

As Reported by the Senate Criminal Justice Committee

130th General Assembly

Regular Session

2013-2014

Sub. S. B. No. 177

Senator Skindell

Cosponsors: Senators Brown, Cafaro, Gentile, Kearney, Schiavoni, Sawyer,

Smith, Tavares, Turner

—

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 18
the same meaning as in section 2919.27 of the Revised Code. 19

(5) "Petitioner" means a person who files a petition under 20
this section and includes a person on whose behalf a petition 21
under this section is filed. 22

(6) "Respondent" means a person who is under eighteen years 23
of age and against whom a petition is filed under this section. 24

(7) "Sexually oriented offense" has the same meaning as in 25
section 2950.01 of the Revised Code. 26

(8) "Electronic monitoring" has the same meaning as in 27
section 2929.01 of the Revised Code. 28

(9) "Companion animal" has the same meaning as in section 29
959.131 of the Revised Code. 30

(B) The court has jurisdiction over all proceedings under 31
this section. 32

(C)(1) Any of the following persons may seek relief under 33
this section by filing a petition with the court: 34

(a) Any person on behalf of that person; 35

(b) Any parent or adult family or household member on behalf 36
of any other family or household member; 37

(c) Any person who is determined by the court in its 38
discretion as an appropriate person to seek relief under this 39
section on behalf of any child. 40

(2) The petition shall contain or state all of the following: 41

(a) An allegation that the respondent engaged in a violation 42
of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, 43
or 2911.211 of the Revised Code, committed a sexually oriented 44
offense, or engaged in a violation of any municipal ordinance that 45
is substantially equivalent to any of those offenses against the 46

person to be protected by the protection order, including a 47
description of the nature and extent of the violation; 48

(b) If the petitioner seeks relief in the form of electronic 49
monitoring of the respondent, an allegation that at any time 50
preceding the filing of the petition the respondent engaged in 51
conduct that would cause a reasonable person to believe that the 52
health, welfare, or safety of the person to be protected was at 53
risk, a description of the nature and extent of that conduct, and 54
an allegation that the respondent presents a continuing danger to 55
the person to be protected; 56

(c) A request for relief under this section. 57

(3) The court in its discretion may determine whether or not 58
to give notice that a petition has been filed under division 59
(C)(1) of this section on behalf of a child to any of the 60
following: 61

(a) A parent of the child if the petition was filed by any 62
person other than a parent of the child; 63

(b) Any person who is determined by the court to be an 64
appropriate person to receive notice of the filing of the 65
petition. 66

(D)(1) If a person who files a petition pursuant to this 67
section requests an ex parte order, the court shall hold an ex 68
parte hearing as soon as possible after the petition is filed, but 69
not later than the next day after the court is in session after 70
the petition is filed. The court, for good cause shown at the ex 71
parte hearing, may enter any temporary orders, with or without 72
bond, that the court finds necessary for the safety and protection 73
of the person to be protected by the order. Immediate and present 74
danger to the person to be protected by the protection order 75
constitutes good cause for purposes of this section. Immediate and 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 108

expire because of a failure to serve notice of the full hearing 109
upon the respondent before the date set for the full hearing under 110
division (D)(2)(a) of this section or because the court grants a 111
continuance under that division. 112

(3) If a person who files a petition pursuant to this section 113
does not request an ex parte order, or if a person requests an ex 114
parte order but the court does not issue an ex parte order after 115
an ex parte hearing, the court shall proceed as in a normal civil 116
action and grant a full hearing on the matter. 117

(E)(1)(a) After an ex parte or full hearing, the court may 118
issue any protection order, with or without bond, that contains 119
terms designed to ensure the safety and protection of the person 120
to be protected by the protection order. The court may include 121
within a protection order issued under this section a term 122
requiring that the respondent not remove, damage, hide, harm, or 123
dispose of any companion animal owned or possessed by the person 124
to be protected by the order, and may include within the order a 125
term authorizing the person to be protected by the order to remove 126
a companion animal owned by the person to be protected by the 127
order from the possession of the respondent. 128

(b) After a full hearing, if the court considering a petition 129
that includes an allegation of the type described in division 130
(C)(2)(b) of this section or the court, upon its own motion, finds 131
upon clear and convincing evidence that the petitioner reasonably 132
believed that the respondent's conduct at any time preceding the 133
filing of the petition endangered the health, welfare, or safety 134
of the person to be protected and that the respondent presents a 135
continuing danger to the person to be protected and if division 136
(N) of this section does not prohibit the issuance of an order 137
that the respondent be electronically monitored, the court may 138
order that the respondent be electronically monitored for a period 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 171

division (E)(3) of this section, or has violated a protection 172
order issued pursuant to this section or section 2903.213 of the 173
Revised Code relative to the person to be protected by the 174
protection order issued pursuant to division (E)(3) of this 175
section. 176

(4) No protection order issued pursuant to this section shall 177
in any manner affect title to any real property. 178

(5)(a) A protection order issued under this section shall 179
clearly state that the person to be protected by the order cannot 180
waive or nullify by invitation or consent any requirement in the 181
order. 182

(b) Division (E)(5)(a) of this section does not limit any 183
discretion of a court to determine that a respondent alleged to 184
have violated section 2919.27 of the Revised Code, violated a 185
municipal ordinance substantially equivalent to that section, or 186
committed contempt of court, which allegation is based on an 187
alleged violation of a protection order issued under this section, 188
did not commit the violation or was not in contempt of court. 189

(6) Any protection order issued pursuant to this section 190
shall include a provision that the court will automatically seal 191
all of the records of the proceeding in which the order is issued 192
on the date the respondent attains the age of nineteen years 193
unless the petitioner provides the court with evidence that the 194
respondent has not complied with all of the terms of the 195
protection order. The protection order shall specify the date when 196
the respondent attains the age of nineteen years. 197

(F)(1) The court shall cause the delivery of a copy of any 198
protection order that is issued under this section to the 199
petitioner, to the respondent, and to all law enforcement agencies 200
that have jurisdiction to enforce the order. The court shall 201
direct that a copy of the order be delivered to the respondent and 202

the parent, guardian, or legal custodian of the respondent on the 203
same day that the order is entered. 204

(2) Upon the issuance of a protection order under this 205
section, the court shall provide the parties to the order with the 206
following notice orally or by form: 207

"NOTICE 208

As a result of this order, it may be unlawful for you to 209
possess or purchase a firearm, including a rifle, pistol, or 210
revolver, or ammunition pursuant to federal law under 18 U.S.C. 211
922(g)(8). If you have any questions whether this law makes it 212
illegal for you to possess or purchase a firearm or ammunition, 213
you should consult an attorney." 214

(3) All law enforcement agencies shall establish and maintain 215
an index for the protection orders delivered to the agencies 216
pursuant to division (F)(1) of this section. With respect to each 217
order delivered, each agency shall note on the index the date and 218
time that it received the order. 219

(4) Regardless of whether the petitioner has registered the 220
protection order in the county in which the officer's agency has 221
jurisdiction pursuant to division (M) of this section, any officer 222
of a law enforcement agency shall enforce a protection order 223
issued pursuant to this section by any court in this state in 224
accordance with the provisions of the order, including removing 225
the respondent from the premises, if appropriate. 226

(G) Any proceeding under this section shall be conducted in 227
accordance with the Rules of Civil Procedure, except that a 228
protection order may be obtained under this section with or 229
without bond. An order issued under this section, other than an ex 230
parte order, that grants a protection order, or that refuses to 231
grant a protection order, is a final, appealable order. The 232
remedies and procedures provided in this section are in addition 233

to, and not in lieu of, any other available civil or criminal 234
remedies or any other available remedies under Chapter 2151. or 235
2152. of the Revised Code. 236

(H) The filing of proceedings under this section does not 237
excuse a person from filing any report or giving any notice 238
required by section 2151.421 of the Revised Code or by any other 239
law. 240

(I) Any law enforcement agency that investigates an alleged 241
violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 242
2903.22, or 2911.211 of the Revised Code, an alleged commission of 243
a sexually oriented offense, or an alleged violation of a 244
municipal ordinance that is substantially equivalent to any of 245
those offenses shall provide information to the victim and the 246
family or household members of the victim regarding the relief 247
available under this section. 248

(J) Notwithstanding any provision of law to the contrary and 249
regardless of whether a protection order is issued or a consent 250
agreement is approved by a court of another county or by a court 251
of another state, no court or unit of state or local government 252
shall charge any fee, cost, deposit, or money in connection with 253
the filing of a petition pursuant to this section, in connection 254
with the filing, issuance, registration, or service of a 255
protection order or consent agreement, or for obtaining a 256
certified copy of a protection order or consent agreement. 257

(K)(1) A person who violates a protection order issued under 258
this section is subject to the following sanctions: 259

(a) A delinquent child proceeding or a criminal prosecution 260
for a violation of section 2919.27 of the Revised Code, if the 261
violation of the protection order constitutes a violation of that 262
section; 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.

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

(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.

(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:

(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 297
clerk of a municipal court or county court in the county in which 298
the order is to be registered. 299

(b) Upon accepting the certified copy of the order for 300
registration, the clerk of the court of common pleas, municipal 301
court, or county court shall place an endorsement of registration 302
on the order and give the petitioner a copy of the order that 303
bears that proof of registration. 304

(3) The clerk of each court of common pleas, municipal court, 305
or county court shall maintain a registry of certified copies of 306
protection orders that have been issued by courts in other 307
counties pursuant to this section and that have been registered 308
with the clerk. 309

(N) If the court orders electronic monitoring of the 310
respondent under this section, the court shall direct the 311
sheriff's office or any other appropriate law enforcement agency 312
to install the electronic monitoring device and to monitor the 313
respondent. Unless the court determines that the respondent is 314
indigent, the court shall order the respondent to pay the cost of 315
the installation and monitoring of the electronic monitoring 316
device. If the court determines that the respondent is indigent 317
and subject to the maximum amount allowable to be paid in any year 318
from the fund and the rules promulgated by the attorney general 319
under section 2903.214 of the Revised Code, the cost of the 320
installation and monitoring of the electronic monitoring device 321
may be paid out of funds from the reparations fund created 322
pursuant to section 2743.191 of the Revised Code. The total amount 323
paid from the reparations fund created pursuant to section 324
2743.191 of the Revised Code for electronic monitoring under this 325
section and sections 2903.214 and 2919.27 of the Revised Code 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	364
containing terms designed to ensure the safety and protection of	365
the complainant or the alleged victim in the above-captioned case,	366
in relation to the named defendant, pursuant to its authority to	367
issue a protection order under section 2903.213 of the Revised	368
Code.	369
A complaint, a copy of which has been attached to this	370
motion, has been filed in this court charging the named defendant	371
with a violation of section 2903.11, 2903.12, 2903.13, 2903.21,	372
2903.211, 2903.22, or 2911.211 of the Revised Code, a violation of	373
a municipal ordinance substantially similar to section 2903.13,	374
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or	375
the commission of a sexually oriented offense.	376
I understand that I must appear before the court, at a time	377
set by the court not later than the next day that the court is in	378
session after the filing of this motion, for a hearing on the	379
motion, and that any protection order granted pursuant to this	380
motion is a pretrial condition of release and is effective only	381
until the disposition of the criminal proceeding arising out of	382
the attached complaint or until the issuance under section	383
2903.214 of the Revised Code of a protection order arising out of	384
the same activities as those that were the basis of the attached	385
complaint.	386
.....	387
Signature of person	388
.....	389

Address of person" 390

(C)(1) As soon as possible after the filing of a motion that 391
requests the issuance of a protection order under this section, 392
but not later than the next day that the court is in session after 393
the filing of the motion, the court shall conduct a hearing to 394
determine whether to issue the order. The person who requested the 395
order shall appear before the court and provide the court with the 396
information that it requests concerning the basis of the motion. 397
If the court finds that the safety and protection of the 398
complainant or the alleged victim may be impaired by the continued 399
presence of the alleged offender, the court may issue a protection 400
order under this section, as a pretrial condition of release, that 401
contains terms designed to ensure the safety and protection of the 402
complainant or the alleged victim, including a requirement that 403
the alleged offender refrain from entering the residence, school, 404
business, or place of employment of the complainant or the alleged 405
victim. The court may include within a protection order issued 406
under this section a term requiring that the alleged offender not 407
remove, damage, hide, harm, or dispose of any companion animal 408
owned or possessed by the complainant or the alleged victim, and 409
may include within the order a term authorizing the complainant or 410
the alleged victim to remove a companion animal owned by the 411
complainant or the alleged victim from the possession of the 412
alleged offender. 413

(2)(a) If the court issues a protection order under this 414
section that includes a requirement that the alleged offender 415
refrain from entering the residence, school, business, or place of 416
employment of the complainant or the alleged victim, the order 417
shall clearly state that the order cannot be waived or nullified 418
by an invitation to the alleged offender from the complainant, the 419
alleged victim, or a family or household member to enter the 420
residence, school, business, or place of employment or by the 421

alleged offender's entry into one of those places otherwise upon 422
the consent of the complainant, the alleged victim, or a family or 423
household member. 424

(b) Division (C)(2)(a) of this section does not limit any 425
discretion of a court to determine that an alleged offender 426
charged with a violation of section 2919.27 of the Revised Code, 427
with a violation of a municipal ordinance substantially equivalent 428
to that section, or with contempt of court, which charge is based 429
on an alleged violation of a protection order issued under this 430
section, did not commit the violation or was not in contempt of 431
court. 432

(D)(1) Except when the complaint involves a person who is a 433
family or household member as defined in section 2919.25 of the 434
Revised Code, upon the filing of a complaint that alleges a 435
violation specified in division (A) of this section, the court, 436
upon its own motion, may issue a protection order under this 437
section as a pretrial condition of release of the alleged offender 438
if it finds that the safety and protection of the complainant or 439
the alleged victim may be impaired by the continued presence of 440
the alleged offender. 441

(2) If the court issues a protection order under this section 442
as an ex parte order, it shall conduct, as soon as possible after 443
the issuance of the order but not later than the next day that the 444
court is in session after its issuance, a hearing to determine 445
whether the order should remain in effect, be modified, or be 446
revoked. The hearing shall be conducted under the standards set 447
forth in division (C) of this section. 448

(3) If a municipal court or a county court issues a 449
protection order under this section and if, subsequent to the 450
issuance of the order, the alleged offender who is the subject of 451
the order is bound over to the court of common pleas for 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 based, notwithstanding the fact that the order was issued by a municipal court or county court, the order shall remain in effect, as though it were an order of the court of common pleas, while the charges against the alleged offender are pending in the court of common pleas, for the period of time described in division (E)(2) of this section, and the court of common pleas has exclusive jurisdiction to modify the order issued by the municipal court or county court. This division applies when the alleged offender is bound over to the court of common pleas as a result of the person waiving a preliminary hearing on the felony charge, as a result of the municipal court or county court having determined at a preliminary hearing that there is probable cause to believe that the felony has been committed and that the alleged offender committed it, as a result of the alleged offender having been indicted for the felony, or in any other manner.

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

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

(2) Is effective only until the disposition, by the court that issued the order or, in the circumstances described in division (D)(3) 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 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 complaint filed under this section;

(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. 486

(F) A person who meets the criteria for bail under Criminal 487
Rule 46 and who, if required to do so pursuant to that rule, 488
executes or posts bond or deposits cash or securities as bail, 489
shall not be held in custody pending a hearing before the court on 490
a motion requesting a protection order under this section. 491

(G)(1) A copy of a protection order that is issued under this 492
section shall be issued by the court to the complainant, to the 493
alleged victim, to the person who requested the order, to the 494
defendant, and to all law enforcement agencies that have 495
jurisdiction to enforce the order. The court shall direct that a 496
copy of the order be delivered to the defendant on the same day 497
that the order is entered. If a municipal court or a county court 498
issues a protection order under this section and if, subsequent to 499
the issuance of the order, the defendant who is the subject of the 500
order is bound over to the court of common pleas for prosecution 501
as described in division (D)(3) of this section, the municipal 502
court or county court shall direct that a copy of the order be 503
delivered to the court of common pleas to which the defendant is 504
bound over. 505

(2) All law enforcement agencies shall establish and maintain 506
an index for the protection orders delivered to the agencies 507
pursuant to division (G)(1) of this section. With respect to each 508
order delivered, each agency shall note on the index the date and 509
time of the agency's receipt of the order. 510

(3) Regardless of whether the petitioner has registered the 511
protection order in the county in which the officer's agency has 512
jurisdiction, any officer of a law enforcement agency shall 513
enforce a protection order issued pursuant to this section in 514
accordance with the provisions of the order. 515

(H) Upon a violation of a protection order issued pursuant to 516

this section, the court may issue another protection order under 517
this section, as a pretrial condition of release, that modifies 518
the terms of the order that was violated. 519

(I) Notwithstanding any provision of law to the contrary and 520
regardless of whether a protection order is issued or a consent 521
agreement is approved by a court of another county or by a court 522
of another state, no court or unit of state or local government 523
shall charge any fee, cost, deposit, or money in connection with 524
the filing of a motion pursuant to this section, in connection 525
with the filing, issuance, registration, or service of a 526
protection order or consent agreement, or for obtaining certified 527
copies of a protection order or consent agreement. 528

(J) As used in this section, ~~"sexually:~~ 529

(1) "Sexually oriented offense" has the same meaning as in 530
section 2950.01 of the Revised Code. 531

(2) "Companion animal" has the same meaning as in section 532
959.131 of the Revised Code. 533

Sec. 2903.214. (A) As used in this section: 534

(1) "Court" means the court of common pleas of the county in 535
which the person to be protected by the protection order resides. 536

(2) "Victim advocate" means a person who provides support and 537
assistance for a person who files a petition under this section. 538

(3) "Family or household member" has the same meaning as in 539
section 3113.31 of the Revised Code. 540

(4) "Protection order issued by a court of another state" has 541
the same meaning as in section 2919.27 of the Revised Code. 542

(5) "Sexually oriented offense" has the same meaning as in 543
section 2950.01 of the Revised Code. 544

(6) "Electronic monitoring" has the same meaning as in 545

section 2929.01 of the Revised Code. 546

(7) "Companion animal" has the same meaning as in section 547
959.131 of the Revised Code. 548

(B) The court has jurisdiction over all proceedings under 549
this section. 550

(C) A person may seek relief under this section for the 551
person, or any parent or adult household member may seek relief 552
under this section on behalf of any other family or household 553
member, by filing a petition with the court. The petition shall 554
contain or state all of the following: 555

(1) An allegation that the respondent is eighteen years of 556
age or older and engaged in a violation of section 2903.211 of the 557
Revised Code against the person to be protected by the protection 558
order or committed a sexually oriented offense against the person 559
to be protected by the protection order, including a description 560
of the nature and extent of the violation; 561

(2) If the petitioner seeks relief in the form of electronic 562
monitoring of the respondent, an allegation that at any time 563
preceding the filing of the petition the respondent engaged in 564
conduct that would cause a reasonable person to believe that the 565
health, welfare, or safety of the person to be protected was at 566
risk, a description of the nature and extent of that conduct, and 567
an allegation that the respondent presents a continuing danger to 568
the person to be protected; 569

(3) A request for relief under this section. 570

(D)(1) If a person who files a petition pursuant to this 571
section requests an ex parte order, the court shall hold an ex 572
parte hearing as soon as possible after the petition is filed, but 573
not later than the next day that the court is in session after the 574
petition is filed. The court, for good cause shown at the ex parte 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 607

expire because of a failure to serve notice of the full hearing 608
upon the respondent before the date set for the full hearing under 609
division (D)(2)(a) of this section or because the court grants a 610
continuance under that division. 611

(3) If a person who files a petition pursuant to this section 612
does not request an ex parte order, or if a person requests an ex 613
parte order but the court does not issue an ex parte order after 614
an ex parte hearing, the court shall proceed as in a normal civil 615
action and grant a full hearing on the matter. 616

(E)(1)(a) After an ex parte or full hearing, the court may 617
issue any protection order, with or without bond, that contains 618
terms designed to ensure the safety and protection of the person 619
to be protected by the protection order, including, but not 620
limited to, a requirement that the respondent refrain from 621
entering the residence, school, business, or place of employment 622
of the petitioner or family or household member. If the court 623
includes a requirement that the respondent refrain from entering 624
the residence, school, business, or place of employment of the 625
petitioner or family or household member in the order, it also 626
shall include in the order provisions of the type described in 627
division (E)(5) of this section. The court may include within a 628
protection order issued under this section a term requiring that 629
the respondent not remove, damage, hide, harm, or dispose of any 630
companion animal owned or possessed by the person to be protected 631
by the order, and may include within the order a term authorizing 632
the person to be protected by the order to remove a companion 633
animal owned by the person to be protected by the order from the 634
possession of the respondent. 635

(b) After a full hearing, if the court considering a petition 636
that includes an allegation of the type described in division 637
(C)(2) of this section, or the court upon its own motion, finds 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 violation of section 2903.211 of the Revised Code against the person to be protected by the protection order issued pursuant to division (E)(3) of this section, has committed a sexually oriented offense against the 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 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.

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

(5)(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 petitioner or a family or household member, the order shall clearly state that the order cannot be waived or nullified by an invitation to the alleged offender from the complainant to enter the residence, school, business, or place of employment or by the alleged offender's entry into one of those places otherwise upon the consent of the petitioner or family or household member.

(b) Division (E)(5)(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.

(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 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.

(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.

(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.

(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

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 set by the court within twenty-four hours after the filing of this motion, for a hearing on the motion or that, if I am unable to appear because of hospitalization or a medical condition resulting from the offense alleged in the complaint, a person who can provide information about my need for a temporary protection order must appear before the court in lieu of my appearing in court. I understand that any temporary 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 the issuance of a civil protection order or the approval of a consent agreement, arising out of the same activities as those that were the basis of the complaint, under section 3113.31 of the Revised Code.

..... 905

Signature of person 906

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

..... 909

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

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

complaint, another person who is able to provide the court with 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 955
discretion of a court to determine that an alleged offender 956
charged with a violation of section 2919.27 of the Revised Code, 957
with a violation of a municipal ordinance substantially equivalent 958
to that section, or with contempt of court, which charge is based 959
on an alleged violation of a temporary protection order issued 960
under this section, did not commit the violation or was not in 961
contempt of court. 962

(D)(1) Upon the filing of a complaint that alleges a 963
violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of the 964
Revised Code if the alleged victim of the violation was a family 965
or household member at the time of the violation, a violation of a 966
municipal ordinance that is substantially similar to any of those 967
sections if the alleged victim of the violation was a family or 968
household member at the time of the violation, any offense of 969
violence if the alleged victim of the offense was a family or 970
household member at the time of the commission of the offense, or 971
any sexually oriented offense if the alleged victim of the offense 972
was a family or household member at the time of the commission of 973
the offense, the court, upon its own motion, may issue a temporary 974
protection order as a pretrial condition of release if it finds 975
that the safety and protection of the complainant, alleged victim, 976
or other family or household member of the alleged offender may be 977
impaired by the continued presence of the alleged offender. 978

(2) If the court issues a temporary protection order under 979
this section as an ex parte order, it shall conduct, as soon as 980
possible after the issuance of the order, a hearing in the 981
presence of the alleged offender not later than the next day on 982
which the court is scheduled to conduct business after the day on 983
which the alleged offender was arrested or at the time of the 984
appearance of the alleged offender pursuant to summons to 985
determine whether the order should remain in effect, be modified, 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, 1019
in the circumstances described in division (D)(4) of this section, 1020
by the court of common pleas to which the alleged offender is 1021
bound over for prosecution, of the criminal proceeding arising out 1022
of the complaint upon which the order is based; 1023

(b) The issuance of a protection order or the approval of a 1024
consent agreement, arising out of the same activities as those 1025
that were the basis of the complaint upon which the order is 1026
based, under section 3113.31 of the Revised Code; 1027

(3) Shall not be construed as a finding that the alleged 1028
offender committed the alleged offense, and shall not be 1029
introduced as evidence of the commission of the offense at the 1030
trial of the alleged offender on the complaint upon which the 1031
order is based. 1032

(F) A person who meets the criteria for bail under Criminal 1033
Rule 46 and who, if required to do so pursuant to that rule, 1034
executes or posts bond or deposits cash or securities as bail, 1035
shall not be held in custody pending a hearing before the court on 1036
a motion requesting a temporary protection order. 1037

(G)(1) A copy of any temporary protection order that is 1038
issued under this section shall be issued by the court to the 1039
complainant, to the alleged victim, to the person who requested 1040
the order, to the defendant, and to all law enforcement agencies 1041
that have jurisdiction to enforce the order. The court shall 1042
direct that a copy of the order be delivered to the defendant on 1043
the same day that the order is entered. If a municipal court or a 1044
county court issues a temporary protection order under this 1045
section and if, subsequent to the issuance of the order, the 1046
defendant who is the subject of the order is bound over to the 1047
court of common pleas for prosecution as described in division 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 1111
of this section as applied in relation to the separate complaint 1112
filed by the defendant, that it should issue the order to require 1113
the complainant, alleged victim, or other family or household 1114
member in question to do or refrain from doing the act. 1115

(J) Notwithstanding any provision of law to the contrary and 1116
regardless of whether a protection order is issued or a consent 1117
agreement is approved by a court of another county or a court of 1118
another state, no court or unit of state or local government shall 1119
charge any fee, cost, deposit, or money in connection with the 1120
filing of a motion pursuant to this section, in connection with 1121
the filing, issuance, registration, or service of a protection 1122
order or consent agreement, or for obtaining a certified copy of a 1123
protection order or consent agreement. 1124

(K) As used in this section: 1125

(1) "Companion animal" has the same meaning as in section 1126
959.131 of the Revised Code. 1127

(2) "Sexually oriented offense" has the same meaning as in 1128
section 2950.01 of the Revised Code. 1129

~~(2)~~(3) "Victim advocate" means a person who provides support 1130
and assistance for a victim of an offense during court 1131
proceedings. 1132

Sec. 3113.31. (A) As used in this section: 1133

(1) "Domestic violence" means the occurrence of one or more 1134
of the following acts against a family or household member: 1135

(a) Attempting to cause or recklessly causing bodily injury; 1136

(b) Placing another person by the threat of force in fear of 1137
imminent serious physical harm or committing a violation of 1138
section 2903.211 or 2911.211 of the Revised Code; 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) Require that the respondent not remove, damage, hide, 1287
harm, or dispose of any companion animal owned or possessed by the 1288
petitioner; 1289

(j) Authorize the petitioner to remove a companion animal 1290
owned by the petitioner from the possession of the respondent. 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 1325
children. Subject to the limitation on the duration of an order or 1326
agreement set forth in division (E)(3)(a) of this section, any 1327
order under division (E)(1)(e) of this section shall terminate on 1328
the date that a court in an action for divorce, dissolution of 1329
marriage, or legal separation brought by the petitioner or 1330
respondent issues a support order or on the date that a juvenile 1331
court in an action brought by the petitioner or respondent issues 1332
a support order. 1333

(c) Any protection order issued or consent agreement approved 1334
pursuant to this section may be renewed in the same manner as the 1335
original order or agreement was issued or approved. 1336

(4) A court may not issue a protection order that requires a 1337
petitioner to do or to refrain from doing an act that the court 1338
may require a respondent to do or to refrain from doing under 1339
division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this 1340
section unless all of the following apply: 1341

(a) The respondent files a separate petition for a protection 1342
order in accordance with this section. 1343

(b) The petitioner is served notice of the respondent's 1344
petition at least forty-eight hours before the court holds a 1345
hearing with respect to the respondent's petition, or the 1346
petitioner waives the right to receive this notice. 1347

(c) If the petitioner has requested an ex parte order 1348
pursuant to division (D) of this section, the court does not delay 1349
any hearing required by that division beyond the time specified in 1350
that division in order to consolidate the hearing with a hearing 1351
on the petition filed by the respondent. 1352

(d) After a full hearing at which the respondent presents 1353
evidence in support of the request for a protection order and the 1354
petitioner is afforded an opportunity to defend against that 1355

evidence, the court determines that the petitioner has committed 1356
an act of domestic violence or has violated a temporary protection 1357
order issued pursuant to section 2919.26 of the Revised Code, that 1358
both the petitioner and the respondent acted primarily as 1359
aggressors, and that neither the petitioner nor the respondent 1360
acted primarily in self-defense. 1361

(5) No protection order issued or consent agreement approved 1362
under this section shall in any manner affect title to any real 1363
property. 1364

(6)(a) If a petitioner, or the child of a petitioner, who 1365
obtains a protection order or consent agreement pursuant to 1366
division (E)(1) of this section or a temporary protection order 1367
pursuant to section 2919.26 of the Revised Code and is the subject 1368
of a parenting time order issued pursuant to section 3109.051 or 1369
3109.12 of the Revised Code or a visitation or companionship order 1370
issued pursuant to section 3109.051, 3109.11, or 3109.12 of the 1371
Revised Code or division (E)(1)(d) of this section granting 1372
parenting time rights to the respondent, the court may require the 1373
public children services agency of the county in which the court 1374
is located to provide supervision of the respondent's exercise of 1375
parenting time or visitation or companionship rights with respect 1376
to the child for a period not to exceed nine months, if the court 1377
makes the following findings of fact: 1378

(i) The child is in danger from the respondent; 1379

(ii) No other person or agency is available to provide the 1380
supervision. 1381

(b) A court that requires an agency to provide supervision 1382
pursuant to division (E)(6)(a) of this section shall order the 1383
respondent to reimburse the agency for the cost of providing the 1384
supervision, if it determines that the respondent has sufficient 1385
income or resources to pay that cost. 1386

(7)(a) If a protection order issued or consent agreement 1387
approved under this section includes a requirement that the 1388
respondent be evicted from or vacate the residence or household or 1389
refrain from entering the residence, school, business, or place of 1390
employment of the petitioner or a family or household member, the 1391
order or agreement shall state clearly that the order or agreement 1392
cannot be waived or nullified by an invitation to the respondent 1393
from the petitioner or other family or household member to enter 1394
the residence, school, business, or place of employment or by the 1395
respondent's entry into one of those places otherwise upon the 1396
consent of the petitioner or other family or household member. 1397

(b) Division (E)(7)(a) of this section does not limit any 1398
discretion of a court to determine that a respondent charged with 1399
a violation of section 2919.27 of the Revised Code, with a 1400
violation of a municipal ordinance substantially equivalent to 1401
that section, or with contempt of court, which charge is based on 1402
an alleged violation of a protection order issued or consent 1403
agreement approved under this section, did not commit the 1404
violation or was not in contempt of court. 1405

(8)(a) The court may modify or terminate as provided in 1406
division (E)(8) of this section a protection order or consent 1407
agreement that was issued after a full hearing under this section. 1408
The court that issued the protection order or approved the consent 1409
agreement shall hear a motion for modification or termination of 1410
the protection order or consent agreement pursuant to division 1411
(E)(8) of this section. 1412

(b) Either the petitioner or the respondent of the original 1413
protection order or consent agreement may bring a motion for 1414
modification or termination of a protection order or consent 1415
agreement that was issued or approved after a full hearing. The 1416
court shall require notice of the motion to be made as provided by 1417
the Rules of Civil Procedure. If the petitioner for the original 1418

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

(c) In considering whether to modify or terminate a 1430
protection order or consent agreement issued or approved under 1431
this section, the court shall consider all relevant factors, 1432
including, but not limited to, the following: 1433

(i) Whether the petitioner consents to modification or 1434
termination of the protection order or consent agreement; 1435

(ii) Whether the petitioner fears the respondent; 1436

(iii) The current nature of the relationship between the 1437
petitioner and the respondent; 1438

(iv) The circumstances of the petitioner and respondent, 1439
including the relative proximity of the petitioner's and 1440
respondent's workplaces and residences and whether the petitioner 1441
and respondent have minor children together; 1442

(v) Whether the respondent has complied with the terms and 1443
conditions of the original protection order or consent agreement; 1444

(vi) Whether the respondent has a continuing involvement with 1445
illegal drugs or alcohol; 1446

(vii) Whether the respondent has been convicted of, pleaded 1447
guilty to, or been adjudicated a delinquent child for an offense 1448

of violence since the issuance of the protection order or approval 1449
of the consent agreement; 1450

(viii) Whether any other protection orders, consent 1451
agreements, restraining orders, or no contact orders have been 1452
issued against the respondent pursuant to this section, section 1453
2919.26 of the Revised Code, any other provision of state law, or 1454
the law of any other state; 1455

(ix) Whether the respondent has participated in any domestic 1456
violence treatment, intervention program, or other counseling 1457
addressing domestic violence and whether the respondent has 1458
completed the treatment, program, or counseling; 1459

(x) The time that has elapsed since the protection order was 1460
issued or since the consent agreement was approved; 1461

(xi) The age and health of the respondent; 1462

(xii) When the last incident of abuse, threat of harm, or 1463
commission of a sexually oriented offense occurred or other 1464
relevant information concerning the safety and protection of the 1465
petitioner or other protected parties. 1466

(d) If a protection order or consent agreement is modified or 1467
terminated as provided in division (E)(8) of this section, the 1468
court shall issue copies of the modified or terminated order or 1469
agreement as provided in division (F) of this section. A 1470
petitioner may also provide notice of the modification or 1471
termination to the judicial and law enforcement officials in any 1472
county other than the county in which the order or agreement is 1473
modified or terminated as provided in division (N) of this 1474
section. 1475

(e) If the respondent moves for modification or termination 1476
of a protection order or consent agreement pursuant to this 1477
section, the court may assess costs against the respondent for the 1478
filing of the motion. 1479

(9) Any protection order issued or any consent agreement 1480
approved pursuant to this section shall include a provision that 1481
the court will automatically seal all of the records of the 1482
proceeding in which the order is issued or agreement approved on 1483
the date the respondent attains the age of nineteen years unless 1484
the petitioner provides the court with evidence that the 1485
respondent has not complied with all of the terms of the 1486
protection order or consent agreement. The protection order or 1487
consent agreement shall specify the date when the respondent 1488
attains the age of nineteen years. 1489

(F)(1) A copy of any protection order, or consent agreement, 1490
that is issued, approved, modified, or terminated under this 1491
section shall be issued by the court to the petitioner, to the 1492
respondent, and to all law enforcement agencies that have 1493
jurisdiction to enforce the order or agreement. The court shall 1494
direct that a copy of an order be delivered to the respondent on 1495
the same day that the order is entered. 1496

(2) Upon the issuance of a protection order or the approval 1497
of a consent agreement under this section, the court shall provide 1498
the parties to the order or agreement with the following notice 1499
orally or by form: 1500

"NOTICE 1501

As a result of this order or consent agreement, it may be 1502
unlawful for you to possess or purchase a firearm, including a 1503
rifle, pistol, or revolver, or ammunition pursuant to federal law 1504
under 18 U.S.C. 922(g)(8). If you have any questions whether this 1505
law makes it illegal for you to possess or purchase a firearm or 1506
ammunition, you should consult an attorney." 1507

(3) All law enforcement agencies shall establish and maintain 1508
an index for the protection orders and the approved consent 1509
agreements delivered to the agencies pursuant to division (F)(1) 1510
of this section. With respect to each order and consent agreement 1511

delivered, each agency shall note on the index the date and time 1512
that it received the order or consent agreement. 1513

(4) Regardless of whether the petitioner has registered the 1514
order or agreement in the county in which the officer's agency has 1515
jurisdiction pursuant to division (N) of this section, any officer 1516
of a law enforcement agency shall enforce a protection order 1517
issued or consent agreement approved by any court in this state in 1518
accordance with the provisions of the order or agreement, 1519
including removing the respondent from the premises, if 1520
appropriate. 1521

(G) Any proceeding under this section shall be conducted in 1522
accordance with the Rules of Civil Procedure, except that an order 1523
under this section may be obtained with or without bond. An order 1524
issued under this section, other than an ex parte order, that 1525
grants a protection order or approves a consent agreement, that 1526
refuses to grant a protection order or approve a consent agreement 1527
that modifies or terminates a protection order or consent 1528
agreement, or that refuses to modify or terminate a protection 1529
order or consent agreement, is a final, appealable order. The 1530
remedies and procedures provided in this section are in addition 1531
to, and not in lieu of, any other available civil or criminal 1532
remedies. 1533

(H) The filing of proceedings under this section does not 1534
excuse a person from filing any report or giving any notice 1535
required by section 2151.421 of the Revised Code or by any other 1536
law. When a petition under this section alleges domestic violence 1537
against minor children, the court shall report the fact, or cause 1538
reports to be made, to a county, township, or municipal peace 1539
officer under section 2151.421 of the Revised Code. 1540

(I) Any law enforcement agency that investigates a domestic 1541
dispute shall provide information to the family or household 1542
members involved regarding the relief available under this section 1543

and section 2919.26 of the Revised Code. 1544

(J) Notwithstanding any provision of law to the contrary and 1545
regardless of whether a protection order is issued or a consent 1546
agreement is approved by a court of another county or a court of 1547
another state, no court or unit of state or local government shall 1548
charge any fee, cost, deposit, or money in connection with the 1549
filing of a petition pursuant to this section or in connection 1550
with the filing, issuance, registration, or service of a 1551
protection order or consent agreement, or for obtaining a 1552
certified copy of a protection order or consent agreement. 1553

(K)(1) The court shall comply with Chapters 3119., 3121., 1554
3123., and 3125. of the Revised Code when it makes or modifies an 1555
order for child support under this section. 1556

(2) If any person required to pay child support under an 1557
order made under this section on or after April 15, 1985, or 1558
modified under this section on or after December 31, 1986, is 1559
found in contempt of court for failure to make support payments 1560
under the order, the court that makes the finding, in addition to 1561
any other penalty or remedy imposed, shall assess all court costs 1562
arising out of the contempt proceeding against the person and 1563
require the person to pay any reasonable attorney's fees of any 1564
adverse party, as determined by the court, that arose in relation 1565
to the act of contempt. 1566

(L)(1) A person who violates a protection order issued or a 1567
consent agreement approved under this section is subject to the 1568
following sanctions: 1569

(a) Criminal prosecution or a delinquent child proceeding for 1570
a violation of section 2919.27 of the Revised Code, if the 1571
violation of the protection order or consent agreement constitutes 1572
a violation of that section; 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.

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

(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.

(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

agreement is located in the following manner: 1607

(a) The petitioner shall obtain a certified copy of the order 1608
or agreement from the clerk of the court that issued the order or 1609
approved the agreement and present that certified copy to the 1610
clerk of the court of common pleas or the clerk of a municipal 1611
court or county court in the county in which the order or 1612
agreement is to be registered. 1613

(b) Upon accepting the certified copy of the order or 1614
agreement for registration, the clerk of the court of common 1615
pleas, municipal court, or county court shall place an endorsement 1616
of registration on the order or agreement and give the petitioner 1617
a copy of the order or agreement that bears that proof of 1618
registration. 1619

(3) The clerk of each court of common pleas, the clerk of 1620
each municipal court, and the clerk of each county court shall 1621
maintain a registry of certified copies of temporary protection 1622
orders, protection orders, or consent agreements that have been 1623
issued or approved by courts in other counties and that have been 1624
registered with the clerk. 1625

(O) Nothing in this section prohibits the domestic relations 1626
division of a court of common pleas in counties that have a 1627
domestic relations division or a court of common pleas in counties 1628
that do not have a domestic relations division from designating a 1629
minor child as a protected party on a protection order or consent 1630
agreement. 1631

Section 2. That existing sections 2151.34, 2903.213, 1632
2903.214, 2919.26, and 3113.31 of the Revised Code are hereby 1633
repealed. 1634