

**As Passed by the House**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Sub. H. B. No. 1**

**Representatives Sykes, Manning**

**Cosponsors: Representatives Riedel, O'Brien, Kent, Craig, Lanese, Boyd, Smith, R., Hill, Ashford, Dever, Holmes, Leland, McColley, Perales, Johnson, G., Antonio, West, Cera, Rogers, Retherford, Sheehy, Pelanda, Ramos, Butler, Henne, Boccieri, Sprague, Boggs, Fedor, Householder, DeVitis, Celebrezze, Rezabek, Anielski, Arndt, Brenner, Carfagna, Clyde, Cupp, Duffey, Edwards, Gavarone, Green, Greenspan, Hagan, Hambley, Howse, Ingram, Kelly, Koehler, Landis, Lepore-Hagan, Miller, Patterson, Reece, Reineke, Ryan, Scherer, Slaby, Smith, K., Stein, Strahorn, Sweeney**

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**A BILL**

To amend sections 109.42, 2151.34, 2903.214, 1  
2919.26, 2919.27, 3113.31, and 3113.33 and to 2  
enact section 3113.311 of the Revised Code to 3  
authorize the issuance of dating violence 4  
protection orders with respect to conduct 5  
directed at a petitioner alleging dating 6  
violence, to provide access to domestic violence 7  
shelters for victims of dating violence, and to 8  
require the Attorney General's victim's bill of 9  
rights pamphlet to include a notice that a 10  
petitioner alleging dating violence has the 11  
right to petition for a civil protection order. 12

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

**Section 1.** That sections 109.42, 2151.34, 2903.214, 13  
2919.26, 2919.27, 3113.31, and 3113.33 be amended and section 14

3113.311 of the Revised Code be enacted to read as follows: 15

**Sec. 109.42.** (A) The attorney general shall prepare and 16  
have printed a pamphlet that contains a compilation of all 17  
statutes relative to victim's rights in which the attorney 18  
general lists and explains the statutes in the form of a 19  
victim's bill of rights. The attorney general shall distribute 20  
the pamphlet to all sheriffs, marshals, municipal corporation 21  
and township police departments, constables, and other law 22  
enforcement agencies, to all prosecuting attorneys, city 23  
directors of law, village solicitors, and other similar chief 24  
legal officers of municipal corporations, and to organizations 25  
that represent or provide services for victims of crime. The 26  
victim's bill of rights set forth in the pamphlet shall contain 27  
a description of all of the rights of victims that are provided 28  
for in Chapter 2930. or in any other section of the Revised Code 29  
and shall include, but not be limited to, all of the following: 30

(1) The right of a victim or a victim's representative to 31  
attend a proceeding before a grand jury, in a juvenile case, or 32  
in a criminal case pursuant to a subpoena without being 33  
discharged from the victim's or representative's employment, 34  
having the victim's or representative's employment terminated, 35  
having the victim's or representative's pay decreased or 36  
withheld, or otherwise being punished, penalized, or threatened 37  
as a result of time lost from regular employment because of the 38  
victim's or representative's attendance at the proceeding 39  
pursuant to the subpoena, as set forth in section 2151.211, 40  
2930.18, 2939.121, or 2945.451 of the Revised Code; 41

(2) The potential availability pursuant to section 42  
2151.359 or 2152.61 of the Revised Code of a forfeited 43  
recognizance to pay damages caused by a child when the 44

delinquency of the child or child's violation of probation or 45  
community control is found to be proximately caused by the 46  
failure of the child's parent or guardian to subject the child 47  
to reasonable parental authority or to faithfully discharge the 48  
conditions of probation or community control; 49

(3) The availability of awards of reparations pursuant to 50  
sections 2743.51 to 2743.72 of the Revised Code for injuries 51  
caused by criminal offenses; 52

(4) The right of the victim in certain criminal or 53  
juvenile cases or a victim's representative to receive, pursuant 54  
to section 2930.06 of the Revised Code, notice of the date, 55  
time, and place of the trial or delinquency proceeding in the 56  
case or, if there will not be a trial or delinquency proceeding, 57  
information from the prosecutor, as defined in section 2930.01 58  
of the Revised Code, regarding the disposition of the case; 59

(5) The right of the victim in certain criminal or 60  
juvenile cases or a victim's representative to receive, pursuant 61  
to section 2930.04, 2930.05, or 2930.06 of the Revised Code, 62  
notice of the name of the person charged with the violation, the 63  
case or docket number assigned to the charge, and a telephone 64  
number or numbers that can be called to obtain information about 65  
the disposition of the case; 66

(6) The right of the victim in certain criminal or 67  
juvenile cases or of the victim's representative pursuant to 68  
section 2930.13 or 2930.14 of the Revised Code, subject to any 69  
reasonable terms set by the court as authorized under section 70  
2930.14 of the Revised Code, to make a statement about the 71  
victimization and, if applicable, a statement relative to the 72  
sentencing or disposition of the offender; 73

(7) The opportunity to obtain a court order, pursuant to 74  
section 2945.04 of the Revised Code, to prevent or stop the 75  
commission of the offense of intimidation of a crime victim or 76  
witness or an offense against the person or property of the 77  
complainant, or of the complainant's ward or child; 78

(8) The right of the victim in certain criminal or 79  
juvenile cases or a victim's representative pursuant to sections 80  
2151.38, 2929.20, 2930.10, 2930.16, and 2930.17 of the Revised 81  
Code to receive notice of a pending motion for judicial release, 82  
release pursuant to section 2967.19 of the Revised Code, or 83  
other early release of the person who committed the offense 84  
against the victim, to make an oral or written statement at the 85  
court hearing on the motion, and to be notified of the court's 86  
decision on the motion; 87

(9) The right of the victim in certain criminal or 88  
juvenile cases or a victim's representative pursuant to section 89  
2930.16, 2967.12, 2967.26, or 5139.56 of the Revised Code to 90  
receive notice of any pending commutation, pardon, parole, 91  
transitional control, discharge, other form of authorized 92  
release, post-release control, or supervised release for the 93  
person who committed the offense against the victim or any 94  
application for release of that person and to send a written 95  
statement relative to the victimization and the pending action 96  
to the adult parole authority or the release authority of the 97  
department of youth services; 98

(10) The right of the victim to bring a civil action 99  
pursuant to sections 2969.01 to 2969.06 of the Revised Code to 100  
obtain money from the offender's profit fund; 101

(11) The right, pursuant to section 3109.09 of the Revised 102  
Code, to maintain a civil action to recover compensatory damages 103

not exceeding ten thousand dollars and costs from the parent of 104  
a minor who willfully damages property through the commission of 105  
an act that would be a theft offense, as defined in section 106  
2913.01 of the Revised Code, if committed by an adult; 107

(12) The right, pursuant to section 3109.10 of the Revised 108  
Code, to maintain a civil action to recover compensatory damages 109  
not exceeding ten thousand dollars and costs from the parent of 110  
a minor who willfully and maliciously assaults a person; 111

(13) The possibility of receiving restitution from an 112  
offender or a delinquent child pursuant to section 2152.20, 113  
2929.18, or 2929.28 of the Revised Code; 114

(14) The right of the victim in certain criminal or 115  
juvenile cases or a victim's representative, pursuant to section 116  
2930.16 of the Revised Code, to receive notice of the escape 117  
from confinement or custody of the person who committed the 118  
offense, to receive that notice from the custodial agency of the 119  
person at the victim's last address or telephone number provided 120  
to the custodial agency, and to receive notice that, if either 121  
the victim's address or telephone number changes, it is in the 122  
victim's interest to provide the new address or telephone number 123  
to the custodial agency; 124

(15) The right of a victim of domestic violence to seek 125  
the issuance of a civil protection order pursuant to section 126  
3113.31 of the Revised Code, the right of a petitioner alleging 127  
dating violence to seek the issuance of a protection order under 128  
section 3113.311 of the Revised Code, the right of a victim of a 129  
violation of section 2903.14, 2909.06, 2909.07, 2911.12, 130  
2911.211, or 2919.22 of the Revised Code, a violation of a 131  
substantially similar municipal ordinance, or an offense of 132  
violence who is a family or household member of the offender at 133

the time of the offense to seek the issuance of a temporary 134  
protection order pursuant to section 2919.26 of the Revised 135  
Code, and the right of both types of victims to be accompanied 136  
by a victim advocate during court proceedings; 137

(16) The right of a victim of a sexually oriented offense 138  
or of a child-victim oriented offense that is committed by a 139  
person who is convicted of, pleads guilty to, or is adjudicated 140  
a delinquent child for committing the offense and who is in a 141  
category specified in division (B) of section 2950.10 of the 142  
Revised Code to receive, pursuant to that section, notice that 143  
the person has registered with a sheriff under section 2950.04, 144  
2950.041, or 2950.05 of the Revised Code and notice of the 145  
person's name, the person's residence that is registered, and 146  
the offender's school, institution of higher education, or place 147  
of employment address or addresses that are registered, the 148  
person's photograph, and a summary of the manner in which the 149  
victim must make a request to receive the notice. As used in 150  
this division, "sexually oriented offense" and "child-victim 151  
oriented offense" have the same meanings as in section 2950.01 152  
of the Revised Code. 153

(17) The right of a victim of certain sexually violent 154  
offenses committed by an offender who also is convicted of or 155  
pleads guilty to a sexually violent predator specification and 156  
who is sentenced to a prison term pursuant to division (A) (3) of 157  
section 2971.03 of the Revised Code, of a victim of a violation 158  
of division (A) (1) (b) of section 2907.02 of the Revised Code 159  
committed on or after January 2, 2007, by an offender who is 160  
sentenced for the violation pursuant to division (B) (1) (a), (b), 161  
or (c) of section 2971.03 of the Revised Code, of a victim of an 162  
attempted rape committed on or after January 2, 2007, by an 163  
offender who also is convicted of or pleads guilty to a 164

specification of the type described in section 2941.1418, 165  
2941.1419, or 2941.1420 of the Revised Code and is sentenced for 166  
the violation pursuant to division (B) (2) (a), (b), or (c) of 167  
section 2971.03 of the Revised Code, and of a victim of an 168  
offense that is described in division (B) (3) (a), (b), (c), or 169  
(d) of section 2971.03 of the Revised Code and is committed by 170  
an offender who is sentenced pursuant to one of those divisions 171  
to receive, pursuant to section 2930.16 of the Revised Code, 172  
notice of a hearing to determine whether to modify the 173  
requirement that the offender serve the entire prison term in a 174  
state correctional facility, whether to continue, revise, or 175  
revoke any existing modification of that requirement, or whether 176  
to terminate the prison term. As used in this division, 177  
"sexually violent offense" and "sexually violent predator 178  
specification" have the same meanings as in section 2971.01 of 179  
the Revised Code. 180

(B) (1) (a) Subject to division (B) (1) (c) of this section, a 181  
prosecuting attorney, assistant prosecuting attorney, city 182  
director of law, assistant city director of law, village 183  
solicitor, assistant village solicitor, or similar chief legal 184  
officer of a municipal corporation or an assistant of any of 185  
those officers who prosecutes an offense committed in this 186  
state, upon first contact with the victim of the offense, the 187  
victim's family, or the victim's dependents, shall give the 188  
victim, the victim's family, or the victim's dependents a copy 189  
of the pamphlet prepared pursuant to division (A) of this 190  
section and explain, upon request, the information in the 191  
pamphlet to the victim, the victim's family, or the victim's 192  
dependents. 193

(b) Subject to division (B) (1) (c) of this section, a law 194  
enforcement agency that investigates an offense or delinquent 195

act committed in this state shall give the victim of the offense 196  
or delinquent act, the victim's family, or the victim's 197  
dependents a copy of the pamphlet prepared pursuant to division 198  
(A) of this section at one of the following times: 199

(i) Upon first contact with the victim, the victim's 200  
family, or the victim's dependents; 201

(ii) If the offense or delinquent act is an offense of 202  
violence, if the circumstances of the offense or delinquent act 203  
and the condition of the victim, the victim's family, or the 204  
victim's dependents indicate that the victim, the victim's 205  
family, or the victim's dependents will not be able to 206  
understand the significance of the pamphlet upon first contact 207  
with the agency, and if the agency anticipates that it will have 208  
an additional contact with the victim, the victim's family, or 209  
the victim's dependents, upon the agency's second contact with 210  
the victim, the victim's family, or the victim's dependents. 211

If the agency does not give the victim, the victim's 212  
family, or the victim's dependents a copy of the pamphlet upon 213  
first contact with them and does not have a second contact with 214  
the victim, the victim's family, or the victim's dependents, the 215  
agency shall mail a copy of the pamphlet to the victim, the 216  
victim's family, or the victim's dependents at their last known 217  
address. 218

(c) In complying on and after December 9, 1994, with the 219  
duties imposed by division (B) (1) (a) or (b) of this section, an 220  
official or a law enforcement agency shall use copies of the 221  
pamphlet that are in the official's or agency's possession on 222  
December 9, 1994, until the official or agency has distributed 223  
all of those copies. After the official or agency has 224  
distributed all of those copies, the official or agency shall 225



use only copies of the pamphlet that contain at least the 226  
information described in divisions (A) (1) to (17) of this 227  
section. 228

(2) The failure of a law enforcement agency or of a 229  
prosecuting attorney, assistant prosecuting attorney, city 230  
director of law, assistant city director of law, village 231  
solicitor, assistant village solicitor, or similar chief legal 232  
officer of a municipal corporation or an assistant to any of 233  
those officers to give, as required by division (B) (1) of this 234  
section, the victim of an offense or delinquent act, the 235  
victim's family, or the victim's dependents a copy of the 236  
pamphlet prepared pursuant to division (A) of this section does 237  
not give the victim, the victim's family, the victim's 238  
dependents, or a victim's representative any rights under 239  
section 2743.51 to 2743.72, 2945.04, 2967.12, 2969.01 to 240  
2969.06, 3109.09, or 3109.10 of the Revised Code or under any 241  
other provision of the Revised Code and does not affect any 242  
right under those sections. 243

(3) A law enforcement agency, a prosecuting attorney or 244  
assistant prosecuting attorney, or a city director of law, 245  
assistant city director of law, village solicitor, assistant 246  
village solicitor, or similar chief legal officer of a municipal 247  
corporation that distributes a copy of the pamphlet prepared 248  
pursuant to division (A) of this section shall not be required 249  
to distribute a copy of an information card or other printed 250  
material provided by the clerk of the court of claims pursuant 251  
to section 2743.71 of the Revised Code. 252

(C) The cost of printing and distributing the pamphlet 253  
prepared pursuant to division (A) of this section shall be paid 254  
out of the reparations fund, created pursuant to section 255

2743.191 of the Revised Code, in accordance with division (D) of that section.	256 257
(D) As used in this section:	258
(1) "Victim's representative" has the same meaning as in section 2930.01 of the Revised Code;	259 260
(2) "Victim advocate" has the same meaning as in section 2919.26 of the Revised Code.	261 262
<b>Sec. 2151.34.</b> (A) As used in this section:	263
(1) "Court" means the juvenile division of the court of common pleas of the county in which the person to be protected by the protection order resides.	264 265 266
(2) "Victim advocate" means a person who provides support and assistance for a person who files a petition under this section.	267 268 269
(3) "Family or household member" has the same meaning as in section 3113.31 of the Revised Code.	270 271
(4) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code.	272 273
(5) "Petitioner" means a person who files a petition under this section and includes a person on whose behalf a petition under this section is filed.	274 275 276
(6) "Respondent" means a person who is under eighteen years of age and against whom a petition is filed under this section.	277 278 279
(7) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	280 281
(8) "Electronic monitoring" has the same meaning as in	282

section 2929.01 of the Revised Code.	283
(9) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.	284 285
(B) The court has jurisdiction over all proceedings under this section.	286 287
(C) (1) Any of the following persons may seek relief under this section by filing a petition with the court:	288 289
(a) Any person on behalf of that person;	290
(b) Any parent or adult family or household member on behalf of any other family or household member;	291 292
(c) Any person who is determined by the court in its discretion as an appropriate person to seek relief under this section on behalf of any child.	293 294 295
(2) The petition shall contain or state all of the following:	296 297
(a) An allegation that the respondent engaged in a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, committed a sexually oriented offense, or engaged in a violation of any municipal ordinance that is substantially equivalent to any of those offenses against the person to be protected by the protection order, including a description of the nature and extent of the violation;	298 299 300 301 302 303 304 305
(b) If the petitioner seeks relief in the form of electronic monitoring of the respondent, an allegation that at any time preceding the filing of the petition the respondent engaged in conduct that would cause a reasonable person to believe that the health, welfare, or safety of the person to be	306 307 308 309 310

protected was at risk, a description of the nature and extent of 311  
that conduct, and an allegation that the respondent presents a 312  
continuing danger to the person to be protected; 313

(c) A request for relief under this section. 314

(3) The court in its discretion may determine whether or 315  
not to give notice that a petition has been filed under division 316  
(C) (1) of this section on behalf of a child to any of the 317  
following: 318

(a) A parent of the child if the petition was filed by any 319  
person other than a parent of the child; 320

(b) Any person who is determined by the court to be an 321  
appropriate person to receive notice of the filing of the 322  
petition. 323

(D) (1) If a person who files a petition pursuant to this 324  
section requests an ex parte order, the court shall hold an ex 325  
parte hearing as soon as possible after the petition is filed, 326  
but not later than the next day after the court is in session 327  
after the petition is filed. The court, for good cause shown at 328  
the ex parte hearing, may enter any temporary orders, with or 329  
without bond, that the court finds necessary for the safety and 330  
protection of the person to be protected by the order. Immediate 331  
and present danger to the person to be protected by the 332  
protection order constitutes good cause for purposes of this 333  
section. Immediate and present danger includes, but is not 334  
limited to, situations in which the respondent has threatened 335  
the person to be protected by the protection order with bodily 336  
harm or in which the respondent previously has been convicted 337  
of, pleaded guilty to, or been adjudicated a delinquent child 338  
for committing a violation of section 2903.11, 2903.12, 2903.13, 339

2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, a sexually oriented offense, or a violation of any municipal ordinance that is substantially equivalent to any of those offenses against the person to be protected by the protection order.

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

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

(ii) The parties consent to the continuance.

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

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

(b) An ex parte order issued under this section does not expire because of a failure to serve notice of the full hearing upon the respondent before the date set for the full hearing

under division (D) (2) (a) of this section or because the court 369  
grants a continuance under that division. 370

(3) If a person who files a petition pursuant to this 371  
section does not request an ex parte order, or if a person 372  
requests an ex parte order but the court does not issue an ex 373  
parte order after an ex parte hearing, the court shall proceed 374  
as in a normal civil action and grant a full hearing on the 375  
matter. 376

(E) (1) (a) After an ex parte or full hearing, the court may 377  
issue any protection order, with or without bond, that contains 378  
terms designed to ensure the safety and protection of the person 379  
to be protected by the protection order. The court may include 380  
within a protection order issued under this section a term 381  
requiring that the respondent not remove, damage, hide, harm, or 382  
dispose of any companion animal owned or possessed by the person 383  
to be protected by the order, and may include within the order a 384  
term authorizing the person to be protected by the order to 385  
remove a companion animal owned by the person to be protected by 386  
the order from the possession of the respondent. 387

(b) After a full hearing, if the court considering a 388  
petition that includes an allegation of the type described in 389  
division (C) (2) (b) of this section or the court, upon its own 390  
motion, finds upon clear and convincing evidence that the 391  
petitioner reasonably believed that the respondent's conduct at 392  
any time preceding the filing of the petition endangered the 393  
health, welfare, or safety of the person to be protected and 394  
that the respondent presents a continuing danger to the person 395  
to be protected and if division (N) of this section does not 396  
prohibit the issuance of an order that the respondent be 397  
electronically monitored, the court may order that the 398

respondent be electronically monitored for a period of time and 399  
under the terms and conditions that the court determines are 400  
appropriate. Electronic monitoring shall be in addition to any 401  
other relief granted to the petitioner. 402

(2) (a) Any protection order issued pursuant to this 403  
section shall be valid until a date certain but not later than 404  
the date the respondent attains nineteen years of age. 405

(b) Any protection order issued pursuant to this section 406  
may be renewed in the same manner as the original order was 407  
issued. 408

(3) A court may not issue a protection order that requires 409  
a petitioner to do or to refrain from doing an act that the 410  
court may require a respondent to do or to refrain from doing 411  
under division (E) (1) of this section unless all of the 412  
following apply: 413

(a) The respondent files a separate petition for a 414  
protection order in accordance with this section. 415

(b) The petitioner is served with notice of the 416  
respondent's petition at least forty-eight hours before the 417  
court holds a hearing with respect to the respondent's petition, 418  
or the petitioner waives the right to receive this notice. 419

(c) If the petitioner has requested an ex parte order 420  
pursuant to division (D) of this section, the court does not 421  
delay any hearing required by that division beyond the time 422  
specified in that division in order to consolidate the hearing 423  
with a hearing on the petition filed by the respondent. 424

(d) After a full hearing at which the respondent presents 425  
evidence in support of the request for a protection order and 426  
the petitioner is afforded an opportunity to defend against that 427

evidence, the court determines that the petitioner has committed 428  
a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 429  
2903.211, 2903.22, or 2911.211 of the Revised Code, a sexually 430  
oriented offense, or a violation of any municipal ordinance that 431  
is substantially equivalent to any of those offenses against the 432  
person to be protected by the protection order issued pursuant 433  
to division (E) (3) of this section, or has violated a protection 434  
order issued pursuant to this section or section 2903.213 of the 435  
Revised Code relative to the person to be protected by the 436  
protection order issued pursuant to division (E) (3) of this 437  
section. 438

(4) No protection order issued pursuant to this section 439  
shall in any manner affect title to any real property. 440

(5) (a) A protection order issued under this section shall 441  
clearly state that the person to be protected by the order 442  
cannot waive or nullify by invitation or consent any requirement 443  
in the order. 444

(b) Division (E) (5) (a) of this section does not limit any 445  
discretion of a court to determine that a respondent alleged to 446  
have violated section 2919.27 of the Revised Code, violated a 447  
municipal ordinance substantially equivalent to that section, or 448  
committed contempt of court, which allegation is based on an 449  
alleged violation of a protection order issued under this 450  
section, did not commit the violation or was not in contempt of 451  
court. 452

(6) Any protection order issued pursuant to this section 453  
shall include a provision that the court will automatically seal 454  
all of the records of the proceeding in which the order is 455  
issued on the date the respondent attains the age of nineteen 456  
years unless the petitioner provides the court with evidence 457



that the respondent has not complied with all of the terms of 458  
the protection order. The protection order shall specify the 459  
date when the respondent attains the age of nineteen years. 460

(F) (1) The court shall cause the delivery of a copy of any 461  
protection order that is issued under this section to the 462  
petitioner, to the respondent, and to all law enforcement 463  
agencies that have jurisdiction to enforce the order. The court 464  
shall direct that a copy of the order be delivered to the 465  
respondent and the parent, guardian, or legal custodian of the 466  
respondent on the same day that the order is entered. 467

(2) Upon the issuance of a protection order under this 468  
section, the court shall provide the parties to the order with 469  
the following notice orally or by form: 470

"NOTICE 471

As a result of this order, it may be unlawful for you to 472  
possess or purchase a firearm, including a rifle, pistol, or 473  
revolver, or ammunition pursuant to federal law under 18 U.S.C. 474  
922(g) (8) for the duration of this order. If you have any 475  
questions whether this law makes it illegal for you to possess 476  
or purchase a firearm or ammunition, you should consult an 477  
attorney." 478

(3) All law enforcement agencies shall establish and 479  
maintain an index for the protection orders delivered to the 480  
agencies pursuant to division (F) (1) of this section. With 481  
respect to each order delivered, each agency shall note on the 482  
index the date and time that it received the order. 483

(4) Regardless of whether the petitioner has registered 484  
the protection order in the county in which the officer's agency 485  
has jurisdiction pursuant to division (M) of this section, any 486

officer of a law enforcement agency shall enforce a protection 487  
order issued pursuant to this section by any court in this state 488  
in accordance with the provisions of the order, including 489  
removing the respondent from the premises, if appropriate. 490

(G) Any proceeding under this section shall be conducted 491  
in accordance with the Rules of Civil Procedure, except that a 492  
protection order may be obtained under this section with or 493  
without bond. An order issued under this section, other than an 494  
ex parte order, that grants a protection order, or that refuses 495  
to grant a protection order, is a final, appealable order. The 496  
remedies and procedures provided in this section are in addition 497  
to, and not in lieu of, any other available civil or criminal 498  
remedies or any other available remedies under Chapter 2151. or 499  
2152. of the Revised Code. 500

(H) The filing of proceedings under this section does not 501  
excuse a person from filing any report or giving any notice 502  
required by section 2151.421 of the Revised Code or by any other 503  
law. 504

(I) Any law enforcement agency that investigates an 505  
alleged violation of section 2903.11, 2903.12, 2903.13, 2903.21, 506  
2903.211, 2903.22, or 2911.211 of the Revised Code, an alleged 507  
commission of a sexually oriented offense, or an alleged 508  
violation of a municipal ordinance that is substantially 509  
equivalent to any of those offenses shall provide information to 510  
the victim and the family or household members of the victim 511  
regarding the relief available under this section. 512

(J) (1) Subject to division (J) (2) of this section and 513  
regardless of whether a protection order is issued or a consent 514  
agreement is approved by a court of another county or by a court 515  
of another state, no court or unit of state or local government 516

shall charge the petitioner any fee, cost, deposit, or money in 517  
connection with the filing of a petition pursuant to this 518  
section, in connection with the filing, issuance, registration, 519  
modification, enforcement, dismissal, withdrawal, or service of 520  
a protection order, consent agreement, or witness subpoena or 521  
for obtaining a certified copy of a protection order or consent 522  
agreement. 523

(2) Regardless of whether a protection order is issued or 524  
a consent agreement is approved pursuant to this section, the 525  
court may assess costs against the respondent in connection with 526  
the filing, issuance, registration, modification, enforcement, 527  
dismissal, withdrawal, or service of a protection order, consent 528  
agreement, or witness subpoena or for obtaining a certified copy 529  
of a protection order or consent agreement. 530

(K) (1) A person who violates a protection order issued 531  
under this section is subject to the following sanctions: 532

(a) A delinquent child proceeding or a criminal 533  
prosecution for a violation of section 2919.27 of the Revised 534  
Code, if the violation of the protection order constitutes a 535  
violation of that section; 536

(b) Punishment for contempt of court. 537

(2) The punishment of a person for contempt of court for 538  
violation of a protection order issued under this section does 539  
not bar criminal prosecution of the person or a delinquent child 540  
proceeding concerning the person for a violation of section 541  
2919.27 of the Revised Code. However, a person punished for 542  
contempt of court is entitled to credit for the punishment 543  
imposed upon conviction of or adjudication as a delinquent child 544  
for a violation of that section, and a person convicted of or 545

adjudicated a delinquent child for a violation of that section 546  
shall not subsequently be punished for contempt of court arising 547  
out of the same activity. 548

(L) In all stages of a proceeding under this section, a 549  
petitioner may be accompanied by a victim advocate. 550

(M) (1) A petitioner who obtains a protection order under 551  
this section may provide notice of the issuance or approval of 552  
the order to the judicial and law enforcement officials in any 553  
county other than the county in which the order is issued by 554  
registering that order in the other county pursuant to division 555  
(M) (2) of this section and filing a copy of the registered order 556  
with a law enforcement agency in the other county in accordance 557  
with that division. A person who obtains a protection order 558  
issued by a court of another state may provide notice of the 559  
issuance of the order to the judicial and law enforcement 560  
officials in any county of this state by registering the order 561  
in that county pursuant to section 2919.272 of the Revised Code 562  
and filing a copy of the registered order with a law enforcement 563  
agency in that county. 564

(2) A petitioner may register a protection order issued 565  
pursuant to this section in a county other than the county in 566  
which the court that issued the order is located in the 567  
following manner: 568

(a) The petitioner shall obtain a certified copy of the 569  
order from the clerk of the court that issued the order and 570  
present that certified copy to the clerk of the court of common 571  
pleas or the clerk of a municipal court or county court in the 572  
county in which the order is to be registered. 573

(b) Upon accepting the certified copy of the order for 574

registration, the clerk of the court of common pleas, municipal 575  
court, or county court shall place an endorsement of 576  
registration on the order and give the petitioner a copy of the 577  
order that bears that proof of registration. 578

(3) The clerk of each court of common pleas, municipal 579  
court, or county court shall maintain a registry of certified 580  
copies of protection orders that have been issued by courts in 581  
other counties pursuant to this section and that have been 582  
registered with the clerk. 583

(N) If the court orders electronic monitoring of the 584  
respondent under this section, the court shall direct the 585  
sheriff's office or any other appropriate law enforcement agency 586  
to install the electronic monitoring device and to monitor the 587  
respondent. Unless the court determines that the respondent is 588  
indigent, the court shall order the respondent to pay the cost 589  
of the installation and monitoring of the electronic monitoring 590  
device. If the court determines that the respondent is indigent 591  
and subject to the maximum amount allowable to be paid in any 592  
year from the fund and the rules promulgated by the attorney 593  
general under section 2903.214 of the Revised Code, the cost of 594  
the installation and monitoring of the electronic monitoring 595  
device may be paid out of funds from the reparations fund 596  
created pursuant to section 2743.191 of the Revised Code. The 597  
total amount paid from the reparations fund created pursuant to 598  
section 2743.191 of the Revised Code for electronic monitoring 599  
under this section and sections 2903.214 and 2919.27 of the 600  
Revised Code shall not exceed three hundred thousand dollars per 601  
year. When the total amount paid from the reparations fund in 602  
any year for electronic monitoring under those sections equals 603  
or exceeds three hundred thousand dollars, the court shall not 604  
order pursuant to this section that an indigent respondent be 605

electronically monitored. 606

(O) The court, in its discretion, may determine if the 607  
respondent is entitled to court-appointed counsel in a 608  
proceeding under this section. 609

**Sec. 2903.214.** (A) As used in this section: 610

(1) "Court" means the court of common pleas of the county 611  
in which the person to be protected by the protection order 612  
resides. 613

(2) "Victim advocate" means a person who provides support 614  
and assistance for a person who files a petition under this 615  
section. 616

(3) "Family or household member" has the same meaning as 617  
in section 3113.31 of the Revised Code. 618

(4) "Protection order issued by a court of another state" 619  
has the same meaning as in section 2919.27 of the Revised Code. 620

(5) "Sexually oriented offense" has the same meaning as in 621  
section 2950.01 of the Revised Code. 622

(6) "Electronic monitoring" has the same meaning as in 623  
section 2929.01 of the Revised Code. 624

(7) "Companion animal" has the same meaning as in section 625  
959.131 of the Revised Code. 626

(B) The court has jurisdiction over all proceedings under 627  
this section. 628

(C) A person may seek relief under this section for the 629  
person, or any parent or adult household member may seek relief 630  
under this section on behalf of any other family or household 631  
member, by filing a petition with the court. The petition shall 632

contain or state all of the following: 633

(1) An allegation that the respondent is eighteen years of 634  
age or older and engaged in a violation of section 2903.211 of 635  
the Revised Code against the person to be protected by the 636  
protection order or committed a sexually oriented offense 637  
against the person to be protected by the protection order, 638  
including a description of the nature and extent of the 639  
violation; 640

(2) If the petitioner seeks relief in the form of 641  
electronic monitoring of the respondent, an allegation that at 642  
any time preceding the filing of the petition the respondent 643  
engaged in conduct that would cause a reasonable person to 644  
believe that the health, welfare, or safety of the person to be 645  
protected was at risk, a description of the nature and extent of 646  
that conduct, and an allegation that the respondent presents a 647  
continuing danger to the person to be protected; 648

(3) A request for relief under this section. 649

(D) (1) If a person who files a petition pursuant to this 650  
section requests an ex parte order, the court shall hold an ex 651  
parte hearing as soon as possible after the petition is filed, 652  
but not later than the next day that the court is in session 653  
after the petition is filed. The court, for good cause shown at 654  
the ex parte hearing, may enter any temporary orders, with or 655  
without bond, that the court finds necessary for the safety and 656  
protection of the person to be protected by the order. Immediate 657  
and present danger to the person to be protected by the 658  
protection order constitutes good cause for purposes of this 659  
section. Immediate and present danger includes, but is not 660  
limited to, situations in which the respondent has threatened 661  
the person to be protected by the protection order with bodily 662

harm or in which the respondent previously has been convicted of 663  
or pleaded guilty to a violation of section 2903.211 of the 664  
Revised Code or a sexually oriented offense against the person 665  
to be protected by the protection order. 666

(2) (a) If the court, after an ex parte hearing, issues a 667  
protection order described in division (E) of this section, the 668  
court shall schedule a full hearing for a date that is within 669  
ten court days after the ex parte hearing. The court shall give 670  
the respondent notice of, and an opportunity to be heard at, the 671  
full hearing. The court shall hold the full hearing on the date 672  
scheduled under this division unless the court grants a 673  
continuance of the hearing in accordance with this division. 674  
Under any of the following circumstances or for any of the 675  
following reasons, the court may grant a continuance of the full 676  
hearing to a reasonable time determined by the court: 677

(i) Prior to the date scheduled for the full hearing under 678  
this division, the respondent has not been served with the 679  
petition filed pursuant to this section and notice of the full 680  
hearing. 681

(ii) The parties consent to the continuance. 682

(iii) The continuance is needed to allow a party to obtain 683  
counsel. 684

(iv) The continuance is needed for other good cause. 685

(b) An ex parte order issued under this section does not 686  
expire because of a failure to serve notice of the full hearing 687  
upon the respondent before the date set for the full hearing 688  
under division (D) (2) (a) of this section or because the court 689  
grants a continuance under that division. 690

(3) If a person who files a petition pursuant to this 691



section does not request an ex parte order, or if a person 692  
requests an ex parte order but the court does not issue an ex 693  
parte order after an ex parte hearing, the court shall proceed 694  
as in a normal civil action and grant a full hearing on the 695  
matter. 696

(E) (1) (a) After an ex parte or full hearing, the court may 697  
issue any protection order, with or without bond, that contains 698  
terms designed to ensure the safety and protection of the person 699  
to be protected by the protection order, including, but not 700  
limited to, a requirement that the respondent refrain from 701  
entering the residence, school, business, or place of employment 702  
of the petitioner or family or household member. If the court 703  
includes a requirement that the respondent refrain from entering 704  
the residence, school, business, or place of employment of the 705  
petitioner or family or household member in the order, it also 706  
shall include in the order provisions of the type described in 707  
division (E) (5) of this section. The court may include within a 708  
protection order issued under this section a term requiring that 709  
the respondent not remove, damage, hide, harm, or dispose of any 710  
companion animal owned or possessed by the person to be 711  
protected by the order, and may include within the order a term 712  
authorizing the person to be protected by the order to remove a 713  
companion animal owned by the person to be protected by the 714  
order from the possession of the respondent. 715

(b) After a full hearing, if the court considering a 716  
petition that includes an allegation of the type described in 717  
division (C) (2) of this section, or the court upon its own 718  
motion, finds upon clear and convincing evidence that the 719  
petitioner reasonably believed that the respondent's conduct at 720  
any time preceding the filing of the petition endangered the 721  
health, welfare, or safety of the person to be protected and 722

that the respondent presents a continuing danger to the person 723  
to be protected, the court may order that the respondent be 724  
electronically monitored for a period of time and under the 725  
terms and conditions that the court determines are appropriate. 726  
Electronic monitoring shall be in addition to any other relief 727  
granted to the petitioner. 728

(2) (a) Any protection order issued pursuant to this 729  
section shall be valid until a date certain but not later than 730  
five years from the date of its issuance. 731

(b) Any protection order issued pursuant to this section 732  
may be renewed in the same manner as the original order was 733  
issued. 734

(3) A court may not issue a protection order that requires 735  
a petitioner to do or to refrain from doing an act that the 736  
court may require a respondent to do or to refrain from doing 737  
under division (E) (1) of this section unless all of the 738  
following apply: 739

(a) The respondent files a separate petition for a 740  
protection order in accordance with this section. 741

(b) The petitioner is served with notice of the 742  
respondent's petition at least forty-eight hours before the 743  
court holds a hearing with respect to the respondent's petition, 744  
or the petitioner waives the right to receive this notice. 745

(c) If the petitioner has requested an ex parte order 746  
pursuant to division (D) of this section, the court does not 747  
delay any hearing required by that division beyond the time 748  
specified in that division in order to consolidate the hearing 749  
with a hearing on the petition filed by the respondent. 750

(d) After a full hearing at which the respondent presents 751

evidence in support of the request for a protection order and 752  
the petitioner is afforded an opportunity to defend against that 753  
evidence, the court determines that the petitioner has committed 754  
a violation of section 2903.211 of the Revised Code against the 755  
person to be protected by the protection order issued pursuant 756  
to division (E) (3) of this section, has committed a sexually 757  
oriented offense against the person to be protected by the 758  
protection order issued pursuant to division (E) (3) of this 759  
section, or has violated a protection order issued pursuant to 760  
section 2903.213 of the Revised Code relative to the person to 761  
be protected by the protection order issued pursuant to division 762  
(E) (3) of this section. 763

(4) No protection order issued pursuant to this section 764  
shall in any manner affect title to any real property. 765

(5) (a) If the court issues a protection order under this 766  
section that includes a requirement that the alleged offender 767  
refrain from entering the residence, school, business, or place 768  
of employment of the petitioner or a family or household member, 769  
the order shall clearly state that the order cannot be waived or 770  
nullified by an invitation to the alleged offender from the 771  
complainant to enter the residence, school, business, or place 772  
of employment or by the alleged offender's entry into one of 773  
those places otherwise upon the consent of the petitioner or 774  
family or household member. 775

(b) Division (E) (5) (a) of this section does not limit any 776  
discretion of a court to determine that an alleged offender 777  
charged with a violation of section 2919.27 of the Revised Code, 778  
with a violation of a municipal ordinance substantially 779  
equivalent to that section, or with contempt of court, which 780  
charge is based on an alleged violation of a protection order 781

issued under this section, did not commit the violation or was 782  
not in contempt of court. 783

(F) (1) The court shall cause the delivery of a copy of any 784  
protection order that is issued under this section to the 785  
petitioner, to the respondent, and to all law enforcement 786  
agencies that have jurisdiction to enforce the order. The court 787  
shall direct that a copy of the order be delivered to the 788  
respondent on the same day that the order is entered. 789

(2) Upon the issuance of a protection order under this 790  
section, the court shall provide the parties to the order with 791  
the following notice orally or by form: 792

"NOTICE 793

As a result of this order, it may be unlawful for you to 794  
possess or purchase a firearm, including a rifle, pistol, or 795  
revolver, or ammunition pursuant to federal law under 18 U.S.C. 796  
922(g) (8) for the duration of this order. If you have any 797  
questions whether this law makes it illegal for you to possess 798  
or purchase a firearm or ammunition, you should consult an 799  
attorney." 800

(3) All law enforcement agencies shall establish and 801  
maintain an index for the protection orders delivered to the 802  
agencies pursuant to division (F) (1) of this section. With 803  
respect to each order delivered, each agency shall note on the 804  
index the date and time that it received the order. 805

(4) Regardless of whether the petitioner has registered 806  
the protection order in the county in which the officer's agency 807  
has jurisdiction pursuant to division (M) of this section, any 808  
officer of a law enforcement agency shall enforce a protection 809  
order issued pursuant to this section by any court in this state 810

in accordance with the provisions of the order, including 811  
removing the respondent from the premises, if appropriate. 812

(G) Any proceeding under this section shall be conducted 813  
in accordance with the Rules of Civil Procedure, except that a 814  
protection order may be obtained under this section with or 815  
without bond. An order issued under this section, other than an 816  
ex parte order, that grants a protection order, or that refuses 817  
to grant a protection order, is a final, appealable order. The 818  
remedies and procedures provided in this section are in addition 819  
to, and not in lieu of, any other available civil or criminal 820  
remedies. 821

(H) The filing of proceedings under this section does not 822  
excuse a person from filing any report or giving any notice 823  
required by section 2151.421 of the Revised Code or by any other 824  
law. 825

(I) Any law enforcement agency that investigates an 826  
alleged violation of section 2903.211 of the Revised Code or an 827  
alleged commission of a sexually oriented offense shall provide 828  
information to the victim and the family or household members of 829  
the victim regarding the relief available under this section and 830  
section 2903.213 of the Revised Code. 831

(J) (1) Subject to division (J) (2) of this section and 832  
regardless of whether a protection order is issued or a consent 833  
agreement is approved by a court of another county or by a court 834  
of another state, no court or unit of state or local government 835  
shall charge the petitioner any fee, cost, deposit, or money in 836  
connection with the filing of a petition pursuant to this 837  
section, in connection with the filing, issuance, registration, 838  
modification, enforcement, dismissal, withdrawal, or service of 839  
a protection order, consent agreement, or witness subpoena or 840

for obtaining a certified copy of a protection order or consent agreement. 841  
842

(2) Regardless of whether a protection order is issued or 843  
a consent agreement is approved pursuant to this section, the 844  
court may assess costs against the respondent in connection with 845  
the filing, issuance, registration, modification, enforcement, 846  
dismissal, withdrawal, or service of a protection order, consent 847  
agreement, or witness subpoena or for obtaining a certified copy 848  
of a protection order or consent agreement. 849

(K) (1) A person who violates a protection order issued 850  
under this section is subject to the following sanctions: 851

(a) Criminal prosecution for a violation of section 852  
2919.27 of the Revised Code, if the violation of the protection 853  
order constitutes a violation of that section; 854

(b) Punishment for contempt of court. 855

(2) The punishment of a person for contempt of court for 856  
violation of a protection order issued under this section does 857  
not bar criminal prosecution of the person for a violation of 858  
section 2919.27 of the Revised Code. However, a person punished 859  
for contempt of court is entitled to credit for the punishment 860  
imposed upon conviction of a violation of that section, and a 861  
person convicted of a violation of that section shall not 862  
subsequently be punished for contempt of court arising out of 863  
the same activity. 864

(L) In all stages of a proceeding under this section, a 865  
petitioner may be accompanied by a victim advocate. 866

(M) (1) A petitioner who obtains a protection order under 867  
this section or a protection order under section 2903.213 of the 868  
Revised Code may provide notice of the issuance or approval of 869

the order to the judicial and law enforcement officials in any 870  
county other than the county in which the order is issued by 871  
registering that order in the other county pursuant to division 872  
(M) (2) of this section and filing a copy of the registered order 873  
with a law enforcement agency in the other county in accordance 874  
with that division. A person who obtains a protection order 875  
issued by a court of another state may provide notice of the 876  
issuance of the order to the judicial and law enforcement 877  
officials in any county of this state by registering the order 878  
in that county pursuant to section 2919.272 of the Revised Code 879  
and filing a copy of the registered order with a law enforcement 880  
agency in that county. 881

(2) A petitioner may register a protection order issued 882  
pursuant to this section or section 2903.213 of the Revised Code 883  
in a county other than the county in which the court that issued 884  
the order is located in the following manner: 885

(a) The petitioner shall obtain a certified copy of the 886  
order from the clerk of the court that issued the order and 887  
present that certified copy to the clerk of the court of common 888  
pleas or the clerk of a municipal court or county court in the 889  
county in which the order is to be registered. 890

(b) Upon accepting the certified copy of the order for 891  
registration, the clerk of the court of common pleas, municipal 892  
court, or county court shall place an endorsement of 893  
registration on the order and give the petitioner a copy of the 894  
order that bears that proof of registration. 895

(3) The clerk of each court of common pleas, municipal 896  
court, or county court shall maintain a registry of certified 897  
copies of protection orders that have been issued by courts in 898  
other counties pursuant to this section or section 2903.213 of 899

the Revised Code and that have been registered with the clerk. 900

(N) (1) If the court orders electronic monitoring of the 901  
respondent under this section, the court shall direct the 902  
sheriff's office or any other appropriate law enforcement agency 903  
to install the electronic monitoring device and to monitor the 904  
respondent. Unless the court determines that the respondent is 905  
indigent, the court shall order the respondent to pay the cost 906  
of the installation and monitoring of the electronic monitoring 907  
device. If the court determines that the respondent is indigent 908  
and subject to the maximum amount allowable to be paid in any 909  
year from the fund and the rules promulgated by the attorney 910  
general under division (N) (2) of this section, the cost of the 911  
installation and monitoring of the electronic monitoring device 912  
may be paid out of funds from the reparations fund created 913  
pursuant to section 2743.191 of the Revised Code. The total 914  
amount of costs for the installation and monitoring of 915  
electronic monitoring devices paid pursuant to this division and 916  
sections 2151.34 and 2919.27 of the Revised Code from the 917  
reparations fund shall not exceed three hundred thousand dollars 918  
per year. 919

(2) The attorney general may promulgate rules pursuant to 920  
section 111.15 of the Revised Code to govern payments made from 921  
the reparations fund pursuant to this division and sections 922  
2151.34 and 2919.27 of the Revised Code. The rules may include 923  
reasonable limits on the total cost paid pursuant to this 924  
division and sections 2151.34 and 2919.27 of the Revised Code 925  
per respondent, the amount of the three hundred thousand dollars 926  
allocated to each county, and how invoices may be submitted by a 927  
county, court, or other entity. 928

**Sec. 2919.26.** (A) (1) Upon the filing of a complaint that 929



alleges a violation of section 2909.06, 2909.07, 2911.12, or 930  
2911.211 of the Revised Code if the alleged victim of the 931  
violation was a family or household member at the time of the 932  
violation, a violation of a municipal ordinance that is 933  
substantially similar to any of those sections if the alleged 934  
victim of the violation was a family or household member at the 935  
time of the violation, any offense of violence if the alleged 936  
victim of the offense was a family or household member at the 937  
time of the commission of the offense, or any sexually oriented 938  
offense if the alleged victim of the offense was a family or 939  
household member at the time of the commission of the offense, 940  
the complainant, the alleged victim, or a family or household 941  
member of an alleged victim may file, or, if in an emergency the 942  
alleged victim is unable to file, a person who made an arrest 943  
for the alleged violation or offense under section 2935.03 of 944  
the Revised Code may file on behalf of the alleged victim, a 945  
motion that requests the issuance of a temporary protection 946  
order as a pretrial condition of release of the alleged 947  
offender, in addition to any bail set under Criminal Rule 46. 948  
The motion shall be filed with the clerk of the court that has 949  
jurisdiction of the case at any time after the filing of the 950  
complaint. 951

(2) For purposes of section 2930.09 of the Revised Code, 952  
all stages of a proceeding arising out of a complaint alleging 953  
the commission of a violation, offense of violence, or sexually 954  
oriented offense described in division (A)(1) of this section, 955  
including all proceedings on a motion for a temporary protection 956  
order, are critical stages of the case, and a victim may be 957  
accompanied by a victim advocate or another person to provide 958  
support to the victim as provided in that section. 959

(B) The motion shall be prepared on a form that is 960



I understand that I must appear before the court, at a 989  
time set by the court within twenty-four hours after the filing 990  
of this motion, for a hearing on the motion or that, if I am 991  
unable to appear because of hospitalization or a medical 992  
condition resulting from the offense alleged in the complaint, a 993  
person who can provide information about my need for a temporary 994  
protection order must appear before the court in lieu of my 995  
appearing in court. I understand that any temporary protection 996  
order granted pursuant to this motion is a pretrial condition of 997  
release and is effective only until the disposition of the 998  
criminal proceeding arising out of the attached complaint, or 999  
the issuance of a civil protection order or the approval of a 1000  
consent agreement, arising out of the same activities as those 1001  
that were the basis of the complaint, under section 3113.31 of 1002  
the Revised Code. 1003  
..... 1004  
Signature of person 1005  
(or signature of the arresting officer who filed the motion on 1006  
behalf of the alleged victim) 1007  
..... 1008  
Address of person (or office address of the arresting officer 1009  
who filed the motion on behalf of the alleged victim)" 1010  
(C) (1) As soon as possible after the filing of a motion 1011  
that requests the issuance of a temporary protection order, but 1012  
not later than twenty-four hours after the filing of the motion, 1013  
the court shall conduct a hearing to determine whether to issue 1014  
the order. The person who requested the order shall appear 1015  
before the court and provide the court with the information that 1016  
it requests concerning the basis of the motion. If the person 1017

who requested the order is unable to appear and if the court 1018  
finds that the failure to appear is because of the person's 1019  
hospitalization or medical condition resulting from the offense 1020  
alleged in the complaint, another person who is able to provide 1021  
the court with the information it requests may appear in lieu of 1022  
the person who requested the order. If the court finds that the 1023  
safety and protection of the complainant, alleged victim, or any 1024  
other family or household member of the alleged victim may be 1025  
impaired by the continued presence of the alleged offender, the 1026  
court may issue a temporary protection order, as a pretrial 1027  
condition of release, that contains terms designed to ensure the 1028  
safety and protection of the complainant, alleged victim, or the 1029  
family or household member, including a requirement that the 1030  
alleged offender refrain from entering the residence, school, 1031  
business, or place of employment of the complainant, alleged 1032  
victim, or the family or household member. The court may include 1033  
within a protection order issued under this section a term 1034  
requiring that the alleged offender not remove, damage, hide, 1035  
harm, or dispose of any companion animal owned or possessed by 1036  
the complainant, alleged victim, or any other family or 1037  
household member of the alleged victim, and may include within 1038  
the order a term authorizing the complainant, alleged victim, or 1039  
other family or household member of the alleged victim to remove 1040  
a companion animal owned by the complainant, alleged victim, or 1041  
other family or household member from the possession of the 1042  
alleged offender. 1043

(2) (a) If the court issues a temporary protection order 1044  
that includes a requirement that the alleged offender refrain 1045  
from entering the residence, school, business, or place of 1046  
employment of the complainant, the alleged victim, or the family 1047  
or household member, the order shall state clearly that the 1048

order cannot be waived or nullified by an invitation to the 1049  
alleged offender from the complainant, alleged victim, or family 1050  
or household member to enter the residence, school, business, or 1051  
place of employment or by the alleged offender's entry into one 1052  
of those places otherwise upon the consent of the complainant, 1053  
alleged victim, or family or household member. 1054

(b) Division (C) (2) (a) of this section does not limit any 1055  
discretion of a court to determine that an alleged offender 1056  
charged with a violation of section 2919.27 of the Revised Code, 1057  
with a violation of a municipal ordinance substantially 1058  
equivalent to that section, or with contempt of court, which 1059  
charge is based on an alleged violation of a temporary 1060  
protection order issued under this section, did not commit the 1061  
violation or was not in contempt of court. 1062

(D) (1) Upon the filing of a complaint that alleges a 1063  
violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of 1064  
the Revised Code if the alleged victim of the violation was a 1065  
family or household member at the time of the violation, a 1066  
violation of a municipal ordinance that is substantially similar 1067  
to any of those sections if the alleged victim of the violation 1068  
was a family or household member at the time of the violation, 1069  
any offense of violence if the alleged victim of the offense was 1070  
a family or household member at the time of the commission of 1071  
the offense, or any sexually oriented offense if the alleged 1072  
victim of the offense was a family or household member at the 1073  
time of the commission of the offense, the court, upon its own 1074  
motion, may issue a temporary protection order as a pretrial 1075  
condition of release if it finds that the safety and protection 1076  
of the complainant, alleged victim, or other family or household 1077  
member of the alleged offender may be impaired by the continued 1078  
presence of the alleged offender. 1079

(2) If the court issues a temporary protection order under 1080  
this section as an ex parte order, it shall conduct, as soon as 1081  
possible after the issuance of the order, a hearing in the 1082  
presence of the alleged offender not later than the next day on 1083  
which the court is scheduled to conduct business after the day 1084  
on which the alleged offender was arrested or at the time of the 1085  
appearance of the alleged offender pursuant to summons to 1086  
determine whether the order should remain in effect, be 1087  
modified, or be revoked. The hearing shall be conducted under 1088  
the standards set forth in division (C) of this section. 1089

(3) An order issued under this section shall contain only 1090  
those terms authorized in orders issued under division (C) of 1091  
this section. 1092

(4) If a municipal court or a county court issues a 1093  
temporary protection order under this section and if, subsequent 1094  
to the issuance of the order, the alleged offender who is the 1095  
subject of the order is bound over to the court of common pleas 1096  
for prosecution of a felony arising out of the same activities 1097  
as those that were the basis of the complaint upon which the 1098  
order is based, notwithstanding the fact that the order was 1099  
issued by a municipal court or county court, the order shall 1100  
remain in effect, as though it were an order of the court of 1101  
common pleas, while the charges against the alleged offender are 1102  
pending in the court of common pleas, for the period of time 1103  
described in division (E)(2) of this section, and the court of 1104  
common pleas has exclusive jurisdiction to modify the order 1105  
issued by the municipal court or county court. This division 1106  
applies when the alleged offender is bound over to the court of 1107  
common pleas as a result of the person waiving a preliminary 1108  
hearing on the felony charge, as a result of the municipal court 1109  
or county court having determined at a preliminary hearing that 1110

there is probable cause to believe that the felony has been 1111  
committed and that the alleged offender committed it, as a 1112  
result of the alleged offender having been indicted for the 1113  
felony, or in any other manner. 1114

(E) A temporary protection order that is issued as a 1115  
pretrial condition of release under this section: 1116

(1) Is in addition to, but shall not be construed as a 1117  
part of, any bail set under Criminal Rule 46; 1118

(2) Is effective only until the occurrence of either of 1119  
the following: 1120

(a) The disposition, by the court that issued the order 1121  
or, in the circumstances described in division (D)(4) of this 1122  
section, by the court of common pleas to which the alleged 1123  
offender is bound over for prosecution, of the criminal 1124  
proceeding arising out of the complaint upon which the order is 1125  
based; 1126

(b) The issuance of a protection order or the approval of 1127  
a consent agreement, arising out of the same activities as those 1128  
that were the basis of the complaint upon which the order is 1129  
based, under section 3113.31 of the Revised Code~~+~~. 1130

(3) Shall not be construed as a finding that the alleged 1131  
offender committed the alleged offense, and shall not be 1132  
introduced as evidence of the commission of the offense at the 1133  
trial of the alleged offender on the complaint upon which the 1134  
order is based. 1135

(F) A person who meets the criteria for bail under 1136  
Criminal Rule 46 and who, if required to do so pursuant to that 1137  
rule, executes or posts bond or deposits cash or securities as 1138  
bail, shall not be held in custody pending a hearing before the 1139

court on a motion requesting a temporary protection order. 1140

(G) (1) A copy of any temporary protection order that is 1141  
issued under this section shall be issued by the court to the 1142  
complainant, to the alleged victim, to the person who requested 1143  
the order, to the defendant, and to all law enforcement agencies 1144  
that have jurisdiction to enforce the order. The court shall 1145  
direct that a copy of the order be delivered to the defendant on 1146  
the same day that the order is entered. If a municipal court or 1147  
a county court issues a temporary protection order under this 1148  
section and if, subsequent to the issuance of the order, the 1149  
defendant who is the subject of the order is bound over to the 1150  
court of common pleas for prosecution as described in division 1151  
(D) (4) of this section, the municipal court or county court 1152  
shall direct that a copy of the order be delivered to the court 1153  
of common pleas to which the defendant is bound over. 1154

(2) Upon the issuance of a protection order under this 1155  
section, the court shall provide the parties to the order with 1156  
the following notice orally or by form: 1157

"NOTICE 1158

As a result of this protection order, it may be unlawful 1159  
for you to possess or purchase a firearm, including a rifle, 1160  
pistol, or revolver, or ammunition pursuant to federal law under 1161  
18 U.S.C. 922(g) (8) for the duration of this order. If you have 1162  
any questions whether this law makes it illegal for you to 1163  
possess or purchase a firearm or ammunition, you should consult 1164  
an attorney." 1165

(3) All law enforcement agencies shall establish and 1166  
maintain an index for the temporary protection orders delivered 1167  
to the agencies pursuant to division (G) (1) of this section. 1168



With respect to each order delivered, each agency shall note on 1169  
the index, the date and time of the receipt of the order by the 1170  
agency. 1171

(4) A complainant, alleged victim, or other person who 1172  
obtains a temporary protection order under this section may 1173  
provide notice of the issuance of the temporary protection order 1174  
to the judicial and law enforcement officials in any county 1175  
other than the county in which the order is issued by 1176  
registering that order in the other county in accordance with 1177  
division (N) of section 3113.31 of the Revised Code and filing a 1178  
copy of the registered protection order with a law enforcement 1179  
agency in the other county in accordance with that division. 1180

(5) Any officer of a law enforcement agency shall enforce 1181  
a temporary protection order issued by any court in this state 1182  
in accordance with the provisions of the order, including 1183  
removing the defendant from the premises, regardless of whether 1184  
the order is registered in the county in which the officer's 1185  
agency has jurisdiction as authorized by division (G) (4) of this 1186  
section. 1187

(H) Upon a violation of a temporary protection order, the 1188  
court may issue another temporary protection order, as a 1189  
pretrial condition of release, that modifies the terms of the 1190  
order that was violated. 1191

(I) (1) As used in divisions (I) (1) and (2) of this 1192  
section, "defendant" means a person who is alleged in a 1193  
complaint to have committed a violation, offense of violence, or 1194  
sexually oriented offense of the type described in division (A) 1195  
of this section. 1196

(2) If a complaint is filed that alleges that a person 1197

committed a violation, offense of violence, or sexually oriented 1198  
offense of the type described in division (A) of this section, 1199  
the court may not issue a temporary protection order under this 1200  
section that requires the complainant, the alleged victim, or 1201  
another family or household member of the defendant to do or 1202  
refrain from doing an act that the court may require the 1203  
defendant to do or refrain from doing under a temporary 1204  
protection order unless both of the following apply: 1205

(a) The defendant has filed a separate complaint that 1206  
alleges that the complainant, alleged victim, or other family or 1207  
household member in question who would be required under the 1208  
order to do or refrain from doing the act committed a violation 1209  
or offense of violence of the type described in division (A) of 1210  
this section. 1211

(b) The court determines that both the complainant, 1212  
alleged victim, or other family or household member in question 1213  
who would be required under the order to do or refrain from 1214  
doing the act and the defendant acted primarily as aggressors, 1215  
that neither the complainant, alleged victim, or other family or 1216  
household member in question who would be required under the 1217  
order to do or refrain from doing the act nor the defendant 1218  
acted primarily in self-defense, and, in accordance with the 1219  
standards and criteria of this section as applied in relation to 1220  
the separate complaint filed by the defendant, that it should 1221  
issue the order to require the complainant, alleged victim, or 1222  
other family or household member in question to do or refrain 1223  
from doing the act. 1224

(J) (1) Subject to division (J) (2) of this section and 1225  
regardless of whether a protection order is issued or a consent 1226  
agreement is approved by a court of another county or a court of 1227

another state, no court or unit of state or local government 1228  
shall charge the movant any fee, cost, deposit, or money in 1229  
connection with the filing of a motion pursuant to this section, 1230  
in connection with the filing, issuance, registration, 1231  
modification, enforcement, dismissal, withdrawal, or service of 1232  
a protection order, consent agreement, or witness subpoena or 1233  
for obtaining a certified copy of a protection order or consent 1234  
agreement. 1235

(2) Regardless of whether a protection order is issued or 1236  
a consent agreement is approved pursuant to this section, if the 1237  
defendant is convicted the court may assess costs against the 1238  
defendant in connection with the filing, issuance, registration, 1239  
modification, enforcement, dismissal, withdrawal, or service of 1240  
a protection order, consent agreement, or witness subpoena or 1241  
for obtaining a certified copy of a protection order or consent 1242  
agreement. 1243

(K) As used in this section: 1244

(1) "Companion animal" has the same meaning as in section 1245  
959.131 of the Revised Code. 1246

(2) "Sexually oriented offense" has the same meaning as in 1247  
section 2950.01 of the Revised Code. 1248

(3) "Victim advocate" means a person who provides support 1249  
and assistance for a victim of an offense during court 1250  
proceedings. 1251

**Sec. 2919.27.** (A) No person shall recklessly violate the 1252  
terms of any of the following: 1253

(1) A protection order issued or consent agreement 1254  
approved pursuant to section 2919.26 ~~or~~, 3113.31, or 3113.311 1255  
of the Revised Code; 1256

(2) A protection order issued pursuant to section 2151.34,	1257
2903.213, or 2903.214 of the Revised Code;	1258
(3) A protection order issued by a court of another state.	1259
(B) (1) Whoever violates this section is guilty of	1260
violating a protection order.	1261
(2) Except as otherwise provided in division (B) (3) or (4)	1262
of this section, violating a protection order is a misdemeanor	1263
of the first degree.	1264
(3) If the offender previously has been convicted of,	1265
pleaded guilty to, or been adjudicated a delinquent child for a	1266
violation of a protection order issued pursuant to section	1267
2151.34, 2903.213, or 2903.214 of the Revised Code, two or more	1268
violations of section 2903.21, 2903.211, 2903.22, or 2911.211 of	1269
the Revised Code that involved the same person who is the	1270
subject of the protection order or consent agreement, or one or	1271
more violations of this section, violating a protection order is	1272
a felony of the fifth degree.	1273
(4) If the offender violates a protection order or consent	1274
agreement while committing a felony offense, violating a	1275
protection order is a felony of the third degree.	1276
(5) If the protection order violated by the offender was	1277
an order issued pursuant to section 2151.34 or 2903.214 of the	1278
Revised Code that required electronic monitoring of the offender	1279
pursuant to that section, the court may require in addition to	1280
any other sentence imposed upon the offender that the offender	1281
be electronically monitored for a period not exceeding five	1282
years by a law enforcement agency designated by the court. If	1283
the court requires under this division that the offender be	1284
electronically monitored, unless the court determines that the	1285

offender is indigent, the court shall order that the offender 1286  
pay the costs of the installation of the electronic monitoring 1287  
device and the cost of monitoring the electronic monitoring 1288  
device. If the court determines that the offender is indigent 1289  
and subject to the maximum amount allowable and the rules 1290  
promulgated by the attorney general under section 2903.214 of 1291  
the Revised Code, the costs of the installation of the 1292  
electronic monitoring device and the cost of monitoring the 1293  
electronic monitoring device may be paid out of funds from the 1294  
reparations fund created pursuant to section 2743.191 of the 1295  
Revised Code. The total amount paid from the reparations fund 1296  
created pursuant to section 2743.191 of the Revised Code for 1297  
electronic monitoring under this section and sections 2151.34 1298  
and 2903.214 of the Revised Code shall not exceed three hundred 1299  
thousand dollars per year. 1300

(C) It is an affirmative defense to a charge under 1301  
division (A) (3) of this section that the protection order issued 1302  
by a court of another state does not comply with the 1303  
requirements specified in 18 U.S.C. 2265(b) for a protection 1304  
order that must be accorded full faith and credit by a court of 1305  
this state or that it is not entitled to full faith and credit 1306  
under 18 U.S.C. 2265(c) . 1307

(D) As used in this section, "protection order issued by a 1308  
court of another state" means an injunction or another order 1309  
issued by a criminal court of another state for the purpose of 1310  
preventing violent or threatening acts or harassment against, 1311  
contact or communication with, or physical proximity to another 1312  
person, including a temporary order, and means an injunction or 1313  
order of that nature issued by a civil court of another state, 1314  
including a temporary order and a final order issued in an 1315  
independent action or as a pendente lite order in a proceeding 1316

for other relief, if the court issued it in response to a 1317  
complaint, petition, or motion filed by or on behalf of a person 1318  
seeking protection. "Protection order issued by a court of 1319  
another state" does not include an order for support or for 1320  
custody of a child issued pursuant to the divorce and child 1321  
custody laws of another state, except to the extent that the 1322  
order for support or for custody of a child is entitled to full 1323  
faith and credit under the laws of the United States. 1324

**Sec. 3113.31.** (A) As used in this section: 1325

(1) "Domestic violence" means the occurrence of one or 1326  
more of the following acts against a family or household member: 1327

(a) Attempting to cause or recklessly causing bodily 1328  
injury; 1329

(b) Placing another person by the threat of force in fear 1330  
of imminent serious physical harm or committing a violation of 1331  
section 2903.211 or 2911.211 of the Revised Code; 1332

(c) Committing any act with respect to a child that would 1333  
result in the child being an abused child, as defined in section 1334  
2151.031 of the Revised Code; 1335

(d) Committing a sexually oriented offense. 1336

(2) "Court" means the domestic relations division of the 1337  
court of common pleas in counties that have a domestic relations 1338  
division and the court of common pleas in counties that do not 1339  
have a domestic relations division, or the juvenile division of 1340  
the court of common pleas of the county in which the person to 1341  
be protected by a protection order issued or a consent agreement 1342  
approved under this section resides if the respondent is less 1343  
than eighteen years of age. 1344

- (3) "Family or household member" means any of the 1345  
following: 1346
- (a) Any of the following who is residing with or has 1347  
resided with the respondent: 1348
- (i) A spouse, a person living as a spouse, or a former 1349  
spouse of the respondent; 1350
- (ii) A parent, a foster parent, or a child of the 1351  
respondent, or another person related by consanguinity or 1352  
affinity to the respondent; 1353
- (iii) A parent or a child of a spouse, person living as a 1354  
spouse, or former spouse of the respondent, or another person 1355  
related by consanguinity or affinity to a spouse, person living 1356  
as a spouse, or former spouse of the respondent. 1357
- (b) The natural parent of any child of whom the respondent 1358  
is the other natural parent or is the putative other natural 1359  
parent. 1360
- (4) "Person living as a spouse" means a person who is 1361  
living or has lived with the respondent in a common law marital 1362  
relationship, who otherwise is cohabiting with the respondent, 1363  
or who otherwise has cohabited with the respondent within five 1364  
years prior to the date of the alleged occurrence of the act in 1365  
question. 1366
- (5) "Victim advocate" means a person who provides support 1367  
and assistance for a person who files a petition under this 1368  
section. 1369
- (6) "Sexually oriented offense" has the same meaning as in 1370  
section 2950.01 of the Revised Code. 1371
- (7) "Companion animal" has the same meaning as in section 1372

959.131 of the Revised Code. 1373

(B) The court has jurisdiction over all proceedings under 1374  
this section. The petitioner's right to relief under this 1375  
section is not affected by the petitioner's leaving the 1376  
residence or household to avoid further domestic violence. 1377

(C) A person may seek relief under this section on the 1378  
person's own behalf, or any parent or adult household member may 1379  
seek relief under this section on behalf of any other family or 1380  
household member, by filing a petition with the court. The 1381  
petition shall contain or state: 1382

(1) An allegation that the respondent engaged in domestic 1383  
violence against a family or household member of the respondent, 1384  
including a description of the nature and extent of the domestic 1385  
violence; 1386

(2) The relationship of the respondent to the petitioner, 1387  
and to the victim if other than the petitioner; 1388

(3) A request for relief under this section. 1389

(D) (1) If a person who files a petition pursuant to this 1390  
section requests an ex parte order, the court shall hold an ex 1391  
parte hearing on the same day that the petition is filed. The 1392  
court, for good cause shown at the ex parte hearing, may enter 1393  
any temporary orders, with or without bond, including, but not 1394  
limited to, an order described in division (E) (1) (a), (b), or 1395  
(c) of this section, that the court finds necessary to protect 1396  
the family or household member from domestic violence. Immediate 1397  
and present danger of domestic violence to the family or 1398  
household member constitutes good cause for purposes of this 1399  
section. Immediate and present danger includes, but is not 1400  
limited to, situations in which the respondent has threatened 1401



the family or household member with bodily harm, in which the 1402  
respondent has threatened the family or household member with a 1403  
sexually oriented offense, or in which the respondent previously 1404  
has been convicted of, pleaded guilty to, or been adjudicated a 1405  
delinquent child for an offense that constitutes domestic 1406  
violence against the family or household member. 1407

(2) (a) If the court, after an ex parte hearing, issues an 1408  
order described in division (E) (1) (b) or (c) of this section, 1409  
the court shall schedule a full hearing for a date that is 1410  
within seven court days after the ex parte hearing. If any other 1411  
type of protection order that is authorized under division (E) 1412  
of this section is issued by the court after an ex parte 1413  
hearing, the court shall schedule a full hearing for a date that 1414  
is within ten court days after the ex parte hearing. The court 1415  
shall give the respondent notice of, and an opportunity to be 1416  
heard at, the full hearing. The court shall hold the full 1417  
hearing on the date scheduled under this division unless the 1418  
court grants a continuance of the hearing in accordance with 1419  
this division. Under any of the following circumstances or for 1420  
any of the following reasons, the court may grant a continuance 1421  
of the full hearing to a reasonable time determined by the 1422  
court: 1423

(i) Prior to the date scheduled for the full hearing under 1424  
this division, the respondent has not been served with the 1425  
petition filed pursuant to this section and notice of the full 1426  
hearing. 1427

(ii) The parties consent to the continuance. 1428

(iii) The continuance is needed to allow a party to obtain 1429  
counsel. 1430

- (iv) The continuance is needed for other good cause. 1431
- (b) An ex parte order issued under this section does not 1432  
expire because of a failure to serve notice of the full hearing 1433  
upon the respondent before the date set for the full hearing 1434  
under division (D) (2) (a) of this section or because the court 1435  
grants a continuance under that division. 1436
- (3) If a person who files a petition pursuant to this 1437  
section does not request an ex parte order, or if a person 1438  
requests an ex parte order but the court does not issue an ex 1439  
parte order after an ex parte hearing, the court shall proceed 1440  
as in a normal civil action and grant a full hearing on the 1441  
matter. 1442
- (E) (1) After an ex parte or full hearing, the court may 1443  
grant any protection order, with or without bond, or approve any 1444  
consent agreement to bring about a cessation of domestic 1445  
violence against the family or household members. The order or 1446  
agreement may: 1447
- (a) Direct the respondent to refrain from abusing or from 1448  
committing sexually oriented offenses against the family or 1449  
household members; 1450
- (b) Grant possession of the residence or household to the 1451  
petitioner or other family or household member, to the exclusion 1452  
of the respondent, by evicting the respondent, when the 1453  
residence or household is owned or leased solely by the 1454  
petitioner or other family or household member, or by ordering 1455  
the respondent to vacate the premises, when the residence or 1456  
household is jointly owned or leased by the respondent, and the 1457  
petitioner or other family or household member; 1458
- (c) When the respondent has a duty to support the 1459

petitioner or other family or household member living in the 1460  
residence or household and the respondent is the sole owner or 1461  
lessee of the residence or household, grant possession of the 1462  
residence or household to the petitioner or other family or 1463  
household member, to the exclusion of the respondent, by 1464  
ordering the respondent to vacate the premises, or, in the case 1465  
of a consent agreement, allow the respondent to provide 1466  
suitable, alternative housing; 1467

(d) Temporarily allocate parental rights and 1468  
responsibilities for the care of, or establish temporary 1469  
parenting time rights with regard to, minor children, if no 1470  
other court has determined, or is determining, the allocation of 1471  
parental rights and responsibilities for the minor children or 1472  
parenting time rights; 1473

(e) Require the respondent to maintain support, if the 1474  
respondent customarily provides for or contributes to the 1475  
support of the family or household member, or if the respondent 1476  
has a duty to support the petitioner or family or household 1477  
member; 1478

(f) Require the respondent, petitioner, victim of domestic 1479  
violence, or any combination of those persons, to seek 1480  
counseling; 1481

(g) Require the respondent to refrain from entering the 1482  
residence, school, business, or place of employment of the 1483  
petitioner or family or household member; 1484

(h) Grant other relief that the court considers equitable 1485  
and fair, including, but not limited to, ordering the respondent 1486  
to permit the use of a motor vehicle by the petitioner or other 1487  
family or household member and the apportionment of household 1488

and family personal property;	1489
(i) Require that the respondent not remove, damage, hide,	1490
harm, or dispose of any companion animal owned or possessed by	1491
the petitioner;	1492
(j) Authorize the petitioner to remove a companion animal	1493
owned by the petitioner from the possession of the respondent;	1494
(k) Require a wireless service transfer in accordance with	1495
sections 3113.45 to 3113.459 of the Revised Code.	1496
(2) If a protection order has been issued pursuant to this	1497
section in a prior action involving the respondent and the	1498
petitioner or one or more of the family or household members or	1499
victims, the court may include in a protection order that it	1500
issues a prohibition against the respondent returning to the	1501
residence or household. If it includes a prohibition against the	1502
respondent returning to the residence or household in the order,	1503
it also shall include in the order provisions of the type	1504
described in division (E) (7) of this section. This division does	1505
not preclude the court from including in a protection order or	1506
consent agreement, in circumstances other than those described	1507
in this division, a requirement that the respondent be evicted	1508
from or vacate the residence or household or refrain from	1509
entering the residence, school, business, or place of employment	1510
of the petitioner or a family or household member, and, if the	1511
court includes any requirement of that type in an order or	1512
agreement, the court also shall include in the order provisions	1513
of the type described in division (E) (7) of this section.	1514
(3) (a) Any protection order issued or consent agreement	1515
approved under this section shall be valid until a date certain,	1516
but not later than five years from the date of its issuance or	1517

approval, or not later than the date a respondent who is less 1518  
than eighteen years of age attains nineteen years of age, unless 1519  
modified or terminated as provided in division (E) (8) of this 1520  
section. 1521

(b) Subject to the limitation on the duration of an order 1522  
or agreement set forth in division (E) (3) (a) of this section, 1523  
any order under division (E) (1) (d) of this section shall 1524  
terminate on the date that a court in an action for divorce, 1525  
dissolution of marriage, or legal separation brought by the 1526  
petitioner or respondent issues an order allocating parental 1527  
rights and responsibilities for the care of children or on the 1528  
date that a juvenile court in an action brought by the 1529  
petitioner or respondent issues an order awarding legal custody 1530  
of minor children. Subject to the limitation on the duration of 1531  
an order or agreement set forth in division (E) (3) (a) of this 1532  
section, any order under division (E) (1) (e) of this section 1533  
shall terminate on the date that a court in an action for 1534  
divorce, dissolution of marriage, or legal separation brought by 1535  
the petitioner or respondent issues a support order or on the 1536  
date that a juvenile court in an action brought by the 1537  
petitioner or respondent issues a support order. 1538

(c) Any protection order issued or consent agreement 1539  
approved pursuant to this section may be renewed in the same 1540  
manner as the original order or agreement was issued or 1541  
approved. 1542

(4) A court may not issue a protection order that requires 1543  
a petitioner to do or to refrain from doing an act that the 1544  
court may require a respondent to do or to refrain from doing 1545  
under division (E) (1) (a), (b), (c), (d), (e), (g), or (h) of 1546  
this section unless all of the following apply: 1547

- (a) The respondent files a separate petition for a protection order in accordance with this section. 1548  
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- (b) The petitioner is served notice of the respondent's petition at least forty-eight hours before the court holds a hearing with respect to the respondent's petition, or the petitioner waives the right to receive this notice. 1550  
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- (c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay any hearing required by that division beyond the time specified in that division in order to consolidate the hearing with a hearing on the petition filed by the respondent. 1554  
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- (d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of domestic violence or has violated a temporary protection order issued pursuant to section 2919.26 of the Revised Code, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense. 1559  
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- (5) No protection order issued or consent agreement approved under this section shall in any manner affect title to any real property. 1568  
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- (6) (a) If a petitioner, or the child of a petitioner, who obtains a protection order or consent agreement pursuant to division (E) (1) of this section or a temporary protection order pursuant to section 2919.26 of the Revised Code and is the subject of a parenting time order issued pursuant to section 3109.051 or 3109.12 of the Revised Code or a visitation or 1571  
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companionship order issued pursuant to section 3109.051, 1577  
3109.11, or 3109.12 of the Revised Code or division (E) (1) (d) of 1578  
this section granting parenting time rights to the respondent, 1579  
the court may require the public children services agency of the 1580  
county in which the court is located to provide supervision of 1581  
the respondent's exercise of parenting time or visitation or 1582  
companionship rights with respect to the child for a period not 1583  
to exceed nine months, if the court makes the following findings 1584  
of fact: 1585

(i) The child is in danger from the respondent; 1586

(ii) No other person or agency is available to provide the 1587  
supervision. 1588

(b) A court that requires an agency to provide supervision 1589  
pursuant to division (E) (6) (a) of this section shall order the 1590  
respondent to reimburse the agency for the cost of providing the 1591  
supervision, if it determines that the respondent has sufficient 1592  
income or resources to pay that cost. 1593

(7) (a) If a protection order issued or consent agreement 1594  
approved under this section includes a requirement that the 1595  
respondent be evicted from or vacate the residence or household 1596  
or refrain from entering the residence, school, business, or 1597  
place of employment of the petitioner or a family or household 1598  
member, the order or agreement shall state clearly that the 1599  
order or agreement cannot be waived or nullified by an 1600  
invitation to the respondent from the petitioner or other family 1601  
or household member to enter the residence, school, business, or 1602  
place of employment or by the respondent's entry into one of 1603  
those places otherwise upon the consent of the petitioner or 1604  
other family or household member. 1605

(b) Division (E) (7) (a) of this section does not limit any 1606  
discretion of a court to determine that a respondent charged 1607  
with a violation of section 2919.27 of the Revised Code, with a 1608  
violation of a municipal ordinance substantially equivalent to 1609  
that section, or with contempt of court, which charge is based 1610  
on an alleged violation of a protection order issued or consent 1611  
agreement approved under this section, did not commit the 1612  
violation or was not in contempt of court. 1613

(8) (a) The court may modify or terminate as provided in 1614  
division (E) (8) of this section a protection order or consent 1615  
agreement that was issued after a full hearing under this 1616  
section. The court that issued the protection order or approved 1617  
the consent agreement shall hear a motion for modification or 1618  
termination of the protection order or consent agreement 1619  
pursuant to division (E) (8) of this section. 1620

(b) Either the petitioner or the respondent of the 1621  
original protection order or consent agreement may bring a 1622  
motion for modification or termination of a protection order or 1623  
consent agreement that was issued or approved after a full 1624  
hearing. The court shall require notice of the motion to be made 1625  
as provided by the Rules of Civil Procedure. If the petitioner 1626  
for the original protection order or consent agreement has 1627  
requested that the petitioner's address be kept confidential, 1628  
the court shall not disclose the address to the respondent of 1629  
the original protection order or consent agreement or any other 1630  
person, except as otherwise required by law. The moving party 1631  
has the burden of proof to show, by a preponderance of the 1632  
evidence, that modification or termination of the protection 1633  
order or consent agreement is appropriate because either the 1634  
protection order or consent agreement is no longer needed or 1635  
because the terms of the original protection order or consent 1636



agreement are no longer appropriate. 1637

(c) In considering whether to modify or terminate a 1638  
protection order or consent agreement issued or approved under 1639  
this section, the court shall consider all relevant factors, 1640  
including, but not limited to, the following: 1641

(i) Whether the petitioner consents to modification or 1642  
termination of the protection order or consent agreement; 1643

(ii) Whether the petitioner fears the respondent; 1644

(iii) The current nature of the relationship between the 1645  
petitioner and the respondent; 1646

(iv) The circumstances of the petitioner and respondent, 1647  
including the relative proximity of the petitioner's and 1648  
respondent's workplaces and residences and whether the 1649  
petitioner and respondent have minor children together; 1650

(v) Whether the respondent has complied with the terms and 1651  
conditions of the original protection order or consent 1652  
agreement; 1653

(vi) Whether the respondent has a continuing involvement 1654  
with illegal drugs or alcohol; 1655

(vii) Whether the respondent has been convicted of, 1656  
pleaded guilty to, or been adjudicated a delinquent child for an 1657  
offense of violence since the issuance of the protection order 1658  
or approval of the consent agreement; 1659

(viii) Whether any other protection orders, consent 1660  
agreements, restraining orders, or no contact orders have been 1661  
issued against the respondent pursuant to this section, section 1662  
2919.26 of the Revised Code, any other provision of state law, 1663  
or the law of any other state; 1664

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

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

(xi) The age and health of the respondent;

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

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

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

(9) Any protection order issued or any consent agreement approved pursuant to this section shall include a provision that the court will automatically seal all of the records of the proceeding in which the order is issued or agreement approved on

the date the respondent attains the age of nineteen years unless 1694  
the petitioner provides the court with evidence that the 1695  
respondent has not complied with all of the terms of the 1696  
protection order or consent agreement. The protection order or 1697  
consent agreement shall specify the date when the respondent 1698  
attains the age of nineteen years. 1699

(F) (1) A copy of any protection order, or consent 1700  
agreement, that is issued, approved, modified, or terminated 1701  
under this section shall be issued by the court to the 1702  
petitioner, to the respondent, and to all law enforcement 1703  
agencies that have jurisdiction to enforce the order or 1704  
agreement. The court shall direct that a copy of an order be 1705  
delivered to the respondent on the same day that the order is 1706  
entered. 1707

(2) Upon the issuance of a protection order or the 1708  
approval of a consent agreement under this section, the court 1709  
shall provide the parties to the order or agreement with the 1710  
following notice orally or by form: 1711

"NOTICE 1712

As a result of this order or consent agreement, it may be 1713  
unlawful for you to possess or purchase a firearm, including a 1714  
rifle, pistol, or revolver, or ammunition pursuant to federal 1715  
law under 18 U.S.C. 922(g) (8) for the duration of this order or 1716  
consent agreement. If you have any questions whether this law 1717  
makes it illegal for you to possess or purchase a firearm or 1718  
ammunition, you should consult an attorney." 1719

(3) All law enforcement agencies shall establish and 1720  
maintain an index for the protection orders and the approved 1721  
consent agreements delivered to the agencies pursuant to 1722

division (F) (1) of this section. With respect to each order and 1723  
consent agreement delivered, each agency shall note on the index 1724  
the date and time that it received the order or consent 1725  
agreement. 1726

(4) Regardless of whether the petitioner has registered 1727  
the order or agreement in the county in which the officer's 1728  
agency has jurisdiction pursuant to division (N) of this 1729  
section, any officer of a law enforcement agency shall enforce a 1730  
protection order issued or consent agreement approved by any 1731  
court in this state in accordance with the provisions of the 1732  
order or agreement, including removing the respondent from the 1733  
premises, if appropriate. 1734

(G) Any proceeding under this section shall be conducted 1735  
in accordance with the Rules of Civil Procedure, except that an 1736  
order under this section may be obtained with or without bond. 1737  
An order issued under this section, other than an ex parte 1738  
order, that grants a protection order or approves a consent 1739  
agreement, that refuses to grant a protection order or approve a 1740  
consent agreement that modifies or terminates a protection order 1741  
or consent agreement, or that refuses to modify or terminate a 1742  
protection order or consent agreement, is a final, appealable 1743  
order. The remedies and procedures provided in this section are 1744  
in addition to, and not in lieu of, any other available civil or 1745  
criminal remedies. 1746

(H) The filing of proceedings under this section does not 1747  
excuse a person from filing any report or giving any notice 1748  
required by section 2151.421 of the Revised Code or by any other 1749  
law. When a petition under this section alleges domestic 1750  
violence against minor children, the court shall report the 1751  
fact, or cause reports to be made, to a county, township, or 1752

municipal peace officer under section 2151.421 of the Revised Code. 1753  
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(I) Any law enforcement agency that investigates a 1755  
domestic dispute shall provide information to the family or 1756  
household members involved regarding the relief available under 1757  
this section and section 2919.26 of the Revised Code. 1758

(J) (1) Subject to divisions (E) (8) (e) and (J) (2) of this 1759  
section and regardless of whether a protection order is issued 1760  
or a consent agreement is approved by a court of another county 1761  
or a court of another state, no court or unit of state or local 1762  
government shall charge the petitioner any fee, cost, deposit, 1763  
or money in connection with the filing of a petition pursuant to 1764  
this section or in connection with the filing, issuance, 1765  
registration, modification, enforcement, dismissal, withdrawal, 1766  
or service of a protection order, consent agreement, or witness 1767  
subpoena or for obtaining a certified copy of a protection order 1768  
or consent agreement. 1769

(2) Regardless of whether a protection order is issued or 1770  
a consent agreement is approved pursuant to this section, the 1771  
court may assess costs against the respondent in connection with 1772  
the filing, issuance, registration, modification, enforcement, 1773  
dismissal, withdrawal, or service of a protection order, consent 1774  
agreement, or witness subpoena or for obtaining a certified copy 1775  
of a protection order or consent agreement. 1776

(K) (1) The court shall comply with Chapters 3119., 3121., 1777  
3123., and 3125. of the Revised Code when it makes or modifies 1778  
an order for child support under this section. 1779

(2) If any person required to pay child support under an 1780  
order made under this section on or after April 15, 1985, or 1781

modified under this section on or after December 31, 1986, is 1782  
found in contempt of court for failure to make support payments 1783  
under the order, the court that makes the finding, in addition 1784  
to any other penalty or remedy imposed, shall assess all court 1785  
costs arising out of the contempt proceeding against the person 1786  
and require the person to pay any reasonable attorney's fees of 1787  
any adverse party, as determined by the court, that arose in 1788  
relation to the act of contempt. 1789

(L) (1) A person who violates a protection order issued or 1790  
a consent agreement approved under this section is subject to 1791  
the following sanctions: 1792

(a) Criminal prosecution or a delinquent child proceeding 1793  
for a violation of section 2919.27 of the Revised Code, if the 1794  
violation of the protection order or consent agreement 1795  
constitutes a violation of that section; 1796

(b) Punishment for contempt of court. 1797

(2) The punishment of a person for contempt of court for 1798  
violation of a protection order issued or a consent agreement 1799  
approved under this section does not bar criminal prosecution of 1800  
the person or a delinquent child proceeding concerning the 1801  
person for a violation of section 2919.27 of the Revised Code. 1802  
However, a person punished for contempt of court is entitled to 1803  
credit for the punishment imposed upon conviction of or 1804  
adjudication as a delinquent child for a violation of that 1805  
section, and a person convicted of or adjudicated a delinquent 1806  
child for a violation of that section shall not subsequently be 1807  
punished for contempt of court arising out of the same activity. 1808

(M) In all stages of a proceeding under this section, a 1809  
petitioner may be accompanied by a victim advocate. 1810

(N) (1) A petitioner who obtains a protection order or 1811  
consent agreement under this section or a temporary protection 1812  
order under section 2919.26 of the Revised Code may provide 1813  
notice of the issuance or approval of the order or agreement to 1814  
the judicial and law enforcement officials in any county other 1815  
than the county in which the order is issued or the agreement is 1816  
approved by registering that order or agreement in the other 1817  
county pursuant to division (N) (2) of this section and filing a 1818  
copy of the registered order or registered agreement with a law 1819  
enforcement agency in the other county in accordance with that 1820  
division. A person who obtains a protection order issued by a 1821  
court of another state may provide notice of the issuance of the 1822  
order to the judicial and law enforcement officials in any 1823  
county of this state by registering the order in that county 1824  
pursuant to section 2919.272 of the Revised Code and filing a 1825  
copy of the registered order with a law enforcement agency in 1826  
that county. 1827

(2) A petitioner may register a temporary protection 1828  
order, protection order, or consent agreement in a county other 1829  
than the county in which the court that issued the order or 1830  
approved the agreement is located in the following manner: 1831

(a) The petitioner shall obtain a certified copy of the 1832  
order or agreement from the clerk of the court that issued the 1833  
order or approved the agreement and present that certified copy 1834  
to the clerk of the court of common pleas or the clerk of a 1835  
municipal court or county court in the county in which the order 1836  
or agreement is to be registered. 1837

(b) Upon accepting the certified copy of the order or 1838  
agreement for registration, the clerk of the court of common 1839  
pleas, municipal court, or county court shall place an 1840

endorsement of registration on the order or agreement and give 1841  
the petitioner a copy of the order or agreement that bears that 1842  
proof of registration. 1843

(3) The clerk of each court of common pleas, the clerk of 1844  
each municipal court, and the clerk of each county court shall 1845  
maintain a registry of certified copies of temporary protection 1846  
orders, protection orders, or consent agreements that have been 1847  
issued or approved by courts in other counties and that have 1848  
been registered with the clerk. 1849

(0) Nothing in this section prohibits the domestic 1850  
relations division of a court of common pleas in counties that 1851  
have a domestic relations division or a court of common pleas in 1852  
counties that do not have a domestic relations division from 1853  
designating a minor child as a protected party on a protection 1854  
order or consent agreement. 1855

**Sec. 3113.311.** (A) As used in this section: 1856

(1) "Dating violence" means the occurrence of one or more 1857  
of the following acts against a petitioner alleging dating 1858  
violence: 1859

(a) Attempting to cause or recklessly causing bodily 1860  
injury; 1861

(b) Placing the petitioner alleging dating violence by the 1862  
threat of force in fear of imminent serious physical harm or 1863  
committing a violation of section 2903.211 or 2911.211 of the 1864  
Revised Code; 1865

(c) Committing a sexually oriented offense. 1866

(2) "Court" means the domestic relations division of the 1867  
court of common pleas in counties that have a domestic relations 1868



division and the court of common pleas in counties that do not 1869  
have a domestic relations division. 1870

(3) (a) "Petitioner alleging dating violence" or "person 1871  
alleging dating violence" means a person who has or has had a 1872  
dating relationship with the respondent within the twelve months 1873  
preceding the date of the conduct in question that constitutes 1874  
the alleged dating violence. "Petitioner alleging dating 1875  
violence" or "person alleging dating violence" does not include, 1876  
with respect to a specified respondent, another person who has 1877  
only a casual relationship with the specified respondent or 1878  
another person who has engaged solely in ordinary fraternization 1879  
in a business or social context with the specified respondent. 1880

(b) The existence of a dating relationship between two 1881  
persons shall be determined based on a consideration of either 1882  
of the following factors: 1883

(i) The nature of the relationship must have been 1884  
characterized by the expectation of affection between the two 1885  
persons. 1886

(ii) The frequency and type of interaction between the two 1887  
persons involved in the relationship must have included that the 1888  
persons have been involved over time and on a continuous basis 1889  
during the course of the relationship. 1890

(4) "Victim advocate" means a person who provides support 1891  
and assistance for a person who files a petition under this 1892  
section. 1893

(5) "Sexually oriented offense" has the same meaning as in 1894  
section 2950.01 of the Revised Code. 1895

(6) "Companion animal" has the same meaning as in section 1896  
959.131 of the Revised Code. 1897

(B) The court has jurisdiction over all proceedings under this section. 1898  
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(C) A petitioner alleging dating violence may seek relief under this section on the person's own behalf, or any parent or adult household member of a person alleging dating violence may seek relief under this section on behalf of that person, by filing a petition with the court. The petition shall contain or state: 1900  
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(1) An allegation that the respondent engaged in dating violence against the petitioner alleging dating violence or against the person alleging dating violence if other than the petitioner, including a description of the nature and extent of the dating violence; 1906  
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(2) The facts upon which the court may conclude that a dating relationship existed between the petitioner alleging dating violence and the respondent, and if the person alleging dating violence is other than the petitioner filing the petition, an explanation of the relationship of the respondent to the person alleging dating violence; 1911  
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(3) A request for relief under this section. 1917

(D) (1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing on the same day that the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, including, but not limited to, an order described in division (E)(1)(a) of this section, that the court finds necessary to protect the petitioner alleging dating violence from any dating violence. Immediate and present danger of dating violence to the 1918  
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petitioner alleging dating violence constitutes good cause for 1927  
purposes of this section. Immediate and present danger includes, 1928  
but is not limited to, situations in which the respondent has 1929  
threatened the petitioner alleging dating violence with bodily 1930  
harm, in which the respondent has threatened that petitioner 1931  
with a sexually oriented offense, or in which the respondent 1932  
previously has been convicted of, pleaded guilty to, or been 1933  
adjudicated a delinquent child for an offense that constitutes 1934  
dating violence against the petitioner alleging dating violence. 1935

(2) (a) If the court, after an ex parte hearing, issues any 1936  
protection order that is authorized under division (E) of this 1937  
section, the court shall schedule a full hearing for a date that 1938  
is within ten court days after the ex parte hearing. The court 1939  
shall give the respondent notice of, and an opportunity to be 1940  
heard at, the full hearing. The court shall hold the full 1941  
hearing on the date scheduled under this division unless the 1942  
court grants a continuance of the hearing in accordance with 1943  
this division. Under any of the following circumstances or for 1944  
any of the following reasons, the court may grant a continuance 1945  
of the full hearing to a reasonable time determined by the 1946  
court: 1947

(i) Prior to the date scheduled for the full hearing under 1948  
this division, the respondent has not been served with the 1949  
petition filed pursuant to this section and notice of the full 1950  
hearing. 1951

(ii) The parties consent to the continuance. 1952

(iii) The continuance is needed to allow a party to obtain 1953  
counsel. 1954

(iv) The continuance is needed for other good cause. 1955

(b) An ex parte order issued under this section does not 1956  
expire because of a failure to serve notice of the full hearing 1957  
upon the respondent before the date set for the full hearing 1958  
under division (D) (2) (a) of this section or because the court 1959  
grants a continuance under that division. 1960

(3) If a person who files a petition pursuant to this 1961  
section does not request an ex parte order, or if a person 1962  
requests an ex parte order but the court does not issue an ex 1963  
parte order after an ex parte hearing, the court shall proceed 1964  
as in a normal civil action and grant a full hearing on the 1965  
matter. 1966

(E) (1) After an ex parte or full hearing, the court may 1967  
grant any protection order, with or without bond, or approve any 1968  
consent agreement to bring about a cessation of dating violence 1969  
against the petitioner alleging dating violence. The order or 1970  
agreement may: 1971

(a) Direct the respondent to refrain from abusing or from 1972  
committing sexually oriented offenses against the petitioner 1973  
alleging dating violence; 1974

(b) Require the respondent, the petitioner alleging dating 1975  
violence, the petitioner filing the petition if other than the 1976  
person alleging dating violence, or any combination of those 1977  
persons, to seek counseling; 1978

(c) Require the respondent to refrain from entering the 1979  
residence, school, business, or place of employment of the 1980  
petitioner alleging dating violence or the petitioner filing the 1981  
petition if other than the person alleging dating violence; 1982

(d) Require that the respondent not remove, damage, hide, 1983  
harm, or dispose of any companion animal owned or possessed by 1984

the petitioner alleging dating violence; 1985

(e) Authorize the petitioner alleging dating violence to 1986  
remove a companion animal owned by that petitioner from the 1987  
possession of the respondent; 1988

(f) Grant other relief that the court considers equitable 1989  
and fair. 1990

(2) If a protection order has been issued pursuant to this 1991  
section in a prior action involving the respondent and the 1992  
petitioner alleging dating violence or the petitioner filing the 1993  
petition if other than the person alleging dating violence, the 1994  
court may include in a protection order that it issues a 1995  
prohibition against the respondent returning to the residence, 1996  
school, business, or place of employment. 1997

(3) (a) Any protection order issued or consent agreement 1998  
approved under this section shall be valid until a date certain, 1999  
but not later than five years from the date of its issuance or 2000  
approval, or not later than the date a respondent who is less 2001  
than eighteen years of age attains nineteen years of age, unless 2002  
modified or terminated as provided in division (E) (6) of this 2003  
section. 2004

(b) Any protection order issued or consent agreement 2005  
approved pursuant to this section may be renewed in the same 2006  
manner as the original order or agreement was issued or 2007  
approved. 2008

(4) A court may not issue a protection order that requires 2009  
a petitioner alleging dating violence to do or to refrain from 2010  
doing an act that the court may require a respondent to do or to 2011  
refrain from doing under division (E) (1) (a), (c), (d), (e), or 2012  
(f) of this section unless all of the following apply: 2013

(a) The respondent files a separate petition for a protection order in accordance with this section. 2014  
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(b) The petitioner is served notice of the respondent's petition at least forty-eight hours before the court holds a hearing with respect to the respondent's petition, or the petitioner waives the right to receive this notice. 2016  
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(c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay any hearing required by that division beyond the time specified in that division in order to consolidate the hearing with a hearing on the petition filed by the respondent. 2020  
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(d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of dating violence, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense. 2025  
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(5) (a) If a protection order issued or consent agreement approved under this section includes a requirement that the respondent refrain from entering the residence, school, business, or place of employment of the petitioner alleging dating violence or the petitioner filing the petition if other than the person alleging dating violence, the order or agreement shall state clearly that the order or agreement cannot be waived or nullified by an invitation to the respondent from the petitioner alleging dating violence or the petitioner filing the petition to enter the residence, school, business, or place of employment or by the respondent's entry into one of those places otherwise upon the consent of the applicable petitioner. 2032  
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(b) Division (E) (5) (a) of this section does not limit any 2044  
discretion of a court to determine that a respondent charged 2045  
with contempt of court, which charge is based on an alleged 2046  
violation of a protection order issued or consent agreement 2047  
approved under this section, did not commit the violation or was 2048  
not in contempt of court. 2049

(6) (a) The court may modify or terminate as provided in 2050  
division (E) (6) of this section a protection order or consent 2051  
agreement that was issued after a full hearing under this 2052  
section. The court that issued the protection order or approved 2053  
the consent agreement shall hear a motion for modification or 2054  
termination of the protection order or consent agreement 2055  
pursuant to division (E) (6) of this section. 2056

(b) Either the petitioner alleging dating violence or the 2057  
respondent of the original protection order or consent agreement 2058  
may bring a motion for modification or termination of a 2059  
protection order or consent agreement that was issued or 2060  
approved after a full hearing. The court shall require notice of 2061  
the motion to be made as provided by the Rules of Civil 2062  
Procedure. If that petitioner for the original protection order 2063  
or consent agreement has requested that the petitioner's address 2064  
be kept confidential, the court shall not disclose the address 2065  
to the respondent of the original protection order or consent 2066  
agreement or any other person, except as otherwise required by 2067  
law. The moving party has the burden of proof to show, by a 2068  
preponderance of the evidence, that modification or termination 2069  
of the protection order or consent agreement is appropriate 2070  
because either the protection order or consent agreement is no 2071  
longer needed or because the terms of the original protection 2072  
order or consent agreement are no longer appropriate. 2073

(c) In considering whether to modify or terminate a protection order or consent agreement issued or approved under this section, the court shall consider all relevant factors, including, but not limited to, the following: 2074  
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(i) Whether the petitioner consents to modification or termination of the protection order or consent agreement; 2078  
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(ii) Whether the petitioner fears the respondent; 2080

(iii) The current nature of the relationship between the petitioner and the respondent; 2081  
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(iv) The circumstances of the petitioner and respondent, including the relative proximity of the petitioner's and respondent's workplaces and residences; 2083  
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(v) Whether the respondent has complied with the terms and conditions of the original protection order or consent agreement; 2086  
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(vi) Whether the respondent has a continuing involvement with illegal drugs or alcohol; 2089  
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(vii) Whether the respondent has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for an offense of violence since the issuance of the protection order or approval of the consent agreement; 2091  
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(viii) Whether any other protection orders, consent agreements, restraining orders, or no contact orders have been issued against the respondent pursuant to this section, section 2919.26 or 3113.31 of the Revised Code, any other provision of state law, or the law of any other state; 2095  
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(ix) Whether the respondent has participated in any dating violence treatment, intervention program, or other counseling 2100  
2101



addressing dating violence and whether the respondent has 2102  
completed the treatment, program, or counseling; 2103

(x) The time that has elapsed since the protection order 2104  
was issued or since the consent agreement was approved; 2105

(xi) The age and health of the respondent; 2106

(xii) When the last incident of abuse, threat of harm, or 2107  
commission of a sexually oriented offense occurred or other 2108  
relevant information concerning the safety and protection of the 2109  
petitioner alleging dating violence, or the petitioner filing 2110  
the petition if other than the person alleging dating violence. 2111

(d) If a protection order or consent agreement is modified 2112  
or terminated as provided in division (E) (6) of this section, 2113  
the court shall issue copies of the modified or terminated order 2114  
or agreement as provided in division (F) of this section. A 2115  
petitioner may also provide notice of the modification or 2116  
termination to the judicial and law enforcement officials in any 2117  
county other than the county in which the order or agreement is 2118  
modified or terminated as provided in division (L) of this 2119  
section. 2120

(e) If the respondent moves for modification or 2121  
termination of a protection order or consent agreement pursuant 2122  
to this section and the court denies the motion, the court may 2123  
assess costs against the respondent for the filing of the 2124  
motion. 2125

(7) Any protection order issued or any consent agreement 2126  
approved pursuant to this section shall include a provision that 2127  
the court will automatically seal all of the records of the 2128  
proceeding in which the order is issued or agreement approved on 2129  
the date the respondent attains the age of nineteen years unless 2130

the petitioner provides the court with evidence that the 2131  
respondent has not complied with all of the terms of the 2132  
protection order or consent agreement. The protection order or 2133  
consent agreement shall specify the date when the respondent 2134  
attains the age of nineteen years. 2135

(F) (1) A copy of any protection order, or consent 2136  
agreement, that is issued, approved, modified, or terminated 2137  
under this section shall be issued by the court to the 2138  
petitioner, to the respondent, and to all law enforcement 2139  
agencies that have jurisdiction to enforce the order or 2140  
agreement. The court shall direct that a copy of an order be 2141  
delivered to the respondent on the same day that the order is 2142  
entered. 2143

(2) Upon the issuance of a protection order or the 2144  
approval of a consent agreement under this section, the court 2145  
shall provide the parties to the order or agreement with the 2146  
following notice orally or by form: 2147

"NOTICE 2148

As a result of this order or consent agreement, it may be 2149  
unlawful for you to possess or purchase a firearm, including a 2150  
rifle, pistol, or revolver, or ammunition pursuant to federal 2151  
law under 18 U.S.C. 922(g) (8) for the duration of this order or 2152  
consent agreement. If you have any questions whether this law 2153  
makes it illegal for you to possess or purchase a firearm or 2154  
ammunition, you should consult an attorney." 2155

(3) All law enforcement agencies shall establish and 2156  
maintain an index for the protection orders and the approved 2157  
consent agreements delivered to the agencies pursuant to 2158  
division (F) (1) of this section. With respect to each order and 2159

consent agreement delivered, each agency shall note on the index 2160  
the date and time that it received the order or consent 2161  
agreement. 2162

(4) Regardless of whether the petitioner has registered 2163  
the order or agreement in the county in which the officer's 2164  
agency has jurisdiction pursuant to division (L) of this 2165  
section, any officer of a law enforcement agency shall enforce a 2166  
protection order issued or consent agreement approved by any 2167  
court in this state in accordance with the provisions of the 2168  
order or agreement, including removing the respondent from the 2169  
premises, if appropriate. 2170

(G) Any proceeding under this section shall be conducted 2171  
in accordance with the Rules of Civil Procedure, except that an 2172  
order under this section may be obtained with or without bond. 2173  
An order issued under this section, other than an ex parte 2174  
order, that grants a protection order or approves a consent 2175  
agreement, that refuses to grant a protection order or approve a 2176  
consent agreement that modifies or terminates a protection order 2177  
or consent agreement, or that refuses to modify or terminate a 2178  
protection order or consent agreement, is a final, appealable 2179  
order. The remedies and procedures provided in this section are 2180  
in addition to, and not in lieu of, any other available civil or 2181  
criminal remedies. 2182

(H) Any law enforcement agency that investigates a dispute 2183  
involving persons in a dating relationship shall provide 2184  
information to the potential petitioner alleging dating violence 2185  
involved regarding the relief available under this section. 2186

(I) (1) Subject to divisions (E) (6) (e) and (I) (2) of this 2187  
section and regardless of whether a protection order is issued 2188  
or a consent agreement is approved by a court of another county 2189

or a court of another state, no court or unit of state or local 2190  
government shall charge the petitioner any fee, cost, deposit, 2191  
or money in connection with the filing of a petition pursuant to 2192  
this section or in connection with the filing, issuance, 2193  
registration, modification, enforcement, dismissal, withdrawal, 2194  
or service of a protection order, consent agreement, or witness 2195  
subpoena or for obtaining a certified copy of a protection order 2196  
or consent agreement. 2197

(2) Regardless of whether a protection order is issued or 2198  
a consent agreement is approved pursuant to this section, the 2199  
court may assess costs against the respondent in connection with 2200  
the filing, issuance, registration, modification, enforcement, 2201  
dismissal, withdrawal, or service of a protection order, consent 2202  
agreement, or witness subpoena or for obtaining a certified copy 2203  
of a protection order or consent agreement. 2204

(J) A person who violates a protection order issued or a 2205  
consent agreement approved under this section is guilty of a 2206  
violation of section 2919.27 of the Revised Code. 2207

(K) In all stages of a proceeding under this section, a 2208  
petitioner may be accompanied by a victim advocate. 2209

(L) (1) A petitioner who obtains a protection order or 2210  
consent agreement under this section may provide notice of the 2211  
issuance or approval of the order or agreement to the judicial 2212  
and law enforcement officials in any county other than the 2213  
county in which the order is issued or the agreement is approved 2214  
by registering that order or agreement in the other county 2215  
pursuant to division (L) (2) of this section and filing a copy of 2216  
the registered order or registered agreement with a law 2217  
enforcement agency in the other county in accordance with that 2218  
division. A person who obtains a protection order issued by a 2219

court of another state may provide notice of the issuance of the 2220  
order to the judicial and law enforcement officials in any 2221  
county of this state by registering the order in that county 2222  
pursuant to section 2919.272 of the Revised Code and filing a 2223  
copy of the registered order with a law enforcement agency in 2224  
that county. 2225

(2) A petitioner may register a temporary protection 2226  
order, protection order, or consent agreement in a county other 2227  
than the county in which the court that issued the order or 2228  
approved the agreement is located in the following manner: 2229

(a) The petitioner shall obtain a certified copy of the 2230  
order or agreement from the clerk of the court that issued the 2231  
order or approved the agreement and present that certified copy 2232  
to the clerk of the court of common pleas or the clerk of a 2233  
municipal court or county court in the county in which the order 2234  
or agreement is to be registered. 2235

(b) Upon accepting the certified copy of the order or 2236  
agreement for registration, the clerk of the court of common 2237  
pleas, municipal court, or county court shall place an 2238  
endorsement of registration on the order or agreement and give 2239  
the petitioner a copy of the order or agreement that bears that 2240  
proof of registration. 2241

(3) The clerk of each court of common pleas, the clerk of 2242  
each municipal court, and the clerk of each county court shall 2243  
maintain a registry of certified copies of temporary protection 2244  
orders, protection orders, or consent agreements that have been 2245  
issued or approved by courts in other counties and that have 2246  
been registered with the clerk. 2247

**Sec. 3113.33.** As used in sections 3113.33 to 3113.40 of 2248

the Revised Code: 2249

(A) "Domestic violence" means attempting to cause or 2250  
causing bodily injury to a family or household member, or 2251  
placing a family or household member by threat of force in fear 2252  
of imminent physical harm. "Domestic violence" includes dating 2253  
violence. 2254

(B) "Family or household member" means any of the 2255  
following: 2256

(1) Any of the following who is residing or has resided 2257  
with the person committing the domestic violence: 2258

(a) A spouse, a person living as a spouse, or a former 2259  
spouse of the person committing the domestic violence; 2260

(b) A parent, foster parent, or child of the person 2261  
committing the domestic violence, or another person related by 2262  
consanguinity or affinity to the person committing the domestic 2263  
violence; 2264

(c) A parent or a child of a spouse, person living as a 2265  
spouse, or former spouse of the person committing the domestic 2266  
violence, or another person related by consanguinity or affinity 2267  
to a spouse, person living as a spouse, or former spouse of the 2268  
person committing the domestic violence; 2269

(d) The dependents of any person listed in division (B) (1) 2270  
(a), (b), or (c) of this section. 2271

(2) The natural parent of any child of whom the person 2272  
committing the domestic violence is the other natural parent or 2273  
is the putative other natural parent; 2274

(3) A person in a dating relationship with the person 2275  
committing the dating violence and who is the victim of that 2276

dating violence. 2277

(C) "Shelter for victims of domestic violence" or 2278  
"shelter" means a facility that provides temporary residential 2279  
service or facilities to family or household members who are 2280  
victims of domestic violence. 2281

(D) "Person living as a spouse" means a person who is 2282  
living or has lived with the person committing the domestic 2283  
violence in a common law marital relationship, who otherwise is 2284  
cohabiting with the person committing the domestic violence, or 2285  
who otherwise has cohabited with the person committing the 2286  
domestic violence within five years prior to the date of the 2287  
alleged occurrence of the act in question. 2288

(E) "Dating violence" has the same meaning as in section 2289  
3113.311 of the Revised Code. 2290

**Section 2.** That existing sections 109.42, 2151.34, 2291  
2903.214, 2919.26, 2919.27, 3113.31, and 3113.33 of the Revised 2292  
Code are hereby repealed. 2293

**Section 3.** Section 2151.34 of the Revised Code is 2294  
presented in this act as a composite of the section as amended 2295  
by both Sub. H.B. 309 and Am. Sub. S.B. 177 of the 130th General 2296  
Assembly. The General Assembly, applying the principle stated in 2297  
division (B) of section 1.52 of the Revised Code that amendments 2298  
are to be harmonized if reasonably capable of simultaneous 2299  
operation, finds that the composite is the resulting version of 2300  
the section in effect prior to the effective date of the section 2301  
as presented in this act. 2302

Section 2903.214 of the Revised Code is presented in this 2303  
act as a composite of the section as amended by both Sub. H.B. 2304  
309 and Am. Sub. S.B. 177 of the 130th General Assembly. The 2305

General Assembly, applying the principle stated in division (B) 2306  
of section 1.52 of the Revised Code that amendments are to be 2307  
harmonized if reasonably capable of simultaneous operation, 2308  
finds that the composite is the resulting version of the section 2309  
in effect prior to the effective date of the section as 2310  
presented in this act. 2311

Section 2919.26 of the Revised Code is presented in this 2312  
act as a composite of the section as amended by both Sub. H.B. 2313  
309 and Am. Sub. S.B. 177 of the 130th General Assembly. The 2314  
General Assembly, applying the principle stated in division (B) 2315  
of section 1.52 of the Revised Code that amendments are to be 2316  
harmonized if reasonably capable of simultaneous operation, 2317  
finds that the composite is the resulting version of the section 2318  
in effect prior to the effective date of the section as 2319  
presented in this act. 2320