

As Introduced

132nd General Assembly

Regular Session

2017-2018

S. B. No. 150

Senator Brown

Cosponsors: Senators Schiavoni, Thomas, Tavares

A BILL

To amend sections 2903.13, 2919.25, 2919.26, 1
2923.13, 2923.14, and 3113.31 and to enact 2
sections 2923.133 and 2923.134 of the Revised 3
Code to prohibit a person convicted of domestic 4
violence or assault of a family member, or a 5
person subject to certain protection orders, 6
from having a firearm; to establish a procedure 7
for surrendering all firearms in the person's 8
possession; and to name the act the "Domestic 9
Violence Survivors Protection Act." 10

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

Section 1. That sections 2903.13, 2919.25, 2919.26, 11
2923.13, 2923.14, and 3113.31 be amended and sections 2923.133 12
and 2923.134 of the Revised Code be enacted to read as follows: 13

Sec. 2903.13. (A) No person shall knowingly cause or 14
attempt to cause physical harm to another or to another's 15
unborn. 16

(B) No person shall recklessly cause serious physical harm 17
to another or to another's unborn. 18

(C) (1) Whoever violates this section is guilty of assault, 19
and the court shall sentence the offender as provided in this 20
division and divisions (C) (1), (2), (3), (4), (5), (6), (7), 21
(8), (9), and (10) of this section. Except as otherwise provided 22
in division (C) (2), (3), (4), (5), (6), (7), (8), or (9) of this 23
section, assault is a misdemeanor of the first degree. 24

(2) Except as otherwise provided in this division, if the 25
offense is committed by a caretaker against a functionally 26
impaired person under the caretaker's care, assault is a felony 27
of the fourth degree. If the offense is committed by a caretaker 28
against a functionally impaired person under the caretaker's 29
care, if the offender previously has been convicted of or 30
pleaded guilty to a violation of this section or section 2903.11 31
or 2903.16 of the Revised Code, and if in relation to the 32
previous conviction the offender was a caretaker and the victim 33
was a functionally impaired person under the offender's care, 34
assault is a felony of the third degree. 35

(3) If the offense occurs in or on the grounds of a state 36
correctional institution or an institution of the department of 37
youth services, the victim of the offense is an employee of the 38
department of rehabilitation and correction or the department of 39
youth services, and the offense is committed by a person 40
incarcerated in the state correctional institution or by a 41
person institutionalized in the department of youth services 42
institution pursuant to a commitment to the department of youth 43
services, assault is a felony of the third degree. 44

(4) If the offense is committed in any of the following 45
circumstances, assault is a felony of the fifth degree: 46

(a) The offense occurs in or on the grounds of a local 47
correctional facility, the victim of the offense is an employee 48

of the local correctional facility or a probation department or 49
is on the premises of the facility for business purposes or as a 50
visitor, and the offense is committed by a person who is under 51
custody in the facility subsequent to the person's arrest for 52
any crime or delinquent act, subsequent to the person's being 53
charged with or convicted of any crime, or subsequent to the 54
person's being alleged to be or adjudicated a delinquent child. 55

(b) The offense occurs off the grounds of a state 56
correctional institution and off the grounds of an institution 57
of the department of youth services, the victim of the offense 58
is an employee of the department of rehabilitation and 59
correction, the department of youth services, or a probation 60
department, the offense occurs during the employee's official 61
work hours and while the employee is engaged in official work 62
responsibilities, and the offense is committed by a person 63
incarcerated in a state correctional institution or 64
institutionalized in the department of youth services who 65
temporarily is outside of the institution for any purpose, by a 66
parolee, by an offender under transitional control, under a 67
community control sanction, or on an escorted visit, by a person 68
under post-release control, or by an offender under any other 69
type of supervision by a government agency. 70

(c) The offense occurs off the grounds of a local 71
correctional facility, the victim of the offense is an employee 72
of the local correctional facility or a probation department, 73
the offense occurs during the employee's official work hours and 74
while the employee is engaged in official work responsibilities, 75
and the offense is committed by a person who is under custody in 76
the facility subsequent to the person's arrest for any crime or 77
delinquent act, subsequent to the person being charged with or 78
convicted of any crime, or subsequent to the person being 79

alleged to be or adjudicated a delinquent child and who 80
temporarily is outside of the facility for any purpose or by a 81
parolee, by an offender under transitional control, under a 82
community control sanction, or on an escorted visit, by a person 83
under post-release control, or by an offender under any other 84
type of supervision by a government agency. 85

(d) The victim of the offense is a school teacher or 86
administrator or a school bus operator, and the offense occurs 87
in a school, on school premises, in a school building, on a 88
school bus, or while the victim is outside of school premises or 89
a school bus and is engaged in duties or official 90
responsibilities associated with the victim's employment or 91
position as a school teacher or administrator or a school bus 92
operator, including, but not limited to, driving, accompanying, 93
or chaperoning students at or on class or field trips, athletic 94
events, or other school extracurricular activities or functions 95
outside of school premises. 96

(5) If the victim of the offense is a peace officer or an 97
investigator of the bureau of criminal identification and 98
investigation, a firefighter, or a person performing emergency 99
medical service, while in the performance of their official 100
duties, assault is a felony of the fourth degree. 101

(6) If the victim of the offense is a peace officer or an 102
investigator of the bureau of criminal identification and 103
investigation and if the victim suffered serious physical harm 104
as a result of the commission of the offense, assault is a 105
felony of the fourth degree, and the court, pursuant to division 106
(F) of section 2929.13 of the Revised Code, shall impose as a 107
mandatory prison term one of the prison terms prescribed for a 108
felony of the fourth degree that is at least twelve months in 109

duration. 110

(7) If the victim of the offense is an officer or employee 111
of a public children services agency or a private child placing 112
agency and the offense relates to the officer's or employee's 113
performance or anticipated performance of official 114
responsibilities or duties, assault is either a felony of the 115
fifth degree or, if the offender previously has been convicted 116
of or pleaded guilty to an offense of violence, the victim of 117
that prior offense was an officer or employee of a public 118
children services agency or private child placing agency, and 119
that prior offense related to the officer's or employee's 120
performance or anticipated performance of official 121
responsibilities or duties, a felony of the fourth degree. 122

(8) If the victim of the offense is a health care 123
professional of a hospital, a health care worker of a hospital, 124
or a security officer of a hospital whom the offender knows or 125
has reasonable cause to know is a health care professional of a 126
hospital, a health care worker of a hospital, or a security 127
officer of a hospital, if the victim is engaged in the 128
performance of the victim's duties, and if the hospital offers 129
de-escalation or crisis intervention training for such 130
professionals, workers, or officers, assault is one of the 131
following: 132

(a) Except as otherwise provided in division (C) (8) (b) of 133
this section, assault committed in the specified circumstances 134
is a misdemeanor of the first degree. Notwithstanding the fine 135
specified in division (A) (2) (b) of section 2929.28 of the 136
Revised Code for a misdemeanor of the first degree, in 137
sentencing the offender under this division and if the court 138
decides to impose a fine, the court may impose upon the offender 139

a fine of not more than five thousand dollars. 140

(b) If the offender previously has been convicted of or 141
pleaded guilty to one or more assault or homicide offenses 142
committed against hospital personnel, assault committed in the 143
specified circumstances is a felony of the fifth degree. 144

(9) If the victim of the offense is a judge, magistrate, 145
prosecutor, or court official or employee whom the offender 146
knows or has reasonable cause to know is a judge, magistrate, 147
prosecutor, or court official or employee, and if the victim is 148
engaged in the performance of the victim's duties, assault is 149
one of the following: 150

(a) Except as otherwise provided in division (C) (8) (b) of 151
this section, assault committed in the specified circumstances 152
is a misdemeanor of the first degree. In sentencing the offender 153
under this division, if the court decides to impose a fine, 154
notwithstanding the fine specified in division (A) (2) (b) of 155
section 2929.28 of the Revised Code for a misdemeanor of the 156
first degree, the court may impose upon the offender a fine of 157
not more than five thousand dollars. 158

(b) If the offender previously has been convicted of or 159
pleaded guilty to one or more assault or homicide offenses 160
committed against justice system personnel, assault committed in 161
the specified circumstances is a felony of the fifth degree. 162

(10) If an offender who is convicted of or pleads guilty 163
to assault when it is a misdemeanor also is convicted of or 164
pleads guilty to a specification as described in section 165
2941.1423 of the Revised Code that was included in the 166
indictment, count in the indictment, or information charging the 167
offense, the court shall sentence the offender to a mandatory 168

jail term as provided in division (G) of section 2929.24 of the Revised Code. 169
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If an offender who is convicted of or pleads guilty to assault when it is a felony also is convicted of or pleads guilty to a specification as described in section 2941.1423 of the Revised Code that was included in the indictment, count in the indictment, or information charging the offense, except as otherwise provided in division (C) (6) of this section, the court shall sentence the offender to a mandatory prison term as provided in division (B) (8) of section 2929.14 of the Revised Code. 171
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(D) Upon a person's conviction of a violation of this section, the court shall determine whether, as a result of the violation, it is unlawful for the offender to possess or purchase a firearm under section 2923.13 of the Revised Code or 18 U.S.C. 922(g) (9). If the court determines that the offender is prohibited from possessing or purchasing a firearm, the court shall order the offender to transfer all firearms in the offender's possession or control in accordance with section 2923.133 of the Revised Code. 180
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(E) As used in this section: 189

(1) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 190
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(2) "Firefighter" has the same meaning as in section 3937.41 of the Revised Code. 192
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(3) "Emergency medical service" has the same meaning as in section 4765.01 of the Revised Code. 194
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(4) "Local correctional facility" means a county, multicounty, municipal, municipal-county, or multicounty- 196
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municipal jail or workhouse, a minimum security jail established 198
under section 341.23 or 753.21 of the Revised Code, or another 199
county, multicounty, municipal, municipal-county, or 200
multicounty-municipal facility used for the custody of persons 201
arrested for any crime or delinquent act, persons charged with 202
or convicted of any crime, or persons alleged to be or 203
adjudicated a delinquent child. 204

(5) "Employee of a local correctional facility" means a 205
person who is an employee of the political subdivision or of one 206
or more of the affiliated political subdivisions that operates 207
the local correctional facility and who operates or assists in 208
the operation of the facility. 209

(6) "School teacher or administrator" means either of the 210
following: 211

(a) A person who is employed in the public schools of the 212
state under a contract described in section 3311.77 or 3319.08 213
of the Revised Code in a position in which the person is 214
required to have a certificate issued pursuant to sections 215
3319.22 to 3319.311 of the Revised Code. 216

(b) A person who is employed by a nonpublic school for 217
which the state board of education prescribes minimum standards 218
under section 3301.07 of the Revised Code and who is 219
certificated in accordance with section 3301.071 of the Revised 220
Code. 221

(7) "Community control sanction" has the same meaning as 222
in section 2929.01 of the Revised Code. 223

(8) "Escorted visit" means an escorted visit granted under 224
section 2967.27 of the Revised Code. 225

(9) "Post-release control" and "transitional control" have 226

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| the same meanings as in section 2967.01 of the Revised Code. | 227 |
| (10) "Investigator of the bureau of criminal identification and investigation" has the same meaning as in section 2903.11 of the Revised Code. | 228 229 230 |
| (11) "Health care professional" and "health care worker" have the same meanings as in section 2305.234 of the Revised Code. | 231 232 233 |
| (12) "Assault or homicide offense committed against hospital personnel" means a violation of this section or of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, or 2903.14 of the Revised Code committed in circumstances in which all of the following apply: | 234 235 236 237 238 |
| (a) The victim of the offense was a health care professional of a hospital, a health care worker of a hospital, or a security officer of a hospital. | 239 240 241 |
| (b) The offender knew or had reasonable cause to know that the victim was a health care professional of a hospital, a health care worker of a hospital, or a security officer of a hospital. | 242 243 244 245 |
| (c) The victim was engaged in the performance of the victim's duties. | 246 247 |
| (d) The hospital offered de-escalation or crisis intervention training for such professionals, workers, or officers. | 248 249 250 |
| (13) "De-escalation or crisis intervention training" means de-escalation or crisis intervention training for health care professionals of a hospital, health care workers of a hospital, and security officers of a hospital to facilitate interaction | 251 252 253 254 |

with patients, members of a patient's family, and visitors, 255
including those with mental impairments. 256

(14) "Assault or homicide offense committed against 257
justice system personnel" means a violation of this section or 258
of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 259
2903.11, 2903.12, or 2903.14 of the Revised Code committed in 260
circumstances in which the victim of the offense was a judge, 261
magistrate, prosecutor, or court official or employee whom the 262
offender knew or had reasonable cause to know was a judge, 263
magistrate, prosecutor, or court official or employee, and the 264
victim was engaged in the performance of the victim's duties. 265

(15) "Court official or employee" means any official or 266
employee of a court created under the constitution or statutes 267
of this state or of a United States court located in this state. 268

(16) "Judge" means a judge of a court created under the 269
constitution or statutes of this state or of a United States 270
court located in this state. 271

(17) "Magistrate" means an individual who is appointed by 272
a court of record of this state and who has the powers and may 273
perform the functions specified in Civil Rule 53, Criminal Rule 274
19, or Juvenile Rule 40, or an individual who is appointed by a 275
United States court located in this state who has similar powers 276
and functions. 277

(18) "Prosecutor" has the same meaning as in section 278
2935.01 of the Revised Code. 279

(19) (a) "Hospital" means, subject to division (D) (19) (b) 280
of this section, an institution classified as a hospital under 281
section 3701.01 of the Revised Code in which are provided to 282
patients diagnostic, medical, surgical, obstetrical, 283

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| psychiatric, or rehabilitation care or a hospital operated by a | 284 |
| health maintenance organization. | 285 |
| (b) "Hospital" does not include any of the following: | 286 |
| (i) A facility licensed under Chapter 3721. of the Revised | 287 |
| Code, a health care facility operated by the department of | 288 |
| mental health or the department of developmental disabilities, a | 289 |
| health maintenance organization that does not operate a | 290 |
| hospital, or the office of any private, licensed health care | 291 |
| professional, whether organized for individual or group | 292 |
| practice; | 293 |
| (ii) An institution for the sick that is operated | 294 |
| exclusively for patients who use spiritual means for healing and | 295 |
| for whom the acceptance of medical care is inconsistent with | 296 |
| their religious beliefs, accredited by a national accrediting | 297 |
| organization, exempt from federal income taxation under section | 298 |
| 501 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 | 299 |
| U.S.C. 1, as amended, and providing twenty-four-hour nursing | 300 |
| care pursuant to the exemption in division (E) of section | 301 |
| 4723.32 of the Revised Code from the licensing requirements of | 302 |
| Chapter 4723. of the Revised Code. | 303 |
| (20) "Health maintenance organization" has the same | 304 |
| meaning as in section 3727.01 of the Revised Code. | 305 |
| Sec. 2919.25. (A) No person shall knowingly cause or | 306 |
| attempt to cause physical harm to a family or household member. | 307 |
| (B) No person shall recklessly cause serious physical harm | 308 |
| to a family or household member. | 309 |
| (C) No person, by threat of force, shall knowingly cause a | 310 |
| family or household member to believe that the offender will | 311 |
| cause imminent physical harm to the family or household member. | 312 |

(D) (1) Whoever violates this section is guilty of domestic violence, and the court shall sentence the offender as provided in divisions (D) (2) to (6) of this section.

(2) Except as otherwise provided in divisions (D) (3) to (5) of this section, a violation of division (C) of this section is a misdemeanor of the fourth degree, and a violation of division (A) or (B) of this section is a misdemeanor of the first degree.

(3) Except as otherwise provided in division (D) (4) of this section, if the offender previously has pleaded guilty to or been convicted of domestic violence, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to domestic violence, a violation of section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code if the victim of the violation was a family or household member at the time of the violation, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to any of those sections if the victim of the violation was a family or household member at the time of the commission of the violation, or any offense of violence if the victim of the offense was a family or household member at the time of the commission of the offense, a violation of division (A) or (B) of this section is a felony of the fourth degree, and, if the offender knew that the victim of the violation was pregnant at the time of the violation, the court shall impose a mandatory prison term on the offender pursuant to division (D) (6) of this section, and a violation of division (C) of this section is a misdemeanor of the second degree.

(4) If the offender previously has pleaded guilty to or 343
been convicted of two or more offenses of domestic violence or 344
two or more violations or offenses of the type described in 345
division (D) (3) of this section involving a person who was a 346
family or household member at the time of the violations or 347
offenses, a violation of division (A) or (B) of this section is 348
a felony of the third degree, and, if the offender knew that the 349
victim of the violation was pregnant at the time of the 350
violation, the court shall impose a mandatory prison term on the 351
offender pursuant to division (D) (6) of this section, and a 352
violation of division (C) of this section is a misdemeanor of 353
the first degree. 354

(5) Except as otherwise provided in division (D) (3) or (4) 355
of this section, if the offender knew that the victim of the 356
violation was pregnant at the time of the violation, a violation 357
of division (A) or (B) of this section is a felony of the fifth 358
degree, and the court shall impose a mandatory prison term on 359
the offender pursuant to division (D) (6) of this section, and a 360
violation of division (C) of this section is a misdemeanor of 361
the third degree. 362

(6) If division (D) (3), (4), or (5) of this section 363
requires the court that sentences an offender for a violation of 364
division (A) or (B) of this section to impose a mandatory prison 365
term on the offender pursuant to this division, the court shall 366
impose the mandatory prison term as follows: 367

(a) If the violation of division (A) or (B) of this 368
section is a felony of the fourth or fifth degree, except as 369
otherwise provided in division (D) (6) (b) or (c) of this section, 370
the court shall impose a mandatory prison term on the offender 371
of at least six months. 372

(b) If the violation of division (A) or (B) of this section is a felony of the fifth degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, the court shall impose a mandatory prison term on the offender of twelve months.

(c) If the violation of division (A) or (B) of this section is a felony of the fourth degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, the court shall impose a mandatory prison term on the offender of at least twelve months.

(d) If the violation of division (A) or (B) of this section is a felony of the third degree, except as otherwise provided in division (D) (6) (e) of this section and notwithstanding the range of prison terms prescribed in section 2929.14 of the Revised Code for a felony of the third degree, the court shall impose a mandatory prison term on the offender of either a definite term of six months or one of the prison terms prescribed in section 2929.14 of the Revised Code for felonies of the third degree.

(e) If the violation of division (A) or (B) of this section is a felony of the third degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, notwithstanding the range of prison terms prescribed in section 2929.14 of the Revised Code for a felony of the third degree, the court shall impose a mandatory prison term on the offender of either a definite term of one year or one of the prison terms prescribed in section 2929.14 of

the Revised Code for felonies of the third degree. 403

(E) Notwithstanding any provision of law to the contrary, 404
no court or unit of state or local government shall charge any 405
fee, cost, deposit, or money in connection with the filing of 406
charges against a person alleging that the person violated this 407
section or a municipal ordinance substantially similar to this 408
section or in connection with the prosecution of any charges so 409
filed. 410

(F) Upon a person's conviction of a violation of this 411
section, the court shall determine whether, as a result of the 412
violation, it is unlawful for the offender to possess or 413
purchase a firearm under section 2923.13 of the Revised Code or 414
18 U.S.C. 922(g)(9). If the court determines that the offender 415
is prohibited from possessing or purchasing a firearm, the court 416
shall order the offender to transfer all firearms in the 417
offender's possession or control in accordance with section 418
2923.133 of the Revised Code. 419

(G) As used in this section and sections 2919.251 and 420
2919.26 of the Revised Code: 421

(1) "Family or household member" means any of the 422
following: 423

(a) Any of the following who is residing or has resided 424
with the offender: 425

(i) A spouse, a person living as a spouse, or a former 426
spouse of the offender; 427

(ii) A parent, a foster parent, or a child of the 428
offender, or another person related by consanguinity or affinity 429
to the offender; 430

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender.

(b) The natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.

(2) "Person living as a spouse" means a person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question.

(3) "Pregnant woman's unborn" has the same meaning as "such other person's unborn," as set forth in section 2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.

(4) "Termination of the pregnant woman's pregnancy" has the same meaning as "unlawful termination of another's pregnancy," as set forth in section 2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.

Sec. 2919.26. (A) (1) Upon the filing of a complaint that 461
alleges a violation of section 2909.06, 2909.07, 2911.12, or 462
2911.211 of the Revised Code if the alleged victim of the 463
violation was a family or household member at the time of the 464
violation, a violation of a municipal ordinance that is 465
substantially similar to any of those sections if the alleged 466
victim of the violation was a family or household member at the 467
time of the violation, any offense of violence if the alleged 468
victim of the offense was a family or household member at the 469
time of the commission of the offense, or any sexually oriented 470
offense if the alleged victim of the offense was a family or 471
household member at the time of the commission of the offense, 472
the complainant, the alleged victim, or a family or household 473
member of an alleged victim may file, or, if in an emergency the 474
alleged victim is unable to file, a person who made an arrest 475
for the alleged violation or offense under section 2935.03 of 476
the Revised Code may file on behalf of the alleged victim, a 477
motion that requests the issuance of a temporary protection 478
order as a pretrial condition of release of the alleged 479
offender, in addition to any bail set under Criminal Rule 46. 480
The motion shall be filed with the clerk of the court that has 481
jurisdiction of the case at any time after the filing of the 482
complaint. 483

(2) For purposes of section 2930.09 of the Revised Code, 484
all stages of a proceeding arising out of a complaint alleging 485
the commission of a violation, offense of violence, or sexually 486
oriented offense described in division (A) (1) of this section, 487
including all proceedings on a motion for a temporary protection 488
order, are critical stages of the case, and a victim may be 489
accompanied by a victim advocate or another person to provide 490
support to the victim as provided in that section. 491

(B) (1) The motion shall be prepared on a form that is 492
provided by the clerk of the court, which form shall be 493
substantially as follows: 494

"MOTION FOR TEMPORARY PROTECTION ORDER 495

..... Court 496

Name and address of court 497

State of Ohio 498

v. No. 499

..... 500

Name of Defendant 501

(name of person), moves the court to issue a temporary 502
protection order containing terms designed to ensure the safety 503
and protection of the complainant, alleged victim, and other 504
family or household members, in relation to the named defendant, 505
pursuant to its authority to issue such an order under section 506
2919.26 of the Revised Code. 507

A complaint, a copy of which has been attached to this 508
motion, has been filed in this court charging the named 509
defendant with (name of the specified 510
violation, the offense of violence, or sexually oriented offense 511
charged) in circumstances in which the victim was a family or 512
household member in violation of (section of the Revised Code 513
designating the specified violation, offense of violence, or 514
sexually oriented offense charged), or charging the named 515
defendant with a violation of a municipal ordinance that is 516
substantially similar to (section of 517
the Revised Code designating the specified violation, offense of 518
violence, or sexually oriented offense charged) involving a 519

family or household member. 520

I understand that I must appear before the court, at a 521
time set by the court within twenty-four hours after the filing 522
of this motion, for a hearing on the motion or that, if I am 523
unable to appear because of hospitalization or a medical 524
condition resulting from the offense alleged in the complaint, a 525
person who can provide information about my need for a temporary 526
protection order must appear before the court in lieu of my 527
appearing in court. I understand that any temporary protection 528
order granted pursuant to this motion is a pretrial condition of 529
release and is effective only until the disposition of the 530
criminal proceeding arising out of the attached complaint, or 531
the issuance of a civil protection order or the approval of a 532
consent agreement, arising out of the same activities as those 533
that were the basis of the complaint, under section 3113.31 of 534
the Revised Code. 535

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Signature of person 537

(or signature of the arresting officer who filed the motion on 538
behalf of the alleged victim) 539

..... 540

Address of person (or office address of the arresting officer 541
who filed the motion on behalf of the alleged victim)" 542

(2) The petitioner may attach a document to the form that 543
describes the number, types, and locations of any firearms that 544
the petitioner knows to be in the possession or control of the 545
defendant. 546

(C) (1) As soon as possible after the filing of a motion 547

that requests the issuance of a temporary protection order, but 548
not later than twenty-four hours after the filing of the motion, 549
the court shall conduct a hearing to determine whether to issue 550
the order. The person who requested the order shall appear 551
before the court and provide the court with the information that 552
it requests concerning the basis of the motion. If the person 553
who requested the order is unable to appear and if the court 554
finds that the failure to appear is because of the person's 555
hospitalization or medical condition resulting from the offense 556
alleged in the complaint, another person who is able to provide 557
the court with the information it requests may appear in lieu of 558
the person who requested the order. If the court finds that the 559
safety and protection of the complainant, alleged victim, or any 560
other family or household member of the alleged victim may be 561
impaired by the continued presence of the alleged offender, the 562
court may issue a temporary protection order, as a pretrial 563
condition of release, that contains terms designed to ensure the 564
safety and protection of the complainant, alleged victim, or the 565
family or household member, including a requirement that the 566
alleged offender refrain from entering the residence, school, 567
business, or place of employment of the complainant, alleged 568
victim, or the family or household member. The court may include 569
within a protection order issued under this section a term 570
requiring that the alleged offender not remove, damage, hide, 571
harm, or dispose of any companion animal owned or possessed by 572
the complainant, alleged victim, or any other family or 573
household member of the alleged victim, and may include within 574
the order a term authorizing the complainant, alleged victim, or 575
other family or household member of the alleged victim to remove 576
a companion animal owned by the complainant, alleged victim, or 577
other family or household member from the possession of the 578
alleged offender. 579

(2) (a) If the court issues a temporary protection order 580
that includes a requirement that the alleged offender refrain 581
from entering the residence, school, business, or place of 582
employment of the complainant, the alleged victim, or the family 583
or household member, the order shall state clearly that the 584
order cannot be waived or nullified by an invitation to the 585
alleged offender from the complainant, alleged victim, or family 586
or household member to enter the residence, school, business, or 587
place of employment or by the alleged offender's entry into one 588
of those places otherwise upon the consent of the complainant, 589
alleged victim, or family or household member. 590

(b) Division (C) (2) (a) of this section does not limit any 591
discretion of a court to determine that an alleged offender 592
charged with a violation of section 2919.27 of the Revised Code, 593
with a violation of a municipal ordinance substantially 594
equivalent to that section, or with contempt of court, which 595
charge is based on an alleged violation of a temporary 596
protection order issued under this section, did not commit the 597
violation or was not in contempt of court. 598

(D) (1) Upon the filing of a complaint that alleges a 599
violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of 600
the Revised Code if the alleged victim of the violation was a 601
family or household member at the time of the violation, a 602
violation of a municipal ordinance that is substantially similar 603
to any of those sections if the alleged victim of the violation 604
was a family or household member at the time of the violation, 605
any offense of violence if the alleged victim of the offense was 606
a family or household member at the time of the commission of 607
the offense, or any sexually oriented offense if the alleged 608
victim of the offense was a family or household member at the 609
time of the commission of the offense, the court, upon its own 610

motion, may issue a temporary protection order as a pretrial 611
condition of release if it finds that the safety and protection 612
of the complainant, alleged victim, or other family or household 613
member of the alleged offender may be impaired by the continued 614
presence of the alleged offender. 615

(2) If the court issues a temporary protection order under 616
this section as an ex parte order, it shall conduct, as soon as 617
possible after the issuance of the order, a hearing in the 618
presence of the alleged offender not later than the next day on 619
which the court is scheduled to conduct business after the day 620
on which the alleged offender was arrested or at the time of the 621
appearance of the alleged offender pursuant to summons to 622
determine whether the order should remain in effect, be 623
modified, or be revoked. The hearing shall be conducted under 624
the standards set forth in division (C) of this section. 625

(3) An order issued under this section shall contain only 626
those terms authorized in orders issued under division (C) of 627
this section. 628

(4) If a municipal court or a county court issues a 629
temporary protection order under this section and if, subsequent 630
to the issuance of the order, the alleged offender who is the 631
subject of the order is bound over to the court of common pleas 632
for prosecution of a felony arising out of the same activities 633
as those that were the basis of the complaint upon which the 634
order is based, notwithstanding the fact that the order was 635
issued by a municipal court or county court, the order shall 636
remain in effect, as though it were an order of the court of 637
common pleas, while the charges against the alleged offender are 638
pending in the court of common pleas, for the period of time 639
described in division (E) (2) of this section, and the court of 640

common pleas has exclusive jurisdiction to modify the order 641
issued by the municipal court or county court. This division 642
applies when the alleged offender is bound over to the court of 643
common pleas as a result of the person waiving a preliminary 644
hearing on the felony charge, as a result of the municipal court 645
or county court having determined at a preliminary hearing that 646
there is probable cause to believe that the felony has been 647
committed and that the alleged offender committed it, as a 648
result of the alleged offender having been indicted for the 649
felony, or in any other manner. 650

(E) A temporary protection order that is issued as a 651
pretrial condition of release under this section: 652

(1) Is in addition to, but shall not be construed as a 653
part of, any bail set under Criminal Rule 46; 654

(2) Is effective only until the occurrence of either of 655
the following: 656

(a) The disposition, by the court that issued the order 657
or, in the circumstances described in division (D)(4) of this 658
section, by the court of common pleas to which the alleged 659
offender is bound over for prosecution, of the criminal 660
proceeding arising out of the complaint upon which the order is 661
based; 662

(b) The issuance of a protection order or the approval of 663
a consent agreement, arising out of the same activities as those 664
that were the basis of the complaint upon which the order is 665
based, under section 3113.31 of the Revised Code~~†~~. 666

(3) Shall not be construed as a finding that the alleged 667
offender committed the alleged offense, and shall not be 668
introduced as evidence of the commission of the offense at the 669

trial of the alleged offender on the complaint upon which the order is based. 670
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(F) A person who meets the criteria for bail under Criminal Rule 46 and who, if required to do so pursuant to that rule, executes or posts bond or deposits cash or securities as bail, shall not be held in custody pending a hearing before the court on a motion requesting a temporary protection order. 672
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(G) (1) A copy of any temporary protection order that is issued under this section shall be issued by the court to the complainant, to the alleged victim, to the person who requested the order, to the defendant, and to all law enforcement agencies that have jurisdiction to enforce the order. The court shall direct that a copy of the order be delivered to the defendant on the same day that the order is entered. If a municipal court or a county court issues a temporary protection order under this section and if, subsequent to the issuance of the order, the defendant who is the subject of the order is bound over to the court of common pleas for prosecution as described in division (D) (4) of this section, the municipal court or county court shall direct that a copy of the order be delivered to the court of common pleas to which the defendant is bound over. 677
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(2) Upon the issuance of a protection order under this section, the court shall determine whether, as a result of the order, it is unlawful for the defendant to possess or purchase a firearm under division (A) (7) of section 2923.13 of the Revised Code or 18 U.S.C. 922(g) (8). If the court determines that the defendant is prohibited from possessing or purchasing a firearm, the court shall order the defendant to transfer all firearms in the defendant's possession or control, and shall ensure that the transfer is made, in accordance with section 2923.134 of the 691
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Revised Code. If the defendant is so prohibited, the court shall 700
provide the parties to the order with the following notice 701
orally or by form: 702

"NOTICE 703

As a result of this protection order, it ~~may be~~ is 704
unlawful for you, the defendant, to possess or purchase a 705
firearm, including a rifle, pistol, or revolver, or ammunition 706
pursuant to ~~federal law under~~ section 2923.13 of the Revised 707
Code or 18 U.S.C. 922(g) (8). ~~If you have any questions whether~~ 708
~~this law makes it illegal for you to possess or purchase a~~ 709
~~firearm or ammunition, you should consult an attorney.~~ You are 710
required to transfer all firearms in your possession or control 711
within twenty-four hours after service of this order in 712
accordance with section 2923.134 of the Revised Code. You are 713
required to file with this court a proof of transfer and an 714
affidavit that you possess no firearms within forty-eight hours 715
after service of this order." 716

(3) All law enforcement agencies shall establish and 717
maintain an index for the temporary protection orders delivered 718
to the agencies pursuant to division (G) (1) of this section. 719
With respect to each order delivered, each agency shall note on 720
the index, the date and time of the receipt of the order by the 721
agency. 722

(4) A complainant, alleged victim, or other person who 723
obtains a temporary protection order under this section may 724
provide notice of the issuance of the temporary protection order 725
to the judicial and law enforcement officials in any county 726
other than the county in which the order is issued by 727
registering that order in the other county in accordance with 728
division (N) of section 3113.31 of the Revised Code and filing a 729

copy of the registered protection order with a law enforcement agency in the other county in accordance with that division. 730
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(5) Any officer of a law enforcement agency shall enforce a temporary protection order issued by any court in this state in accordance with the provisions of the order, including removing the defendant from the premises, regardless of whether the order is registered in the county in which the officer's agency has jurisdiction as authorized by division (G) (4) of this section. 732
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(H) Upon a violation of a temporary protection order, the court may issue another temporary protection order, as a pretrial condition of release, that modifies the terms of the order that was violated. 739
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(I) (1) As used in divisions (I) (1) and (2) of this section, "defendant" means a person who is alleged in a complaint to have committed a violation, offense of violence, or sexually oriented offense of the type described in division (A) of this section. 743
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(2) If a complaint is filed that alleges that a person committed a violation, offense of violence, or sexually oriented offense of the type described in division (A) of this section, the court may not issue a temporary protection order under this section that requires the complainant, the alleged victim, or another family or household member of the defendant to do or refrain from doing an act that the court may require the defendant to do or refrain from doing under a temporary protection order unless both of the following apply: 748
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(a) The defendant has filed a separate complaint that alleges that the complainant, alleged victim, or other family or 757
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household member in question who would be required under the 759
order to do or refrain from doing the act committed a violation 760
or offense of violence of the type described in division (A) of 761
this section. 762

(b) The court determines that both the complainant, 763
alleged victim, or other family or household member in question 764
who would be required under the order to do or refrain from 765
doing the act and the defendant acted primarily as aggressors, 766
that neither the complainant, alleged victim, or other family or 767
household member in question who would be required under the 768
order to do or refrain from doing the act nor the defendant 769
acted primarily in self-defense, and, in accordance with the 770
standards and criteria of this section as applied in relation to 771
the separate complaint filed by the defendant, that it should 772
issue the order to require the complainant, alleged victim, or 773
other family or household member in question to do or refrain 774
from doing the act. 775

(J) (1) Subject to division (J) (2) of this section and 776
regardless of whether a protection order is issued or a consent 777
agreement is approved by a court of another county or a court of 778
another state, no court or unit of state or local government 779
shall charge the movant any fee, cost, deposit, or money in 780
connection with the filing of a motion pursuant to this section, 781
in connection with the filing, issuance, registration, 782
modification, enforcement, dismissal, withdrawal, or service of 783
a protection order, consent agreement, or witness subpoena or 784
for obtaining a certified copy of a protection order or consent 785
agreement. 786

(2) Regardless of whether a protection order is issued or 787
a consent agreement is approved pursuant to this section, if the 788

defendant is convicted the court may assess costs against the 789
defendant in connection with the filing, issuance, registration, 790
modification, enforcement, dismissal, withdrawal, or service of 791
a protection order, consent agreement, or witness subpoena or 792
for obtaining a certified copy of a protection order or consent 793
agreement. 794

(K) As used in this section: 795

(1) "Companion animal" has the same meaning as in section 796
959.131 of the Revised Code. 797

(2) "Sexually oriented offense" has the same meaning as in 798
section 2950.01 of the Revised Code. 799

(3) "Victim advocate" means a person who provides support 800
and assistance for a victim of an offense during court 801
proceedings. 802

Sec. 2923.13. (A) Unless relieved from disability under 803
operation of law or legal process, no person shall knowingly 804
acquire, have, carry, or use any firearm or dangerous ordnance, 805
if any of the following apply: 806

(1) The person is a fugitive from justice. 807

(2) The person is under indictment for or has been 808
convicted of any felony offense of violence or has been 809
adjudicated a delinquent child for the commission of an offense 810
that, if committed by an adult, would have been a felony offense 811
of violence. 812

(3) The person is under indictment for or has been 813
convicted of any felony offense involving the illegal 814
possession, use, sale, administration, distribution, or 815
trafficking in any drug of abuse or has been adjudicated a 816

delinquent child for the commission of an offense that, if 817
committed by an adult, would have been a felony offense 818
involving the illegal possession, use, sale, administration, 819
distribution, or trafficking in any drug of abuse. 820

(4) The person is drug dependent, in danger of drug 821
dependence, or a chronic alcoholic. 822

(5) The person is under adjudication of mental 823
incompetence, has been adjudicated as a mental defective, has 824
been committed to a mental institution, has been found by a 825
court to be a mentally ill person subject to court order, or is 826
an involuntary patient other than one who is a patient only for 827
purposes of observation. As used in this division, "mentally ill 828
person subject to court order" and "patient" have the same 829
meanings as in section 5122.01 of the Revised Code. 830

(6) The person has been convicted of either domestic 831
violence or assault when the victim is a family or household 832
member, whether the offense is classified as a felony or 833
misdemeanor. 834

(7) The person is subject to a court order, granted after 835
a full hearing for which the person received notice and an 836
opportunity to be heard, that restrains the person from 837
harassing, stalking, threatening, or engaging in other conduct 838
that would place a family or household member in reasonable fear 839
of bodily injury, or is subject to a temporary protection order 840
issued under section 2919.26 of the Revised Code. 841

(B) Whoever violates this section is guilty of having 842
weapons while under disability, a felony of the third degree. 843

(C) For the purposes of this section, "under operation of 844
law or legal process" shall not itself include mere completion, 845

termination, or expiration of a sentence imposed as a result of 846
a criminal conviction. 847

(D) As used in this section, "family or household member" 848
has the same meaning as in section 3113.31 of the Revised Code. 849

Sec. 2923.133. (A) Any offender who has been convicted of 850
an offense described in division (A) (6) of section 2923.13 of 851
the Revised Code and has been served with a court order 852
requiring the offender to transfer all firearms in the 853
offender's possession or control in accordance with this section 854
shall transfer all firearms under the offender's possession or 855
control as described in this division. 856

(1) Within twenty-four hours after being served with the 857
court order, the offender shall transfer all firearms in the 858
offender's possession or control to a law enforcement agency or 859
federally licensed firearms dealer. The offender shall provide a 860
copy of the court order to the law enforcement agency or 861
firearms dealer at the time of transfer. Prior to accepting a 862
transfer of firearms from the offender, a law enforcement agency 863
shall notify the offender that if the firearms are transferred 864
to a law enforcement agency, the firearms shall be considered to 865
be abandoned and are subject to disposal under division (A) (3) 866
of this section. The law enforcement agency or federally 867
licensed firearms dealer taking possession of the firearm or 868
firearms shall issue a proof of transfer to the offender. The 869
proof of transfer shall include the name of the offender, the 870
date of transfer, and the serial number, make, and model of each 871
transferred firearm. 872

(2) Within forty-eight hours after being served with the 873
court order, the offender shall do one of the following: 874

(a) File a copy of proof of transfer with the court that 875
issued the order and an affidavit that all firearms in the 876
offender's possession or control at the time the offender was 877
served with the court order have been transferred in accordance 878
with this section and that the offender currently has no 879
firearms in the offender's possession or control; 880

(b) File an affidavit with the court that issued the order 881
that at the time the offender was served with the order the 882
offender had no firearms in the offender's possession or control 883
and that the offender currently has no firearms in the 884
offender's possession or control. 885

(3) If the offender transfers the firearm to a law 886
enforcement agency, the firearm shall be considered to be 887
abandoned. The law enforcement agency may establish policies for 888
disposal of abandoned firearms, provided such policies require 889
that the offender be notified of the disposal and receive any 890
financial value from the disposal less the costs to the law 891
enforcement agency associated with taking possession of, 892
storing, and disposing of the firearms. 893

(B) Notwithstanding division (A) of this section, if the 894
offender is incarcerated at the time the offender is served with 895
the court order and is unable to comply with the order due to 896
the offender's incarceration, the offender may file an affidavit 897
with the court that these circumstances are applicable to the 898
offender. 899

(C) An offender who recklessly violates the requirements 900
of this section is guilty of a felony of the fifth degree. 901

(D) As used in this section, "law enforcement agency" 902
means the state highway patrol, or a police department of a 903

municipal corporation or sheriff's office under the court's 904
jurisdiction. 905

Sec. 2923.134. (A) Any person who is subject to a court 906
order described in division (A) (7) of section 2923.13 of the 907
Revised Code and has been served with a court order requiring 908
the person to transfer all firearms in the person's possession 909
or control in accordance with this section shall transfer all 910
firearms in the person's possession or control as described in 911
this division. 912

(1) Within twenty-four hours after being served with the 913
court order, the respondent shall transfer all firearms in the 914
respondent's possession to a law enforcement agency or federally 915
licensed firearms dealer. The respondent shall provide a copy of 916
the court order to the law enforcement agency or federally 917
licensed firearms dealer at the time of transfer, along with a 918
copy of the protection order. The law enforcement agency or 919
federally licensed firearms dealer shall issue a proof of 920
transfer to the respondent. The proof of transfer shall include 921
the name of the respondent, the date of transfer, and the serial 922
number, make, and model of each transferred firearm. 923

(2) Within forty-eight hours after being served with the 924
court order, the respondent shall do one of the following: 925

(a) File a copy of the proof of transfer with the court 926
that issued the order and an affidavit that all firearms in the 927
respondent's possession or control at the time the respondent 928
was served with the order have been transferred in accordance 929
with this section and that the respondent currently has no 930
firearms in the respondent's possession or control; 931

(b) File an affidavit with the court that issued the order 932

that at the time the respondent was served with the order the 933
respondent had no firearms in the respondent's possession or 934
control and that the respondent currently has no firearms in the 935
respondent's possession or control. 936

(3) (a) Upon the expiration of the court order, the law 937
enforcement agency or federally licensed firearms dealer in 938
possession of the respondent's firearms shall, at the 939
respondent's request, return those firearms to the respondent, 940
unless either of the following applies: 941

(i) The order is extended or another court order described 942
in division (A) (7) of section 2923.13 of the Revised Code is in 943
effect; 944

(ii) The respondent is prohibited from possessing a 945
firearm under state or federal law. 946

(b) Before returning a firearm pursuant to this division, 947
the law enforcement agency or federally licensed firearms dealer 948
may require the respondent to sign a statement that the court 949
order has expired and has not been extended and that the 950
respondent is not prohibited from possessing a firearm under 951
state or federal law. 952

(4) (a) If the respondent is prohibited from possessing a 953
firearm under state or federal law, the respondent shall have 954
sixty days after the expiration of the court order and any 955
extensions to the court order to make one sale to a federally 956
licensed firearms dealer of any transferred firearms in the 957
possession of a law enforcement agency. The law enforcement 958
agency shall transfer possession of the firearms to a federally 959
licensed firearms dealer at the request of the firearms dealer, 960
if the firearms dealer provides the law enforcement agency with 961

a copy of a bill of sale that indicates the respondent has sold 962
the firearms to the firearms dealer. If the law enforcement 963
agency accepts any proceeds from the sale on behalf of the 964
respondent, the law enforcement agency shall transfer the 965
proceeds of the sale to the respondent. 966

(b) If the respondent or a federally licensed firearms 967
dealer does not provide a copy of a bill of sale for the 968
respondent's firearms to the law enforcement agency within sixty 969
days after the expiration of the court order and any extensions 970
to the court order, the firearms shall be considered to be 971
abandoned. The law enforcement agency may establish policies for 972
the disposal of abandoned firearms, provided the policies 973
require that the respondent be notified of the disposal and 974
receive any financial value from the disposal of the firearms. 975

(5) A law enforcement agency or federally licensed 976
firearms dealer may charge a respondent a reasonable fee in 977
connection with the storage of any firearm pursuant to this 978
section. The fee charged by a law enforcement agency shall not 979
exceed the costs associated with taking possession of, storing, 980
and disposing of the firearms. 981

(B) A respondent who recklessly violates the requirements 982
of this section is guilty of a felony of the fifth degree. 983

(C) As used in this section: 984

(1) "Law enforcement agency" has the same meaning as in 985
section 2923.133 of the Revised Code. 986

(2) "Respondent" includes a defendant who is subject to a 987
temporary protection order under section 2919.26 of the Revised 988
Code. 989

Sec. 2923.14. (A) (1) Except as otherwise provided in 990

division (A) (2) of this section, any person who is prohibited 991
from acquiring, having, carrying, or using firearms may apply to 992
the court of common pleas in the county in which the person 993
resides for relief from such prohibition. 994

(2) Division (A) (1) of this section does not apply to a 995
person who has been convicted of or pleaded guilty to a 996
violation of section 2923.132 of the Revised Code or to a person 997
who, two or more times, has been convicted of or pleaded guilty 998
to a felony and a specification of the type described in section 999
2941.141, 2941.144, 2941.145, 2941.146, 2941.1412, or 2941.1424 1000
of the Revised Code. 1001

(B) The application shall recite the following: 1002

(1) All indictments, convictions, or adjudications upon 1003
which the applicant's disability is based, the sentence imposed 1004
and served, and any release granted under a community control 1005
sanction, post-release control sanction, or parole, any partial 1006
or conditional pardon granted, or other disposition of each 1007
case, or, if the disability is based upon a factor other than an 1008
indictment, a conviction, or an adjudication, the factor upon 1009
which the disability is based and all details related to that 1010
factor; 1011

(2) Facts showing the applicant to be a fit subject for 1012
relief under this section. 1013

(C) A copy of the application shall be served on the 1014
county prosecutor. The county prosecutor shall cause the matter 1015
to be investigated and shall raise before the court any 1016
objections to granting relief that the investigation reveals. 1017

(D) Upon hearing, the court may grant the applicant relief 1018
pursuant to this section, if all of the following apply: 1019

| | |
|---|--------------------------------------|
| (1) One of the following applies: | 1020 |
| (a) If the disability is based upon an indictment, a conviction, or an adjudication, the applicant has been fully discharged from imprisonment, community control, post-release control, and parole, or, if the applicant is under indictment, has been released on bail or recognizance. | 1021 1022 1023 1024 1025 |
| (b) If the disability is based upon a factor other than an indictment, a conviction, or an adjudication, that factor no longer is applicable to the applicant. | 1026 1027 1028 |
| (2) The applicant has led a law-abiding life since discharge or release, and appears likely to continue to do so. | 1029 1030 |
| (3) The applicant is not otherwise prohibited by law from acquiring, having, or using firearms. | 1031 1032 |
| (E) Costs of the proceeding shall be charged as in other civil cases, and taxed to the applicant. | 1033 1034 |
| (F) Relief from disability granted pursuant to this section restores the applicant to all civil firearm rights to the full extent enjoyed by any citizen, and is subject to the following conditions: | 1035 1036 1037 1038 |
| (1) Applies only with respect to indictments, convictions, or adjudications, or to the other factor, recited in the application as the basis for the applicant's disability; | 1039 1040 1041 |
| (2) Applies only with respect to firearms lawfully acquired, possessed, carried, or used by the applicant; | 1042 1043 |
| (3) May be revoked by the court at any time for good cause shown and upon notice to the applicant; | 1044 1045 |
| (4) Is automatically void upon commission by the applicant | 1046 |

of any offense set forth in division (A) (2) ~~or~~, (3), or (6) of 1047
section 2923.13 of the Revised Code, or upon the applicant's 1048
becoming one of the class of persons named in division (A) (1), 1049
(4), ~~or~~ (5), or (7) of that section. 1050

(G) As used in this section: 1051

(1) "Community control sanction" has the same meaning as 1052
in section 2929.01 of the Revised Code. 1053

(2) "Post-release control" and "post-release control 1054
sanction" have the same meanings as in section 2967.01 of the 1055
Revised Code. 1056

Sec. 3113.31. (A) As used in this section: 1057

(1) "Domestic violence" means the occurrence of one or 1058
more of the following acts against a family or household member: 1059

(a) Attempting to cause or recklessly causing bodily 1060
injury; 1061

(b) Placing another person by the threat of force in fear 1062
of imminent serious physical harm or committing a violation of 1063
section 2903.211 or 2911.211 of the Revised Code; 1064

(c) Committing any act with respect to a child that would 1065
result in the child being an abused child, as defined in section 1066
2151.031 of the Revised Code; 1067

(d) Committing a sexually oriented offense. 1068

(2) "Court" means the domestic relations division of the 1069
court of common pleas in counties that have a domestic relations 1070
division and the court of common pleas in counties that do not 1071
have a domestic relations division, or the juvenile division of 1072
the court of common pleas of the county in which the person to 1073

be protected by a protection order issued or a consent agreement 1074
approved under this section resides if the respondent is less 1075
than eighteen years of age. 1076

(3) "Family or household member" means any of the 1077
following: 1078

(a) Any of the following who is residing with or has 1079
resided with the respondent: 1080

(i) A spouse, a person living as a spouse, or a former 1081
spouse of the respondent; 1082

(ii) A parent, a foster parent, or a child of the 1083
respondent, or another person related by consanguinity or 1084
affinity to the respondent; 1085

(iii) A parent or a child of a spouse, person living as a 1086
spouse, or former spouse of the respondent, or another person 1087
related by consanguinity or affinity to a spouse, person living 1088
as a spouse, or former spouse of the respondent. 1089

(b) The natural parent of any child of whom the respondent 1090
is the other natural parent or is the putative other natural 1091
parent. 1092

(4) "Person living as a spouse" means a person who is 1093
living or has lived with the respondent in a common law marital 1094
relationship, who otherwise is cohabiting with the respondent, 1095
or who otherwise has cohabited with the respondent within five 1096
years prior to the date of the alleged occurrence of the act in 1097
question. 1098

(5) "Victim advocate" means a person who provides support 1099
and assistance for a person who files a petition under this 1100
section. 1101

(6) "Sexually oriented offense" has the same meaning as in 1102
section 2950.01 of the Revised Code. 1103

(7) "Companion animal" has the same meaning as in section 1104
959.131 of the Revised Code. 1105

(B) The court has jurisdiction over all proceedings under 1106
this section. The petitioner's right to relief under this 1107
section is not affected by the petitioner's leaving the 1108
residence or household to avoid further domestic violence. 1109

(C) (1) A person may seek relief under this section on the 1110
person's own behalf, or any parent or adult household member may 1111
seek relief under this section on behalf of any other family or 1112
household member, by filing a petition with the court. The 1113
petition shall contain or state: 1114

~~(1)~~ (a) An allegation that the respondent engaged in 1115
domestic violence against a family or household member of the 1116
respondent, including a description of the nature and extent of 1117
the domestic violence; 1118

~~(2)~~ (b) The relationship of the respondent to the 1119
petitioner, and to the victim if other than the petitioner; 1120

~~(3)~~ (c) A request for relief under this section. 1121

(2) The petitioner may include a statement in the petition 1122
that describes the number, types, and locations of any firearms 1123
that the petitioner knows to be in the possession or control of 1124
the respondent. 1125

(D) (1) If a person who files a petition pursuant to this 1126
section requests an ex parte order, the court shall hold an ex 1127
parte hearing on the same day that the petition is filed. The 1128
court, for good cause shown at the ex parte hearing, may enter 1129

any temporary orders, with or without bond, including, but not 1130
limited to, an order described in division (E) (1) (a), (b), or 1131
(c) of this section, that the court finds necessary to protect 1132
the family or household member from domestic violence. Immediate 1133
and present danger of domestic violence to the family or 1134
household member constitutes good cause for purposes of this 1135
section. Immediate and present danger includes, but is not 1136
limited to, situations in which the respondent has threatened 1137
the family or household member with bodily harm, in which the 1138
respondent has threatened the family or household member with a 1139
sexually oriented offense, or in which the respondent previously 1140
has been convicted of, pleaded guilty to, or been adjudicated a 1141
delinquent child for an offense that constitutes domestic 1142
violence against the family or household member. 1143

(2) (a) If the court, after an ex parte hearing, issues an 1144
order described in division (E) (1) (b) or (c) of this section, 1145
the court shall schedule a full hearing for a date that is 1146
within seven court days after the ex parte hearing. If any other 1147
type of protection order that is authorized under division (E) 1148
of this section is issued by the court after an ex parte 1149
hearing, the court shall schedule a full hearing for a date that 1150
is within ten court days after the ex parte hearing. The court 1151
shall give the respondent notice of, and an opportunity to be 1152
heard at, the full hearing. The court shall hold the full 1153
hearing on the date scheduled under this division unless the 1154
court grants a continuance of the hearing in accordance with 1155
this division. Under any of the following circumstances or for 1156
any of the following reasons, the court may grant a continuance 1157
of the full hearing to a reasonable time determined by the 1158
court: 1159

(i) Prior to the date scheduled for the full hearing under 1160

this division, the respondent has not been served with the 1161
petition filed pursuant to this section and notice of the full 1162
hearing. 1163

(ii) The parties consent to the continuance. 1164

(iii) The continuance is needed to allow a party to obtain 1165
counsel. 1166

(iv) The continuance is needed for other good cause. 1167

(b) An ex parte order issued under this section does not 1168
expire because of a failure to serve notice of the full hearing 1169
upon the respondent before the date set for the full hearing 1170
under division (D) (2) (a) of this section or because the court 1171
grants a continuance under that division. 1172

(3) If a person who files a petition pursuant to this 1173
section does not request an ex parte order, or if a person 1174
requests an ex parte order but the court does not issue an ex 1175
parte order after an ex parte hearing, the court shall proceed 1176
as in a normal civil action and grant a full hearing on the 1177
matter. 1178

(E) (1) After an ex parte or full hearing, the court may 1179
grant any protection order, with or without bond, or approve any 1180
consent agreement to bring about a cessation of domestic 1181
violence against the family or household members. The order or 1182
agreement may: 1183

(a) Direct the respondent to refrain from abusing or from 1184
committing sexually oriented offenses against the family or 1185
household members; 1186

(b) Grant possession of the residence or household to the 1187
petitioner or other family or household member, to the exclusion 1188

of the respondent, by evicting the respondent, when the 1189
residence or household is owned or leased solely by the 1190
petitioner or other family or household member, or by ordering 1191
the respondent to vacate the premises, when the residence or 1192
household is jointly owned or leased by the respondent, and the 1193
petitioner or other family or household member; 1194

(c) When the respondent has a duty to support the 1195
petitioner or other family or household member living in the 1196
residence or household and the respondent is the sole owner or 1197
lessee of the residence or household, grant possession of the 1198
residence or household to the petitioner or other family or 1199
household member, to the exclusion of the respondent, by 1200
ordering the respondent to vacate the premises, or, in the case 1201
of a consent agreement, allow the respondent to provide 1202
suitable, alternative housing; 1203

(d) Temporarily allocate parental rights and 1204
responsibilities for the care of, or establish temporary 1205
parenting time rights with regard to, minor children, if no 1206
other court has determined, or is determining, the allocation of 1207
parental rights and responsibilities for the minor children or 1208
parenting time rights; 1209

(e) Require the respondent to maintain support, if the 1210
respondent customarily provides for or contributes to the 1211
support of the family or household member, or if the respondent 1212
has a duty to support the petitioner or family or household 1213
member; 1214

(f) Require the respondent, petitioner, victim of domestic 1215
violence, or any combination of those persons, to seek 1216
counseling; 1217

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

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

(i) Require that the respondent not remove, damage, hide, harm, or dispose of any companion animal owned or possessed by the petitioner;

(j) Authorize the petitioner to remove a companion animal owned by the petitioner from the possession of the respondent;

(k) Require a wireless service transfer in accordance with sections 3113.45 to 3113.459 of the Revised Code.

(2) If a protection order has been issued pursuant to this section in a prior action involving the respondent and the petitioner or one or more of the family or household members or victims, the court may include in a protection order that it issues a prohibition against the respondent returning to the residence or household. If it includes a prohibition against the respondent returning to the residence or household in the order, it also shall include in the order provisions of the type described in division (E) (7) of this section. This division does not preclude the court from including in a protection order or consent agreement, in circumstances other than those described in this division, a requirement that the respondent be evicted from or vacate the residence or household or refrain from entering the residence, school, business, or place of employment

of the petitioner or a family or household member, and, if the 1247
court includes any requirement of that type in an order or 1248
agreement, the court also shall include in the order provisions 1249
of the type described in division (E) (7) of this section. 1250

(3) (a) Any protection order issued or consent agreement 1251
approved under this section shall be valid until a date certain, 1252
but not later than five years from the date of its issuance or 1253
approval, or not later than the date a respondent who is less 1254
than eighteen years of age attains nineteen years of age, unless 1255
modified or terminated as provided in division (E) (8) of this 1256
section. 1257

(b) Subject to the limitation on the duration of an order 1258
or agreement set forth in division (E) (3) (a) of this section, 1259
any order under division (E) (1) (d) of this section shall 1260
terminate on the date that a court in an action for divorce, 1261
dissolution of marriage, or legal separation brought by the 1262
petitioner or respondent issues an order allocating parental 1263
rights and responsibilities for the care of children or on the 1264
date that a juvenile court in an action brought by the 1265
petitioner or respondent issues an order awarding legal custody 1266
of minor children. Subject to the limitation on the duration of 1267
an order or agreement set forth in division (E) (3) (a) of this 1268
section, any order under division (E) (1) (e) of this section 1269
shall terminate on the date that a court in an action for 1270
divorce, dissolution of marriage, or legal separation brought by 1271
the petitioner or respondent issues a support order or on the 1272
date that a juvenile court in an action brought by the 1273
petitioner or respondent issues a support order. 1274

(c) Any protection order issued or consent agreement 1275
approved pursuant to this section may be renewed in the same 1276

manner as the original order or agreement was issued or 1277
approved. 1278

(4) A court may not issue a protection order that requires 1279
a petitioner to do or to refrain from doing an act that the 1280
court may require a respondent to do or to refrain from doing 1281
under division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of 1282
this section unless all of the following apply: 1283

(a) The respondent files a separate petition for a 1284
protection order in accordance with this section. 1285

(b) The petitioner is served notice of the respondent's 1286
petition at least forty-eight hours before the court holds a 1287
hearing with respect to the respondent's petition, or the 1288
petitioner waives the right to receive this notice. 1289

(c) If the petitioner has requested an ex parte order 1290
pursuant to division (D) of this section, the court does not 1291
delay any hearing required by that division beyond the time 1292
specified in that division in order to consolidate the hearing 1293
with a hearing on the petition filed by the respondent. 1294

(d) After a full hearing at which the respondent presents 1295
evidence in support of the request for a protection order and 1296
the petitioner is afforded an opportunity to defend against that 1297
evidence, the court determines that the petitioner has committed 1298
an act of domestic violence or has violated a temporary 1299
protection order issued pursuant to section 2919.26 of the 1300
Revised Code, that both the petitioner and the respondent acted 1301
primarily as aggressors, and that neither the petitioner nor the 1302
respondent acted primarily in self-defense. 1303

(5) No protection order issued or consent agreement 1304
approved under this section shall in any manner affect title to 1305

any real property. 1306

(6) (a) If a petitioner, or the child of a petitioner, who 1307
obtains a protection order or consent agreement pursuant to 1308
division (E) (1) of this section or a temporary protection order 1309
pursuant to section 2919.26 of the Revised Code and is the 1310
subject of a parenting time order issued pursuant to section 1311
3109.051 or 3109.12 of the Revised Code or a visitation or 1312
companionship order issued pursuant to section 3109.051, 1313
3109.11, or 3109.12 of the Revised Code or division (E) (1) (d) of 1314
this section granting parenting time rights to the respondent, 1315
the court may require the public children services agency of the 1316
county in which the court is located to provide supervision of 1317
the respondent's exercise of parenting time or visitation or 1318
companionship rights with respect to the child for a period not 1319
to exceed nine months, if the court makes the following findings 1320
of fact: 1321

(i) The child is in danger from the respondent; 1322

(ii) No other person or agency is available to provide the 1323
supervision. 1324

(b) A court that requires an agency to provide supervision 1325
pursuant to division (E) (6) (a) of this section shall order the 1326
respondent to reimburse the agency for the cost of providing the 1327
supervision, if it determines that the respondent has sufficient 1328
income or resources to pay that cost. 1329

(7) (a) If a protection order issued or consent agreement 1330
approved under this section includes a requirement that the 1331
respondent be evicted from or vacate the residence or household 1332
or refrain from entering the residence, school, business, or 1333
place of employment of the petitioner or a family or household 1334

member, the order or agreement shall state clearly that the 1335
order or agreement cannot be waived or nullified by an 1336
invitation to the respondent from the petitioner or other family 1337
or household member to enter the residence, school, business, or 1338
place of employment or by the respondent's entry into one of 1339
those places otherwise upon the consent of the petitioner or 1340
other family or household member. 1341

(b) Division (E) (7) (a) of this section does not limit any 1342
discretion of a court to determine that a respondent charged 1343
with a violation of section 2919.27 of the Revised Code, with a 1344
violation of a municipal ordinance substantially equivalent to 1345
that section, or with contempt of court, which charge is based 1346
on an alleged violation of a protection order issued or consent 1347
agreement approved under this section, did not commit the 1348
violation or was not in contempt of court. 1349

(8) (a) The court may modify or terminate as provided in 1350
division (E) (8) of this section a protection order or consent 1351
agreement that was issued after a full hearing under this 1352
section. The court that issued the protection order or approved 1353
the consent agreement shall hear a motion for modification or 1354
termination of the protection order or consent agreement 1355
pursuant to division (E) (8) of this section. 1356

(b) Either the petitioner or the respondent of the 1357
original protection order or consent agreement may bring a 1358
motion for modification or termination of a protection order or 1359
consent agreement that was issued or approved after a full 1360
hearing. The court shall require notice of the motion to be made 1361
as provided by the Rules of Civil Procedure. If the petitioner 1362
for the original protection order or consent agreement has 1363
requested that the petitioner's address be kept confidential, 1364

the court shall not disclose the address to the respondent of 1365
the original protection order or consent agreement or any other 1366
person, except as otherwise required by law. The moving party 1367
has the burden of proof to show, by a preponderance of the 1368
evidence, that modification or termination of the protection 1369
order or consent agreement is appropriate because either the 1370
protection order or consent agreement is no longer needed or 1371
because the terms of the original protection order or consent 1372
agreement are no longer appropriate. 1373

(c) In considering whether to modify or terminate a 1374
protection order or consent agreement issued or approved under 1375
this section, the court shall consider all relevant factors, 1376
including, but not limited to, the following: 1377

(i) Whether the petitioner consents to modification or 1378
termination of the protection order or consent agreement; 1379

(ii) Whether the petitioner fears the respondent; 1380

(iii) The current nature of the relationship between the 1381
petitioner and the respondent; 1382

(iv) The circumstances of the petitioner and respondent, 1383
including the relative proximity of the petitioner's and 1384
respondent's workplaces and residences and whether the 1385
petitioner and respondent have minor children together; 1386

(v) Whether the respondent has complied with the terms and 1387
conditions of the original protection order or consent 1388
agreement; 1389

(vi) Whether the respondent has a continuing involvement 1390
with illegal drugs or alcohol; 1391

(vii) Whether the respondent has been convicted of, 1392

pleaded guilty to, or been adjudicated a delinquent child for an 1393
offense of violence since the issuance of the protection order 1394
or approval of the consent agreement; 1395

(viii) Whether any other protection orders, consent 1396
agreements, restraining orders, or no contact orders have been 1397
issued against the respondent pursuant to this section, section 1398
2919.26 of the Revised Code, any other provision of state law, 1399
or the law of any other state; 1400

(ix) Whether the respondent has participated in any 1401
domestic violence treatment, intervention program, or other 1402
counseling addressing domestic violence and whether the 1403
respondent has completed the treatment, program, or counseling; 1404

(x) The time that has elapsed since the protection order 1405
was issued or since the consent agreement was approved; 1406

(xi) The age and health of the respondent; 1407

(xii) When the last incident of abuse, threat of harm, or 1408
commission of a sexually oriented offense occurred or other 1409
relevant information concerning the safety and protection of the 1410
petitioner or other protected parties. 1411

(d) If a protection order or consent agreement is modified 1412
or terminated as provided in division (E) (8) of this section, 1413
the court shall issue copies of the modified or terminated order 1414
or agreement as provided in division (F) of this section. A 1415
petitioner may also provide notice of the modification or 1416
termination to the judicial and law enforcement officials in any 1417
county other than the county in which the order or agreement is 1418
modified or terminated as provided in division (N) of this 1419
section. 1420

(e) If the respondent moves for modification or 1421

termination of a protection order or consent agreement pursuant 1422
to this section and the court denies the motion, the court may 1423
assess costs against the respondent for the filing of the 1424
motion. 1425

(9) Any protection order issued or any consent agreement 1426
approved pursuant to this section shall include a provision that 1427
the court will automatically seal all of the records of the 1428
proceeding in which the order is issued or agreement approved on 1429
the date the respondent attains the age of nineteen years unless 1430
the petitioner provides the court with evidence that the 1431
respondent has not complied with all of the terms of the 1432
protection order or consent agreement. The protection order or 1433
consent agreement shall specify the date when the respondent 1434
attains the age of nineteen years. 1435

(F) (1) A copy of any protection order, or consent 1436
agreement, that is issued, approved, modified, or terminated 1437
under this section shall be issued by the court to the 1438
petitioner, to the respondent, and to all law enforcement 1439
agencies that have jurisdiction to enforce the order or 1440
agreement. The court shall direct that a copy of an order be 1441
delivered to the respondent on the same day that the order is 1442
entered. 1443

(2) Upon the issuance of a protection order or the 1444
approval of a consent agreement under this section, the court 1445
shall determine whether, as a result of the order, it is 1446
unlawful for the respondent to possess or purchase a firearm 1447
under division (A) (7) of section 2923.13 of the Revised Code or 1448
18 U.S.C. 922(g) (8). If the court determines that the respondent 1449
is prohibited from possessing or purchasing a firearm, the court 1450
shall order the respondent to transfer all firearms in the 1451

respondent's possession or control, and shall ensure that the 1452
transfer is made, in accordance with section 2923.134 of the 1453
Revised Code. If the respondent is so prohibited, the court 1454
shall provide the parties to the order or agreement with the 1455
following notice ~~orally or~~ by form: 1456

"NOTICE 1457

As a result of this order or consent agreement, it ~~may be~~ 1458
is unlawful for you, the respondent, to possess or purchase a 1459
firearm, including a rifle, pistol, or revolver, or ammunition 1460
pursuant to ~~federal law under~~ section 2923.13 of the Revised 1461
Code or 18 U.S.C. 922(g) (8). ~~If you have any questions whether~~ 1462
~~this law makes it illegal for you to possess or purchase a~~ 1463
~~firearm or ammunition, you should consult an attorney.~~ You are 1464
required to transfer all firearms in your possession or control 1465
within twenty-four hours after service of this order in 1466
accordance with section 2923.134 of the Revised Code. You are 1467
required to file with this court a proof of transfer and an 1468
affidavit that you possess no firearms within forty-eight hours 1469
after service of this order." 1470

(3) All law enforcement agencies shall establish and 1471
maintain an index for the protection orders and the approved 1472
consent agreements delivered to the agencies pursuant to 1473
division (F)(1) of this section. With respect to each order and 1474
consent agreement delivered, each agency shall note on the index 1475
the date and time that it received the order or consent 1476
agreement. 1477

(4) Regardless of whether the petitioner has registered 1478
the order or agreement in the county in which the officer's 1479
agency has jurisdiction pursuant to division (N) of this 1480
section, any officer of a law enforcement agency shall enforce a 1481

protection order issued or consent agreement approved by any 1482
court in this state in accordance with the provisions of the 1483
order or agreement, including removing the respondent from the 1484
premises, if appropriate. 1485

(G) Any proceeding under this section shall be conducted 1486
in accordance with the Rules of Civil Procedure, except that an 1487
order under this section may be obtained with or without bond. 1488
An order issued under this section, other than an ex parte 1489
order, that grants a protection order or approves a consent 1490
agreement, that refuses to grant a protection order or approve a 1491
consent agreement that modifies or terminates a protection order 1492
or consent agreement, or that refuses to modify or terminate a 1493
protection order or consent agreement, is a final, appealable 1494
order. The remedies and procedures provided in this section are 1495
in addition to, and not in lieu of, any other available civil or 1496
criminal remedies. 1497

(H) The filing of proceedings under this section does not 1498
excuse a person from filing any report or giving any notice 1499
required by section 2151.421 of the Revised Code or by any other 1500
law. When a petition under this section alleges domestic 1501
violence against minor children, the court shall report the 1502
fact, or cause reports to be made, to a county, township, or 1503
municipal peace officer under section 2151.421 of the Revised 1504
Code. 1505

(I) Any law enforcement agency that investigates a 1506
domestic dispute shall provide information to the family or 1507
household members involved regarding the relief available under 1508
this section and section 2919.26 of the Revised Code. 1509

(J) (1) Subject to divisions (E) (8) (e) and (J) (2) of this 1510
section and regardless of whether a protection order is issued 1511

or a consent agreement is approved by a court of another county 1512
or a court of another state, no court or unit of state or local 1513
government shall charge the petitioner any fee, cost, deposit, 1514
or money in connection with the filing of a petition pursuant to 1515
this section or in connection with the filing, issuance, 1516
registration, modification, enforcement, dismissal, withdrawal, 1517
or service of a protection order, consent agreement, or witness 1518
subpoena or for obtaining a certified copy of a protection order 1519
or consent agreement. 1520

(2) Regardless of whether a protection order is issued or 1521
a consent agreement is approved pursuant to this section, the 1522
court may assess costs against the respondent in connection with 1523
the filing, issuance, registration, modification, enforcement, 1524
dismissal, withdrawal, or service of a protection order, consent 1525
agreement, or witness subpoena or for obtaining a certified copy 1526
of a protection order or consent agreement. 1527

(K) (1) The court shall comply with Chapters 3119., 3121., 1528
3123., and 3125. of the Revised Code when it makes or modifies 1529
an order for child support under this section. 1530

(2) If any person required to pay child support under an 1531
order made under this section on or after April 15, 1985, or 1532
modified under this section on or after December 31, 1986, is 1533
found in contempt of court for failure to make support payments 1534
under the order, the court that makes the finding, in addition 1535
to any other penalty or remedy imposed, shall assess all court 1536
costs arising out of the contempt proceeding against the person 1537
and require the person to pay any reasonable attorney's fees of 1538
any adverse party, as determined by the court, that arose in 1539
relation to the act of contempt. 1540

(L) (1) A person who violates a protection order issued or 1541

a consent agreement approved under this section is subject to 1542
the following sanctions: 1543

(a) Criminal prosecution or a delinquent child proceeding 1544
for a violation of section 2919.27 of the Revised Code, if the 1545
violation of the protection order or consent agreement 1546
constitutes a violation of that section; 1547

(b) Punishment for contempt of court. 1548

(2) The punishment of a person for contempt of court for 1549
violation of a protection order issued or a consent agreement 1550
approved under this section does not bar criminal prosecution of 1551
the person or a delinquent child proceeding concerning the 1552
person for a violation of section 2919.27 of the Revised Code. 1553
However, a person punished for contempt of court is entitled to 1554
credit for the punishment imposed upon conviction of or 1555
adjudication as a delinquent child for a violation of that 1556
section, and a person convicted of or adjudicated a delinquent 1557
child for a violation of that section shall not subsequently be 1558
punished for contempt of court arising out of the same activity. 1559

(M) In all stages of a proceeding under this section, a 1560
petitioner may be accompanied by a victim advocate. 1561

(N) (1) A petitioner who obtains a protection order or 1562
consent agreement under this section or a temporary protection 1563
order under section 2919.26 of the Revised Code may provide 1564
notice of the issuance or approval of the order or agreement to 1565
the judicial and law enforcement officials in any county other 1566
than the county in which the order is issued or the agreement is 1567
approved by registering that order or agreement in the other 1568
county pursuant to division (N) (2) of this section and filing a 1569
copy of the registered order or registered agreement with a law 1570

enforcement agency in the other county in accordance with that 1571
division. A person who obtains a protection order issued by a 1572
court of another state may provide notice of the issuance of the 1573
order to the judicial and law enforcement officials in any 1574
county of this state by registering the order in that county 1575
pursuant to section 2919.272 of the Revised Code and filing a 1576
copy of the registered order with a law enforcement agency in 1577
that county. 1578

(2) A petitioner may register a temporary protection 1579
order, protection order, or consent agreement in a county other 1580
than the county in which the court that issued the order or 1581
approved the agreement is located in the following manner: 1582

(a) The petitioner shall obtain a certified copy of the 1583
order or agreement from the clerk of the court that issued the 1584
order or approved the agreement and present that certified copy 1585
to the clerk of the court of common pleas or the clerk of a 1586
municipal court or county court in the county in which the order 1587
or agreement is to be registered. 1588

(b) Upon accepting the certified copy of the order or 1589
agreement for registration, the clerk of the court of common 1590
pleas, municipal court, or county court shall place an 1591
endorsement of registration on the order or agreement and give 1592
the petitioner a copy of the order or agreement that bears that 1593
proof of registration. 1594

(3) The clerk of each court of common pleas, the clerk of 1595
each municipal court, and the clerk of each county court shall 1596
maintain a registry of certified copies of temporary protection 1597
orders, protection orders, or consent agreements that have been 1598
issued or approved by courts in other counties and that have 1599
been registered with the clerk. 1600

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

Section 2. That existing sections 2903.13, 2919.25, 2919.26, 2923.13, 2923.14, and 3113.31 of the Revised Code are hereby repealed.

Section 3. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 2919.26 of the Revised Code as amended by both Sub. H.B. 309 and Am. Sub. S.B. 177 of the 130th General Assembly.

Section 2923.13 of the Revised Code as amended by both Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th General Assembly.

Section 4. This act shall be known as the "Domestic Violence Survivors Protection Act."