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Senators Skindell, Hughes

**Cosponsors: Senators Brown, Cafaro, Gentile, Kearney, Schiavoni, Sawyer,
Smith, Tavares, Turner, Beagle, Burke, Coley, Eklund, Gardner, Hite, Jones,
LaRose, Manning, Obhof, Patton, Seitz**

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A B I L L

To amend sections 2151.34, 2903.213, 2903.214,	1
2919.26, and 3113.31 of the Revised Code to	2
expressly authorize the protection of companion	3
animals in temporary protection orders, domestic	4
violence protection orders, anti-stalking	5
protection orders, and related protection orders.	6

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

Section 1. That sections 2151.34, 2903.213, 2903.214,	7
2919.26, and 3113.31 of the Revised Code be amended to read as	8
follows:	9

Sec. 2151.34. (A) As used in this section:	10
(1) "Court" means the juvenile division of the court of	11
common pleas of the county in which the person to be protected by	12
the protection order resides.	13
(2) "Victim advocate" means a person who provides support and	14
assistance for a person who files a petition under this section.	15
(3) "Family or household member" has the same meaning as in	16

section 3113.31 of the Revised Code.	17
(4) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code.	18 19
(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.	20 21 22
(6) "Respondent" means a person who is under eighteen years of age and against whom a petition is filed under this section.	23 24
(7) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	25 26
(8) "Electronic monitoring" has the same meaning as in section 2929.01 of the Revised Code.	27 28
<u>(9) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.</u>	29 30
(B) The court has jurisdiction over all proceedings under this section.	31 32
(C)(1) Any of the following persons may seek relief under this section by filing a petition with the court:	33 34
(a) Any person on behalf of that person;	35
(b) Any parent or adult family or household member on behalf of any other family or household member;	36 37
(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.	38 39 40
(2) The petition shall contain or state all of the following:	41
(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	42 43 44 45

is substantially equivalent to any of those offenses against the person to be protected by the protection order, including a description of the nature and extent of the violation;	46 47 48
(b) If the petitioner seeks relief in the form of electronic monitoring of the respondent, an allegation that at any time preceding the filing of the petition the respondent engaged in conduct that would cause a reasonable person to believe that the health, welfare, or safety of the person to be protected was at risk, a description of the nature and extent of that conduct, and an allegation that the respondent presents a continuing danger to the person to be protected;	49 50 51 52 53 54 55 56
(c) A request for relief under this section.	57
(3) The court in its discretion may determine whether or not to give notice that a petition has been filed under division (C)(1) of this section on behalf of a child to any of the following:	58 59 60 61
(a) A parent of the child if the petition was filed by any person other than a parent of the child;	62 63
(b) Any person who is determined by the court to be an appropriate person to receive notice of the filing of the petition.	64 65 66
(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing as soon as possible after the petition is filed, but not later than the next day after the court is in session after the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, that the court finds necessary for the safety and protection of the person to be protected by the order. Immediate and present danger to the person to be protected by the protection order constitutes good cause for purposes of this section. Immediate and	67 68 69 70 71 72 73 74 75 76

present danger includes, but is not limited to, situations in 77
which the respondent has threatened the person to be protected by 78
the protection order with bodily harm or in which the respondent 79
previously has been convicted of, pleaded guilty to, or been 80
adjudicated a delinquent child for committing a violation of 81
section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, or 82
2911.211 of the Revised Code, a sexually oriented offense, or a 83
violation of any municipal ordinance that is substantially 84
equivalent to any of those offenses against the person to be 85
protected by the protection order. 86

(2)(a) If the court, after an ex parte hearing, issues a 87
protection order described in division (E) of this section, the 88
court shall schedule a full hearing for a date that is within ten 89
court days after the ex parte hearing. The court shall give the 90
respondent notice of, and an opportunity to be heard at, the full 91
hearing. The court also shall give notice of the full hearing to 92
the parent, guardian, or legal custodian of the respondent. The 93
court shall hold the full hearing on the date scheduled under this 94
division unless the court grants a continuance of the hearing in 95
accordance with this division. Under any of the following 96
circumstances or for any of the following reasons, the court may 97
grant a continuance of the full hearing to a reasonable time 98
determined by the court: 99

(i) Prior to the date scheduled for the full hearing under 100
this division, the respondent has not been served with the 101
petition filed pursuant to this section and notice of the full 102
hearing. 103

(ii) The parties consent to the continuance. 104

(iii) The continuance is needed to allow a party to obtain 105
counsel. 106

(iv) The continuance is needed for other good cause. 107

(b) An ex parte order issued under this section does not expire because of a failure to serve notice of the full hearing upon the respondent before the date set for the full hearing under division (D)(2)(a) of this section or because the court grants a continuance under that division.	108 109 110 111 112
(3) If a person who files a petition pursuant to this section does not request an ex parte order, or if a person requests an ex parte order but the court does not issue an ex parte order after an ex parte hearing, the court shall proceed as in a normal civil action and grant a full hearing on the matter.	113 114 115 116 117
(E)(1)(a) After an ex parte or full hearing, the court may issue any protection order, with or without bond, that contains terms designed to ensure the safety and protection of the person to be protected by the protection order. <u>The court may include within a protection order issued under this section a term requiring that the respondent not remove, damage, hide, harm, or dispose of any companion animal owned or possessed by the person to be protected by the order, and may include within the order a term authorizing the person to be protected by the order to remove a companion animal owned by the person to be protected by the order from the possession of the respondent.</u>	118 119 120 121 122 123 124 125 126 127 128
(b) After a full hearing, if the court considering a petition that includes an allegation of the type described in division (C)(2)(b) of this section or the court, upon its own motion, finds upon clear and convincing evidence that the petitioner reasonably believed that the respondent's conduct at any time preceding the filing of the petition endangered the health, welfare, or safety of the person to be protected and that the respondent presents a continuing danger to the person to be protected and if division (N) of this section does not prohibit the issuance of an order that the respondent be electronically monitored, the court may order that the respondent be electronically monitored for a period	129 130 131 132 133 134 135 136 137 138 139

of time and under the terms and conditions that the court	140
determines are appropriate. Electronic monitoring shall be in	141
addition to any other relief granted to the petitioner.	142
(2)(a) Any protection order issued pursuant to this section	143
shall be valid until a date certain but not later than the date	144
the respondent attains nineteen years of age.	145
(b) Any protection order issued pursuant to this section may	146
be renewed in the same manner as the original order was issued.	147
(3) A court may not issue a protection order that requires a	148
petitioner to do or to refrain from doing an act that the court	149
may require a respondent to do or to refrain from doing under	150
division (E)(1) of this section unless all of the following apply:	151
(a) The respondent files a separate petition for a protection	152
order in accordance with this section.	153
(b) The petitioner is served with notice of the respondent's	154
petition at least forty-eight hours before the court holds a	155
hearing with respect to the respondent's petition, or the	156
petitioner waives the right to receive this notice.	157
(c) If the petitioner has requested an ex parte order	158
pursuant to division (D) of this section, the court does not delay	159
any hearing required by that division beyond the time specified in	160
that division in order to consolidate the hearing with a hearing	161
on the petition filed by the respondent.	162
(d) After a full hearing at which the respondent presents	163
evidence in support of the request for a protection order and the	164
petitioner is afforded an opportunity to defend against that	165
evidence, the court determines that the petitioner has committed a	166
violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211,	167
2903.22, or 2911.211 of the Revised Code, a sexually oriented	168
offense, or a violation of any municipal ordinance that is	169
substantially equivalent to any of those offenses against the	170

person to be protected by the protection order issued pursuant to division (E)(3) of this section, or has violated a protection order issued pursuant to this section or section 2903.213 of the Revised Code relative to the person to be protected by the protection order issued pursuant to division (E)(3) of this section.	171 172 173 174 175 176
(4) No protection order issued pursuant to this section shall in any manner affect title to any real property.	177 178
(5)(a) A protection order issued under this section shall clearly state that the person to be protected by the order cannot waive or nullify by invitation or consent any requirement in the order.	179 180 181 182
(b) Division (E)(5)(a) of this section does not limit any discretion of a court to determine that a respondent alleged to have violated section 2919.27 of the Revised Code, violated a municipal ordinance substantially equivalent to that section, or committed contempt of court, which allegation 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.	183 184 185 186 187 188 189
(6) Any protection order issued pursuant to this section shall include a provision that the court will automatically seal all of the records of the proceeding in which the order is issued on the date the respondent attains the age of nineteen years unless the petitioner provides the court with evidence that the respondent has not complied with all of the terms of the protection order. The protection order shall specify the date when the respondent attains the age of nineteen years.	190 191 192 193 194 195 196 197
(F)(1) The court shall cause the delivery of a copy of any protection order that is issued under this section to the petitioner, to the respondent, and to all law enforcement agencies that have jurisdiction to enforce the order. The court shall	198 199 200 201

direct that a copy of the order be delivered to the respondent and the parent, guardian, or legal custodian of the respondent on the same day that the order is entered.	202 203 204
(2) Upon the issuance of a protection order under this section, the court shall provide the parties to the order with the following notice orally or by form:	205 206 207
"NOTICE	208
As a result of this order, it may be unlawful for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. 922(g)(8). If you have any questions whether this law makes it illegal for you to possess or purchase a firearm or ammunition, you should consult an attorney."	209 210 211 212 213 214
(3) All law enforcement agencies shall establish and maintain an index for the protection orders delivered to the agencies pursuant to division (F)(1) of this section. With respect to each order delivered, each agency shall note on the index the date and time that it received the order.	215 216 217 218 219
(4) Regardless of whether the petitioner has registered the protection order in the county in which the officer's agency has jurisdiction pursuant to division (M) of this section, any officer of a law enforcement agency shall enforce a protection order issued pursuant to this section by any court in this state in accordance with the provisions of the order, including removing the respondent from the premises, if appropriate.	220 221 222 223 224 225 226
(G) Any proceeding under this section shall be conducted in accordance with the Rules of Civil Procedure, except that a protection order may be obtained under this section with or without bond. An order issued under this section, other than an ex parte order, that grants a protection order, or that refuses to grant a protection order, is a final, appealable order. The	227 228 229 230 231 232

remedies and procedures provided in this section are in addition to, and not in lieu of, any other available civil or criminal remedies or any other available remedies under Chapter 2151. or 2152. of the Revised Code.	233 234 235 236
(H) The filing of proceedings under this section does not excuse a person from filing any report or giving any notice required by section 2151.421 of the Revised Code or by any other law.	237 238 239 240
(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.	241 242 243 244 245 246 247 248
(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, or service of a protection order or consent agreement, or for obtaining a certified copy of a protection order or consent agreement.	249 250 251 252 253 254 255 256 257
(K)(1) A person who violates a protection order issued under this section is subject to the following sanctions:	258 259
(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;	260 261 262 263

(b) Punishment for contempt of court.	264
(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 violation of that section, and a person convicted of or adjudicated a delinquent child for a violation of that section shall not subsequently be punished for contempt of court arising out of the same activity.	265 266 267 268 269 270 271 272 273 274 275
(L) In all stages of a proceeding under this section, a petitioner may be accompanied by a victim advocate.	276 277
(M)(1) A petitioner who obtains a protection order under this section may provide notice of the issuance or approval of the order to the judicial and law enforcement officials in any county other than the county in which the order is issued by registering that order in the other county pursuant to division (M)(2) of this section and filing a copy of the registered order with a law enforcement agency in the other county in accordance with that division. A person who obtains a protection order issued by a court of another state may provide notice of the issuance of the order to the judicial and law enforcement officials in any county of this state by registering the order in that county pursuant to section 2919.272 of the Revised Code and filing a copy of the registered order with a law enforcement agency in that county.	278 279 280 281 282 283 284 285 286 287 288 289 290
(2) A petitioner may register a protection order issued pursuant to this section in a county other than the county in which the court that issued the order is located in the following manner:	291 292 293 294

(a) The petitioner shall obtain a certified copy of the order from the clerk of the court that issued the order and present that certified copy to the clerk of the court of common pleas or the clerk of a municipal court or county court in the county in which the order is to be registered.	295 296 297 298 299
(b) Upon accepting the certified copy of the order for registration, the clerk of the court of common pleas, municipal court, or county court shall place an endorsement of registration on the order and give the petitioner a copy of the order that bears that proof of registration.	300 301 302 303 304
(3) The clerk of each court of common pleas, municipal court, or county court shall maintain a registry of certified copies of protection orders that have been issued by courts in other counties pursuant to this section and that have been registered with the clerk.	305 306 307 308 309
(N) If the court orders electronic monitoring of the respondent under this section, the court shall direct the sheriff's office or any other appropriate law enforcement agency to install the electronic monitoring device and to monitor the respondent. Unless the court determines that the respondent is indigent, the court shall order the respondent to pay the cost of the installation and monitoring of the electronic monitoring device. If the court determines that the respondent is indigent and subject to the maximum amount allowable to be paid in any year from the fund and the rules promulgated by the attorney general under section 2903.214 of the Revised Code, the cost of the installation and monitoring of the electronic monitoring device may be paid out of funds from the reparations fund created pursuant to section 2743.191 of the Revised Code. The total amount paid from the reparations fund created pursuant to section 2743.191 of the Revised Code for electronic monitoring under this section and sections 2903.214 and 2919.27 of the Revised Code	310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326

shall not exceed three hundred thousand dollars per year. When the 327
total amount paid from the reparations fund in any year for 328
electronic monitoring under those sections equals or exceeds three 329
hundred thousand dollars, the court shall not order pursuant to 330
this section that an indigent respondent be electronically 331
monitored. 332

(O) The court, in its discretion, may determine if the 333
respondent is entitled to court-appointed counsel in a proceeding 334
under this section. 335

Sec. 2903.213. (A) Except when the complaint involves a 336
person who is a family or household member as defined in section 337
2919.25 of the Revised Code, upon the filing of a complaint that 338
alleges a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 339
2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of 340
a municipal ordinance substantially similar to section 2903.13, 341
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or 342
the commission of a sexually oriented offense, the complainant, 343
the alleged victim, or a family or household member of an alleged 344
victim may file a motion that requests the issuance of a 345
protection order as a pretrial condition of release of the alleged 346
offender, in addition to any bail set under Criminal Rule 46. The 347
motion shall be filed with the clerk of the court that has 348
jurisdiction of the case at any time after the filing of the 349
complaint. If the complaint involves a person who is a family or 350
household member, the complainant, the alleged victim, or the 351
family or household member may file a motion for a temporary 352
protection order pursuant to section 2919.26 of the Revised Code. 353

(B) A motion for a protection order under this section shall 354
be prepared on a form that is provided by the clerk of the court, 355
and the form shall be substantially as follows: 356

"Motion for Protection Order

357

.....	358	
Name and address of court	359	
State of Ohio	360	
v.	No.	361
.....	362	
Name of Defendant	363	
(Name of person), moves the court to issue a protection order containing terms designed to ensure the safety and protection of the complainant or the alleged victim in the above-captioned case, in relation to the named defendant, pursuant to its authority to issue a protection order under section 2903.213 of the Revised Code.	364 365 366 367 368 369	
A complaint, a copy of which has been attached to this motion, has been filed in this court charging the named defendant with a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of a municipal ordinance substantially similar to section 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or the commission of a sexually oriented offense.	370 371 372 373 374 375 376	
I understand that I must appear before the court, at a time set by the court not later than the next day that the court is in session after the filing of this motion, for a hearing on the motion, and that any protection order granted pursuant to this motion is a pretrial condition of release and is effective only until the disposition of the criminal proceeding arising out of the attached complaint or until the issuance under section 2903.214 of the Revised Code of a protection order arising out of the same activities as those that were the basis of the attached complaint.	377 378 379 380 381 382 383 384 385 386	
.....	387	
Signature of person	388	

.....	389
Address of person"	390
(C)(1) As soon as possible after the filing of a motion that requests the issuance of a protection order under this section, but not later than the next day that the court is in session 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.	391 392 393 394 395 396 397
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. <u>The court may include within a protection order issued under this section a term requiring that the alleged offender not remove, damage, hide, harm, or dispose of any companion animal owned or possessed by the complainant or the alleged victim, and may include within the order a term authorizing the complainant or the alleged victim to remove a companion animal owned by the complainant or the alleged victim from the possession of the alleged offender.</u>	398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413
(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	414 415 416 417 418 419 420

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.	421 422 423 424
(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.	425 426 427 428 429 430 431 432
(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.	433 434 435 436 437 438 439 440 441
(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.	442 443 444 445 446 447 448
(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	449 450 451 452

prosecution of a felony arising out of the same activities as 453
those that were the basis of the complaint upon which the order is 454
based, notwithstanding the fact that the order was issued by a 455
municipal court or county court, the order shall remain in effect, 456
as though it were an order of the court of common pleas, while the 457
charges against the alleged offender are pending in the court of 458
common pleas, for the period of time described in division (E)(2) 459
of this section, and the court of common pleas has exclusive 460
jurisdiction to modify the order issued by the municipal court or 461
county court. This division applies when the alleged offender is 462
bound over to the court of common pleas as a result of the person 463
waiving a preliminary hearing on the felony charge, as a result of 464
the municipal court or county court having determined at a 465
preliminary hearing that there is probable cause to believe that 466
the felony has been committed and that the alleged offender 467
committed it, as a result of the alleged offender having been 468
indicted for the felony, or in any other manner. 469

(E) A protection order that is issued as a pretrial condition 470
of release under this section: 471

(1) Is in addition to, but shall not be construed as a part 472
of, any bail set under Criminal Rule 46; 473

(2) Is effective only until the disposition, by the court 474
that issued the order or, in the circumstances described in 475
division (D)(3) of this section, by the court of common pleas to 476
which the alleged offender is bound over for prosecution, of the 477
criminal proceeding arising out of the complaint upon which the 478
order is based or until the issuance under section 2903.214 of the 479
Revised Code of a protection order arising out of the same 480
activities as those that were the basis of the complaint filed 481
under this section; 482

(3) Shall not be construed as a finding that the alleged 483
offender committed the alleged offense and shall not be introduced 484

as evidence of the commission of the offense at the trial of the alleged offender on the complaint upon which the order is based.	485 486
(F) A person who meets the criteria for bail under Criminal Rule 46 and who, if required to do so pursuant to that rule, executes or posts bond or deposits cash or securities as bail, shall not be held in custody pending a hearing before the court on a motion requesting a protection order under this section.	487 488 489 490 491
(G)(1) A copy of a protection order that is issued under this section shall be issued by the court to the complainant, to the alleged victim, to the person who requested the order, to the defendant, and to all law enforcement agencies that have jurisdiction to enforce the order. The court shall direct that a copy of the order be delivered to the defendant on the same day that the order is entered. If a municipal court or a county court issues a protection order under this section and if, subsequent to the issuance of the order, the defendant who is the subject of the order is bound over to the court of common pleas for prosecution as described in division (D)(3) of this section, the municipal court or county court shall direct that a copy of the order be delivered to the court of common pleas to which the defendant is bound over.	492 493 494 495 496 497 498 499 500 501 502 503 504 505
(2) All law enforcement agencies shall establish and maintain an index for the protection orders delivered to the agencies pursuant to division (G)(1) of this section. With respect to each order delivered, each agency shall note on the index the date and time of the agency's receipt of the order.	506 507 508 509 510
(3) Regardless of whether the petitioner has registered the protection order in the county in which the officer's agency has jurisdiction, any officer of a law enforcement agency shall enforce a protection order issued pursuant to this section in accordance with the provisions of the order.	511 512 513 514 515

(H) Upon a violation of a protection order issued pursuant to this section, the court may issue another protection order under this section, as a pretrial condition of release, that modifies the terms of the order that was violated.	516 517 518 519
(I) 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 motion pursuant to this section, in connection with the filing, issuance, registration, or service of a protection order or consent agreement, or for obtaining certified copies of a protection order or consent agreement.	520 521 522 523 524 525 526 527 528
(J) As used in this section, <u>"sexually:"</u>	529
(1) <u>"Sexually oriented offense"</u> has the same meaning as in section 2950.01 of the Revised Code.	530 531
(2) <u>"Companion animal"</u> has the same meaning as in section 959.131 of the Revised Code.	532 533
Sec. 2903.214. (A) As used in this section:	534
(1) "Court" means the court of common pleas of the county in which the person to be protected by the protection order resides.	535 536
(2) "Victim advocate" means a person who provides support and assistance for a person who files a petition under this section.	537 538
(3) "Family or household member" has the same meaning as in section 3113.31 of the Revised Code.	539 540
(4) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code.	541 542
(5) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	543 544

(6) "Electronic monitoring" has the same meaning as in section 2929.01 of the Revised Code.	545 546
<u>(7) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.</u>	547 548
(B) The court has jurisdiction over all proceedings under this section.	549 550
(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:	551 552 553 554 555
(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;	556 557 558 559 560 561
(2) If the petitioner seeks relief in the form of electronic monitoring of the respondent, an allegation that at any time preceding the filing of the petition the respondent engaged in conduct that would cause a reasonable person to believe that the health, welfare, or safety of the person to be protected was at risk, a description of the nature and extent of that conduct, and an allegation that the respondent presents a continuing danger to the person to be protected;	562 563 564 565 566 567 568 569
(3) A request for relief under this section.	570
(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing as soon as possible after the petition is filed, but not later than the next day that the court is in session after the petition is filed. The court, for good cause shown at the ex parte	571 572 573 574 575

hearing, may enter any temporary orders, with or without bond, 576
that the court finds necessary for the safety and protection of 577
the person to be protected by the order. Immediate and present 578
danger to the person to be protected by the protection order 579
constitutes good cause for purposes of this section. Immediate and 580
present danger includes, but is not limited to, situations in 581
which the respondent has threatened the person to be protected by 582
the protection order with bodily harm or in which the respondent 583
previously has been convicted of or pleaded guilty to a violation 584
of section 2903.211 of the Revised Code or a sexually oriented 585
offense against the person to be protected by the protection 586
order. 587

(2)(a) If the court, after an ex parte hearing, issues a 588
protection order described in division (E) of this section, the 589
court shall schedule a full hearing for a date that is within ten 590
court days after the ex parte hearing. The court shall give the 591
respondent notice of, and an opportunity to be heard at, the full 592
hearing. The court shall hold the full hearing on the date 593
scheduled under this division unless the court grants a 594
continuance of the hearing in accordance with this division. Under 595
any of the following circumstances or for any of the following 596
reasons, the court may grant a continuance of the full hearing to 597
a reasonable time determined by the court: 598

(i) Prior to the date scheduled for the full hearing under 599
this division, the respondent has not been served with the 600
petition filed pursuant to this section and notice of the full 601
hearing. 602

(ii) The parties consent to the continuance. 603

(iii) The continuance is needed to allow a party to obtain 604
counsel. 605

(iv) The continuance is needed for other good cause. 606

(b) An ex parte order issued under this section does not expire because of a failure to serve notice of the full hearing upon the respondent before the date set for the full hearing under division (D)(2)(a) of this section or because the court grants a continuance under that division.	607 608 609 610 611
(3) If a person who files a petition pursuant to this section does not request an ex parte order, or if a person requests an ex parte order but the court does not issue an ex parte order after an ex parte hearing, the court shall proceed as in a normal civil action and grant a full hearing on the matter.	612 613 614 615 616
(E)(1)(a) After an ex parte or full hearing, the court may issue any protection order, with or without bond, that contains terms designed to ensure the safety and protection of the person to be protected by the protection order, including, but not limited to, a requirement that the respondent refrain from entering the residence, school, business, or place of employment of the petitioner or family or household member. If the court includes a requirement that the respondent refrain from entering the residence, school, business, or place of employment of the petitioner or family or household member in the order, it also shall include in the order provisions of the type described in division (E)(5) of this section. <u>The court may include within a protection order issued under this section a term requiring that the respondent not remove, damage, hide, harm, or dispose of any companion animal owned or possessed by the person to be protected by the order, and may include within the order a term authorizing the person to be protected by the order to remove a companion animal owned by the person to be protected by the order from the possession of the respondent.</u>	617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635
(b) After a full hearing, if the court considering a petition that includes an allegation of the type described in division (C)(2) of this section, or the court upon its own motion, finds	636 637 638

upon clear and convincing evidence that the petitioner reasonably	639
believed that the respondent's conduct at any time preceding the	640
filing of the petition endangered the health, welfare, or safety	641
of the person to be protected and that the respondent presents a	642
continuing danger to the person to be protected, the court may	643
order that the respondent be electronically monitored for a period	644
of time and under the terms and conditions that the court	645
determines are appropriate. Electronic monitoring shall be in	646
addition to any other relief granted to the petitioner.	647
(2)(a) Any protection order issued pursuant to this section	648
shall be valid until a date certain but not later than five years	649
from the date of its issuance.	650
(b) Any protection order issued pursuant to this section may	651
be renewed in the same manner as the original order was issued.	652
(3) A court may not issue a protection order that requires a	653
petitioner to do or to refrain from doing an act that the court	654
may require a respondent to do or to refrain from doing under	655
division (E)(1) of this section unless all of the following apply:	656
(a) The respondent files a separate petition for a protection	657
order in accordance with this section.	658
(b) The petitioner is served with notice of the respondent's	659
petition at least forty-eight hours before the court holds a	660
hearing with respect to the respondent's petition, or the	661
petitioner waives the right to receive this notice.	662
(c) If the petitioner has requested an ex parte order	663
pursuant to division (D) of this section, the court does not delay	664
any hearing required by that division beyond the time specified in	665
that division in order to consolidate the hearing with a hearing	666
on the petition filed by the respondent.	667
(d) After a full hearing at which the respondent presents	668
evidence in support of the request for a protection order and the	669

petitioner is afforded an opportunity to defend against that 670
evidence, the court determines that the petitioner has committed a 671
violation of section 2903.211 of the Revised Code against the 672
person to be protected by the protection order issued pursuant to 673
division (E)(3) of this section, has committed a sexually oriented 674
offense against the person to be protected by the protection order 675
issued pursuant to division (E)(3) of this section, or has 676
violated a protection order issued pursuant to section 2903.213 of 677
the Revised Code relative to the person to be protected by the 678
protection order issued pursuant to division (E)(3) of this 679
section. 680

(4) No protection order issued pursuant to this section shall 681
in any manner affect title to any real property. 682

(5)(a) If the court issues a protection order under this 683
section that includes a requirement that the alleged offender 684
refrain from entering the residence, school, business, or place of 685
employment of the petitioner or a family or household member, the 686
order shall clearly state that the order cannot be waived or 687
nullified by an invitation to the alleged offender from the 688
complainant to enter the residence, school, business, or place of 689
employment or by the alleged offender's entry into one of those 690
places otherwise upon the consent of the petitioner or family or 691
household member. 692

(b) Division (E)(5)(a) of this section does not limit any 693
discretion of a court to determine that an alleged offender 694
charged with a violation of section 2919.27 of the Revised Code, 695
with a violation of a municipal ordinance substantially equivalent 696
to that section, or with contempt of court, which charge is based 697
on an alleged violation of a protection order issued under this 698
section, did not commit the violation or was not in contempt of 699
court. 700

(F)(1) The court shall cause the delivery of a copy of any 701

protection order that is issued under this section to the 702
petitioner, to the respondent, and to all law enforcement agencies 703
that have jurisdiction to enforce the order. The court shall 704
direct that a copy of the order be delivered to the respondent on 705
the same day that the order is entered. 706

(2) Upon the issuance of a protection order under this 707
section, the court shall provide the parties to the order with the 708
following notice orally or by form: 709

"NOTICE 710

As a result of this order, it may be unlawful for you to 711
possess or purchase a firearm, including a rifle, pistol, or 712
revolver, or ammunition pursuant to federal law under 18 U.S.C. 713
922(g)(8). If you have any questions whether this law makes it 714
illegal for you to possess or purchase a firearm or ammunition, 715
you should consult an attorney." 716

(3) All law enforcement agencies shall establish and maintain 717
an index for the protection orders delivered to the agencies 718
pursuant to division (F)(1) of this section. With respect to each 719
order delivered, each agency shall note on the index the date and 720
time that it received the order. 721

(4) Regardless of whether the petitioner has registered the 722
protection order in the county in which the officer's agency has 723
jurisdiction pursuant to division (M) of this section, any officer 724
of a law enforcement agency shall enforce a protection order 725
issued pursuant to this section by any court in this state in 726
accordance with the provisions of the order, including removing 727
the respondent from the premises, if appropriate. 728

(G) Any proceeding under this section shall be conducted in 729
accordance with the Rules of Civil Procedure, except that a 730
protection order may be obtained under this section with or 731
without bond. An order issued under this section, other than an ex 732

parte order, that grants a protection order, or that refuses to	733
grant a protection order, is a final, appealable order. The	734
remedies and procedures provided in this section are in addition	735
to, and not in lieu of, any other available civil or criminal	736
remedies.	737
(H) The filing of proceedings under this section does not	738
excuse a person from filing any report or giving any notice	739
required by section 2151.421 of the Revised Code or by any other	740
law.	741
(I) Any law enforcement agency that investigates an alleged	742
violation of section 2903.211 of the Revised Code or an alleged	743
commission of a sexually oriented offense shall provide	744
information to the victim and the family or household members of	745
the victim regarding the relief available under this section and	746
section 2903.213 of the Revised Code.	747
(J) Notwithstanding any provision of law to the contrary and	748
regardless of whether a protection order is issued or a consent	749
agreement is approved by a court of another county or by a court	750
of another state, no court or unit of state or local government	751
shall charge any fee, cost, deposit, or money in connection with	752
the filing of a petition pursuant to this section, in connection	753
with the filing, issuance, registration, or service of a	754
protection order or consent agreement, or for obtaining a	755
certified copy of a protection order or consent agreement.	756
(K)(1) A person who violates a protection order issued under	757
this section is subject to the following sanctions:	758
(a) Criminal prosecution for a violation of section 2919.27	759
of the Revised Code, if the violation of the protection order	760
constitutes a violation of that section;	761
(b) Punishment for contempt of court.	762
(2) The punishment of a person for contempt of court for	763

violation of a protection order issued under this section does not	764
bar criminal prosecution of the person for a violation of section	765
2919.27 of the Revised Code. However, a person punished for	766
contempt of court is entitled to credit for the punishment imposed	767
upon conviction of a violation of that section, and a person	768
convicted of a violation of that section shall not subsequently be	769
punished for contempt of court arising out of the same activity.	770
(L) In all stages of a proceeding under this section, a	771
petitioner may be accompanied by a victim advocate.	772
(M)(1) A petitioner who obtains a protection order under this	773
section or a protection order under section 2903.213 of the	774
Revised Code may provide notice of the issuance or approval of the	775
order to the judicial and law enforcement officials in any county	776
other than the county in which the order is issued by registering	777
that order in the other county pursuant to division (M)(2) of this	778
section and filing a copy of the registered order with a law	779
enforcement agency in the other county in accordance with that	780
division. A person who obtains a protection order issued by a	781
court of another state may provide notice of the issuance of the	782
order to the judicial and law enforcement officials in any county	783
of this state by registering the order in that county pursuant to	784
section 2919.272 of the Revised Code and filing a copy of the	785
registered order with a law enforcement agency in that county.	786
(2) A petitioner may register a protection order issued	787
pursuant to this section or section 2903.213 of the Revised Code	788
in a county other than the county in which the court that issued	789
the order is located in the following manner:	790
(a) The petitioner shall obtain a certified copy of the order	791
from the clerk of the court that issued the order and present that	792
certified copy to the clerk of the court of common pleas or the	793
clerk of a municipal court or county court in the county in which	794
the order is to be registered.	795

(b) Upon accepting the certified copy of the order for registration, the clerk of the court of common pleas, municipal court, or county court shall place an endorsement of registration on the order and give the petitioner a copy of the order that bears that proof of registration.	796 797 798 799 800
(3) The clerk of each court of common pleas, municipal court, or county court shall maintain a registry of certified copies of protection orders that have been issued by courts in other counties pursuant to this section or section 2903.213 of the Revised Code and that have been registered with the clerk.	801 802 803 804 805
(N)(1) If the court orders electronic monitoring of the respondent under this section, the court shall direct the sheriff's office or any other appropriate law enforcement agency to install the electronic monitoring device and to monitor the respondent. Unless the court determines that the respondent is indigent, the court shall order the respondent to pay the cost of the installation and monitoring of the electronic monitoring device. If the court determines that the respondent is indigent and subject to the maximum amount allowable to be paid in any year from the fund and the rules promulgated by the attorney general under division (N)(2) of this section, the cost of the installation and monitoring of the electronic monitoring device may be paid out of funds from the reparations fund created pursuant to section 2743.191 of the Revised Code. The total amount of costs for the installation and monitoring of electronic monitoring devices paid pursuant to this division and sections 2151.34 and 2919.27 of the Revised Code from the reparations fund shall not exceed three hundred thousand dollars per year.	806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823
(2) The attorney general may promulgate rules pursuant to section 111.15 of the Revised Code to govern payments made from the reparations fund pursuant to this division and sections 2151.34 and 2919.27 of the Revised Code. The rules may include	824 825 826 827

reasonable limits on the total cost paid pursuant to this division 828
and sections 2151.34 and 2919.27 of the Revised Code per 829
respondent, the amount of the three hundred thousand dollars 830
allocated to each county, and how invoices may be submitted by a 831
county, court, or other entity. 832

Sec. 2919.26. (A)(1) Upon the filing of a complaint that 833
alleges a violation of section 2909.06, 2909.07, 2911.12, or 834
2911.211 of the Revised Code if the alleged victim of the 835
violation was a family or household member at the time of the 836
violation, a violation of a municipal ordinance that is 837
substantially similar to any of those sections if the alleged 838
victim of the violation was a family or household member at the 839
time of the violation, any offense of violence if the alleged 840
victim of the offense was a family or household member at the time 841
of the commission of the offense, or any sexually oriented offense 842
if the alleged victim of the offense was a family or household 843
member at the time of the commission of the offense, the 844
complainant, the alleged victim, or a family or household member 845
of an alleged victim may file, or, if in an emergency the alleged 846
victim is unable to file, a person who made an arrest for the 847
alleged violation or offense under section 2935.03 of the Revised 848
Code may file on behalf of the alleged victim, a motion that 849
requests the issuance of a temporary protection order as a 850
pretrial condition of release of the alleged offender, in addition 851
to any bail set under Criminal Rule 46. The motion shall be filed 852
with the clerk of the court that has jurisdiction of the case at 853
any time after the filing of the complaint. 854

(2) For purposes of section 2930.09 of the Revised Code, all 855
stages of a proceeding arising out of a complaint alleging the 856
commission of a violation, offense of violence, or sexually 857
oriented offense described in division (A)(1) of this section, 858
including all proceedings on a motion for a temporary protection 859

order, are critical stages of the case, and a victim may be 860
accompanied by a victim advocate or another person to provide 861
support to the victim as provided in that section. 862

(B) The motion shall be prepared on a form that is provided 863
by the clerk of the court, which form shall be substantially as 864
follows: 865

"MOTION FOR TEMPORARY PROTECTION ORDER 866
..... Court 867
Name and address of court 868

State of Ohio 869

v. No. 870

..... 871

Name of Defendant 872

(name of person), moves the court to issue a temporary protection 873
order containing terms designed to ensure the safety and 874
protection of the complainant, alleged victim, and other family or 875
household members, in relation to the named defendant, pursuant to 876
its authority to issue such an order under section 2919.26 of the 877
Revised Code. 878

A complaint, a copy of which has been attached to this 879
motion, has been filed in this court charging the named defendant 880
with (name of the specified violation, 881
the offense of violence, or sexually oriented offense charged) in 882
circumstances in which the victim was a family or household member 883
in violation of (section of the Revised Code designating the 884
specified violation, offense of violence, or sexually oriented 885
offense charged), or charging the named defendant with a violation 886
of a municipal ordinance that is substantially similar to 887
..... (section of the Revised Code designating 888
the specified violation, offense of violence, or sexually oriented 889
offense charged) involving a family or household member. 890

I understand that I must appear before the court, at a time 891
set by the court within twenty-four hours after the filing of this 892
motion, for a hearing on the motion or that, if I am unable to 893
appear because of hospitalization or a medical condition resulting 894
from the offense alleged in the complaint, a person who can 895
provide information about my need for a temporary protection order 896
must appear before the court in lieu of my appearing in court. I 897
understand that any temporary protection order granted pursuant to 898
this motion is a pretrial condition of release and is effective 899
only until the disposition of the criminal proceeding arising out 900
of the attached complaint, or the issuance of a civil protection 901
order or the approval of a consent agreement, arising out of the 902
same activities as those that were the basis of the complaint, 903
under section 3113.31 of the Revised Code. 904

..... 905

Signature of person 906
(or signature of the arresting officer who filed the motion on 907
behalf of the alleged victim) 908

..... 909

Address of person (or office address of the arresting officer who 910
filed the motion on behalf of the alleged victim)" 911

(C)(1) As soon as possible after the filing of a motion that 912
requests the issuance of a temporary protection order, but not 913
later than twenty-four hours after the filing of the motion, the 914
court shall conduct a hearing to determine whether to issue the 915
order. The person who requested the order shall appear before the 916
court and provide the court with the information that it requests 917
concerning the basis of the motion. If the person who requested 918
the order is unable to appear and if the court finds that the 919
failure to appear is because of the person's hospitalization or 920
medical condition resulting from the offense alleged in the 921

complaint, another person who is able to provide the court with 922
the information it requests may appear in lieu of the person who 923
requested the order. If the court finds that the safety and 924
protection of the complainant, alleged victim, or any other family 925
or household member of the alleged victim may be impaired by the 926
continued presence of the alleged offender, the court may issue a 927
temporary protection order, as a pretrial condition of release, 928
that contains terms designed to ensure the safety and protection 929
of the complainant, alleged victim, or the family or household 930
member, including a requirement that the alleged offender refrain 931
from entering the residence, school, business, or place of 932
employment of the complainant, alleged victim, or the family or 933
household member. The court may include within a protection order 934
issued under this section a term requiring that the alleged 935
offender not remove, damage, hide, harm, or dispose of any 936
companion animal owned or possessed by the complainant, alleged 937
victim, or any other family or household member of the alleged 938
victim, and may include within the order a term authorizing the 939
complainant, alleged victim, or other family or household member 940
of the alleged victim to remove a companion animal owned by the 941
complainant, alleged victim, or other family or household member 942
from the possession of the alleged offender. 943

(2)(a) If the court issues a temporary protection order that 944
includes a requirement that the alleged offender refrain from 945
entering the residence, school, business, or place of employment 946
of the complainant, the alleged victim, or the family or household 947
member, the order shall state clearly that the order cannot be 948
waived or nullified by an invitation to the alleged offender from 949
the complainant, alleged victim, or family or household member to 950
enter the residence, school, business, or place of employment or 951
by the alleged offender's entry into one of those places otherwise 952
upon the consent of the complainant, alleged victim, or family or 953
household member. 954

(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 temporary protection order issued under this section, did not commit the violation or was not in contempt of court.	955 956 957 958 959 960 961 962
(D)(1) Upon the filing of a complaint that alleges a violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of the Revised Code if the alleged victim of the violation was a family or household member at the time of the violation, a violation of a municipal ordinance that is substantially similar to any of those sections if the alleged victim of the violation was a family or household member at the time of the violation, any offense of violence if the alleged victim of the offense was a family or household member at the time of the commission of the offense, or any sexually oriented offense if the alleged victim of the offense was a family or household member at the time of the commission of the offense, the court, upon its own motion, may issue a temporary protection order as a pretrial condition of release if it finds that the safety and protection of the complainant, alleged victim, or other family or household member of the alleged offender may be impaired by the continued presence of the alleged offender.	963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978
(2) If the court issues a temporary protection order under this section as an ex parte order, it shall conduct, as soon as possible after the issuance of the order, a hearing in the presence of the alleged offender not later than the next day on which the court is scheduled to conduct business after the day on which the alleged offender was arrested or at the time of the appearance of the alleged offender pursuant to summons to determine whether the order should remain in effect, be modified,	979 980 981 982 983 984 985 986

or be revoked. The hearing shall be conducted under the standards 987
set forth in division (C) of this section. 988

(3) An order issued under this section shall contain only 989
those terms authorized in orders issued under division (C) of this 990
section. 991

(4) If a municipal court or a county court issues a temporary 992
protection order under this section and if, subsequent to the 993
issuance of the order, the alleged offender who is the subject of 994
the order is bound over to the court of common pleas for 995
prosecution of a felony arising out of the same activities as 996
those that were the basis of the complaint upon which the order is 997
based, notwithstanding the fact that the order was issued by a 998
municipal court or county court, the order shall remain in effect, 999
as though it were an order of the court of common pleas, while the 1000
charges against the alleged offender are pending in the court of 1001
common pleas, for the period of time described in division (E)(2) 1002
of this section, and the court of common pleas has exclusive 1003
jurisdiction to modify the order issued by the municipal court or 1004
county court. This division applies when the alleged offender is 1005
bound over to the court of common pleas as a result of the person 1006
waiving a preliminary hearing on the felony charge, as a result of 1007
the municipal court or county court having determined at a 1008
preliminary hearing that there is probable cause to believe that 1009
the felony has been committed and that the alleged offender 1010
committed it, as a result of the alleged offender having been 1011
indicted for the felony, or in any other manner. 1012

(E) A temporary protection order that is issued as a pretrial 1013
condition of release under this section: 1014

(1) Is in addition to, but shall not be construed as a part 1015
of, any bail set under Criminal Rule 46; 1016

(2) Is effective only until the occurrence of either of the 1017

following:	1018
(a) The disposition, by the court that issued the order or, in the circumstances described in division (D)(4) of this section, by the court of common pleas to which the alleged offender is bound over for prosecution, of the criminal proceeding arising out of the complaint upon which the order is based;	1019 1020 1021 1022 1023
(b) The issuance of a protection order or the approval of a consent agreement, arising out of the same activities as those that were the basis of the complaint upon which the order is based, under section 3113.31 of the Revised Code;	1024 1025 1026 1027
(3) Shall not be construed as a finding that the alleged offender committed the alleged offense, and shall not be introduced as evidence of the commission of the offense at the trial of the alleged offender on the complaint upon which the order is based.	1028 1029 1030 1031 1032
(F) A person who meets the criteria for bail under Criminal Rule 46 and who, if required to do so pursuant to that rule, executes or posts bond or deposits cash or securities as bail, shall not be held in custody pending a hearing before the court on a motion requesting a temporary protection order.	1033 1034 1035 1036 1037
(G)(1) A copy of any temporary protection order that is issued under this section shall be issued by the court to the complainant, to the alleged victim, to the person who requested the order, to the defendant, and to all law enforcement agencies that have jurisdiction to enforce the order. The court shall direct that a copy of the order be delivered to the defendant on the same day that the order is entered. If a municipal court or a county court issues a temporary protection order under this section and if, subsequent to the issuance of the order, the defendant who is the subject of the order is bound over to the court of common pleas for prosecution as described in division	1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048

(D)(4) of this section, the municipal court or county court shall 1049
direct that a copy of the order be delivered to the court of 1050
common pleas to which the defendant is bound over. 1051

(2) Upon the issuance of a protection order under this 1052
section, the court shall provide the parties to the order with the 1053
following notice orally or by form: 1054

"NOTICE 1055

As a result of this protection order, it may be unlawful for 1056
you to possess or purchase a firearm, including a rifle, pistol, 1057
or revolver, or ammunition pursuant to federal law under 18 U.S.C. 1058
922(g)(8). If you have any questions whether this law makes it 1059
illegal for you to possess or purchase a firearm or ammunition, 1060
you should consult an attorney." 1061

(3) All law enforcement agencies shall establish and maintain 1062
an index for the temporary protection orders delivered to the 1063
agencies pursuant to division (G)(1) of this section. With respect 1064
to each order delivered, each agency shall note on the index, the 1065
date and time of the receipt of the order by the agency. 1066

(4) A complainant, alleged victim, or other person who 1067
obtains a temporary protection order under this section may 1068
provide notice of the issuance of the temporary protection order 1069
to the judicial and law enforcement officials in any county other 1070
than the county in which the order is issued by registering that 1071
order in the other county in accordance with division (N) of 1072
section 3113.31 of the Revised Code and filing a copy of the 1073
registered protection order with a law enforcement agency in the 1074
other county in accordance with that division. 1075

(5) Any officer of a law enforcement agency shall enforce a 1076
temporary protection order issued by any court in this state in 1077
accordance with the provisions of the order, including removing 1078
the defendant from the premises, regardless of whether the order 1079

is registered in the county in which the officer's agency has 1080
jurisdiction as authorized by division (G)(4) of this section. 1081

(H) Upon a violation of a temporary protection order, the 1082
court may issue another temporary protection order, as a pretrial 1083
condition of release, that modifies the terms of the order that 1084
was violated. 1085

(I)(1) As used in divisions (I)(1) and (2) of this section, 1086
"defendant" means a person who is alleged in a complaint to have 1087
committed a violation, offense of violence, or sexually oriented 1088
offense of the type described in division (A) of this section. 1089

(2) If a complaint is filed that alleges that a person 1090
committed a violation, offense of violence, or sexually oriented 1091
offense of the type described in division (A) of this section, the 1092
court may not issue a temporary protection order under this 1093
section that requires the complainant, the alleged victim, or 1094
another family or household member of the defendant to do or 1095
refrain from doing an act that the court may require the defendant 1096
to do or refrain from doing under a temporary protection order 1097
unless both of the following apply: 1098

(a) The defendant has filed a separate complaint that alleges 1099
that the complainant, alleged victim, or other family or household 1100
member in question who would be required under the order to do or 1101
refrain from doing the act committed a violation or offense of 1102
violence of the type described in division (A) of this section. 1103

(b) The court determines that both the complainant, alleged 1104
victim, or other family or household member in question who would 1105
be required under the order to do or refrain from doing the act 1106
and the defendant acted primarily as aggressors, that neither the 1107
complainant, alleged victim, or other family or household member 1108
in question who would be required under the order to do or refrain 1109
from doing the act nor the defendant acted primarily in 1110

self-defense, and, in accordance with the standards and criteria of this section as applied in relation to the separate complaint filed by the defendant, that it should issue the order to require the complainant, alleged victim, or other family or household member in question to do or refrain from doing the act.	1111 1112 1113 1114 1115
(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 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 motion pursuant to this section, in connection with the filing, issuance, registration, or service of a protection order or consent agreement, or for obtaining a certified copy of a protection order or consent agreement.	1116 1117 1118 1119 1120 1121 1122 1123 1124
(K) As used in this section:	1125
(1) <u>"Companion animal"</u> has the same meaning as in section 959.131 of the Revised Code.	1126 1127
(2) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	1128 1129
{2}(3) "Victim advocate" means a person who provides support and assistance for a victim of an offense during court proceedings.	1130 1131 1132
Sec. 3113.31. (A) As used in this section:	1133
(1) "Domestic violence" means the occurrence of one or more of the following acts against a family or household member:	1134 1135
(a) Attempting to cause or recklessly causing bodily injury;	1136
(b) Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code;	1137 1138 1139

(c) Committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code;	1140 1141 1142
(d) Committing a sexually oriented offense.	1143
(2) "Court" means the domestic relations division of the court of common pleas in counties that have a domestic relations division and the court of common pleas in counties that do not have a domestic relations division, or the juvenile division of the court of common pleas of the county in which the person to be protected by a protection order issued or a consent agreement approved under this section resides if the respondent is less than eighteen years of age.	1144 1145 1146 1147 1148 1149 1150 1151
(3) "Family or household member" means any of the following:	1152
(a) Any of the following who is residing with or has resided with the respondent:	1153 1154
(i) A spouse, a person living as a spouse, or a former spouse of the respondent;	1155 1156
(ii) A parent, a foster parent, or a child of the respondent, or another person related by consanguinity or affinity to the respondent;	1157 1158 1159
(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the respondent, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the respondent.	1160 1161 1162 1163
(b) The natural parent of any child of whom the respondent is the other natural parent or is the putative other natural parent.	1164 1165
(4) "Person living as a spouse" means a person who is living or has lived with the respondent in a common law marital relationship, who otherwise is cohabiting with the respondent, or who otherwise has cohabited with the respondent within five years	1166 1167 1168 1169

prior to the date of the alleged occurrence of the act in 1170
question. 1171

(5) "Victim advocate" means a person who provides support and 1172
assistance for a person who files a petition under this section. 1173

(6) "Sexually oriented offense" has the same meaning as in 1174
section 2950.01 of the Revised Code. 1175

(7) "Companion animal" has the same meaning as in section 1176
959.131 of the Revised Code. 1177

(B) The court has jurisdiction over all proceedings under 1178
this section. The petitioner's right to relief under this section 1179
is not affected by the petitioner's leaving the residence or 1180
household to avoid further domestic violence. 1181

(C) A person may seek relief under this section on the 1182
person's own behalf, or any parent or adult household member may 1183
seek relief under this section on behalf of any other family or 1184
household member, by filing a petition with the court. The 1185
petition shall contain or state: 1186

(1) An allegation that the respondent engaged in domestic 1187
violence against a family or household member of the respondent, 1188
including a description of the nature and extent of the domestic 1189
violence; 1190

(2) The relationship of the respondent to the petitioner, and 1191
to the victim if other than the petitioner; 1192

(3) A request for relief under this section. 1193

(D)(1) If a person who files a petition pursuant to this 1194
section requests an ex parte order, the court shall hold an ex 1195
parte hearing on the same day that the petition is filed. The 1196
court, for good cause shown at the ex parte hearing, may enter any 1197
temporary orders, with or without bond, including, but not limited 1198
to, an order described in division (E)(1)(a), (b), or (c) of this 1199

section, that the court finds necessary to protect the family or 1200
household member from domestic violence. Immediate and present 1201
danger of domestic violence to the family or household member 1202
constitutes good cause for purposes of this section. Immediate and 1203
present danger includes, but is not limited to, situations in 1204
which the respondent has threatened the family or household member 1205
with bodily harm, in which the respondent has threatened the 1206
family or household member with a sexually oriented offense, or in 1207
which the respondent previously has been convicted of, pleaded 1208
guilty to, or been adjudicated a delinquent child for an offense 1209
that constitutes domestic violence against the family or household 1210
member. 1211

(2)(a) If the court, after an ex parte hearing, issues an 1212
order described in division (E)(1)(b) or (c) of this section, the 1213
court shall schedule a full hearing for a date that is within 1214
seven court days after the ex parte hearing. If any other type of 1215
protection order that is authorized under division (E) of this 1216
section is issued by the court after an ex parte hearing, the 1217
court shall schedule a full hearing for a date that is within ten 1218
court days after the ex parte hearing. The court shall give the 1219
respondent notice of, and an opportunity to be heard at, the full 1220
hearing. The court shall hold the full hearing on the date 1221
scheduled under this division unless the court grants a 1222
continuance of the hearing in accordance with this division. Under 1223
any of the following circumstances or for any of the following 1224
reasons, the court may grant a continuance of the full hearing to 1225
a reasonable time determined by the court: 1226

- (i) Prior to the date scheduled for the full hearing under 1227
this division, the respondent has not been served with the 1228
petition filed pursuant to this section and notice of the full 1229
hearing. 1230
- (ii) The parties consent to the continuance. 1231

(iii) The continuance is needed to allow a party to obtain counsel.	1232 1233
(iv) The continuance is needed for other good cause.	1234
(b) An ex parte order issued under this section does not expire because of a failure to serve notice of the full hearing upon the respondent before the date set for the full hearing under division (D)(2)(a) of this section or because the court grants a continuance under that division.	1235 1236 1237 1238 1239
(3) If a person who files a petition pursuant to this section does not request an ex parte order, or if a person requests an ex parte order but the court does not issue an ex parte order after an ex parte hearing, the court shall proceed as in a normal civil action and grant a full hearing on the matter.	1240 1241 1242 1243 1244
(E)(1) After an ex parte or full hearing, the court may grant any protection order, with or without bond, or approve any consent agreement to bring about a cessation of domestic violence against the family or household members. The order or agreement may:	1245 1246 1247 1248
(a) Direct the respondent to refrain from abusing or from committing sexually oriented offenses against the family or household members;	1249 1250 1251
(b) Grant possession of the residence or household to the petitioner or other family or household member, to the exclusion of the respondent, by evicting the respondent, when the residence 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;	1252 1253 1254 1255 1256 1257 1258 1259
(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	1260 1261 1262

residence or household, grant possession of the residence or	1263
household to the petitioner or other family or household member,	1264
to the exclusion of the respondent, by ordering the respondent to	1265
vacate the premises, or, in the case of a consent agreement, allow	1266
the respondent to provide suitable, alternative housing;	1267
(d) Temporarily allocate parental rights and responsibilities	1268
for the care of, or establish temporary parenting time rights with	1269
regard to, minor children, if no other court has determined, or is	1270
determining, the allocation of parental rights and	1271
responsibilities for the minor children or parenting time rights;	1272
(e) Require the respondent to maintain support, if the	1273
respondent customarily provides for or contributes to the support	1274
of the family or household member, or if the respondent has a duty	1275
to support the petitioner or family or household member;	1276
(f) Require the respondent, petitioner, victim of domestic	1277
violence, or any combination of those persons, to seek counseling;	1278
(g) Require the respondent to refrain from entering the	1279
residence, school, business, or place of employment of the	1280
petitioner or family or household member;	1281
(h) Grant other relief that the court considers equitable and	1282
fair, including, but not limited to, ordering the respondent to	1283
permit the use of a motor vehicle by the petitioner or other	1284
family or household member and the apportionment of household and	1285
family personal property;	1286
(i) <u>Require that the respondent not remove, damage, hide,</u>	1287
<u>harm, or dispose of any companion animal owned or possessed by the</u>	1288
<u>petitioner;</u>	1289
(j) <u>Authorize the petitioner to remove a companion animal</u>	1290
<u>owned by the petitioner from the possession of the respondent.</u>	1291
(2) If a protection order has been issued pursuant to this	1292

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

(3)(a) Any protection order issued or consent agreement 1310
approved under this section shall be valid until a date certain, 1311
but not later than five years from the date of its issuance or 1312
approval, or not later than the date a respondent who is less than 1313
eighteen years of age attains nineteen years of age, unless 1314
modified or terminated as provided in division (E)(8) of this 1315
section. 1316

(b) Subject to the limitation on the duration of an order or 1317
agreement set forth in division (E)(3)(a) of this section, any 1318
order under division (E)(1)(d) of this section shall terminate on 1319
the date that a court in an action for divorce, dissolution of 1320
marriage, or legal separation brought by the petitioner or 1321
respondent issues an order allocating parental rights and 1322
responsibilities for the care of children or on the date that a 1323
juvenile court in an action brought by the petitioner or 1324

respondent issues an order awarding legal custody of minor children. Subject to the limitation on the duration of an order or agreement set forth in division (E)(3)(a) of this section, any order under division (E)(1)(e) of this section shall terminate on the date that a court in an action for divorce, dissolution of marriage, or legal separation brought by the petitioner or respondent issues a support order or on the date that a juvenile court in an action brought by the petitioner or respondent issues a support order.	1325 1326 1327 1328 1329 1330 1331 1332 1333
(c) Any protection order issued or consent agreement approved pursuant to this section may be renewed in the same manner as the original order or agreement was issued or approved.	1334 1335 1336
(4) A court may not issue a protection order that requires a petitioner to do or to refrain from doing an act that the court may require a respondent to do or to refrain from doing under division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this section unless all of the following apply:	1337 1338 1339 1340 1341
(a) The respondent files a separate petition for a protection order in accordance with this section.	1342 1343
(b) The petitioner is served notice of the respondent's petition at least forty-eight hours before the court holds a hearing with respect to the respondent's petition, or the petitioner waives the right to receive this notice.	1344 1345 1346 1347
(c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay any hearing required by that division beyond the time specified in that division in order to consolidate the hearing with a hearing on the petition filed by the respondent.	1348 1349 1350 1351 1352
(d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that	1353 1354 1355

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.	1356 1357 1358 1359 1360 1361
(5) No protection order issued or consent agreement approved under this section shall in any manner affect title to any real property.	1362 1363 1364
(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:	1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378
(i) The child is in danger from the respondent;	1379
(ii) No other person or agency is available to provide the supervision.	1380 1381
(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 income or resources to pay that cost.	1382 1383 1384 1385 1386

(7)(a) If a protection order issued or consent agreement approved under this section includes a requirement that the respondent be evicted from or vacate the residence or household or refrain from entering the residence, school, business, or place of employment of the petitioner or a family or household member, the order or agreement shall state clearly that the order or agreement cannot be waived or nullified by an invitation to the respondent from the petitioner or other family or household member to enter the residence, school, business, or place of employment or by the respondent's entry into one of those places otherwise upon the consent of the petitioner or other family or household member.	1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397
(b) Division (E)(7)(a) of this section does not limit any discretion of a court to determine that a respondent 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 or consent agreement approved under this section, did not commit the violation or was not in contempt of court.	1398 1399 1400 1401 1402 1403 1404 1405
(8)(a) The court may modify or terminate as provided in division (E)(8) of this section a protection order or consent agreement that was issued after a full hearing under this section. The court that issued the protection order or approved the consent agreement shall hear a motion for modification or termination of the protection order or consent agreement pursuant to division (E)(8) of this section.	1406 1407 1408 1409 1410 1411 1412
(b) Either the petitioner or the respondent of the original protection order or consent agreement may bring a motion for modification or termination of a protection order or consent agreement that was issued or approved after a full hearing. The court shall require notice of the motion to be made as provided by the Rules of Civil Procedure. If the petitioner for the original	1413 1414 1415 1416 1417 1418

protection order or consent agreement has requested that the petitioner's address be kept confidential, the court shall not disclose the address to the respondent of the original protection order or consent agreement or any other person, except as otherwise required by law. The moving party has the burden of proof to show, by a preponderance of the evidence, that modification or termination of the protection order or consent agreement is appropriate because either the protection order or consent agreement is no longer needed or because the terms of the original protection order or consent agreement are no longer appropriate.	1419 1420 1421 1422 1423 1424 1425 1426 1427 1428 1429
(c) In considering whether to modify or terminate a protection order or consent agreement issued or approved under this section, the court shall consider all relevant factors, including, but not limited to, the following:	1430 1431 1432 1433
(i) Whether the petitioner consents to modification or termination of the protection order or consent agreement;	1434 1435
(ii) Whether the petitioner fears the respondent;	1436
(iii) The current nature of the relationship between the petitioner and the respondent;	1437 1438
(iv) The circumstances of the petitioner and respondent, including the relative proximity of the petitioner's and respondent's workplaces and residences and whether the petitioner and respondent have minor children together;	1439 1440 1441 1442
(v) Whether the respondent has complied with the terms and conditions of the original protection order or consent agreement;	1443 1444
(vi) Whether the respondent has a continuing involvement with illegal drugs or alcohol;	1445 1446
(vii) Whether the respondent has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for an offense	1447 1448

of violence since the issuance of the protection order or approval of the consent agreement;	1449 1450
(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;	1451 1452 1453 1454 1455
(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;	1456 1457 1458 1459
(x) The time that has elapsed since the protection order was issued or since the consent agreement was approved;	1460 1461
(xi) The age and health of the respondent;	1462
(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.	1463 1464 1465 1466
(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.	1467 1468 1469 1470 1471 1472 1473 1474 1475
(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 filing of the motion.	1476 1477 1478 1479

(9) Any protection order issued or any consent agreement approved pursuant to this section shall include a provision that the court will automatically seal all of the records of the proceeding in which the order is issued or agreement approved on the date the respondent attains the age of nineteen years unless the petitioner provides the court with evidence that the respondent has not complied with all of the terms of the protection order or consent agreement. The protection order or consent agreement shall specify the date when the respondent attains the age of nineteen years.	1480 1481 1482 1483 1484 1485 1486 1487 1488 1489
(F)(1) A copy of any protection order, or consent agreement, that is issued, approved, modified, or terminated under this section shall be issued by the court to the petitioner, to the respondent, and to all law enforcement agencies that have jurisdiction to enforce the order or agreement. The court shall direct that a copy of an order be delivered to the respondent on the same day that the order is entered.	1490 1491 1492 1493 1494 1495 1496
(2) Upon the issuance of a protection order or the approval of a consent agreement under this section, the court shall provide the parties to the order or agreement with the following notice orally or by form:	1497 1498 1499 1500
"NOTICE	1501
As a result of this order or consent agreement, it may be unlawful for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. 922(g)(8). If you have any questions whether this law makes it illegal for you to possess or purchase a firearm or ammunition, you should consult an attorney."	1502 1503 1504 1505 1506 1507
(3) All law enforcement agencies shall establish and maintain an index for the protection orders and the approved consent agreements delivered to the agencies pursuant to division (F)(1) of this section. With respect to each order and consent agreement	1508 1509 1510 1511

delivered, each agency shall note on the index the date and time that it received the order or consent agreement.	1512 1513
(4) Regardless of whether the petitioner has registered the order or agreement in the county in which the officer's agency has jurisdiction pursuant to division (N) of this section, any officer of a law enforcement agency shall enforce a protection order issued or consent agreement approved by any court in this state in accordance with the provisions of the order or agreement, including removing the respondent from the premises, if appropriate.	1514 1515 1516 1517 1518 1519 1520 1521
(G) Any proceeding under this section shall be conducted in accordance with the Rules of Civil Procedure, except that an order under this section may be obtained with or without bond. An order issued under this section, other than an ex parte order, that grants a protection order or approves a consent agreement, that refuses to grant a protection order or approve a consent agreement that modifies or terminates a protection order or consent agreement, or that refuses to modify or terminate a protection order or consent agreement, is a final, appealable order. The remedies and procedures provided in this section are in addition to, and not in lieu of, any other available civil or criminal remedies.	1522 1523 1524 1525 1526 1527 1528 1529 1530 1531 1532 1533
(H) The filing of proceedings under this section does not excuse a person from filing any report or giving any notice required by section 2151.421 of the Revised Code or by any other law. When a petition under this section alleges domestic violence against minor children, the court shall report the fact, or cause reports to be made, to a county, township, or municipal peace officer under section 2151.421 of the Revised Code.	1534 1535 1536 1537 1538 1539 1540
(I) Any law enforcement agency that investigates a domestic dispute shall provide information to the family or household members involved regarding the relief available under this section	1541 1542 1543

and section 2919.26 of the Revised Code.	1544
(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 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 or in connection with the filing, issuance, registration, or service of a protection order or consent agreement, or for obtaining a certified copy of a protection order or consent agreement.	1545 1546 1547 1548 1549 1550 1551 1552 1553
(K)(1) The court shall comply with Chapters 3119., 3121., 3123., and 3125. of the Revised Code when it makes or modifies an order for child support under this section.	1554 1555 1556
(2) If any person required to pay child support under an order made under this section on or after April 15, 1985, or modified under this section on or after December 31, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt.	1557 1558 1559 1560 1561 1562 1563 1564 1565 1566
(L)(1) A person who violates a protection order issued or a consent agreement approved under this section is subject to the following sanctions:	1567 1568 1569
(a) Criminal prosecution or a delinquent child proceeding for a violation of section 2919.27 of the Revised Code, if the violation of the protection order or consent agreement constitutes a violation of that section;	1570 1571 1572 1573
(b) Punishment for contempt of court.	1574

(2) The punishment of a person for contempt of court for violation of a protection order issued or a consent agreement approved 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 violation of that section, and a person convicted of or adjudicated a delinquent child for a violation of that section shall not subsequently be punished for contempt of court arising out of the same activity.	1575 1576 1577 1578 1579 1580 1581 1582 1583 1584 1585
(M) In all stages of a proceeding under this section, a petitioner may be accompanied by a victim advocate.	1586 1587
(N)(1) A petitioner who obtains a protection order or consent agreement under this section or a temporary protection order under section 2919.26 of the Revised Code may provide notice of the issuance or approval of the order or agreement to the judicial and law enforcement officials in any county other than the county in which the order is issued or the agreement is approved by registering that order or agreement in the other county pursuant to division (N)(2) of this section and filing a copy of the registered order or registered agreement with a law enforcement agency in the other county in accordance with that division. A person who obtains a protection order issued by a court of another state may provide notice of the issuance of the order to the judicial and law enforcement officials in any county of this state by registering the order in that county pursuant to section 2919.272 of the Revised Code and filing a copy of the registered order with a law enforcement agency in that county.	1588 1589 1590 1591 1592 1593 1594 1595 1596 1597 1598 1599 1600 1601 1602 1603
(2) A petitioner may register a temporary protection order, protection order, or consent agreement in a county other than the county in which the court that issued the order or approved the	1604 1605 1606

agreement is located in the following manner:	1607
(a) The petitioner shall obtain a certified copy of the order or agreement from the clerk of the court that issued the order or approved the agreement and present that certified copy to the clerk of the court of common pleas or the clerk of a municipal court or county court in the county in which the order or agreement is to be registered.	1608 1609 1610 1611 1612 1613
(b) Upon accepting the certified copy of the order or agreement for registration, the clerk of the court of common pleas, municipal court, or county court shall place an endorsement of registration on the order or agreement and give the petitioner a copy of the order or agreement that bears that proof of registration.	1614 1615 1616 1617 1618 1619
(3) The clerk of each court of common pleas, the clerk of each municipal court, and the clerk of each county court shall maintain a registry of certified copies of temporary protection orders, protection orders, or consent agreements that have been issued or approved by courts in other counties and that have been registered with the clerk.	1620 1621 1622 1623 1624 1625
(O) Nothing in this section prohibits the domestic relations division of a court of common pleas in counties that have a domestic relations division or a court of common pleas in counties that do not have a domestic relations division from designating a minor child as a protected party on a protection order or consent agreement.	1626 1627 1628 1629 1630 1631
Section 2. That existing sections 2151.34, 2903.213, 2903.214, 2919.26, and 3113.31 of the Revised Code are hereby repealed.	1632 1633 1634