four hours after the filing of the motion, the court shall conduct a hearing to determine whether to issue the order. The person who requested the order shall appear before the court and provide the court with the information that it requests concerning the basis of the motion. If the person who requested the order is unable to appear and if the court finds that the failure to appear is because of the person's hospitalization or medical condition resulting from the offense alleged in the complaint, another person who is able to provide the court with the information it requests may appear in lieu of the person who requested the order. If the court finds that the safety and protection of the complainant, alleged victim, or any other family or household member of the alleged victim may be impaired by the continued presence of the alleged offender, the court may issue a temporary protection order, as a pretrial condition of release, that contains terms designed to ensure the safety and protection of the complainant, alleged victim, or the family or household member, including a requirement that the alleged offender refrain from entering the residence, school, business, or place of employment of the complainant, alleged victim, or the family or household member.

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

(b) Division (C)(2)(a) of this section does not limit any 922
discretion of a court to determine that an alleged offender 923
charged with a violation of section 2919.27 of the Revised Code, 924
with a violation of a municipal ordinance substantially equivalent 925
to that section, or with contempt of court, which charge is based 926
on an alleged violation of a temporary protection order issued 927
under this section, did not commit the violation or was not in 928
contempt of court. 929

(D)(1) Upon the filing of a complaint that alleges a 930
violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of the 931
Revised Code if the alleged victim of the violation was a family 932
or household member at the time of the violation, a violation of a 933
municipal ordinance that is substantially similar to any of those 934
sections if the alleged victim of the violation was a family or 935
household member at the time of the violation, any offense of 936
violence if the alleged victim of the offense was a family or 937
household member at the time of the commission of the offense, or 938
any sexually oriented offense if the alleged victim of the offense 939
was a family or household member at the time of the commission of 940
the offense, the court, upon its own motion, may issue a temporary 941
protection order as a pretrial condition of release if it finds 942
that the safety and protection of the complainant, alleged victim, 943
or other family or household member of the alleged offender may be 944
impaired by the continued presence of the alleged offender. 945

(2) If the court issues a temporary protection order under 946
this section as an ex parte order, it shall conduct, as soon as 947
possible after the issuance of the order, a hearing in the 948
presence of the alleged offender not later than the next day on 949
which the court is scheduled to conduct business after the day on 950
which the alleged offender was arrested or at the time of the 951
appearance of the alleged offender pursuant to summons to 952
determine whether the order should remain in effect, be modified, 953

or be revoked. The hearing shall be conducted under the standards 954
set forth in division (C) of this section. 955

(3) An order issued under this section shall contain only 956
those terms authorized in orders issued under division (C) of this 957
section. 958

(4) If a municipal court or a county court issues a temporary 959
protection order under this section and if, subsequent to the 960
issuance of the order, the alleged offender who is the subject of 961
the order is bound over to the court of common pleas for 962
prosecution of a felony arising out of the same activities as 963
those that were the basis of the complaint upon which the order is 964
based, notwithstanding the fact that the order was issued by a 965
municipal court or county court, the order shall remain in effect, 966
as though it were an order of the court of common pleas, while the 967
charges against the alleged offender are pending in the court of 968
common pleas, for the period of time described in division (E)(2) 969
of this section, and the court of common pleas has exclusive 970
jurisdiction to modify the order issued by the municipal court or 971
county court. This division applies when the alleged offender is 972
bound over to the court of common pleas as a result of the person 973
waiving a preliminary hearing on the felony charge, as a result of 974
the municipal court or county court having determined at a 975
preliminary hearing that there is probable cause to believe that 976
the felony has been committed and that the alleged offender 977
committed it, as a result of the alleged offender having been 978
indicted for the felony, or in any other manner. 979

(E) A temporary protection order that is issued as a pretrial 980
condition of release under this section: 981

(1) Is in addition to, but shall not be construed as a part 982
of, any bail set under Criminal Rule 46; 983

(2) Is effective only until the occurrence of either of the 984

following: 985

(a) The disposition, by the court that issued the order or, 986
in the circumstances described in division (D)(4) of this section, 987
by the court of common pleas to which the alleged offender is 988
bound over for prosecution, of the criminal proceeding arising out 989
of the complaint upon which the order is based; 990

(b) The issuance of a protection order or the approval of a 991
consent agreement, arising out of the same activities as those 992
that were the basis of the complaint upon which the order is 993
based, under section 3113.31 of the Revised Code; 994

(3) Shall not be construed as a finding that the alleged 995
offender committed the alleged offense, and shall not be 996
introduced as evidence of the commission of the offense at the 997
trial of the alleged offender on the complaint upon which the 998
order is based. 999

(F) A person who meets the criteria for bail under Criminal 1000
Rule 46 and who, if required to do so pursuant to that rule, 1001
executes or posts bond or deposits cash or securities as bail, 1002
shall not be held in custody pending a hearing before the court on 1003
a motion requesting a temporary protection order. 1004

(G)(1) A copy of any temporary protection order that is 1005
issued under this section shall be issued by the court to the 1006
complainant, to the alleged victim, to the person who requested 1007
the order, to the defendant, and to all law enforcement agencies 1008
that have jurisdiction to enforce the order. The court shall 1009
direct that a copy of the order be delivered to the defendant on 1010
the same day that the order is entered. If a municipal court or a 1011
county court issues a temporary protection order under this 1012
section and if, subsequent to the issuance of the order, the 1013
defendant who is the subject of the order is bound over to the 1014
court of common pleas for prosecution as described in division 1015

(D)(4) of this section, the municipal court or county court shall 1016
direct that a copy of the order be delivered to the court of 1017
common pleas to which the defendant is bound over. 1018

(2) Upon the issuance of a protection order under this 1019
section, the court shall provide the parties to the order with the 1020
following notice orally or by form: 1021

"NOTICE 1022

As a result of this protection order, it may be unlawful for 1023
you to possess or purchase a firearm, including a rifle, pistol, 1024
or revolver, or ammunition pursuant to federal law under 18 U.S.C. 1025
922(g)(8). If you have any questions whether this law makes it 1026
illegal for you to possess or purchase a firearm or ammunition, 1027
you should consult an attorney." 1028

(3) All law enforcement agencies shall establish and maintain 1029
an index for the temporary protection orders delivered to the 1030
agencies pursuant to division (G)(1) of this section. With respect 1031
to each order delivered, each agency shall note on the index, the 1032
date and time of the receipt of the order by the agency. 1033

(4) A complainant, alleged victim, or other person who 1034
obtains a temporary protection order under this section may 1035
provide notice of the issuance of the temporary protection order 1036
to the judicial and law enforcement officials in any county other 1037
than the county in which the order is issued by registering that 1038
order in the other county in accordance with division (N) of 1039
section 3113.31 of the Revised Code and filing a copy of the 1040
registered protection order with a law enforcement agency in the 1041
other county in accordance with that division. 1042

(5) Any officer of a law enforcement agency shall enforce a 1043
temporary protection order issued by any court in this state in 1044
accordance with the provisions of the order, including removing 1045
the defendant from the premises, regardless of whether the order 1046

is registered in the county in which the officer's agency has 1047
jurisdiction as authorized by division (G)(4) of this section. 1048

(H) Upon a violation of a temporary protection order, the 1049
court may issue another temporary protection order, as a pretrial 1050
condition of release, that modifies the terms of the order that 1051
was violated. 1052

(I)(1) As used in divisions (I)(1) and (2) of this section, 1053
"defendant" means a person who is alleged in a complaint to have 1054
committed a violation, offense of violence, or sexually oriented 1055
offense of the type described in division (A) of this section. 1056

(2) If a complaint is filed that alleges that a person 1057
committed a violation, offense of violence, or sexually oriented 1058
offense of the type described in division (A) of this section, the 1059
court may not issue a temporary protection order under this 1060
section that requires the complainant, the alleged victim, or 1061
another family or household member of the defendant to do or 1062
refrain from doing an act that the court may require the defendant 1063
to do or refrain from doing under a temporary protection order 1064
unless both of the following apply: 1065

(a) The defendant has filed a separate complaint that alleges 1066
that the complainant, alleged victim, or other family or household 1067
member in question who would be required under the order to do or 1068
refrain from doing the act committed a violation or offense of 1069
violence of the type described in division (A) of this section. 1070

(b) The court determines that both the complainant, alleged 1071
victim, or other family or household member in question who would 1072
be required under the order to do or refrain from doing the act 1073
and the defendant acted primarily as aggressors, that neither the 1074
complainant, alleged victim, or other family or household member 1075
in question who would be required under the order to do or refrain 1076
from doing the act nor the defendant acted primarily in 1077

self-defense, and, in accordance with the standards and criteria 1078
of this section as applied in relation to the separate complaint 1079
filed by the defendant, that it should issue the order to require 1080
the complainant, alleged victim, or other family or household 1081
member in question to do or refrain from doing the act. 1082

(J) Notwithstanding any provision of law to the contrary and 1083
regardless of whether a protection order is issued or a consent 1084
agreement is approved by a court of another county or a court of 1085
another state, no court or unit of state or local government shall 1086
charge any fee, cost, deposit, or money in connection with the 1087
filing of a motion pursuant to this section, in connection with 1088
the filing, issuance, registration, modification, enforcement, 1089
dismissal, withdrawal, or service of a protection order or consent 1090
agreement, or for obtaining a certified copy of a protection order 1091
or consent agreement. 1092

(K) As used in this section: 1093

(1) "Sexually oriented offense" has the same meaning as in 1094
section 2950.01 of the Revised Code. 1095

(2) "Victim advocate" means a person who provides support and 1096
assistance for a victim of an offense during court proceedings. 1097

Sec. 2919.272. (A) As used in this section, "protection order 1098
issued by a court of another state" has the same meaning as in 1099
section 2919.27 of the Revised Code. 1100

(B) A person who has obtained a protection order issued by a 1101
court of another state may provide notice of the issuance of the 1102
order to judicial and law enforcement officials in any county of 1103
this state by registering the order in that county and filing a 1104
copy of the registered order with a law enforcement agency in that 1105
county. To register the order, the person shall obtain a certified 1106
copy of the order from the clerk of the court that issued the 1107

order and present that certified copy to the clerk of the court of 1108
common pleas or the clerk of a municipal court or county court in 1109
the county in which the order is to be registered. Upon accepting 1110
the certified copy of the order for registration, the clerk shall 1111
place an endorsement of registration on the order and give the 1112
person a copy of the order that bears proof of registration. The 1113
person then may file with a law enforcement agency in that county 1114
a copy of the order that bears proof of registration. 1115

(C) The clerk of each court of common pleas and the clerk of 1116
each municipal court and county court shall maintain a registry of 1117
certified copies of protection orders issued by courts of another 1118
state that have been registered with the clerk. Each law 1119
enforcement agency shall establish and maintain a registry for 1120
protection orders delivered to the agency pursuant to this 1121
section. The agency shall note in the registry the date and time 1122
that the agency received an order. 1123

(D) An officer of a law enforcement agency shall enforce a 1124
protection order issued by a court of another state in accordance 1125
with the provisions of the order, including removing the person 1126
allegedly violating the order from the premises, regardless of 1127
whether the order is registered as authorized by division (B) of 1128
this section in the county in which the officer's agency has 1129
jurisdiction. 1130

(E) Notwithstanding any provision of law to the contrary and 1131
regardless of whether a protection order is issued or a consent 1132
agreement is approved by a court of another county or a court of 1133
another state, no court or unit of state or local government shall 1134
charge any fee, cost, deposit, or money in connection with the 1135
filing, issuance, registration, modification, enforcement, 1136
dismissal, withdrawal, or service of a protection order or consent 1137
agreement or for obtaining a certified copy of a protection order 1138
or consent agreement, including a protection order issued by a 1139

court of another state. 1140

Sec. 3113.31. (A) As used in this section: 1141

(1) "Domestic violence" means the occurrence of one or more 1142
of the following acts against a family or household member: 1143

(a) Attempting to cause or recklessly causing bodily injury; 1144

(b) Placing another person by the threat of force in fear of 1145
imminent serious physical harm or committing a violation of 1146
section 2903.211 or 2911.211 of the Revised Code; 1147

(c) Committing any act with respect to a child that would 1148
result in the child being an abused child, as defined in section 1149
2151.031 of the Revised Code; 1150

(d) Committing a sexually oriented offense. 1151

(2) "Court" means the domestic relations division of the 1152
court of common pleas in counties that have a domestic relations 1153
division and the court of common pleas in counties that do not 1154
have a domestic relations division, or the juvenile division of 1155
the court of common pleas of the county in which the person to be 1156
protected by a protection order issued or a consent agreement 1157
approved under this section resides if the respondent is less than 1158
eighteen years of age. 1159

(3) "Family or household member" means any of the following: 1160

(a) Any of the following who is residing with or has resided 1161
with the respondent: 1162

(i) A spouse, a person living as a spouse, or a former spouse 1163
of the respondent; 1164

(ii) A parent, a foster parent, or a child of the respondent, 1165
or another person related by consanguinity or affinity to the 1166
respondent; 1167

(iii) A parent or a child of a spouse, person living as a 1168

spouse, or former spouse of the respondent, or another person 1169
related by consanguinity or affinity to a spouse, person living as 1170
a spouse, or former spouse of the respondent. 1171

(b) The natural parent of any child of whom the respondent is 1172
the other natural parent or is the putative other natural parent. 1173

(4) "Person living as a spouse" means a person who is living 1174
or has lived with the respondent in a common law marital 1175
relationship, who otherwise is cohabiting with the respondent, or 1176
who otherwise has cohabited with the respondent within five years 1177
prior to the date of the alleged occurrence of the act in 1178
question. 1179

(5) "Victim advocate" means a person who provides support and 1180
assistance for a person who files a petition under this section. 1181

(6) "Sexually oriented offense" has the same meaning as in 1182
section 2950.01 of the Revised Code. 1183

(B) The court has jurisdiction over all proceedings under 1184
this section. The petitioner's right to relief under this section 1185
is not affected by the petitioner's leaving the residence or 1186
household to avoid further domestic violence. 1187

(C) A person may seek relief under this section on the 1188
person's own behalf, or any parent or adult household member may 1189
seek relief under this section on behalf of any other family or 1190
household member, by filing a petition with the court. The 1191
petition shall contain or state: 1192

(1) An allegation that the respondent engaged in domestic 1193
violence against a family or household member of the respondent, 1194
including a description of the nature and extent of the domestic 1195
violence; 1196

(2) The relationship of the respondent to the petitioner, and 1197
to the victim if other than the petitioner; 1198

(3) A request for relief under this section. 1199

(D)(1) If a person who files a petition pursuant to this 1200
section requests an ex parte order, the court shall hold an ex 1201
parte hearing on the same day that the petition is filed. The 1202
court, for good cause shown at the ex parte hearing, may enter any 1203
temporary orders, with or without bond, including, but not limited 1204
to, an order described in division (E)(1)(a), (b), or (c) of this 1205
section, that the court finds necessary to protect the family or 1206
household member from domestic violence. Immediate and present 1207
danger of domestic violence to the family or household member 1208
constitutes good cause for purposes of this section. Immediate and 1209
present danger includes, but is not limited to, situations in 1210
which the respondent has threatened the family or household member 1211
with bodily harm, in which the respondent has threatened the 1212
family or household member with a sexually oriented offense, or in 1213
which the respondent previously has been convicted of, pleaded 1214
guilty to, or been adjudicated a delinquent child for an offense 1215
that constitutes domestic violence against the family or household 1216
member. 1217

(2)(a) If the court, after an ex parte hearing, issues an 1218
order described in division (E)(1)(b) or (c) of this section, the 1219
court shall schedule a full hearing for a date that is within 1220
seven court days after the ex parte hearing. If any other type of 1221
protection order that is authorized under division (E) of this 1222
section is issued by the court after an ex parte hearing, the 1223
court shall schedule a full hearing for a date that is within ten 1224
court days after the ex parte hearing. The court shall give the 1225
respondent notice of, and an opportunity to be heard at, the full 1226
hearing. The court shall hold the full hearing on the date 1227
scheduled under this division unless the court grants a 1228
continuance of the hearing in accordance with this division. Under 1229
any of the following circumstances or for any of the following 1230

reasons, the court may grant a continuance of the full hearing to 1231
a reasonable time determined by the court: 1232

(i) Prior to the date scheduled for the full hearing under 1233
this division, the respondent has not been served with the 1234
petition filed pursuant to this section and notice of the full 1235
hearing. 1236

(ii) The parties consent to the continuance. 1237

(iii) The continuance is needed to allow a party to obtain 1238
counsel. 1239

(iv) The continuance is needed for other good cause. 1240

(b) An ex parte order issued under this section does not 1241
expire because of a failure to serve notice of the full hearing 1242
upon the respondent before the date set for the full hearing under 1243
division (D)(2)(a) of this section or because the court grants a 1244
continuance under that division. 1245

(3) If a person who files a petition pursuant to this section 1246
does not request an ex parte order, or if a person requests an ex 1247
parte order but the court does not issue an ex parte order after 1248
an ex parte hearing, the court shall proceed as in a normal civil 1249
action and grant a full hearing on the matter. 1250

(E)(1) After an ex parte or full hearing, the court may grant 1251
any protection order, with or without bond, or approve any consent 1252
agreement to bring about a cessation of domestic violence against 1253
the family or household members. The order or agreement may: 1254

(a) Direct the respondent to refrain from abusing or from 1255
committing sexually oriented offenses against the family or 1256
household members; 1257

(b) Grant possession of the residence or household to the 1258
petitioner or other family or household member, to the exclusion 1259
of the respondent, by evicting the respondent, when the residence 1260

or household is owned or leased solely by the petitioner or other family or household member, or by ordering the respondent to vacate the premises, when the residence or household is jointly owned or leased by the respondent, and the petitioner or other family or household member;

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

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

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

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

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

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

family personal property. 1292

(2) If a protection order has been issued pursuant to this 1293
section in a prior action involving the respondent and the 1294
petitioner or one or more of the family or household members or 1295
victims, the court may include in a protection order that it 1296
issues a prohibition against the respondent returning to the 1297
residence or household. If it includes a prohibition against the 1298
respondent returning to the residence or household in the order, 1299
it also shall include in the order provisions of the type 1300
described in division (E)(7) of this section. This division does 1301
not preclude the court from including in a protection order or 1302
consent agreement, in circumstances other than those described in 1303
this division, a requirement that the respondent be evicted from 1304
or vacate the residence or household or refrain from entering the 1305
residence, school, business, or place of employment of the 1306
petitioner or a family or household member, and, if the court 1307
includes any requirement of that type in an order or agreement, 1308
the court also shall include in the order provisions of the type 1309
described in division (E)(7) of this section. 1310

(3)(a) Any protection order issued or consent agreement 1311
approved under this section shall be valid until a date certain, 1312
but not later than five years from the date of its issuance or 1313
approval, or not later than the date a respondent who is less than 1314
eighteen years of age attains nineteen years of age, unless 1315
modified or terminated as provided in division (E)(8) of this 1316
section. 1317

(b) Subject to the limitation on the duration of an order or 1318
agreement set forth in division (E)(3)(a) of this section, any 1319
order under division (E)(1)(d) of this section shall terminate on 1320
the date that a court in an action for divorce, dissolution of 1321
marriage, or legal separation brought by the petitioner or 1322
respondent issues an order allocating parental rights and 1323

responsibilities for the care of children or on the date that a 1324
juvenile court in an action brought by the petitioner or 1325
respondent issues an order awarding legal custody of minor 1326
children. Subject to the limitation on the duration of an order or 1327
agreement set forth in division (E)(3)(a) of this section, any 1328
order under division (E)(1)(e) of this section shall terminate on 1329
the date that a court in an action for divorce, dissolution of 1330
marriage, or legal separation brought by the petitioner or 1331
respondent issues a support order or on the date that a juvenile 1332
court in an action brought by the petitioner or respondent issues 1333
a support order. 1334

(c) Any protection order issued or consent agreement approved 1335
pursuant to this section may be renewed in the same manner as the 1336
original order or agreement was issued or approved. 1337

(4) A court may not issue a protection order that requires a 1338
petitioner to do or to refrain from doing an act that the court 1339
may require a respondent to do or to refrain from doing under 1340
division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this 1341
section unless all of the following apply: 1342

(a) The respondent files a separate petition for a protection 1343
order in accordance with this section. 1344

(b) The petitioner is served notice of the respondent's 1345
petition at least forty-eight hours before the court holds a 1346
hearing with respect to the respondent's petition, or the 1347
petitioner waives the right to receive this notice. 1348

(c) If the petitioner has requested an ex parte order 1349
pursuant to division (D) of this section, the court does not delay 1350
any hearing required by that division beyond the time specified in 1351
that division in order to consolidate the hearing with a hearing 1352
on the petition filed by the respondent. 1353

(d) After a full hearing at which the respondent presents 1354

evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of domestic violence or has violated a temporary protection order issued pursuant to section 2919.26 of the Revised Code, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense.

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

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

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

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

(b) A court that requires an agency to provide supervision pursuant to division (E)(6)(a) of this section shall order the respondent to reimburse the agency for the cost of providing the

supervision, if it determines that the respondent has sufficient 1386
income or resources to pay that cost. 1387

(7)(a) If a protection order issued or consent agreement 1388
approved under this section includes a requirement that the 1389
respondent be evicted from or vacate the residence or household or 1390
refrain from entering the residence, school, business, or place of 1391
employment of the petitioner or a family or household member, the 1392
order or agreement shall state clearly that the order or agreement 1393
cannot be waived or nullified by an invitation to the respondent 1394
from the petitioner or other family or household member to enter 1395
the residence, school, business, or place of employment or by the 1396
respondent's entry into one of those places otherwise upon the 1397
consent of the petitioner or other family or household member. 1398

(b) Division (E)(7)(a) of this section does not limit any 1399
discretion of a court to determine that a respondent charged with 1400
a violation of section 2919.27 of the Revised Code, with a 1401
violation of a municipal ordinance substantially equivalent to 1402
that section, or with contempt of court, which charge is based on 1403
an alleged violation of a protection order issued or consent 1404
agreement approved under this section, did not commit the 1405
violation or was not in contempt of court. 1406

(8)(a) The court may modify or terminate as provided in 1407
division (E)(8) of this section a protection order or consent 1408
agreement that was issued after a full hearing under this section. 1409
The court that issued the protection order or approved the consent 1410
agreement shall hear a motion for modification or termination of 1411
the protection order or consent agreement pursuant to division 1412
(E)(8) of this section. 1413

(b) Either the petitioner or the respondent of the original 1414
protection order or consent agreement may bring a motion for 1415
modification or termination of a protection order or consent 1416
agreement that was issued or approved after a full hearing. The 1417

court shall require notice of the motion to be made as provided by 1418
the Rules of Civil Procedure. If the petitioner for the original 1419
protection order or consent agreement has requested that the 1420
petitioner's address be kept confidential, the court shall not 1421
disclose the address to the respondent of the original protection 1422
order or consent agreement or any other person, except as 1423
otherwise required by law. The moving party has the burden of 1424
proof to show, by a preponderance of the evidence, that 1425
modification or termination of the protection order or consent 1426
agreement is appropriate because either the protection order or 1427
consent agreement is no longer needed or because the terms of the 1428
original protection order or consent agreement are no longer 1429
appropriate. 1430

(c) In considering whether to modify or terminate a 1431
protection order or consent agreement issued or approved under 1432
this section, the court shall consider all relevant factors, 1433
including, but not limited to, the following: 1434

(i) Whether the petitioner consents to modification or 1435
termination of the protection order or consent agreement; 1436

(ii) Whether the petitioner fears the respondent; 1437

(iii) The current nature of the relationship between the 1438
petitioner and the respondent; 1439

(iv) The circumstances of the petitioner and respondent, 1440
including the relative proximity of the petitioner's and 1441
respondent's workplaces and residences and whether the petitioner 1442
and respondent have minor children together; 1443

(v) Whether the respondent has complied with the terms and 1444
conditions of the original protection order or consent agreement; 1445

(vi) Whether the respondent has a continuing involvement with 1446
illegal drugs or alcohol; 1447

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

(viii) Whether any other protection orders, consent agreements, restraining orders, or no contact orders have been issued against the respondent pursuant to this section, section 2919.26 of the Revised Code, any other provision of state law, or the law of any other state;

(ix) Whether the respondent has participated in any domestic violence treatment, intervention program, or other counseling addressing domestic violence and whether the respondent has completed the treatment, program, or counseling;

(x) The time that has elapsed since the protection order was issued or since the consent agreement was approved;

(xi) The age and health of the respondent;

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

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

~~(e) If the respondent moves for modification or termination of a protection order or consent agreement pursuant to this~~

~~section, the court may assess costs against the respondent for the~~ 1479
~~filing of the motion.~~ 1480

(9) Any protection order issued or any consent agreement 1481
approved pursuant to this section shall include a provision that 1482
the court will automatically seal all of the records of the 1483
proceeding in which the order is issued or agreement approved on 1484
the date the respondent attains the age of nineteen years unless 1485
the petitioner provides the court with evidence that the 1486
respondent has not complied with all of the terms of the 1487
protection order or consent agreement. The protection order or 1488
consent agreement shall specify the date when the respondent 1489
attains the age of nineteen years. 1490

(F)(1) A copy of any protection order, or consent agreement, 1491
that is issued, approved, modified, or terminated under this 1492
section shall be issued by the court to the petitioner, to the 1493
respondent, and to all law enforcement agencies that have 1494
jurisdiction to enforce the order or agreement. The court shall 1495
direct that a copy of an order be delivered to the respondent on 1496
the same day that the order is entered. 1497

(2) Upon the issuance of a protection order or the approval 1498
of a consent agreement under this section, the court shall provide 1499
the parties to the order or agreement with the following notice 1500
orally or by form: 1501

"NOTICE 1502

As a result of this order or consent agreement, it may be 1503
unlawful for you to possess or purchase a firearm, including a 1504
rifle, pistol, or revolver, or ammunition pursuant to federal law 1505
under 18 U.S.C. 922(g)(8). If you have any questions whether this 1506
law makes it illegal for you to possess or purchase a firearm or 1507
ammunition, you should consult an attorney." 1508

(3) All law enforcement agencies shall establish and maintain 1509

an index for the protection orders and the approved consent 1510
agreements delivered to the agencies pursuant to division (F)(1) 1511
of this section. With respect to each order and consent agreement 1512
delivered, each agency shall note on the index the date and time 1513
that it received the order or consent agreement. 1514

(4) Regardless of whether the petitioner has registered the 1515
order or agreement in the county in which the officer's agency has 1516
jurisdiction pursuant to division (N) of this section, any officer 1517
of a law enforcement agency shall enforce a protection order 1518
issued or consent agreement approved by any court in this state in 1519
accordance with the provisions of the order or agreement, 1520
including removing the respondent from the premises, if 1521
appropriate. 1522

(G) Any proceeding under this section shall be conducted in 1523
accordance with the Rules of Civil Procedure, except that an order 1524
under this section may be obtained with or without bond. An order 1525
issued under this section, other than an ex parte order, that 1526
grants a protection order or approves a consent agreement, that 1527
refuses to grant a protection order or approve a consent agreement 1528
that modifies or terminates a protection order or consent 1529
agreement, or that refuses to modify or terminate a protection 1530
order or consent agreement, is a final, appealable order. The 1531
remedies and procedures provided in this section are in addition 1532
to, and not in lieu of, any other available civil or criminal 1533
remedies. 1534

(H) The filing of proceedings under this section does not 1535
excuse a person from filing any report or giving any notice 1536
required by section 2151.421 of the Revised Code or by any other 1537
law. When a petition under this section alleges domestic violence 1538
against minor children, the court shall report the fact, or cause 1539
reports to be made, to a county, township, or municipal peace 1540
officer under section 2151.421 of the Revised Code. 1541

(I) Any law enforcement agency that investigates a domestic 1542
dispute shall provide information to the family or household 1543
members involved regarding the relief available under this section 1544
and section 2919.26 of the Revised Code. 1545

(J) Notwithstanding any provision of law to the contrary and 1546
regardless of whether a protection order is issued or a consent 1547
agreement is approved by a court of another county or a court of 1548
another state, no court or unit of state or local government shall 1549
charge any fee, cost, deposit, or money in connection with the 1550
filing of a petition pursuant to this section or in connection 1551
with the filing, issuance, registration, modification, 1552
enforcement, dismissal, withdrawal, or service of a protection 1553
order or consent agreement, or for obtaining a certified copy of a 1554
protection order or consent agreement. 1555

(K)(1) The court shall comply with Chapters 3119., 3121., 1556
3123., and 3125. of the Revised Code when it makes or modifies an 1557
order for child support under this section. 1558

(2) If any person required to pay child support under an 1559
order made under this section on or after April 15, 1985, or 1560
modified under this section on or after December 31, 1986, is 1561
found in contempt of court for failure to make support payments 1562
under the order, the court that makes the finding, in addition to 1563
any other penalty or remedy imposed, shall assess all court costs 1564
arising out of the contempt proceeding against the person and 1565
require the person to pay any reasonable attorney's fees of any 1566
adverse party, as determined by the court, that arose in relation 1567
to the act of contempt. 1568

(L)(1) A person who violates a protection order issued or a 1569
consent agreement approved under this section is subject to the 1570
following sanctions: 1571

(a) Criminal prosecution or a delinquent child proceeding for 1572

a violation of section 2919.27 of the Revised Code, if the 1573
violation of the protection order or consent agreement constitutes 1574
a violation of that section; 1575

(b) Punishment for contempt of court. 1576

(2) The punishment of a person for contempt of court for 1577
violation of a protection order issued or a consent agreement 1578
approved under this section does not bar criminal prosecution of 1579
the person or a delinquent child proceeding concerning the person 1580
for a violation of section 2919.27 of the Revised Code. However, a 1581
person punished for contempt of court is entitled to credit for 1582
the punishment imposed upon conviction of or adjudication as a 1583
delinquent child for a violation of that section, and a person 1584
convicted of or adjudicated a delinquent child for a violation of 1585
that section shall not subsequently be punished for contempt of 1586
court arising out of the same activity. 1587

(M) In all stages of a proceeding under this section, a 1588
petitioner may be accompanied by a victim advocate. 1589

(N)(1) A petitioner who obtains a protection order or consent 1590
agreement under this section or a temporary protection order under 1591
section 2919.26 of the Revised Code may provide notice of the 1592
issuance or approval of the order or agreement to the judicial and 1593
law enforcement officials in any county other than the county in 1594
which the order is issued or the agreement is approved by 1595
registering that order or agreement in the other county pursuant 1596
to division (N)(2) of this section and filing a copy of the 1597
registered order or registered agreement with a law enforcement 1598
agency in the other county in accordance with that division. A 1599
person who obtains a protection order issued by a court of another 1600
state may provide notice of the issuance of the order to the 1601
judicial and law enforcement officials in any county of this state 1602
by registering the order in that county pursuant to section 1603
2919.272 of the Revised Code and filing a copy of the registered 1604

order with a law enforcement agency in that county. 1605

(2) A petitioner may register a temporary protection order, 1606
protection order, or consent agreement in a county other than the 1607
county in which the court that issued the order or approved the 1608
agreement is located in the following manner: 1609

(a) The petitioner shall obtain a certified copy of the order 1610
or agreement from the clerk of the court that issued the order or 1611
approved the agreement and present that certified copy to the 1612
clerk of the court of common pleas or the clerk of a municipal 1613
court or county court in the county in which the order or 1614
agreement is to be registered. 1615

(b) Upon accepting the certified copy of the order or 1616
agreement for registration, the clerk of the court of common 1617
pleas, municipal court, or county court shall place an endorsement 1618
of registration on the order or agreement and give the petitioner 1619
a copy of the order or agreement that bears that proof of 1620
registration. 1621

(3) The clerk of each court of common pleas, the clerk of 1622
each municipal court, and the clerk of each county court shall 1623
maintain a registry of certified copies of temporary protection 1624
orders, protection orders, or consent agreements that have been 1625
issued or approved by courts in other counties and that have been 1626
registered with the clerk. 1627

(O) Nothing in this section prohibits the domestic relations 1628
division of a court of common pleas in counties that have a 1629
domestic relations division or a court of common pleas in counties 1630
that do not have a domestic relations division from designating a 1631
minor child as a protected party on a protection order or consent 1632
agreement. 1633

Section 2. That existing sections 2151.34, 2903.213, 1634
2903.214, 2919.26, 2919.272, and 3113.31 of the Revised Code are 1635

hereby repealed.

1636