

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

TUESDAY, JUNE 7, 2005

## FIFTY-NINTH DAY

Hall of the House of Representatives, Columbus, Ohio  
**Tuesday, June 7, 2005 at 11:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Pastor Gene Leiter of the Bethlehem Lutheran Church in Middletown, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the previous legislative day was read and approved.

The following guests of the House of Representatives were recognized by Speaker Husted prior to the commencement of business:

Sue Freno received H.R. No. 58, presented by Representative Domenick-95th district.

Members of the Salem Young Republican Club, guests of Representative Blasdel-1st district.

Mark Okey, a guest of Representative Oelslager-51st district.

Members of the Trumbull Education Association of Christian Homeschoolers, guests of Representative Law-64th district.

Liz Henrich, a guest of Representative Kearns-72nd district.

Members of the Seneca County Teenage Republicans, guests of Representative Wagner-81st district.

Judy Wray, Dion Prunty, and Caroline Fouss, guests of Representative Garrison-93rd district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 290**-Representatives Fende, Ujvagi, Driehaus, Hartnett, Yuko, Harwood, Skindell, Garrison, Brown, Key, Williams.

To amend sections 3501.04 and 3501.05 and to enact section 3501.041 of the Revised Code to establish the State Board of Elections to administer elections conducted in this state.

**H. B. No. 291**-Representatives Fende, Cassell, Brown, Williams, Domenick, C. Evans, McGregor, Chandler, Hartnett, Miller, Oelslager, Bulp, Latta, Perry, Combs, Carano, D. Evans, Skindell, Schaffer, Aslanides, Strahorn, Boccieri, Ujvagi, Yuko.

To enact section 5533.91 of the Revised Code to designate a portion of

State Route 44 within Lake County as the "Andy Nowacki Memorial Highway."

**H. B. No. 292**-Representatives Schaffer, Reidelbach, Seaver, C. Evans, Wagner, Carano, Setzer, Raussen, D. Evans, Kearns, Faber, Peterson, Hagan, Fende, Healy, Distel, White, Webster, Reinhard.

To amend section 4511.21 of the Revised Code to establish procedures for a board of township trustees to alter the prima-facie speed limit on any township road.

**H. B. No. 293**-Representatives Kilbane, Miller, Trakas, McGregor, Wolpert, C. Evans, Reidelbach, Gilb, Faber, Cassell, Kearns, Hartnett, Carano, Boccieri, Healy, Buehrer.

To amend section 135.353 and to enact sections 135.804, 135.805, 135.806, and 135.807 of the Revised Code to authorize boards of county commissioners to establish property tax payment linked deposit programs to assist senior citizens and permanently and totally disabled citizens in paying property taxes on their homesteads.

**H. B. No. 294**-Representatives Kilbane, Miller, Seitz, Trakas, Latta, Wolpert, C. Evans, Reidelbach, Faber, Cassell, Kearns, Brown, Carano, Hartnett, Boccieri, Perry, Healy, Buehrer.

To enact sections 323.65, 323.66, 323.67, 323.68, 323.69, 323.70, 323.71, 323.72, 323.73, 323.74, and 323.75 of the Revised Code to provide an expedited foreclosure procedure for lands that have had delinquent tax charges for a specified number of years and that are not occupied.

Said bills were considered the first time.

### CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Am. Sub. H. B. No. 66**-Representative Calvert, et al., were taken up for consideration.

**Am. Sub. H. B. No. 66**-Representatives Calvert, Flowers, Martin, McGregor, Peterson, Schlichter, Webster, Aslanides, Blasdel, Coley, Collier, Combs, DeWine, Dolan, C. Evans, D. Evans, Hagan, Kearns, Kilbane, Law, T. Patton, Seaver, Setzer, Wagoner, White, Widowfield, Husted. -Senators Amstutz, Goodman, Clancy, Carey, Jacobson, Harris.

To amend sections 9.24, 101.68, 102.02, 102.06, 105.41, 108.05, 109.54, 109.57, 109.60, 109.79, 109.91, 109.98, 117.10, 120.06, 120.13, 120.23, 120.52, 120.53, 121.37, 121.38, 122.011, 122.17, 122.171, 122.18, 122.40, 122.603, 122.71, 122.72, 122.73, 122.74, 122.75, 122.751, 122.76, 122.77,

122.78, 122.79, 122.82, 122.83, 122.95, 122.951, 123.01, 123.152, 123.17, 124.01, 124.02, 124.04, 124.07, 124.09, 124.11, 124.133, 124.14, 124.15, 124.20, 124.23, 124.231, 124.241, 124.25, 124.26, 124.27, 124.29, 124.30, 124.31, 124.311, 124.32, 124.321, 124.322, 124.323, 124.324, 124.325, 124.328, 124.33, 124.34, 125.041, 125.05, 125.09, 125.11, 125.831, 125.832, 126.25, 127.16, 131.02, 131.23, 133.09, 140.01, 140.08, 141.011, 141.04, 147.05, 147.10, 147.11, 147.12, 147.371, 149.30, 150.07, 150.10, 173.26, 173.40, 173.99, 181.251, 181.51, 181.52, 181.54, 181.55, 181.56, 183.28, 184.02, 305.171, 307.36, 307.37, 307.695, 307.76, 307.86, 307.88, 317.08, 317.36, 319.20, 319.302, 321.24, 323.01, 323.152, 325.31, 329.04, 329.051, 339.72, 339.88, 340.03, 340.16, 731.14, 731.141, 742.59, 901.43, 903.05, 905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.501, 905.66, 907.16, 913.02, 913.23, 915.02, 915.16, 915.24, 921.02, 921.16, 923.44, 923.45, 923.46, 926.01, 927.69, 1111.04, 1327.511, 1502.02, 1509.06, 1509.072, 1509.31, 1515.14, 1517.02, 1521.062, 1531.27, 1533.10, 1533.11, 1533.111, 1533.112, 1533.12, 1533.32, 1533.99, 1541.03, 1548.06, 1707.01, 1707.17, 1707.19, 1707.20, 1707.22, 1707.23, 1707.25, 1707.261, 1707.431, 1707.44, 1707.46, 1711.52, 1711.53, 1713.03, 1751.03, 1751.04, 1751.05, 1751.89, 1901.26, 1901.31, 1907.24, 2113.041, 2117.061, 2151.352, 2151.416, 2152.43, 2152.44, 2152.74, 2303.201, 2305.234, 2329.66, 2743.191, 2744.05, 2744.08, 2901.07, 2913.40, 2921.13, 2923.25, 2971.05, 3107.10, 3111.04, 3119.54, 3121.12, 3121.50, 3125.18, 3301.079, 3301.0710, 3301.0711, 3301.0714, 3301.0715, 3301.12, 3301.16, 3301.311, 3301.32, 3301.56, 3301.86, 3301.88, 3302.03, 3311.059, 3313.207, 3313.208, 3313.209, 3313.489, 3313.975, 3313.976, 3313.977, 3313.978, 3313.98, 3314.01, 3314.013, 3314.015, 3314.02, 3314.021, 3314.03, 3314.031, 3314.032, 3314.033, 3314.06, 3314.074, 3314.08, 3314.13, 3314.17, 3315.17, 3315.18, 3315.37, 3316.06, 3316.16, 3317.013, 3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.026, 3317.027, 3317.028, 3317.029, 3317.0216, 3317.0217, 3317.03, 3317.031, 3317.05, 3317.052, 3317.053, 3317.06, 3317.063, 3317.07, 3317.081, 3317.09, 3317.10, 3317.16, 3317.20, 3317.21, 3317.22, 3317.23, 3317.50, 3317.51, 3318.091, 3318.33, 3319.081, 3319.17, 3319.22, 3319.235, 3319.55, 3323.021, 3323.091, 3323.14, 3323.16, 3327.01, 3332.092, 3333.04, 3333.044, 3333.12, 3333.121, 3333.27, 3333.28, 3333.36, 3333.38, 3334.01, 3334.02, 3334.03, 3334.07, 3334.08, 3334.09, 3334.10, 3334.11, 3334.12, 3334.15, 3334.16, 3334.17, 3334.18, 3334.19, 3335.02, 3345.10, 3345.19, 3345.32, 3353.01, 3353.04, 3353.06, 3353.07, 3362.02, 3365.01, 3365.02, 3375.48, 3375.49, 3375.54, 3375.55, 3381.02, 3381.04, 3381.05, 3381.06, 3381.07, 3381.15, 3383.02, 3383.09, 3501.17, 3517.13, 3517.151, 3701.023, 3701.146, 3701.65, 3702.141, 3702.51, 3702.68, 3702.72, 3702.74, 3703.01, 3703.03, 3703.04, 3703.05, 3703.06, 3703.07, 3703.08, 3703.10, 3703.99, 3704.035, 3704.143, 3704.99, 3705.24, 3709.29, 3709.34, 3712.03, 3714.07, 3721.01, 3721.011, 3721.02, 3721.03, 3721.07, 3721.15, 3721.19, 3721.21, 3721.50, 3721.51, 3721.52, 3721.56, 3721.58, 3722.01, 3722.02, 3722.04, 3734.01, 3734.20, 3734.21, 3734.22, 3734.23, 3734.28, 3734.57, 3734.573, 3734.85, 3734.901, 3734.9010, 3735.27,

3743.01, 3743.02, 3743.04, 3743.05, 3743.06, 3743.15, 3743.17, 3743.18, 3743.19, 3743.57, 3743.59, 3743.65, 3743.75, 3745.11, 3745.12, 3746.04, 3746.071, 3748.07, 3748.13, 3773.34, 3773.38, 3773.39, 3773.40, 3773.57, 3781.07, 3781.10, 3781.102, 3793.09, 3901.021, 3901.17, 3901.3814, 3901.78, 3903.14, 3903.42, 3905.04, 3905.36, 3905.40, 3923.27, 4112.12, 4115.03, 4115.032, 4115.071, 4115.32, 4115.34, 4117.10, 4117.24, 4121.12, 4121.121, 4121.125, 4123.27, 4123.44, 4123.47, 4301.10, 4301.43, 4303.182, 4501.01, 4501.37, 4503.103, 4503.471, 4503.48, 4503.50, 4503.53, 4503.571, 4503.59, 4503.73, 4503.85, 4503.91, 4505.06, 4506.03, 4506.07, 4511.191, 4511.75, 4517.01, 4519.01, 4519.02, 4519.09, 4561.17, 4561.18, 4561.21, 4703.15, 4705.09, 4709.05, 4713.02, 4717.05, 4723.32, 4723.63, 4731.65, 4731.71, 4736.11, 4736.12, 4740.14, 4753.03, 4753.06, 4753.071, 4753.08, 4753.09, 4755.03, 4755.48, 4766.09, 4905.10, 4905.54, 4905.95, 4911.18, 4973.171, 5101.16, 5101.181, 5101.21, 5101.241, 5101.26, 5101.31, 5101.35, 5101.36, 5101.46, 5101.47, 5101.75, 5101.752, 5101.80, 5101.801, 5101.821, 5104.01, 5104.02, 5104.30, 5104.32, 5104.38, 5107.05, 5107.10, 5107.26, 5107.30, 5107.58, 5110.01, 5110.05, 5110.352, 5110.39, 5111.011, 5111.019, 5111.0112, 5111.02, 5111.021, 5111.022, 5111.023, 5111.025, 5111.042, 5111.06, 5111.082, 5111.11, 5111.111, 5111.113, 5111.16, 5111.17, 5111.172, 5111.19, 5111.20, 5111.204, 5111.21, 5111.22, 5111.221, 5111.23, 5111.231, 5111.235, 5111.241, 5111.25, 5111.251, 5111.255, 5111.257, 5111.26, 5111.261, 5111.263, 5111.264, 5111.27, 5111.28, 5111.29, 5111.291, 5111.30, 5111.31, 5111.32, 5111.33, 5111.62, 5111.81, 5111.85, 5111.87, 5111.871, 5111.88, 5111.911, 5111.97, 5111.99, 5112.03, 5112.08, 5112.17, 5112.30, 5112.31, 5115.20, 5115.22, 5115.23, 5119.61, 5120.09, 5120.51, 5121.01, 5121.02, 5121.03, 5121.04, 5121.05, 5121.06, 5121.061, 5121.07, 5121.08, 5121.09, 5121.10, 5121.11, 5121.12, 5121.21, 5122.03, 5122.31, 5123.01, 5123.045, 5123.046, 5123.047, 5123.049, 5123.0412, 5123.34, 5123.41, 5123.701, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054, 5126.055, 5126.056, 5126.057, 5126.12, 5139.01, 5139.36, 5153.16, 5502.01, 5531.10, 5540.01, 5540.09, 5552.01, 5703.052, 5703.053, 5703.26, 5703.50, 5703.70, 5703.80, 5703.99, 5705.091, 5705.19, 5705.391, 5711.16, 5711.21, 5711.22, 5711.28, 5715.01, 5715.24, 5725.01, 5725.19, 5727.01, 5727.02, 5727.06, 5727.08, 5727.10, 5727.11, 5727.111, 5727.12, 5727.23, 5727.47, 5727.81, 5727.82, 5727.84, 5727.85, 5727.99, 5728.01, 5728.02, 5728.03, 5728.04, 5728.06, 5728.08, 5728.99, 5729.08, 5731.01, 5731.05, 5731.131, 5731.14, 5731.18, 5731.181, 5731.39, 5731.41, 5731.99, 5733.01, 5733.065, 5733.066, 5733.33, 5733.351, 5733.352, 5733.40, 5733.41, 5733.49, 5733.98, 5733.99, 5735.99, 5737.03, 5739.01, 5739.02, 5739.021, 5739.025, 5739.026, 5739.029, 5739.03, 5739.033, 5739.034, 5739.035, 5739.09, 5739.10, 5739.12, 5739.16, 5739.17, 5739.99, 5741.02, 5741.16, 5741.99, 5743.01, 5743.02, 5743.03, 5743.05, 5743.071, 5743.08, 5743.10, 5743.111, 5743.112, 5743.14, 5743.15, 5743.16, 5743.18, 5743.19, 5743.20, 5743.32, 5743.33, 5743.99, 5747.01, 5747.012, 5747.02, 5747.05, 5747.08, 5747.212, 5747.331, 5747.70, 5747.80, 5747.98, 5747.99, 5749.02, 5907.15, 5919.33, 5920.01, 6109.21, 6121.04, and 6123.04; to amend, for the

purpose of adopting new section numbers as indicated in parentheses, sections 181.251 (5502.63), 181.51 (5502.61), 181.52 (5502.62), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 3314.031 (3314.21), 3314.032 (3314.22), 3314.033 (3314.23), 3314.034 (3314.24), 3317.21 (3318.47), 3317.22 (3318.48), 3317.23 (3318.49), 4115.21 (4115.16), 4723.63 (4723.91), 5101.75 (173.42), 5101.752 (173.43), 5111.02 (5111.021), 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0115), 5111.112 (5111.113), 5111.113 (5111.114), 5111.231 (5111.232), 5111.257 (5111.258), 5111.81 (5111.085), 5111.88 (5111.97), 5111.97 (5111.86), 5121.01 (5121.02), 5121.02 (5121.03), and 5121.03 (5121.01); to enact new sections 3317.012, 3353.02, 3353.03, 3704.14, 4723.63, 5111.02, 5111.112, 5111.231, 5111.24, 5111.257, 5111.262, 5111.88, and 5123.048, and sections 9.23, 9.231, 9.232, 9.233, 9.234, 9.235, 9.236, 9.237, 9.238, 9.239, 9.241, 101.391, 103.132, 109.579, 109.981, 120.07, 120.36, 121.373, 121.381, 121.382, 121.403, 122.075, 122.083, 122.12, 122.121, 122.172, 122.173, 125.18, 125.25, 125.60, 125.601, 125.602, 125.603, 125.604, 125.605, 125.606, 125.607, 125.608, 125.609, 125.6010, 125.6011, 125.6012, 131.51, 153.02, 173.39, 173.391, 173.392, 173.393, 173.44, 173.45, 173.46, 173.47, 173.48, 173.49, 173.50, 306.331, 341.192, 901.44, 907.111, 1533.122, 1547.721, 1547.722, 1547.723, 1547.724, 1547.725, 1547.726, 1707.164, 1707.165, 1711.531, 1751.271, 2151.282, 2151.652, 2305.2341, 2307.65, 2744.082, 2913.401, 2927.023, 3125.191, 3302.10, 3310.01, 3310.02, 3310.03, 3310.04, 3310.05, 3310.06, 3310.07, 3310.08, 3310.09, 3310.10, 3310.13, 3310.14, 3310.16, 3310.17, 3311.11, 3313.6410, 3314.016, 3314.061, 3314.084, 3314.085, 3314.12, 3314.18, 3314.19, 3314.25, 3314.26, 3314.27, 3314.28, 3314.35, 3314.36, 3316.043, 3317.016, 3317.017, 3317.201, 3318.18, 3319.06, 3319.0810, 3319.172, 3323.20, 3323.30, 3323.31, 3323.32, 3323.33, 3325.10, 3325.11, 3325.12, 3325.15, 3325.16, 3325.17, 3333.047, 3333.122, 3333.123, 3333.162, 3354.25, 3701.073, 3702.83, 3704.144, 3705.242, 3714.073, 3715.04, 3721.032, 3721.541, 3721.561, 3745.015, 3745.114, 3770.061, 3781.191, 3903.421, 4115.36, 4117.103, 4501.07, 4506.101, 4506.161, 4713.441, 4121.126, 4121.127, 4121.128, 4123.441, 4123.444, 4123.445, 4723.61, 4723.62, 4723.621, 4723.64, 4723.65, 4723.66, 4723.67, 4723.68, 4723.69, 4766.14, 4912.01, 5101.07, 5101.071, 5101.163, 5101.244, 5101.461, 5101.802, 5101.803, 5101.93, 5101.94, 5107.301, 5111.0114, 5111.027, 5111.028, 5111.061, 5111.062, 5111.083, 5111.084, 5111.10, 5111.161, 5111.162, 5111.163, 5111.164, 5111.165, 5111.176, 5111.191, 5111.222, 5111.223, 5111.242, 5111.243, 5111.244, 5111.254, 5111.265, 5111.266, 5111.65, 5111.651, 5111.66, 5111.661, 5111.67, 5111.671, 5111.672, 5111.673, 5111.674, 5111.675, 5111.676, 5111.677, 5111.68, 5111.681, 5111.682, 5111.683, 5111.684, 5111.685, 5111.686, 5111.687, 5111.688, 5111.851, 5111.852, 5111.853, 5111.854, 5111.855, 5111.856, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889, 5111.89, 5111.891, 5111.892, 5111.893, 5111.914, 5111.915, 5111.971, 5111.98, 5112.341, 5121.30, 5121.31, 5121.32, 5121.33, 5121.34, 5121.35, 5121.36, 5121.37, 5121.38, 5121.39, 5121.40, 5121.41,

5121.42, 5121.43, 5121.44, 5121.45, 5121.46, 5121.47, 5121.49, 5121.50, 5121.51, 5121.52, 5121.53, 5121.54, 5121.55, 5123.16, 5540.032, 5703.057, 5707.031, 5709.112, 5725.32, 5727.031, 5727.241, 5727.812, 5729.032, 5739.012, 5739.36, 5743.031, 5743.072, 5743.71, 5747.056, 5751.01, 5751.011, 5751.012, 5751.013, 5751.02, 5751.03, 5751.031, 5751.032, 5751.033, 5751.04, 5751.05, 5751.051, 5751.06, 5751.07, 5751.08, 5751.081, 5751.09, 5751.10, 5751.11, 5751.12, 5751.20, 5751.21, 5751.22, 5751.23, 5751.31, 5751.50, 5751.51, 5751.52, 5751.53, 5751.98, 5751.99, 5919.31, 5919.341, 6111.30, 6111.31, and 6111.32; and to repeal sections 181.53, 339.77, 742.36, 1541.221, 3301.31, 3301.33, 3301.34, 3301.35, 3301.36, 3301.37, 3301.38, 3301.80, 3301.85, 3301.87, 3311.40, 3317.012, 3317.0212, 3317.0213, 3353.02, 3353.03, 3501.141, 3506.17, 3704.14, 3704.142, 3704.17, 3721.511, 3901.41, 3901.781, 3901.782, 3901.783, 3901.784, 4115.16, 4519.06, 4519.07, 5101.751, 5101.753, 5101.754, 5111.041, 5111.205, 5111.24, 5111.262, 5111.34, 5115.10, 5115.11, 5115.12, 5115.13, 5115.14, 5123.041, 5123.048, 5731.20, and 5733.122 of the Revised Code; to amend Sections 16.09, 19.01, 20.01, 22.03, 22.04, 23.02, 23.12, 23.13, 23.26, 23.45, and 24.01 of Am. Sub. H.B. 16 of the 126th General Assembly; to amend Section 3 of Am. H.B. 67 of the 126th General Assembly; to amend Sections 203.03.09, 203.03.10, and 203.06.15 of Am. Sub. H.B. 68 of the 126th General Assembly; to amend Section 41.36 of Am. Sub. H.B. 95 of the 125th General Assembly and to amend Section 41.36 of Am. Sub. H.B. 95 of the 125th General Assembly for the purpose of codifying it as section 3323.19 of the Revised Code; to amend Section 14 of Sub. H.B. 434 of the 125th General Assembly; to amend Section 4 of Am. Sub. H.B. 516 of the 125th General Assembly; to amend Sections 26.01 and 74 of Am. Sub. S.B. 189 of the 125th General Assembly; to amend Section 22 of Am. Sub. S.B. 189 of the 125th General Assembly, as amended by Am. Sub. H.B. 16 of the 126th General Assembly; to amend Section 3 of Am. Sub. H.B. 621 of the 122nd General Assembly, as subsequently amended; to amend Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended; to amend Section 5 of Am. Sub. S.B. 50 of the 121st General Assembly, as subsequently amended; and to repeal Sections 59.19, 89.17, and 147 of Am. Sub. H.B. 95 of the 125th General Assembly to make operating appropriations for the biennium beginning July 1, 2005 and ending June 30, 2007, and to provide authorization and conditions for the operation of state programs, and to repeal Section 553.01 of this act on December 16, 2005.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted - yeas 0, nays 91, as follows:

Those who voted in the negative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Bocchieri	Book

Brinkman	Brown	Bubp	Buehrer
Calvert	Carano	Carmichael	Cassell
Chandler	Coley	Collier	Combs
Core	Daniels	DeGeeter	DeWine
Distel	Dolan	Domenick	Driehaus
Faber	Fende	Fessler	Garrison
Gilb	Hagan	Hartnett	Healy
Hood	Hoops	Hughes	Kearns
Key	Kilbane	Koziura	Latta
Law	Martin	Mason	McGregor
Miller	Mitchell	Oelslager	Otterman
Patton S.	Patton T.	Perry	Peterson
Raga	Rausen	Redfern	Reidelbach
Reinhard	Sayre	Schaffer	Schlichter
Schneider	Seaver	Seitz	Setzer
Skindell	Smith G.	Stewart D.	Stewart J.
Strahorn	Sykes	Taylor	Trakas
Uecker	Ujvagi	Wagner	Wagoner
Webster	White	Widener	Widowfield
Willamowski	Williams	Wolpert	Woodard
Yates	Yuko		Husted-91.

The Senate amendments were not concurred in.

#### REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Harwood submitted the following report:

The standing committee on Judiciary to which was referred **S. B. No. 128**-Senator Cates, having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: BUTLER COUNTY COURT OF COMMON PLEAS - ADD  
JUDGE

Representative Willamowski moved to amend the title as follows:

Add the names: "Representatives Willamowski, Coley."

Representative Willamowski moved to amend as follows:

In line 5, delete "section" and insert "sections"; after "2301.02" insert "and 2919.251"

Between lines 293 and 294, insert:

**"Sec. 2919.251.** (A) Subject to division (D) of this section, a person who is charged with the commission of any offense of violence shall appear before the court for the setting of bail if the alleged victim of the offense charged was a family or household member at the time of the offense and if ~~any of the following applies:~~

~~(1) The person charged, at the time of the alleged offense, was subject to the terms of a protection order issued or consent agreement approved pursuant to~~



~~section 2919.26 or 3113.31 of the Revised Code or previously was convicted of or pleaded guilty to a violation of section 2919.25 of the Revised Code or a violation of section 2919.27 of the Revised Code involving a protection order or consent agreement of that type, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to either section, a violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of the Revised Code if the victim of the violation was a family or household member at the time of the violation a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to any of those sections if the victim of the violation was a family or household member at the time of the commission of the violation, or any offense of violence if the victim of the offense was a family or household member at the time of the offense;~~

(2) The arresting officer indicates in a police report or other document accompanying the complaint any of the following:

~~(a)~~(1) That the arresting officer observed on the alleged victim objective manifestations of physical harm that the arresting officer reasonably believes are a result of the alleged offense;

~~(b)~~(2) That the arresting officer reasonably believes that the person had on the person's person at the time of the alleged offense a deadly weapon or dangerous ordnance;

~~(c)~~(3) That the arresting officer reasonably believes that the person presents a credible threat of serious physical harm to the alleged victim or to any other person if released on bail before trial.

(B) To the extent that information about any of the following is available to the court, the court shall consider all of the following, in addition to any other circumstances considered by the court and notwithstanding any provisions to the contrary contained in Criminal Rule 46, before setting bail for a person who appears before the court pursuant to division (A) of this section:

(1) Whether the person has a history of domestic violence or a history of other violent acts;

(2) The mental health of the person;

(3) Whether the person has a history of violating the orders of any court or governmental entity;

(4) Whether the person is potentially a threat to any other person;

(5) Whether the person has access to deadly weapons or a history of using deadly weapons;

(6) Whether the person has a history of abusing alcohol or any controlled substance;

(7) The severity of the alleged violence that is the basis of the offense,

including but not limited to, the duration of the alleged violent incident, and whether the alleged violent incident involved serious physical injury, sexual assault, strangulation, abuse during the alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to the alleged victim;

(8) Whether a separation of the person from the alleged victim or a termination of the relationship between the person and the alleged victim has recently occurred or is pending;

(9) Whether the person has exhibited obsessive or controlling behaviors toward the alleged victim, including but not limited to, stalking, surveillance, or isolation of the alleged victim;

(10) Whether the person has expressed suicidal or homicidal ideations;

(11) Any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint.

(C) Any court that has jurisdiction over charges alleging the commission of an offense of violence in circumstances in which the alleged victim of the offense was a family or household member at the time of the offense may set a schedule for bail to be used in cases involving those offenses. The schedule shall require that a judge consider all of the factors listed in division (B) of this section and may require judges to set bail at a certain level if the history of the alleged offender or the circumstances of the alleged offense meet certain criteria in the schedule.

(D)(1) Upon the court's own motion or the motion of a party and upon any terms that the court may direct, a court may permit a person who is required to appear before it by division (A) of this section to appear by video conferencing equipment.

(2) If in the opinion of the court the appearance in person or by video conferencing equipment of a person who is charged with a misdemeanor and who is required to appear before the court by division (A) of this section is not practicable, the court may waive the appearance and release the person on bail in accordance with the court's schedule for bail set under division (C) of this section or, if the court has not set a schedule for bail under that division, on one or both of the following types of bail in an amount set by the court:

(a) A bail bond secured by a deposit of ten per cent of the amount of the bond in cash;

(b) A surety bond, a bond secured by real estate or securities as allowed by law, or the deposit of cash, at the option of the person.

(3) Division (A) of this section does not create a right in a person to appear before the court for the setting of bail or prohibit a court from requiring any person charged with an offense of violence who is not described in that division from appearing before the court for the setting of bail.

(E) As used in this section:

(1) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.

(2) "Dangerous ordnance" and "deadly weapon" have the same meanings as in section 2923.11 of the Revised Code."

In line 294, delete "section" and insert "sections"; after "2301.02" insert "and 2919.251"

In line 295, delete "is" and insert "are"

In line 1 of the title, delete "section" and insert "sections"; after "2301.02" insert "and 2919.251"

In line 4 of the title, after "2006" insert "and to eliminate the requirement that a person charged with an offense of violence against a family or household member appear before the court for the setting of bail if the person is subject to a protection order or consent decree related to domestic violence or previously was convicted of or pleaded guilty to certain offenses"

The motion was agreed to and the bill so amended.

JOHN R. WILLAMOWSKI	DALE MILLER
TIMOTHY J. DEGEETER	RANDY LAW
MATTHEW J. DOLAN	BILL COLEY
DANNY R. BUBP	SANDRA STABILE HARWOOD
TIMOTHY O. SCHAFFER	

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Hartnett submitted the following report:

The standing committee on Ways and Means to which was referred **H. B. No. 223**-Representative Calvert, et al., having had the same under consideration, recommends its re-referral to the committee on Rules and Reference.

RE: HOMESTEAD EXEMPTION

SALLY CONWAY KILBANE	BOB GIBBS
WILLIAM J. HARTNETT	STEVE L. DRIEHAUS
FRED STRAHORN	PETER S. UJVAGI
JOHN P. HAGAN	LOUIS W. BLESSING
THOM COLLIER	MIKE GILB
ROBERT E. LATTA	MARY TAYLOR
CHARLES R. BLASDEL	

The report was agreed to.

The bill was ordered to be engrossed and rereferred to the committee on

Rules and Reference.

### MOTIONS AND RESOLUTIONS

Representative DeWine moved that majority party members asking leave to be absent or absent the week of Tuesday, June 7, 2005, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Driehaus moved that minority party members asking leave to be absent or absent the week of Tuesday, June 7, 2005, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

### BILLS FOR THIRD CONSIDERATION

**Sub. H. B. No. 15**-Representatives Hoops, Aslanides, Blessing, Bulp, Calvert, Collier, Combs, C. Evans, Fessler, Gibbs, Hagan, Hughes, Kearns, Latta, Law, Martin, McGregor, T. Patton, Reidelbach, Setzer, Schaffer, Webster, White, Widener, Widowfield, Willamowski, Wolpert, Allen, Barrett, Carano, DeGeeter, Distel, Driehaus, Hartnett, Otterman, S. Patton, Perry, Ujvagi, D. Evans, Gilb, Seitz, Yuko, Seaver, Healy, D. Stewart.

To amend sections 2929.20, 2967.03, 2967.12, and 2967.26 and to enact section 5120.66 of the Revised Code to require the Department of Rehabilitation and Correction to establish and operate an Internet database that contains specified offense, sentence, and release information for each inmate in the custody of the Department; to grant any person a right to submit a written statement regarding certain possible releases or transfers of any inmate; to require the Adult Parole Authority to consider any such statement prior to granting or recommending the release of or transfer for any inmate; and to specify that these provisions are to be known as "Laura's Law," was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Fessler moved to amend as follows:

In line 16, after "sections" insert "109.42, "; after "2929.20," insert "2950.10, 2950.11,"

Between lines 18 and 19, insert:

**"Sec. 109.42.** (A) The attorney general shall prepare and have printed a pamphlet that contains a compilation of all statutes relative to victim's rights in which the attorney general lists and explains the statutes in the form of a victim's bill of rights. The attorney general shall distribute the pamphlet to all sheriffs, marshals, municipal corporation and township police departments, constables, and other law enforcement agencies, to all prosecuting attorneys, city directors

of law, village solicitors, and other similar chief legal officers of municipal corporations, and to organizations that represent or provide services for victims of crime. The victim's bill of rights set forth in the pamphlet shall contain a description of all of the rights of victims that are provided for in Chapter 2930, or in any other section of the Revised Code and shall include, but not be limited to, all of the following:

(1) The right of a victim or a victim's representative to attend a proceeding before a grand jury, in a juvenile case, or in a criminal case pursuant to a subpoena without being discharged from the victim's or representative's employment, having the victim's or representative's employment terminated, having the victim's or representative's pay decreased or withheld, or otherwise being punished, penalized, or threatened as a result of time lost from regular employment because of the victim's or representative's attendance at the proceeding pursuant to the subpoena, as set forth in section 2151.211, 2930.18, 2939.121, or 2945.451 of the Revised Code;

(2) The potential availability pursuant to section 2151.359 or 2152.61 of the Revised Code of a forfeited recognizance to pay damages caused by a child when the delinquency of the child or child's violation of probation or community control is found to be proximately caused by the failure of the child's parent or guardian to subject the child to reasonable parental authority or to faithfully discharge the conditions of probation or community control;

(3) The availability of awards of reparations pursuant to sections 2743.51 to 2743.72 of the Revised Code for injuries caused by criminal offenses;

(4) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.06 of the Revised Code, notice of the date, time, and place of the trial or delinquency proceeding in the case or, if there will not be a trial or delinquency proceeding, information from the prosecutor, as defined in section 2930.01 of the Revised Code, regarding the disposition of the case;

(5) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.04, 2930.05, or 2930.06 of the Revised Code, notice of the name of the person charged with the violation, the case or docket number assigned to the charge, and a telephone number or numbers that can be called to obtain information about the disposition of the case;

(6) The right of the victim in certain criminal or juvenile cases or of the victim's representative pursuant to section 2930.13 or 2930.14 of the Revised Code, subject to any reasonable terms set by the court as authorized under section 2930.14 of the Revised Code, to make a statement about the victimization and, if applicable, a statement relative to the sentencing or disposition of the offender;

(7) The opportunity to obtain a court order, pursuant to section 2945.04 of the Revised Code, to prevent or stop the commission of the offense of

intimidation of a crime victim or witness or an offense against the person or property of the complainant, or of the complainant's ward or child;

(8) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to sections 2151.38, 2929.20, 2930.10, 2930.16, and 2930.17 of the Revised Code to receive notice of a pending motion for judicial release or early release of the person who committed the offense against the victim, to make an oral or written statement at the court hearing on the motion, and to be notified of the court's decision on the motion;

(9) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to section 2930.16, 2967.12, 2967.26, or 5139.56 of the Revised Code to receive notice of any pending commutation, pardon, parole, transitional control, discharge, other form of authorized release, post-release control, or supervised release for the person who committed the offense against the victim or any application for release of that person and to send a written statement relative to the victimization and the pending action to the adult parole authority or the release authority of the department of youth services;

(10) The right of the victim to bring a civil action pursuant to sections 2969.01 to 2969.06 of the Revised Code to obtain money from the offender's profit fund;

(11) The right, pursuant to section 3109.09 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully damages property through the commission of an act that would be a theft offense, as defined in section 2913.01 of the Revised Code, if committed by an adult;

(12) The right, pursuant to section 3109.10 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully and maliciously assaults a person;

(13) The possibility of receiving restitution from an offender or a delinquent child pursuant to section 2152.20, 2929.18, or 2929.28 of the Revised Code;

(14) The right of the victim in certain criminal or juvenile cases or a victim's representative, pursuant to section 2930.16 of the Revised Code, to receive notice of the escape from confinement or custody of the person who committed the offense, to receive that notice from the custodial agency of the person at the victim's last address or telephone number provided to the custodial agency, and to receive notice that, if either the victim's address or telephone number changes, it is in the victim's interest to provide the new address or telephone number to the custodial agency;

(15) The right of a victim of domestic violence to seek the issuance of a civil protection order pursuant to section 3113.31 of the Revised Code, the right

of a victim of a violation of section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code, a violation of a substantially similar municipal ordinance, or an offense of violence who is a family or household member of the offender at the time of the offense to seek the issuance of a temporary protection order pursuant to section 2919.26 of the Revised Code, and the right of both types of victims to be accompanied by a victim advocate during court proceedings;

(16) The right of a victim of a sexually oriented offense that is not a registration-exempt sexually oriented offense or of a child-victim oriented offense that is committed by a person who is convicted of or pleads guilty to an aggravated sexually oriented offense, by a person who is adjudicated a sexual predator or child-victim predator, or, in certain cases, by a person who is determined to be a habitual sex offender or habitual child-victim offender to receive, pursuant to section 2950.10 of the Revised Code, notice that the person has registered with a sheriff under section 2950.04, 2950.041, or 2950.05 of the Revised Code and notice of the person's name, the person's residence that is registered, and the offender's school, institution of higher education, or place of employment address or addresses that are registered, the person's photograph, and a summary of the manner in which the victim must make a request to receive the notice. As used in this division, "sexually oriented offense," "adjudicated a sexual predator," "habitual sex offender," "registration-exempt sexually oriented offense," "aggravated sexually oriented offense," "child-victim oriented offense," "adjudicated a child-victim predator," and "habitual child-victim offender" have the same meanings as in section 2950.01 of the Revised Code.

(17) The right of a victim of certain sexually violent offenses committed by an offender who also is convicted of or pleads guilty to a sexually violent predator specification and who is sentenced to a prison term pursuant to division (A)(3) of section 2971.03 of the Revised Code to receive, pursuant to section 2930.16 of the Revised Code, notice of a hearing to determine whether to modify the requirement that the offender serve the entire prison term in a state correctional facility, whether to continue, revise, or revoke any existing modification of that requirement, or whether to terminate the prison term. As used in this division, "sexually violent offense" and "sexually violent predator specification" have the same meanings as in section 2971.01 of the Revised Code.

(B)(1)(a) Subject to division (B)(1)(c) of this section, a prosecuting attorney, assistant prosecuting attorney, city director of law, assistant city director of law, village solicitor, assistant village solicitor, or similar chief legal officer of a municipal corporation or an assistant of any of those officers who prosecutes an offense committed in this state, upon first contact with the victim of the offense, the victim's family, or the victim's dependents, shall give the victim, the victim's family, or the victim's dependents a copy of the pamphlet prepared pursuant to division (A) of this section and explain, upon request, the information in the pamphlet to the victim, the victim's family, or the victim's dependents.

(b) Subject to division (B)(1)(c) of this section, a law enforcement agency that investigates an offense or delinquent act committed in this state shall give the victim of the offense or delinquent act, the victim's family, or the victim's dependents a copy of the pamphlet prepared pursuant to division (A) of this section at one of the following times:

(i) Upon first contact with the victim, the victim's family, or the victim's dependents;

(ii) If the offense or delinquent act is an offense of violence, if the circumstances of the offense or delinquent act and the condition of the victim, the victim's family, or the victim's dependents indicate that the victim, the victim's family, or the victim's dependents will not be able to understand the significance of the pamphlet upon first contact with the agency, and if the agency anticipates that it will have an additional contact with the victim, the victim's family, or the victim's dependents, upon the agency's second contact with the victim, the victim's family, or the victim's dependents.

If the agency does not give the victim, the victim's family, or the victim's dependents a copy of the pamphlet upon first contact with them and does not have a second contact with the victim, the victim's family, or the victim's dependents, the agency shall mail a copy of the pamphlet to the victim, the victim's family, or the victim's dependents at their last known address.

(c) In complying on and after December 9, 1994, with the duties imposed by division (B)(1)(a) or (b) of this section, an official or a law enforcement agency shall use copies of the pamphlet that are in the official's or agency's possession on December 9, 1994, until the official or agency has distributed all of those copies. After the official or agency has distributed all of those copies, the official or agency shall use only copies of the pamphlet that contain at least the information described in divisions (A)(1) to (17) of this section.

(2) The failure of a law enforcement agency or of a prosecuting attorney, assistant prosecuting attorney, city director of law, assistant city director of law, village solicitor, assistant village solicitor, or similar chief legal officer of a municipal corporation or an assistant to any of those officers to give, as required by division (B)(1) of this section, the victim of an offense or delinquent act, the victim's family, or the victim's dependents a copy of the pamphlet prepared pursuant to division (A) of this section does not give the victim, the victim's family, the victim's dependents, or a victim's representative any rights under section 2743.51 to 2743.72, 2945.04, 2967.12, 2969.01 to 2969.06, 3109.09, or 3109.10 of the Revised Code or under any other provision of the Revised Code and does not affect any right under those sections.

(3) A law enforcement agency, a prosecuting attorney or assistant prosecuting attorney, or a city director of law, assistant city director of law, village solicitor, assistant village solicitor, or similar chief legal officer of a municipal corporation that distributes a copy of the pamphlet prepared pursuant to division (A) of this section shall not be required to distribute a copy of an



information card or other printed material provided by the clerk of the court of claims pursuant to section 2743.71 of the Revised Code.

(C) The cost of printing and distributing the pamphlet prepared pursuant to division (A) of this section shall be paid out of the reparations fund, created pursuant to section 2743.191 of the Revised Code, in accordance with division (D) of that section.

(D) As used in this section:

(1) "Victim's representative" has the same meaning as in section 2930.01 of the Revised Code;

(2) "Victim advocate" has the same meaning as in section 2919.26 of the Revised Code."

Between lines 211 and 212, insert:

**"Sec. 2950.10.** (A)(1) If a person is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense or a person is adjudicated a delinquent child for committing either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense and is classified a juvenile offender registrant or is an out-of-state juvenile offender registrant based on that adjudication, if the offender or delinquent child is in any category specified in division (B)(1)(a), (b), or (c) of this section, if the offender or delinquent child registers with a sheriff pursuant to section 2950.04, 2950.041, or 2950.05 of the Revised Code, and if the victim of the sexually oriented offense or child-victim oriented offense has made a request in accordance with rules adopted by the attorney general that specifies that the victim would like to be provided the notices described in this section, the sheriff shall notify the victim of the sexually oriented offense or child-victim oriented offense, in writing, that the offender or delinquent child has registered and shall include in the notice the offender's name and photograph, and the address or addresses of the offender's residence, school, institution of higher education, or place of employment, as applicable, or the delinquent child's name, photograph, and residence address or addresses. The sheriff shall provide the notice required by this division to the victim at the most recent residence address available for that victim, not later than five days after the offender or delinquent child registers with the sheriff.

(2) If a person is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense or a person is adjudicated a delinquent child for committing either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense and is classified a juvenile offender registrant or is an out-of-state juvenile offender registrant based on that adjudication, if the offender or delinquent child is in any category specified in division (B)(1)(a), (b), or (c) of this section, if the offender or delinquent child registers with a

sheriff pursuant to section 2950.04, 2950.041, or 2950.05 of the Revised Code, if the victim of the sexually oriented offense or child-victim oriented offense has made a request in accordance with rules adopted by the attorney general that specifies that the victim would like to be provided the notices described in this section, and if the offender notifies the sheriff of a change of residence, school, institution of higher education, or place of employment address or the delinquent child notifies the sheriff of a change of residence address pursuant to section 2950.05 of the Revised Code, the sheriff shall notify the victim of the sexually oriented offense or child-victim oriented offense, in writing, that the offender's or delinquent child's address has changed and shall include in the notice the offender's name and photograph, and the new address or addresses of the offender's residence, school, institution of higher education, or place of employment, as applicable, or the delinquent child's name, photograph, and new residence address or addresses. The sheriff shall provide the notice required by this division to the victim at the most recent residence address available for that victim, no later than five days after the offender or delinquent child notifies the sheriff of the change in the offender's or delinquent child's residence, school, institution of higher education, or place of employment address.

(3) If a person is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense or a person is adjudicated a delinquent child for committing either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense and is classified a juvenile offender registrant or is an out-of-state juvenile offender registrant based on that adjudication, and if the offender or delinquent child is in any category specified in division (B)(1)(a), (b), or ~~(e)~~(c) of this section, the victim of the offense may make a request in accordance with rules adopted by the attorney general pursuant to section 2950.13 of the Revised Code that specifies that the victim would like to be provided the notices described in divisions (A)(1) and (2) of this section. If the victim makes a request in accordance with those rules, the sheriff described in divisions (A)(1) and (2) of this section shall provide the victim with the notices described in those divisions.

(4) If a victim makes a request as described in division (A)(3) of this section that specifies that the victim would like to be provided the notices described in divisions (A)(1) and (2) of this section, all information a sheriff obtains regarding the victim from or as a result of the request is confidential, and the information is not a public record open for inspection under section 149.43 of the Revised Code.

(5) The notices described in divisions (A)(1) and (2) of this section are in addition to any notices regarding the offender or delinquent child that the victim is entitled to receive under Chapter 2930. of the Revised Code.

(B)(1) The duties to provide the notices described in divisions (A)(1) and (2) of this section apply regarding any offender or delinquent child who is in any

of the following categories, if the other criteria set forth in division (A)(1) or (2) of this section, whichever is applicable, are satisfied:

(a) The offender or delinquent child has been adjudicated a sexual predator relative to the sexually oriented offense for which the offender or delinquent child has the duty to register under section 2950.04 of the Revised Code or has been adjudicated a child-victim predator relative to the child-victim oriented offense for which the offender or child has the duty to register under section 2950.041 of the Revised Code, and the court has not subsequently determined pursuant to section 2152.84 or 2152.85 of the Revised Code regarding a delinquent child that the delinquent child no longer is a sexual predator or no longer is a child-victim predator, whichever is applicable.

(b) The offender or delinquent child has been determined pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, division (B) of section 2152.83, section 2152.84, or section 2152.85 of the Revised Code to be a habitual sex offender or a habitual child-victim offender, the court has imposed a requirement under that division or section subjecting the habitual sex offender or habitual child-victim offender to this section, and the determination has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code regarding a delinquent child.

(c) The sexually oriented offense for which the offender has the duty to register under section 2950.04 of the Revised Code is an aggravated sexually oriented offense, regardless of whether the offender has been adjudicated a sexual predator relative to the offense or has been determined to be a habitual sex offender and, if the offender has been so determined to be a habitual sex offender, regardless of whether the habitual sex offender determination has not been removed as described in division (A)(1)(b) of this section.

(2) A victim of a sexually oriented offense that is not a registration-exempt sexually oriented offense or of a child-victim oriented offense is not entitled to be provided any notice described in division (A)(1) or (2) of this section unless the offender or delinquent child is in a category specified in division (B)(1)(a), (b), or (c) of this section. A victim of a sexually oriented offense that is not a registration-exempt sexually oriented offense or of a child-victim oriented offense is not entitled to any notice described in division (A)(1) or (2) of this section unless the victim makes a request in accordance with rules adopted by the attorney general pursuant to section 2950.13 of the Revised Code that specifies that the victim would like to be provided the notices described in divisions (A)(1) and (2) of this section. This division does not affect any rights of a victim of a sexually oriented offense or child-victim oriented offense to be provided notice regarding an offender or delinquent child that are described in Chapter 2930. of the Revised Code.

**Sec. 2950.11.** (A) As used in this section, "specified geographical notification area" means the geographic area or areas within which the attorney general, by rule adopted under section 2950.13 of the Revised Code, requires the notice described in division (B) of this section to be given to the persons

identified in divisions (A)(2) to (8) of this section. If a person is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense, or a person is adjudicated a delinquent child for committing either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense and is classified a juvenile offender registrant or is an out-of-state juvenile offender registrant based on that adjudication, and if the offender or delinquent child is in any category specified in division (F)(1)(a), (b), or (c) of this section, the sheriff with whom the offender or delinquent child has most recently registered under section 2950.04, 2950.041, or 2950.05 of the Revised Code and the sheriff to whom the offender or delinquent child most recently sent a notice of intent to reside under section 2950.04 or 2950.041 of the Revised Code, within the period of time specified in division (C) of this section, shall provide a written notice containing the information set forth in division (B) of this section to all of the persons described in divisions (A)(1) to (9) of this section. If the sheriff has sent a notice to the persons described in those divisions as a result of receiving a notice of intent to reside and if the offender or delinquent child registers a residence address that is the same residence address described in the notice of intent to reside, the sheriff is not required to send an additional notice when the offender or delinquent child registers. The sheriff shall provide the notice to all of the following persons:

(1)(a) Any occupant of each residential unit that is located within one thousand feet of the offender's or delinquent child's residential premises, that is located within the county served by the sheriff, and that is not located in a multi-unit building. Division (D)(3) of this section applies regarding notices required under this division.

(b) If the offender or delinquent child resides in a multi-unit building, any occupant of each residential unit that is located in that multi-unit building and that shares a common hallway with the offender or delinquent child. For purposes of this division, an occupant's unit shares a common hallway with the offender or delinquent child if the entrance door into the occupant's unit is located on the same floor and opens into the same hallway as the entrance door to the unit the offender or delinquent child occupies. Division (D)(3) of this section applies regarding notices required under this division.

(c) The building manager, or the person the building owner or condominium unit owners association authorizes to exercise management and control, of each multi-unit building that is located within one thousand feet of the offender's or delinquent child's residential premises, including a multi-unit building in which the offender or delinquent child resides, and that is located within the county served by the sheriff. In addition to notifying the building manager or the person authorized to exercise management and control in the multi-unit building under this division, the sheriff shall post a copy of the notice prominently in each common entryway in the building and any other location in the building the sheriff determines appropriate. The manager or person

exercising management and control of the building shall permit the sheriff to post copies of the notice under this division as the sheriff determines appropriate. In lieu of posting copies of the notice as described in this division, a sheriff may provide notice to all occupants of the multi-unit building by mail or personal contact; if the sheriff so notifies all the occupants, the sheriff is not required to post copies of the notice in the common entryways to the building. Division (D)(3) of this section applies regarding notices required under this division.

(d) All additional persons who are within any category of neighbors of the offender or delinquent child that the attorney general by rule adopted under section 2950.13 of the Revised Code requires to be provided the notice and who reside within the county served by the sheriff;

(2) The executive director of the public children services agency that has jurisdiction within the specified geographical notification area and that is located within the county served by the sheriff;

(3)(a) The superintendent of each board of education of a school district that has schools within the specified geographical notification area and that is located within the county served by the sheriff;

(b) The principal of the school within the specified geographical notification area and within the county served by the sheriff that the delinquent child attends;

(c) If the delinquent child attends a school outside of the specified geographical notification area or outside of the school district where the delinquent child resides, the superintendent of the board of education of a school district that governs the school that the delinquent child attends and the principal of the school that the delinquent child attends.

(4)(a) The appointing or hiring officer of each chartered nonpublic school located within the specified geographical notification area and within the county served by the sheriff or of each other school located within the specified geographical notification area and within the county served by the sheriff and that is not operated by a board of education described in division (A)(3) of this section;

(b) Regardless of the location of the school, the appointing or hiring officer of a chartered nonpublic school that the delinquent child attends.

(5) The director, head teacher, elementary principal, or site administrator of each preschool program governed by Chapter 3301. of the Revised Code that is located within the specified geographical notification area and within the county served by the sheriff;

(6) The administrator of each child day-care center or type A family day-care home that is located within the specified geographical notification area and within the county served by the sheriff, and the provider of each certified type B family day-care home that is located within the specified geographical notification area and within the county served by the sheriff. As used in this

division, "child day-care center," "type A family day-care home," and "certified type B family day-care home" have the same meanings as in section 5104.01 of the Revised Code.

(7) The president or other chief administrative officer of each institution of higher education, as defined in section 2907.03 of the Revised Code, that is located within the specified geographical notification area and within the county served by the sheriff, and the chief law enforcement officer of the state university law enforcement agency or campus police department established under section 3345.04 or 1713.50 of the Revised Code, if any, that serves that institution;

(8) The sheriff of each county that includes any portion of the specified geographical notification area;

(9) If the offender or delinquent child resides within the county served by the sheriff, the chief of police, marshal, or other chief law enforcement officer of the municipal corporation in which the offender or delinquent child resides or, if the offender or delinquent child resides in an unincorporated area, the constable or chief of the police department or police district police force of the township in which the offender or delinquent child resides.

(B) The notice required under division (A) of this section shall include all of the following information regarding the subject offender or delinquent child:

(1) The offender's or delinquent child's name;

(2) The address or addresses of the offender's residence, school, institution of higher education, or place of employment, as applicable, or the delinquent child's residence address or addresses;

(3) The sexually oriented offense or child-victim oriented offense of which the offender was convicted, to which the offender pleaded guilty, or for which the child was adjudicated a delinquent child;

(4) All of the following statements that are applicable:

(a) A statement that the offender has been adjudicated a sexual predator, a statement that the offender has been convicted of or pleaded guilty to an aggravated sexually oriented offense, a statement that the delinquent child has been adjudicated a sexual predator and that, as of the date of the notice, the court has not entered a determination that the delinquent child no longer is a sexual predator, or a statement that the sentencing or reviewing judge has determined that the offender or delinquent child is a habitual sex offender and that, as of the date of the notice, the determination regarding a delinquent child has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code;

(b) A statement that the offender has been adjudicated a child-victim predator, a statement that the delinquent child has been adjudicated a child-victim predator and that, as of the date of the notice, the court has not entered a determination that the delinquent child no longer is a child-victim

predator, or a statement that the sentencing or reviewing judge has determined that the offender or delinquent child is a habitual child-victim offender and that, as of the date of the notice, the determination regarding a delinquent child has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code;

(5) The offender's or delinquent child's photograph.

(C) If a sheriff with whom an offender or delinquent child registers under section 2950.04, 2950.041, or 2950.05 of the Revised Code or to whom the offender or delinquent child most recently sent a notice of intent to reside under section 2950.04 or 2950.041 of the Revised Code is required by division (A) of this section to provide notices regarding an offender or delinquent child and if, pursuant to that requirement, the sheriff provides a notice to a sheriff of one or more other counties in accordance with division (A)(8) of this section, the sheriff of each of the other counties who is provided notice under division (A)(8) of this section shall provide the notices described in divisions (A)(1) to (7) and (A)(9) of this section to each person or entity identified within those divisions that is located within the specified geographical notification area and within the county served by the sheriff in question.

(D)(1) A sheriff required by division (A) or (C) of this section to provide notices regarding an offender or delinquent child shall provide the notice to the neighbors that are described in division (A)(1) of this section and the notices to law enforcement personnel that are described in divisions (A)(8) and (9) of this section as soon as practicable, but no later than five days after the offender sends the notice of intent to reside to the sheriff and again no later than five days after the offender or delinquent child registers with the sheriff or, if the sheriff is required by division (C) to provide the notices, no later than five days after the sheriff is provided the notice described in division (A)(8) of this section.

A sheriff required by division (A) or (C) of this section to provide notices regarding an offender or delinquent child shall provide the notices to all other specified persons that are described in divisions (A)(2) to (7) of this section as soon as practicable, but not later than seven days after the offender or delinquent child registers with the sheriff or, if the sheriff is required by division (C) to provide the notices, no later than five days after the sheriff is provided the notice described in division (A)(8) of this section.

(2) If an offender or delinquent child in relation to whom division (A) of this section applies verifies the offender's or delinquent child's current residence, school, institution of higher education, or place of employment address, as applicable, with a sheriff pursuant to section 2950.06 of the Revised Code, the sheriff may provide a written notice containing the information set forth in division (B) of this section to the persons identified in divisions (A)(1) to (9) of this section. If a sheriff provides a notice pursuant to this division to the sheriff of one or more other counties in accordance with division (A)(8) of this section, the sheriff of each of the other counties who is provided the notice under division (A)(8) of this section may provide, but is not required to provide, a written notice containing the information set forth in division (B) of this section

to the persons identified in divisions (A)(1) to (7) and (A)(9) of this section.

(3) A sheriff may provide notice under division (A)(1)(a) or (b) of this section, and may provide notice under division (A)(1)(c) of this section to a building manager or person authorized to exercise management and control of a building, by mail, by personal contact, or by leaving the notice at or under the entry door to a residential unit. For purposes of divisions (A)(1)(a) and (b) of this section, and the portion of division (A)(1)(c) of this section relating to the provision of notice to occupants of a multi-unit building by mail or personal contact, the provision of one written notice per unit is deemed as providing notice to all occupants of that unit.

(E) All information that a sheriff possesses regarding a sexual predator, a habitual sex offender, a child-victim predator, or a habitual child-victim offender that is described in division (B) of this section and that must be provided in a notice required under division (A) or (C) of this section or that may be provided in a notice authorized under division (D)(2) of this section is a public record that is open to inspection under section 149.43 of the Revised Code.

The sheriff shall not cause to be publicly disseminated by means of the internet any of the information described in this division that is provided by a sexual predator, habitual sex offender, child-victim predator, or habitual child-victim offender who is a juvenile offender registrant, except when the act that is the basis of the child's classification as a juvenile offender registrant is a violation of, or an attempt to commit a violation of, section 2903.01, 2903.02, or 2905.01 of the Revised Code that was committed with a purpose to gratify the sexual needs or desires of the child, a violation of section 2907.02 of the Revised Code, or an attempt to commit a violation of that section.

(F)(1) The duties to provide the notices described in divisions (A) and (C) of this section apply regarding any offender or delinquent child who is in any of the following categories, if the other criteria set forth in division (A) or (C) of this section, whichever is applicable, are satisfied:

(a) The offender or delinquent child has been adjudicated a sexual predator relative to the sexually oriented offense for which the offender or delinquent child has the duty to register under section 2950.04 of the Revised Code or has been adjudicated a child-victim predator relative to the child-victim oriented offense for which the offender or child has the duty to register under section 2950.041 of the Revised Code, and the court has not subsequently determined pursuant to section 2152.84 or 2152.85 of the Revised Code regarding a delinquent child that the delinquent child no longer is a sexual predator or no longer is a child-victim predator, whichever is applicable.

(b) The offender or delinquent child has been determined pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, division (B) of section 2152.83, section 2152.84, or section 2152.85 of the Revised Code to be a habitual sex offender or a habitual child-victim offender, the court has imposed a requirement under that division or section subjecting the habitual sex offender or



habitual child-victim offender to this section, and the determination has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code regarding a delinquent child.

(c) The sexually oriented offense for which the offender has the duty to register under section 2950.04 of the Revised Code is an aggravated sexually oriented offense, regardless of whether the offender has been adjudicated a sexual predator relative to the offense or has been determined to be a habitual sex offender.

(2) The notification provisions of this section do not apply regarding a person who is convicted of or pleads guilty to, has been convicted of or pleaded guilty to, or is adjudicated a delinquent child for committing, a sexually oriented offense or a child-victim oriented offense, who is not in the category specified in either division (F)(1)(a) or (c) of this section, and who is determined pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, division (B) of section 2152.83, section 2152.84, or section 2152.85 of the Revised Code to be a habitual sex offender or habitual child-victim offender unless the sentencing or reviewing court imposes a requirement in the offender's sentence and in the judgment of conviction that contains the sentence or in the delinquent child's adjudication, or imposes a requirement as described in division (C)(2) of section 2950.09 or 2950.091 of the Revised Code, that subjects the offender or the delinquent child to the provisions of this section.

(G) The department of job and family services shall compile, maintain, and update in January and July of each year, a list of all agencies, centers, or homes of a type described in division (A)(2) or (6) of this section that contains the name of each agency, center, or home of that type, the county in which it is located, its address and telephone number, and the name of an administrative officer or employee of the agency, center, or home. The department of education shall compile, maintain, and update in January and July of each year, a list of all boards of education, schools, or programs of a type described in division (A)(3), (4), or (5) of this section that contains the name of each board of education, school, or program of that type, the county in which it is located, its address and telephone number, the name of the superintendent of the board or of an administrative officer or employee of the school or program, and, in relation to a board of education, the county or counties in which each of its schools is located and the address of each such school. The Ohio board of regents shall compile, maintain, and update in January and July of each year, a list of all institutions of a type described in division (A)(7) of this section that contains the name of each such institution, the county in which it is located, its address and telephone number, and the name of its president or other chief administrative officer. A sheriff required by division (A) or (C) of this section, or authorized by division (D)(2) of this section, to provide notices regarding an offender or delinquent child, or a designee of a sheriff of that type, may request the department of job and family services, department of education, or Ohio board of regents, by telephone, in person, or by mail, to provide the sheriff or designee with the names, addresses, and telephone numbers of the appropriate persons and entities

to whom the notices described in divisions (A)(2) to (7) of this section are to be provided. Upon receipt of a request, the department or board shall provide the requesting sheriff or designee with the names, addresses, and telephone numbers of the appropriate persons and entities to whom those notices are to be provided.

(H)(1) Upon the motion of the offender or the prosecuting attorney of the county in which the offender was convicted of or pleaded guilty to the sexually oriented offense or child-victim oriented offense for which the offender is subject to community notification under this section, or upon the motion of the sentencing judge or that judge's successor in office, the judge may schedule a hearing to determine whether the interests of justice would be served by suspending the community notification requirement under this section in relation to the offender. The judge may dismiss the motion without a hearing but may not issue an order suspending the community notification requirement without a hearing. At the hearing, all parties are entitled to be heard, and the judge shall consider all of the factors set forth in division (B)(3) of section 2950.09 of the Revised Code. If, at the conclusion of the hearing, the judge finds that the offender has proven by clear and convincing evidence that the offender is unlikely to commit in the future a sexually oriented offense or a child-victim oriented offense and if the judge finds that suspending the community notification requirement is in the interests of justice, the judge may suspend the application of this section in relation to the offender. The order shall contain both of these findings.

The judge promptly shall serve a copy of the order upon the sheriff with whom the offender most recently registered under section 2950.04, 2950.041, or 2950.05 of the Revised Code and upon the bureau of criminal identification and investigation.

An order suspending the community notification requirement does not suspend or otherwise alter an offender's duties to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code and does not suspend the victim notification requirement under section 2950.10 of the Revised Code.

(2) A prosecuting attorney, a sentencing judge or that judge's successor in office, and an offender who is subject to the community notification requirement under this section may initially make a motion under division (H)(1) of this section upon the expiration of twenty years after the offender's duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code begins in relation to the offense for which the offender is subject to community notification. After the initial making of a motion under division (H)(1) of this section, thereafter, the prosecutor, judge, and offender may make a subsequent motion under that division upon the expiration of five years after the judge has entered an order denying the initial motion or the most recent motion made under that division.

(3) The offender and the prosecuting attorney have the right to appeal an order approving or denying a motion made under division (H)(1) of this section.

(4) Division (H) of this section does not apply to any of the following types of offender:

(a) A person who is convicted of or pleads guilty to a violent sex offense or designated homicide, assault, or kidnapping offense and who, in relation to that offense, is adjudicated a sexually violent predator;

(b) A habitual sex offender or habitual child-victim oriented offender who is subject to community notification who, subsequent to being subjected to community notification, has pleaded guilty to or been convicted of a sexually oriented offense or a child-victim oriented offense;

(c) A sexual predator or child-victim predator who is not adjudicated a sexually violent predator who, subsequent to being subjected to community notification, has pleaded guilty to or been convicted of a sexually oriented offense or child-victim oriented offense."

In line 649, after "sections" insert "109.42,"; after "2929.20," insert "2950.10, 2950.11,"

In line 1 of the title, after "sections" insert "109.42,"; after "2929.20," insert "2950.10, 2950.11,"

In line 13 of the title, delete "and"

In line 14 of the title, delete "these" and insert "the above"

In line 15 of the title, delete the period and insert a semicolon; after the end quotation insert "and to require that victim or community notification under the SORN Law include a photograph of the registrant offender."

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 91, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Bocciari	Book
Brinkman	Brown	Bubp	Buehrer
Calvert	Carano	Carmichael	Cassell
Chandler	Coley	Collier	Combs
Core	Daniels	DeGeeter	DeWine
Distel	Dolan	Domenick	Driehaus
Faber	Fende	Fessler	Garrison
Gilb	Hagan	Hartnett	Healy
Hood	Hoops	Hughes	Kearns
Key	Kilbane	Koziura	Latta
Law	Martin	Mason	McGregor
Miller	Mitchell	Oelslager	Otterman
Patton S.	Patton T.	Perry	Peterson
Raga	Rausson	Redfern	Reidelbach
Reinhard	Sayre	Schaffer	Schlichter
Schneider	Seaver	Seitz	Setzer
Skindell	Smith G.	Stewart D.	Stewart J.
Strahorn	Sykes	Taylor	Trakas

Uecker	Ujvagi	Wagner	Wagoner
Webster	White	Widener	Widowfield
Willamowski	Williams	Wolpert	Woodard
Yates	Yuko		Husted-91.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 91, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Barrett	Beatty
Blasdel	Blessing	Bocchieri	Book
Brinkman	Brown	Bubp	Buehrer
Calvert	Carano	Carmichael	Cassell
Chandler	Coley	Collier	Combs
Core	Daniels	DeGeeter	DeWine
Distel	Dolan	Domenick	Driehaus
Faber	Fende	Fessler	Garrison
Gilb	Hagan	Hartnett	Healy
Hood	Hoops	Hughes	Kearns
Key	Kilbane	Koziura	Latta
Law	Martin	Mason	McGregor
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Raga	Raussen	Redfern	Reidelbach
Reinhard	Sayre	Schaffer	Schlichter
Schneider	Seaver	Seitz	Setzer
Skindell	Smith G.	Stewart D.	Stewart J.
Strahorn	Sykes	Taylor	Trakas
Uecker	Ujvagi	Wagner	Wagoner
Webster	White	Widener	Widowfield
Willamowski	Williams	Wolpert	Woodard
Yates	Yuko		Husted-91.

The bill passed.

Representative Hoops moved to amend the title as follows:

Add the names: "Beatty, Bocchieri, Book, Brown, Buehrer, Carmichael, Cassell, Chandler, Core, Daniels, Domenick, Faber, Fende, Garrison, Kilbane, Mason, Miller, Oelslager, Raga, Raussen, Reinhard, Sayre, Schlichter, Schneider, G. Smith, J. Stewart, Strahorn, Taylor, Trakas, Wagner, Wagoner, Williams, Mitchell."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 208**-Representatives Raga, Gibbs, D. Evans, Wolpert,

Kearns, White, Raussen.

To amend sections 1345.81, 4738.01, 4738.03, 4738.09, 4738.18, 4738.19, 4738.99, 4775.01, 4775.02, 4775.03, 4775.04, 4775.05, 4775.06, 4775.07, 4775.08, 4775.09, 4775.10, 4775.11, 4775.99, and 5703.21 of the Revised Code to allow licensed salvage motor vehicle auctions and pools to sell salvage motor vehicles only to specified authorized purchasers, to require the registration of motor vehicle mechanical repair facilities, to increase from five to nine the membership of the Motor Vehicle Salvage Dealer's Licensing Board, to change the name of the Board of Motor Vehicle Collision Repair Registration to the Board of Motor Vehicle Repair Registration, and to further amend section 4775.03 of the Revised Code on January 1, 2006, to dissolve the Board of Motor Vehicle Repair Registration and replace it with a new board of the same name, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Raga moved to amend as follows:

In line 145, delete the underlined semicolon and insert an underlined period

In line 1026, delete "governor" and insert "Governor"

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 66, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Allen	Aslanides	Blessing	Bocchieri
Brinkman	Brown	Bubp	Buehrer
Calvert	Carano	Carmichael	Coley
Collier	Combs	Core	Daniels
DeWine	Dolan	Domenick	Driehaus
Faber	Fessler	Garrison	Gilb
Hagan	Hood	Hoops	Kearns
Key	Kilbane	Koziura	Latta
Law	Martin	Mason	McGregor
Oelslager	Patton S.	Patton T.	Peterson
Raga	Raussen	Redfern	Reidelbach
Reinhard	Schlichter	Schneider	Seaver
Seitz	Setzer	Smith G.	Stewart D.
Stewart J.	Taylor	Trakas	Uecker
Wagner	Wagoner	Webster	White
Widener	Widowfield	Willamowski	Wolpert
Yates			Husted-66.

Those who voted in the negative were: Representatives

Barrett	Beatty	Blasdel	Book
Cassell	Chandler	DeGeeter	Distel
Fende	Hartnett	Healy	Hughes

Miller  
Sayre  
Sykes

Mitchell  
Schaffer  
Ujvagi

Otterman  
Skindell  
Williams

Perry  
Strahorn  
Woodard  
Yuko-25.

The bill passed.

Representative Raga moved to amend the title as follows:

Add the names: "Calvert, Hood."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Blasdel, the House recessed.

The House met pursuant to recess.

Representative Carmichael moved that the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

#### **REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION**

Representative Healy submitted the following report:

The standing committee on Rules and Reference to which was referred **H. B. No. 223**-Representative Calvert, et al., having had the same under consideration, recommends its re-referral to the committee on Civil and Commercial Law.

RE: JUDGEMENT HOMESTEAD EXEMPTION-INCREASE

JON A. HUSTED  
CHARLES E. CALVERT  
ANTHONY CORE  
MERLE GRACE KEARNS  
JOHN SCHLICHTER  
SHAWN N. WEBSTER  
WILLIAM J. HEALY  
JOYCE BEATTY

CHARLES R. BLASDEL  
JIM CARMICHAEL  
KEVIN DEWINE  
TOM RAGA  
GEOFFREY C. SMITH  
JOSEPH KOZIURA  
TIMOTHY J. DEGEETER  
ROBERT J. OTTERMAN

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Healy reported for the Rules and Reference Committee recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

**H.B. No. 283 - Representative Chandler, et al**

TO PERMIT COUNTIES AND TOWNSHIPS TO REGULATE SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT.

To the committee on Local and Municipal Government and Urban Revitalization

**H.B. No. 284 - Representative Raga, et al**

TO INCREASE THE PENALTIES FOR PANDERING OBSCENITY INVOLVING A MINOR, PANDERING SEXUALLY ORIENTED MATERIAL INVOLVING A MINOR, AND ILLEGAL USE OF A MINOR IN A NUDITY-ORIENTED MATERIAL OR PERFORMANCE.

To the committee on Criminal Justice

**H.B. No. 285 - Representative Willamowski**

TO PROHIBIT EMPLOYEES OF THE ADULT PAROLE AUTHORITY FROM BEING REQUIRED TO USE PRIVATE VEHICLES DURING THE COURSE OF THEIR EMPLOYMENT.

To the committee on Judiciary

**H.B. No. 286 - Representative Willamowski**

TO INCLUDE MUNICIPAL PARK RANGERS AND TOWNSHIP POLICE CADETS IN THE LAW ENFORCEMENT DIVISION OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS), TO PROVIDE FOR CONVERSION BY MUNICIPAL PARK RANGERS AND TOWNSHIP POLICE CADETS OF REGULAR PERS SERVICE CREDIT TO PERS LAW ENFORCEMENT SERVICE CREDIT, AND TO CREATE SPECIAL PROVISIONS IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR PUBLIC SAFETY OFFICERS.

To the committee on Financial Institutions, Real Estate and Securities

**H.B. No. 287 - Representative Aslanides, et al**

TO EXEMPT CERTAIN FREESTANDING BIRTHING CENTERS FROM THE REQUIREMENT THAT A CENTER OBTAIN A HEALTH CARE FACILITY LICENSE FROM THE DIRECTOR OF HEALTH.

To the committee on Health

**H.B. No. 288 - Representative Wagoner, et al**

TO REVISE THE STATUTE GOVERNING THE VESTING OF ABANDONED MINERAL RIGHTS AND TO ALLOW THE CHAIRPERSON OF THE OIL AND GAS COMMISSION TO APPOINT TEMPORARY MEMBERS TO THE COMMISSION FROM THE TECHNICAL ADVISORY COUNCIL ON OIL AND GAS WHEN A QUORUM OF THE COMMISSION CANNOT BE OBTAINED.

To the committee on Public Utilities and Energy

**H.B. No. 289 - Representative White**

REGARDING THE DUTIES OF THE OHIO FAMILY AND CHILDREN FIRST CABINET COUNCIL AND COUNTY FAMILY AND CHILDREN FIRST COUNCILS.

To the committee on Health

**Am. Sub. S.B. No. 7 - Senator Cates, et al**

TO MAKE VARIOUS CHANGES TO THE WORKERS' COMPENSATION LAW.

To the committee on State Government

**Sub. S.B. No. 147 - Senator Austria, et al**

TO AUTHORIZE THE CONVEYANCE OF STATE-OWNED REAL ESTATE IN STARK COUNTY TO THE CITY OF MASSILLON, IN WARREN COUNTY TO CINCINNATI GAS AND ELECTRIC COMPANY, IN BROWN COUNTY TO A PURCHASER TO BE DETERMINED, IN FRANKLIN COUNTY TO THE COLUMBUS BOARD OF EDUCATION, AND IN CLARK COUNTY TO A PURCHASER TO BE DETERMINED, AND TO DECLARE AN EMERGENCY.

To the committee on Local and Municipal Government and Urban Revitalization

JON A. HUSTED  
CHARLES E. CALVERT  
ANTHONY CORE  
MERLE GRACE KEARNS  
JOHN SCHLICHTER  
SHAWN N. WEBSTER  
KENNETH A. CARANO  
WILLIAM J. HEALY  
ROBERT J. OTTERMAN

CHARLES R. BLASDEL  
JIM CARMICHAEL  
KEVIN DEWINE  
TOM RAGA  
GEOFFREY C. SMITH  
JOYCE BEATTY  
TIMOTHY J. DEGEETER  
JOSEPH KOZIURA

Representative Carmichael moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills and Senate Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and Senate Bills were considered a second time and referred as recommended.

### MOTIONS AND RESOLUTIONS

Representative Healy reported for the Rules and Reference Committee recommending that the following House Concurrent Resolution and House Resolution be introduced and referred to the following committee for consideration:

**H. Con. R. No. 19 - Representatives White, Gilb, Perry, Ujvagi, C. Evans, Boccieri, Latta, Taylor, Kearns, Hood, Wolpert, Strahorn, Willamowski, McGregor, Sykes, Reidelbach, Combs**

TO FOCUS ON THE DARFUR GENOCIDE, WHICH THE UNITED



STATES DEPARTMENT OF STATE HAS CONCLUDED IS GENOCIDE, OCCURRING IN THE DARFUR REGION OF SUDAN, TO ENCOURAGE THE UNITED STATES TO CONTINUE ITS SUPPORT OF HUMANITARIAN EFFORTS IN AND CONTRIBUTIONS OF HUMANITARIAN AID TO THE REGION, TO ENCOURAGE THE UNITED STATES TO LEAD MULTILATERAL EFFORTS TO BRING THOSE RESPONSIBLE FOR THE EGREGIOUS HUMAN RIGHTS VIOLATIONS TO JUSTICE, AND TO ENCOURAGE OHIO COMPANIES AND INSTITUTIONS, MULTINATIONAL CORPORATIONS OPERATING IN OHIO, AND AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE TO DIVEST THEMSELVES OF INTERESTS IN ANY COMPANIES THAT CONDUCT BUSINESS IN SUDAN.

To the committee on State Government

**H.R. No. 66 - Representative Carano, Allen, T. Patton, Miller, McGregor, C. Evans, Harwood, Hagan, S. Patton, Williams, Perry, Bocchieri, Latta, Brown, Kearns, Setzer**

TO DESIGNATE MAY 15 AS "TAKE THE STAIRS DAY."

To the committee on State Government

Add the names: Beatty, Otterman

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Carmichael moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said resolutions were introduced and referred as recommended.

Representative Healy reported for the Rules and Reference Committee recommending that the following House Resolution be read by title only and approved:

**H.R. No. 67 - Representatives Fessler, Reidelbach, Taylor, Raga, Faber, C. Evans, Skindell, Wagner, McGregor, White, Carano, Gilb, G. Smith, Hughes, Flowers, Wolpert, Seaver, S. Patton, Oelslager, Harwood, Latta, Combs, Calvert, Schlichter, Brinkman, Collier, Yuko, D. Evans, Buehrer, Schaffer, Kearns, Setzer, Perry, Garrison, Hagan, Blasdel, Williams, Gibbs, Blessing, Aslanides, Hood**

RECOGNIZING THE NATIONAL DAY OF PRAYER, MAY 5, 2005.

Add the name: Beatty

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Carmichael moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be

approved.

The motion was agreed to.

Representative Healy reported for the Rules and Reference Committee recommending that the following House Resolution be read and approved:

**H.R. No. 68 - Representative Bupp, Speaker Husted, Representatives Redfern, Allen, Aslanides, Barrett, Beatty, Blasdel, Blessing, Bocchieri, Book, Brinkman, Brown, Buehrer, Calvert, Carano, Carmichael, Cassell, Chandler, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, DeWine, Distel, Dolan, Domenick, Driehaus, C. Evans, D. Evans, Faber, Fende, Fessler, Flowers, Garrison, Gibbs, Gilb, Hagan, Hartnett, Harwood, Healy, Hood, Hoops, Hughes, Kearns, Key, Kilbane, Koziura, Latta, Law, Martin, Mason, McGregor, Miller, Mitchell, Oelslager, Otterman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen, Reidelbach, Reinhard, Sayre, Schaffer, Schlichter, Schneider, Seaver, Seitz, Setzer, Skindell, G. Smith, S. Smith, D. Stewart, J. Stewart, Strahorn, Sykes, Taylor, Trakas, Uecker, Ujvagi, Wagner, Wagoner, Walcher, Webster, White, Widener, Widowfield, Willamowski, Williams, Wolpert, Woodard, Yates, Yuko**

IN MEMORY OF LANCE CORPORAL NICOLAS B. ERDY.

/s/ JON A. HUSTED

Jon A. Husted, Chair

Representative Carmichael moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be approved.

The motion was agreed to.

#### Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate insists on its amendments to:

**Am. Sub. H. B. No. 66** - Representative Calvert - et al.

and asks for a Committee of Conference.

Attest:

Matthew T. Schuler,  
Clerk.

#### MESSAGE FROM THE SPEAKER

The Speaker hereby appoints the following members of the House to the Committee of Conference on matters of difference between the two houses on

**Am. Sub. H.B. No. 66** - Representative Calvert - et al.

Representatives Calvert, Raga, and Miller.

## Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the President of the Senate has appointed as managers on the part of the Senate on matters of difference between the two Houses on:

**Am. Sub. H. B. No. 66** - Representative Calvert - et al.

Senators Carey, Amstutz and Roberts.

Attest:

Matthew T. Schuler,  
Clerk.

## Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the adoption of the following concurrent resolution:

**H. C. R. No. 5** - Representatives Hoops, Law, Reidelbach, Seitz, Setzer, Taylor, Webster, White, Barrett, Brown, Hartnett, Ujvagi, J. Stewart, Schaffer, Hagan, Combs, Trakas, Aslanides, Domenick, Wolpert, Hughes, Allen, Blasdel, Boccieri, Book, Carano, Cassell, Coley, Collier, Daniels, DeBose, Distel, Dolan, C. Evans, D. Evans, Faber, Flowers, Harwood, Kearns, Key, Koziura, Latta, Mason, McGregor, Oelslager, Otterman, T. Patton, Perry, Redfern, Schlichter, Seaver, G. Smith, Walcher Senators Hottinger, Clancy, Cates, Amstutz, Armbruster, Austria, Dann, Fedor, Grendell, Jacobson, Niehaus, Schuler, Schuring, Spada, Zurz, Wilson, Hagan, Harris, Mumper, Gardner, Brady, Carey, Coughlin, Goodman, Jordan, Mallory, Miller, Padgett, Prentiss, Roberts, Wachtmann

To memorialize the President of the United States to support the retention of the Continued Dumping and Subsidy Offset Act, which is important to Ohio industries, enabling them to reinvest and remain competitive in the international market.

Attest:

Matthew T. Schuler,  
Clerk.

On motion of Representative Carmichael, the House adjourned until Thursday, June 9, 2005 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.