



H.B. 241

127th General Assembly
(As Introduced)

Reps. Heard, Miller, Brady, Boyd, Budish, Fende, Dodd, Mallory, Harwood, Domenick, Collier, Bolon

BILL SUMMARY

- Requires any person who is required to register under the SORN Law (instead of a person who is convicted of or pleads guilty to a sexually oriented or child-victim oriented offense) to comply with the SORN Law's residency restrictions.
- Expands the restrictions on residence for sex offenders and child-victim offenders to also prohibit registered sex offenders and registered child-victim offenders from residing within 1,000 feet of a recreation center, playground, or other place where it is reasonable to expect children to frequent or linger.
- Requires a court to order any person who violates the residency restrictions of the SORN Law to vacate the person's residence or residential premises and allows the court to punish a failure to vacate within 30 days after being served with the order to vacate as contempt of court.
- Makes a violation of the residency restrictions a misdemeanor of the first degree.

CONTENT AND OPERATION

Residency restrictions under the SORN Law

Current law

Current law, as enacted by Am. Sub. S.B. 10 of the 127th General Assembly and not reflected in the bill, prohibits a person who is or has been convicted of or is or has pleaded guilty to a sexually oriented offense or a child-

victim oriented offense from establishing a residence or occupying residential premises within 1,000 feet of any school premises or preschool or child day-care center premises.¹ If a person violates this restriction, an owner or lessee of real property that is located within 1,000 feet of those premises, or the appropriate legal officer of the jurisdiction in which the residence is located, has a cause of action for injunctive relief against the person. The plaintiff is not required to prove irreparable harm in order to obtain the relief. (R.C. 2950.034.)

Current law provides no criminal penalty for a violation of the residency restriction.

The bill

Instead of applying the above described residency restriction to persons who are convicted of or who plead guilty to a sexually oriented offense or child-victim oriented offense, the bill prohibits any *person* who is *required to register under the SORN Law* from establishing a residence or occupying residential premises within 1,000 feet of any school premises, *recreation center, playground, or other place where it is reasonable to expect children to frequent or linger*. The bill also provides that in addition to any other injunctive relief, as described above, the court must order any person who violates the bill's residency restrictions to vacate the person's residence. The court may punish a person's failure to comply with such a court order within 30 days after being served with the order as contempt of court. The 30-day period for a person to comply with such a court order does not run during the pendency of the person's appeal of the court order. (R.C. 2950.031, renumbered by Am. Sub. S.B. 10 as R.C. 2950.034.)

The bill additionally establishes a criminal penalty for a person who violates the bill's residency restrictions. Under the bill, a person who resides in residential premises in violation of the bill's restrictions is guilty of a misdemeanor of the first degree. (R.C. 2950.99(D).)

HISTORY

ACTION	DATE
Introduced	05-30-07

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¹ The bill was introduced before the enactment of Am. Sub. S.B. 10 of the 127th General Assembly and thus does not reflect the current residency restrictions for sex offenders and child-victim offenders.