

_____ moved to amend as follows:

In line 1 of the title, after "To" insert "amend sections 2152.021, 1
2905.32, 2929.01, and 2950.01 and to" 2

In line 2 of the title, after "Database" insert ", to require a 3
juvenile court in specified circumstances to hold a delinquency complaint 4
in abeyance in certain cases related to prostitution or human trafficking, 5
to provide that the elements for the offense of trafficking in persons 6
that apply to a victim under age 16 also apply to a victim who is age 16 7
or 17," 8

In line 4, after "That" insert "sections 2152.021, 2905.32, 2929.01, 9
and 2950.01 be amended and" 10

After line 71, insert: 11

"Sec. 2152.021. (A) (1) Subject to division (A) (2) of this 12
section, any person having knowledge of a child who appears to 13
be a juvenile traffic offender or to be a delinquent child may 14
file a sworn complaint with respect to that child in the 15
juvenile court of the county in which the child has a residence 16
or legal settlement or in which the traffic offense or 17
delinquent act allegedly occurred. The sworn complaint may be 18



upon information and belief, and, in addition to the allegation 19
that the child is a delinquent child or a juvenile traffic 20
offender, the complaint shall allege the particular facts upon 21
which the allegation that the child is a delinquent child or a 22
juvenile traffic offender is based. 23

If a child appears to be a delinquent child who is 24
eligible for a serious youthful offender dispositional sentence 25
under section 2152.11 of the Revised Code and if the prosecuting 26
attorney desires to seek a serious youthful offender 27
dispositional sentence under section 2152.13 of the Revised Code 28
in regard to the child, the prosecuting attorney of the county 29
in which the alleged delinquency occurs may initiate a case in 30
the juvenile court of the county by presenting the case to a 31
grand jury for indictment, by charging the child in a bill of 32
information as a serious youthful offender pursuant to section 33
2152.13 of the Revised Code, by requesting a serious youthful 34
offender dispositional sentence in the original complaint 35
alleging that the child is a delinquent child, or by filing with 36
the juvenile court a written notice of intent to seek a serious 37
youthful offender dispositional sentence. This paragraph does 38
not apply regarding the imposition of a serious youthful 39
offender dispositional sentence pursuant to section 2152.121 of 40
the Revised Code. 41

(2) Any person having knowledge of a child who appears to 42
be a delinquent child for violating a court order regarding the 43
child's adjudication as an unruly child for being an habitual 44
truant, may file a sworn complaint with respect to that child, 45
or with respect to that child and the parent, guardian, or other 46
person having care of the child, in the juvenile court of the 47
county in which the child has a residence or legal settlement or 48
in which the child is supposed to attend public school. The 49

sworn complaint may be upon information and belief and shall 50
allege that the child is a delinquent child for violating a 51
court order regarding the child's prior adjudication as an 52
unruly child for being a habitual truant and, in addition, the 53
particular facts upon which that allegation is based. If the 54
complaint contains allegations regarding the child's parent, 55
guardian, or other person having care of the child, the 56
complaint additionally shall allege that the parent, guardian, 57
or other person having care of the child has failed to cause the 58
child's attendance at school in violation of section 3321.38 of 59
the Revised Code and, in addition, the particular facts upon 60
which that allegation is based. 61

(B) Any person with standing under applicable law may file 62
a complaint for the determination of any other matter over which 63
the juvenile court is given jurisdiction by section 2151.23 of 64
the Revised Code. The complaint shall be filed in the county in 65
which the child who is the subject of the complaint is found or 66
was last known to be found. 67

(C) Within ten days after the filing of a complaint or the 68
issuance of an indictment, the court shall give written notice 69
of the filing of the complaint or the issuance of an indictment 70
and of the substance of the complaint or indictment to the 71
superintendent of a city, local, exempted village, or joint 72
vocational school district if the complaint or indictment 73
alleges that a child committed an act that would be a criminal 74
offense if committed by an adult, that the child was sixteen 75
years of age or older at the time of the commission of the 76
alleged act, and that the alleged act is any of the following: 77

(1) A violation of section 2923.122 of the Revised Code 78
that relates to property owned or controlled by, or to an 79

activity held under the auspices of, the board of education of 80
that school district; 81

(2) A violation of section 2923.12 of the Revised Code, of 82
a substantially similar municipal ordinance, or of section 83
2925.03 of the Revised Code that was committed on property owned 84
or controlled by, or at an activity held under the auspices of, 85
the board of education of that school district; 86

(3) A violation of section 2925.11 of the Revised Code 87
that was committed on property owned or controlled by, or at an 88
activity held under the auspices of, the board of education of 89
that school district, other than a violation of that section 90
that would be a minor drug possession offense if committed by an 91
adult; 92

(4) A violation of section 2903.01, 2903.02, 2903.03, 93
2903.04, 2903.11, 2903.12, 2907.02, or 2907.05 of the Revised 94
Code, or a violation of former section 2907.12 of the Revised 95
Code, that was committed on property owned or controlled by, or 96
at an activity held under the auspices of, the board of 97
education of that school district, if the victim at the time of 98
the commission of the alleged act was an employee of the board 99
of education of that school district; 100

(5) Complicity in any violation described in division (C) 101
(1), (2), (3), or (4) of this section that was alleged to have 102
been committed in the manner described in division (C) (1), (2), 103
(3), or (4) of this section, regardless of whether the act of 104
complicity was committed on property owned or controlled by, or 105
at an activity held under the auspices of, the board of 106
education of that school district. 107

(D) A public children services agency, acting pursuant to 108

a complaint or an action on a complaint filed under this 109
section, is not subject to the requirements of section 3127.23 110
of the Revised Code. 111

(E) For purposes of the record to be maintained by the 112
clerk under division (B) of section 2152.71 of the Revised Code, 113
when a complaint is filed that alleges that a child is a 114
delinquent child, the court shall determine if the victim of the 115
alleged delinquent act was sixty-five years of age or older or 116
permanently and totally disabled at the time of the alleged 117
commission of the act. 118

(F) (1) At any time after the filing of a complaint 119
alleging that a child is a delinquent child and before 120
adjudication, the court ~~may hold a hearing to determine whether~~ 121
~~to hold the complaint in abeyance pending the child's successful~~ 122
~~completion of actions that constitute a method to divert the~~ 123
~~child from the juvenile court system shall promptly appoint for~~ 124
the child a guardian ad litem who is not the child's attorney if 125
~~the child agrees to the hearing and the court has reason to~~ 126
believe that either of the following applies might apply: 127

(a) The act charged would be a violation of section 128
2907.24, 2907.241, or 2907.25 of the Revised Code if the child 129
were an adult. 130

(b) ~~The court has reason to believe that the child is a~~ 131
victim of a violation of section 2905.32 of the Revised Code, 132
regardless of whether any person has been convicted of a 133
violation of that section or of any other section for 134
victimizing the child, ~~and the act charged is related to the~~ 135
~~child's victimization.~~ 136

(2) The child, the child's attorney, the child's guardian 137

ad litem, or the prosecuting attorney may petition the court to 138
hold the complaint in abeyance if either of the following 139
applies: 140

(a) Division (F) (1) (a) of this section applies. 141

(b) Division (F) (1) (b) of this section applies and the act 142
charged in the complaint is related to the child's 143
victimization. 144

(3) (a) Upon the filing of a petition made under division 145
(F) (2) (a) of this section, the court may grant the petition 146
without a hearing. If the court decides to hold a hearing on the 147
petition, the court shall notify the prosecuting attorney of the 148
date, time, and location of the hearing, and the prosecuting 149
attorney has the right to participate in the hearing and may 150
object to holding the complaint in abeyance. No statement made 151
by a child at a hearing held under this division is admissible 152
in any subsequent proceeding against the child. 153

(b) Upon the filing of a petition made under division (F) 154
(2) (b) of this section, both of the following apply: 155

(i) The court may grant the petition without a hearing, 156
provided the prosecuting attorney, after receiving notice of the 157
petition, consents. 158

(ii) If the prosecuting attorney does not consent to 159
holding the complaint in abeyance, the court shall hold a 160
hearing to determine whether to hold the complaint in abeyance. 161
The prosecuting attorney shall be notified of the date, time, 162
and location of the hearing, and has the right to participate in 163
any the hearing held under division (F) (1) of this section, to 164
object to holding the complaint that is the subject of the 165
hearing in abeyance, and to make recommendations related to 166

~~diversion actions.~~ No statement made by a child at a hearing 167
held under this division (F)(1) of this section is admissible in 168
any subsequent proceeding against the child. 169

~~(3) If either division (F)(1)(a) or (b) of this section~~ 170
~~applies, the court shall promptly appoint a guardian ad litem~~ 171
~~for the child. The court shall not appoint the child's attorney~~ 172
~~as guardian ad litem. If the court decides to hold the complaint~~ 173
~~in abeyance, the guardian ad litem shall make recommendations~~ 174
~~that are in the best interest of the child to the court.~~ 175

(4) If the court decides to hold a hearing under division 176
(F)(3)(a) of this section and the court after the hearing finds 177
by a preponderance of the evidence that division (F)(1)(a) of 178
this section applies, if after a hearing held under division (F) 179
(3)(b)(ii) of this section the court decides to finds by a 180
preponderance of the evidence that division (F)(1)(b) of this 181
section applies and the act charged in the complaint is related 182
to the child's victimization, or if the court grants the 183
petition without a hearing under division (F)(3)(a) or (b)(i) of 184
this section, the court shall hold the complaint in abeyance, 185
provided the child consents. The guardian ad litem shall make 186
recommendations that are in the best interest of the child. A 187
psychiatrist, psychologist, licensed professional clinical 188
counselor, or other clinician selected by the court, who has 189
assessed the child, may make recommendations that are in the 190
best interest of the child. The prosecuting attorney or the 191
child's attorney may make recommendations related to diversion 192
actions. The court may make any orders regarding placement, 193
services, supervision, diversion actions, and conditions of 194
abeyance, including, but not limited to, engagement in trauma- 195
based behavioral health services or education activities, that 196
the court considers appropriate and in the best interest of the 197

child. The court may hold the complaint in abeyance for up to 198
ninety days while the child engages in diversion actions. If the 199
child violates the conditions of abeyance or ~~does not complete~~ 200
is not actively engaging in the diversion actions to the court's 201
satisfaction within ninety days, the court may extend the period 202
of abeyance for not more than ~~two~~three additional ninety-day 203
periods. 204

(5) If the court holds the complaint in abeyance and the 205
child complies with the conditions of abeyance and ~~completes~~ 206
actively engages in the diversion actions to the court's 207
satisfaction, the court shall dismiss the complaint and order 208
that the records pertaining to the case be expunged immediately. 209
If the child fails to ~~complete~~actively engage in the diversion 210
actions to the court's satisfaction, the court shall proceed 211
upon the complaint. 212

Sec. 2905.32. (A) No person shall knowingly recruit, 213
lure, entice, isolate, harbor, transport, provide, obtain, or 214
maintain, or knowingly attempt to recruit, lure, entice, 215
isolate, harbor, transport, provide, obtain, or maintain, 216
another person if ~~any~~either of the following applies: 217

(1) The offender knows that the other person will be 218
subjected to involuntary servitude or be compelled to engage in 219
sexual activity for hire, engage in a performance that is 220
obscene, sexually oriented, or nudity oriented, or be a model or 221
participant in the production of material that is obscene, 222
sexually oriented, or nudity oriented. 223

(2) The other person is less than ~~sixteen~~eighteen years 224
of age or is a person with a developmental disability whom the 225
offender knows or has reasonable cause to believe is a person 226
with a developmental disability, and either the offender knows 227

that the other person will be subjected to involuntary servitude 228
or the offender's knowing recruitment, luring, enticement, 229
isolation, harboring, transportation, provision, obtaining, or 230
maintenance of the other person or knowing attempt to recruit, 231
lure, entice, isolate, harbor, transport, provide, obtain, or 232
maintain the other person is for any of the following purposes: 233

(a) ~~To~~ For the other person to engage in sexual activity 234
for hire with one or more third parties; 235

(b) To engage in a performance for hire that is obscene, 236
sexually oriented, or nudity oriented; 237

(c) To be a model or participant for hire in the 238
production of material that is obscene, sexually oriented, or 239
nudity oriented. 240

~~(3) The other person is sixteen or seventeen years of age, 241
either the offender knows that the other person will be 242
subjected to involuntary servitude or the offender's knowing 243
recruitment, luring, enticement, isolation, harboring, 244
transportation, provision, obtaining, or maintenance of the 245
other person or knowing attempt to recruit, lure, entice, 246
isolate, harbor, transport, provide, obtain, or maintain the 247
other person is for any purpose described in divisions (A)(2)(a) 248
to (c) of this section, and the circumstances described in 249
division (A)(5), (6), (7), (8), (9), (10), (11), (12), or (13) 250
of section 2907.03 of the Revised Code apply with respect to the 251
offender and the other person. 252~~

(B) For a prosecution under division (A)(1) of this 253
section, the element "compelled" does not require that the 254
compulsion be openly displayed or physically exerted. The 255
element "compelled" has been established if the state proves 256

that the victim's will was overcome by force, fear, duress, 257
intimidation, or fraud. 258

(C) In a prosecution under this section, proof that the 259
defendant engaged in sexual activity with any person, or 260
solicited sexual activity with any person, whether or not for 261
hire, without more, does not constitute a violation of this 262
section. 263

(D) A prosecution for a violation of this section does not 264
preclude a prosecution of a violation of any other section of 265
the Revised Code. One or more acts, a series of acts, or a 266
course of behavior that can be prosecuted under this section or 267
any other section of the Revised Code may be prosecuted under 268
this section, the other section of the Revised Code, or both 269
sections. However, if an offender is convicted of or pleads 270
guilty to a violation of this section and also is convicted of 271
or pleads guilty to a violation of section 2907.21 of the 272
Revised Code based on the same conduct involving the same victim 273
that was the basis of the violation of this section, or is 274
convicted of or pleads guilty to any other violation of Chapter 275
2907. of the Revised Code based on the same conduct involving 276
the same victim that was the basis of the violation of this 277
section, the two offenses are allied offenses of similar import 278
under section 2941.25 of the Revised Code. 279

(E) Whoever violates this section is guilty of trafficking 280
in persons, a felony of the first degree. For a violation 281
committed prior to ~~the effective date of this amendment~~ March 282
22, 2019, notwithstanding the range of definite terms set forth 283
in division (A) (1) (b) of section 2929.14 of the Revised Code, 284
the court shall sentence the offender to a definite prison term 285
of ten, eleven, twelve, thirteen, fourteen, or fifteen years. 286

For a violation committed on or after ~~the effective date of this~~ 287
~~amendment~~ March 22, 2019, notwithstanding the range of minimum 288
terms set forth in division (A)(1)(a) of section 2929.14 of the 289
Revised Code, the court shall sentence the offender to an 290
indefinite prison term pursuant to that division, with a minimum 291
term under that sentence of ten, eleven, twelve, thirteen, 292
fourteen, or fifteen years. 293

(F) As used in this section: 294

(1) "Person with a developmental disability" means a 295
person whose ability to resist or consent to an act is 296
substantially impaired because of a mental or physical condition 297
or because of advanced age. 298

(2) "Sexual activity for hire," "performance for hire," 299
and "model or participant for hire" mean an implicit or explicit 300
agreement to provide sexual activity, engage in an obscene, 301
sexually oriented, or nudity oriented performance, or be a model 302
or participant in the production of obscene, sexually oriented, 303
or nudity oriented material, whichever is applicable, in 304
exchange for anything of value paid to any of the following: 305

(a) The person engaging in such sexual activity, 306
performance, or modeling or participation; 307

(b) Any person who recruits, lures, entices, isolates, 308
harbors, transports, provides, obtains, or maintains, or 309
attempts to recruit, lure, entice, isolate, harbor, transport, 310
provide, obtain, or maintain the person described in division 311
(F)(2)(a) of this section; 312

(c) Any person associated with a person described in 313
division (F)(2)(a) or (b) of this section. 314

(3) "Material that is obscene, sexually oriented, or nudity oriented" and "performance that is obscene, sexually oriented, or nudity oriented" have the same meanings as in section 2929.01 of the Revised Code.

(4) "Third party" means, with respect to conduct described in division (A) (2) (a) of this section, any person other than the offender.

Sec. 2929.01. As used in this chapter:

(A) (1) "Alternative residential facility" means, subject to division (A) (2) of this section, any facility other than an offender's home or residence in which an offender is assigned to live and that satisfies all of the following criteria:

(a) It provides programs through which the offender may seek or maintain employment or may receive education, training, treatment, or habilitation.

(b) It has received the appropriate license or certificate for any specialized education, training, treatment, habilitation, or other service that it provides from the government agency that is responsible for licensing or certifying that type of education, training, treatment, habilitation, or service.

(2) "Alternative residential facility" does not include a community-based correctional facility, jail, halfway house, or prison.

(B) "Basic probation supervision" means a requirement that the offender maintain contact with a person appointed to supervise the offender in accordance with sanctions imposed by the court or imposed by the parole board pursuant to section

2967.28 of the Revised Code. "Basic probation supervision" 343
includes basic parole supervision and basic post-release control 344
supervision. 345

(C) "Cocaine," "fentanyl-related compound," "hashish," 346
"L.S.D.," and "unit dose" have the same meanings as in section 347
2925.01 of the Revised Code. 348

(D) "Community-based correctional facility" means a 349
community-based correctional facility and program or district 350
community-based correctional facility and program developed 351
pursuant to sections 2301.51 to 2301.58 of the Revised Code. 352

(E) "Community control sanction" means a sanction that is 353
not a prison term and that is described in section 2929.15, 354
2929.16, 2929.17, or 2929.18 of the Revised Code or a sanction 355
that is not a jail term and that is described in section 356
2929.26, 2929.27, or 2929.28 of the Revised Code. "Community 357
control sanction" includes probation if the sentence involved 358
was imposed for a felony that was committed prior to July 1, 359
1996, or if the sentence involved was imposed for a misdemeanor 360
that was committed prior to January 1, 2004. 361

(F) "Controlled substance," "marihuana," "schedule I," and 362
"schedule II" have the same meanings as in section 3719.01 of 363
the Revised Code. 364

(G) "Curfew" means a requirement that an offender during a 365
specified period of time be at a designated place. 366

(H) "Day reporting" means a sanction pursuant to which an 367
offender is required each day to report to and leave a center or 368
other approved reporting location at specified times in order to 369
participate in work, education or training, treatment, and other 370
approved programs at the center or outside the center. 371

(I) "Deadly weapon" has the same meaning as in section 2923.11 of the Revised Code.	372 373
(J) "Drug and alcohol use monitoring" means a program under which an offender agrees to submit to random chemical analysis of the offender's blood, breath, or urine to determine whether the offender has ingested any alcohol or other drugs.	374 375 376 377
(K) "Drug treatment program" means any program under which a person undergoes assessment and treatment designed to reduce or completely eliminate the person's physical or emotional reliance upon alcohol, another drug, or alcohol and another drug and under which the person may be required to receive assessment and treatment on an outpatient basis or may be required to reside at a facility other than the person's home or residence while undergoing assessment and treatment.	378 379 380 381 382 383 384 385
(L) "Economic loss" means any economic detriment suffered by a victim as a direct and proximate result of the commission of an offense and includes any loss of income due to lost time at work because of any injury caused to the victim, and any property loss, medical cost, or funeral expense incurred as a result of the commission of the offense. "Economic loss" does not include non-economic loss or any punitive or exemplary damages.	386 387 388 389 390 391 392 393
(M) "Education or training" includes study at, or in conjunction with a program offered by, a university, college, or technical college or vocational study and also includes the completion of primary school, secondary school, and literacy curricula or their equivalent.	394 395 396 397 398
(N) "Firearm" has the same meaning as in section 2923.11 of the Revised Code.	399 400

(O) "Halfway house" means a facility licensed by the 401
division of parole and community services of the department of 402
rehabilitation and correction pursuant to section 2967.14 of the 403
Revised Code as a suitable facility for the care and treatment 404
of adult offenders. 405

(P) "House arrest" means a period of confinement of an 406
offender that is in the offender's home or in other premises 407
specified by the sentencing court or by the parole board 408
pursuant to section 2967.28 of the Revised Code and during which 409
all of the following apply: 410

(1) The offender is required to remain in the offender's 411
home or other specified premises for the specified period of 412
confinement, except for periods of time during which the 413
offender is at the offender's place of employment or at other 414
premises as authorized by the sentencing court or by the parole 415
board. 416

(2) The offender is required to report periodically to a 417
person designated by the court or parole board. 418

(3) The offender is subject to any other restrictions and 419
requirements that may be imposed by the sentencing court or by 420
the parole board. 421

(Q) "Intensive probation supervision" means a requirement 422
that an offender maintain frequent contact with a person 423
appointed by the court, or by the parole board pursuant to 424
section 2967.28 of the Revised Code, to supervise the offender 425
while the offender is seeking or maintaining necessary 426
employment and participating in training, education, and 427
treatment programs as required in the court's or parole board's 428
order. "Intensive probation supervision" includes intensive 429

parole supervision and intensive post-release control 430
supervision. 431

(R) "Jail" means a jail, workhouse, minimum security jail, 432
or other residential facility used for the confinement of 433
alleged or convicted offenders that is operated by a political 434
subdivision or a combination of political subdivisions of this 435
state. 436

(S) "Jail term" means the term in a jail that a sentencing 437
court imposes or is authorized to impose pursuant to section 438
2929.24 or 2929.25 of the Revised Code or pursuant to any other 439
provision of the Revised Code that authorizes a term in a jail 440
for a misdemeanor conviction. 441

(T) "Mandatory jail term" means the term in a jail that a 442
sentencing court is required to impose pursuant to division (G) 443
of section 1547.99 of the Revised Code, division (E) of section 444
2903.06 or division (D) of section 2903.08 of the Revised Code, 445
division (E) or (G) of section 2929.24 of the Revised Code, 446
division (B) of section 4510.14 of the Revised Code, or division 447
(G) of section 4511.19 of the Revised Code or pursuant to any 448
other provision of the Revised Code that requires a term in a 449
jail for a misdemeanor conviction. 450

(U) "Delinquent child" has the same meaning as in section 451
2152.02 of the Revised Code. 452

(V) "License violation report" means a report that is made 453
by a sentencing court, or by the parole board pursuant to 454
section 2967.28 of the Revised Code, to the regulatory or 455
licensing board or agency that issued an offender a professional 456
license or a license or permit to do business in this state and 457
that specifies that the offender has been convicted of or 458

pleaded guilty to an offense that may violate the conditions 459
under which the offender's professional license or license or 460
permit to do business in this state was granted or an offense 461
for which the offender's professional license or license or 462
permit to do business in this state may be revoked or suspended. 463

(W) "Major drug offender" means an offender who is 464
convicted of or pleads guilty to the possession of, sale of, or 465
offer to sell any drug, compound, mixture, preparation, or 466
substance that consists of or contains at least one thousand 467
grams of hashish; at least one hundred grams of cocaine; at 468
least one thousand unit doses or one hundred grams of heroin; at 469
least five thousand unit doses of L.S.D. or five hundred grams 470
of L.S.D. in a liquid concentrate, liquid extract, or liquid 471
distillate form; at least fifty grams of a controlled substance 472
analog; at least one thousand unit doses or one hundred grams of 473
a fentanyl-related compound; or at least one hundred times the 474
amount of any other schedule I or II controlled substance other 475
than marihuana that is necessary to commit a felony of the third 476
degree pursuant to section 2925.03, 2925.04, 2925.05, or 2925.11 477
of the Revised Code that is based on the possession of, sale of, 478
or offer to sell the controlled substance. 479

(X) "Mandatory prison term" means any of the following: 480

(1) Subject to division (X)(2) of this section, the term 481
in prison that must be imposed for the offenses or circumstances 482
set forth in divisions (F)(1) to (8) or (F)(12) to (21) of 483
section 2929.13 and division (B) of section 2929.14 of the 484
Revised Code. Except as provided in sections 2925.02, 2925.03, 485
2925.04, 2925.05, and 2925.11 of the Revised Code, unless the 486
maximum or another specific term is required under section 487
2929.14 or 2929.142 of the Revised Code, a mandatory prison term 488

described in this division may be any prison term authorized for 489
the level of offense except that if the offense is a felony of 490
the first or second degree committed on or after ~~the effective~~ 491
~~date of this amendment~~ March 22, 2019, a mandatory prison term 492
described in this division may be one of the terms prescribed in 493
division (A) (1) (a) or (2) (a) of section 2929.14 of the Revised 494
Code, whichever is applicable, that is authorized as the minimum 495
term for the offense. 496

(2) The term of sixty or one hundred twenty days in prison 497
that a sentencing court is required to impose for a third or 498
fourth degree felony OVI offense pursuant to division (G) (2) of 499
section 2929.13 and division (G) (1) (d) or (e) of section 4511.19 500
of the Revised Code or the term of one, two, three, four, or 501
five years in prison that a sentencing court is required to 502
impose pursuant to division (G) (2) of section 2929.13 of the 503
Revised Code. 504

(3) The term in prison imposed pursuant to division (A) of 505
section 2971.03 of the Revised Code for the offenses and in the 506
circumstances described in division (F) (11) of section 2929.13 507
of the Revised Code or pursuant to division (B) (1) (a), (b), or 508
(c), (B) (2) (a), (b), or (c), or (B) (3) (a), (b), (c), or (d) of 509
section 2971.03 of the Revised Code and that term as modified or 510
terminated pursuant to section 2971.05 of the Revised Code. 511

(Y) "Monitored time" means a period of time during which 512
an offender continues to be under the control of the sentencing 513
court or parole board, subject to no conditions other than 514
leading a law-abiding life. 515

(Z) "Offender" means a person who, in this state, is 516
convicted of or pleads guilty to a felony or a misdemeanor. 517

(AA) "Prison" means a residential facility used for the confinement of convicted felony offenders that is under the control of the department of rehabilitation and correction and includes a violation sanction center operated under authority of section 2967.141 of the Revised Code.

(BB) (1) "Prison term" includes either of the following sanctions for an offender:

(a) A stated prison term;

(b) A term in a prison shortened by, or with the approval of, the sentencing court pursuant to section 2929.143, 2929.20, 2967.26, 5120.031, 5120.032, or 5120.073 of the Revised Code.

(2) With respect to a non-life felony indefinite prison term, references in any provision of law to a reduction of, or deduction from, the prison term mean a reduction in, or deduction from, the minimum term imposed as part of the indefinite term.

(CC) "Repeat violent offender" means a person about whom both of the following apply:

(1) The person is being sentenced for committing or for complicity in committing any of the following:

(a) Aggravated murder, murder, any felony of the first or second degree that is an offense of violence, or an attempt to commit any of these offenses if the attempt is a felony of the first or second degree;

(b) An offense under an existing or former law of this state, another state, or the United States that is or was substantially equivalent to an offense described in division (CC) (1) (a) of this section.

(2) The person previously was convicted of or pleaded 546
guilty to an offense described in division (CC) (1) (a) or (b) of 547
this section. 548

(DD) "Sanction" means any penalty imposed upon an offender 549
who is convicted of or pleads guilty to an offense, as 550
punishment for the offense. "Sanction" includes any sanction 551
imposed pursuant to any provision of sections 2929.14 to 2929.18 552
or 2929.24 to 2929.28 of the Revised Code. 553

(EE) "Sentence" means the sanction or combination of 554
sanctions imposed by the sentencing court on an offender who is 555
convicted of or pleads guilty to an offense. 556

(FF) (1) "Stated prison term" means the prison term, 557
mandatory prison term, or combination of all prison terms and 558
mandatory prison terms imposed by the sentencing court pursuant 559
to section 2929.14, 2929.142, or 2971.03 of the Revised Code or 560
under section 2919.25 of the Revised Code. "Stated prison term" 561
includes any credit received by the offender for time spent in 562
jail awaiting trial, sentencing, or transfer to prison for the 563
offense and any time spent under house arrest or house arrest 564
with electronic monitoring imposed after earning credits 565
pursuant to section 2967.193 of the Revised Code. If an offender 566
is serving a prison term as a risk reduction sentence under 567
sections 2929.143 and 5120.036 of the Revised Code, "stated 568
prison term" includes any period of time by which the prison 569
term imposed upon the offender is shortened by the offender's 570
successful completion of all assessment and treatment or 571
programming pursuant to those sections. 572

(2) As used in the definition of "stated prison term" set 573
forth in division (FF) (1) of this section, a prison term is a 574
definite prison term imposed under section 2929.14 of the 575

Revised Code or any other provision of law, is the minimum and 576
maximum prison terms under a non-life felony indefinite prison 577
term, or is a term of life imprisonment except to the extent 578
that the use of that definition in a section of the Revised Code 579
clearly is not intended to include a term of life imprisonment. 580
With respect to an offender sentenced to a non-life felony 581
indefinite prison term, references in section 2967.191 or 582
2967.193 of the Revised Code or any other provision of law to a 583
reduction of, or deduction from, the offender's stated prison 584
term or to release of the offender before the expiration of the 585
offender's stated prison term mean a reduction in, or deduction 586
from, the minimum term imposed as part of the indefinite term or 587
a release of the offender before the expiration of that minimum 588
term, references in section 2929.19 or 2967.28 of the Revised 589
Code to a stated prison term with respect to a prison term 590
imposed for a violation of a post-release control sanction mean 591
the minimum term so imposed, and references in any provision of 592
law to an offender's service of the offender's stated prison 593
term or the expiration of the offender's stated prison term mean 594
service or expiration of the minimum term so imposed plus any 595
additional period of incarceration under the sentence that is 596
required under section 2967.271 of the Revised Code. 597

(GG) "Victim-offender mediation" means a reconciliation or 598
mediation program that involves an offender and the victim of 599
the offense committed by the offender and that includes a 600
meeting in which the offender and the victim may discuss the 601
offense, discuss restitution, and consider other sanctions for 602
the offense. 603

(HH) "Fourth degree felony OVI offense" means a violation 604
of division (A) of section 4511.19 of the Revised Code that, 605
under division (G) of that section, is a felony of the fourth 606

degree. 607

(II) "Mandatory term of local incarceration" means the 608
term of sixty or one hundred twenty days in a jail, a community- 609
based correctional facility, a halfway house, or an alternative 610
residential facility that a sentencing court may impose upon a 611
person who is convicted of or pleads guilty to a fourth degree 612
felony OVI offense pursuant to division (G) (1) of section 613
2929.13 of the Revised Code and division (G) (1) (d) or (e) of 614
section 4511.19 of the Revised Code. 615

(JJ) "Designated homicide, assault, or kidnapping 616
offense," "violent sex offense," "sexual motivation 617
specification," "sexually violent offense," "sexually violent 618
predator," and "sexually violent predator specification" have 619
the same meanings as in section 2971.01 of the Revised Code. 620

(KK) "Sexually oriented offense," "child-victim oriented 621
offense," and "tier III sex offender/child-victim offender" have 622
the same meanings as in section 2950.01 of the Revised Code. 623

(LL) An offense is "committed in the vicinity of a child" 624
if the offender commits the offense within thirty feet of or 625
within the same residential unit as a child who is under 626
eighteen years of age, regardless of whether the offender knows 627
the age of the child or whether the offender knows the offense 628
is being committed within thirty feet of or within the same 629
residential unit as the child and regardless of whether the 630
child actually views the commission of the offense. 631

(MM) "Family or household member" has the same meaning as 632
in section 2919.25 of the Revised Code. 633

(NN) "Motor vehicle" and "manufactured home" have the same 634
meanings as in section 4501.01 of the Revised Code. 635

(OO) "Detention" and "detention facility" have the same meanings as in section 2921.01 of the Revised Code. 636
637

(PP) "Third degree felony OVI offense" means a violation of division (A) of section 4511.19 of the Revised Code that, under division (G) of that section, is a felony of the third degree. 638
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(QQ) "Random drug testing" has the same meaning as in section 5120.63 of the Revised Code. 642
643

(RR) "Felony sex offense" has the same meaning as in section 2967.28 of the Revised Code. 644
645

(SS) "Body armor" has the same meaning as in section 2941.1411 of the Revised Code. 646
647

(TT) "Electronic monitoring" means monitoring through the use of an electronic monitoring device. 648
649

(UU) "Electronic monitoring device" means any of the following: 650
651

(1) Any device that can be operated by electrical or battery power and that conforms with all of the following: 652
653

(a) The device has a transmitter that can be attached to a person, that will transmit a specified signal to a receiver of the type described in division (UU) (1) (b) of this section if the transmitter is removed from the person, turned off, or altered in any manner without prior court approval in relation to electronic monitoring or without prior approval of the department of rehabilitation and correction in relation to the use of an electronic monitoring device for an inmate on transitional control or otherwise is tampered with, that can transmit continuously and periodically a signal to that receiver 654
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when the person is within a specified distance from the receiver, and that can transmit an appropriate signal to that receiver if the person to whom it is attached travels a specified distance from that receiver.

(b) The device has a receiver that can receive continuously the signals transmitted by a transmitter of the type described in division (UU) (1) (a) of this section, can transmit continuously those signals by a wireless or landline telephone connection to a central monitoring computer of the type described in division (UU) (1) (c) of this section, and can transmit continuously an appropriate signal to that central monitoring computer if the device has been turned off or altered without prior court approval or otherwise tampered with. The device is designed specifically for use in electronic monitoring, is not a converted wireless phone or another tracking device that is clearly not designed for electronic monitoring, and provides a means of text-based or voice communication with the person.

(c) The device has a central monitoring computer that can receive continuously the signals transmitted by a wireless or landline telephone connection by a receiver of the type described in division (UU) (1) (b) of this section and can monitor continuously the person to whom an electronic monitoring device of the type described in division (UU) (1) (a) of this section is attached.

(2) Any device that is not a device of the type described in division (UU) (1) of this section and that conforms with all of the following:

(a) The device includes a transmitter and receiver that can monitor and determine the location of a subject person at

any time, or at a designated point in time, through the use of a 694
central monitoring computer or through other electronic means. 695

(b) The device includes a transmitter and receiver that 696
can determine at any time, or at a designated point in time, 697
through the use of a central monitoring computer or other 698
electronic means the fact that the transmitter is turned off or 699
altered in any manner without prior approval of the court in 700
relation to the electronic monitoring or without prior approval 701
of the department of rehabilitation and correction in relation 702
to the use of an electronic monitoring device for an inmate on 703
transitional control or otherwise is tampered with. 704

(3) Any type of technology that can adequately track or 705
determine the location of a subject person at any time and that 706
is approved by the director of rehabilitation and correction, 707
including, but not limited to, any satellite technology, voice 708
tracking system, or retinal scanning system that is so approved. 709

(VV) "Non-economic loss" means nonpecuniary harm suffered 710
by a victim of an offense as a result of or related to the 711
commission of the offense, including, but not limited to, pain 712
and suffering; loss of society, consortium, companionship, care, 713
assistance, attention, protection, advice, guidance, counsel, 714
instruction, training, or education; mental anguish; and any 715
other intangible loss. 716

(WW) "Prosecutor" has the same meaning as in section 717
2935.01 of the Revised Code. 718

(XX) "Continuous alcohol monitoring" means the ability to 719
automatically test and periodically transmit alcohol consumption 720
levels and tamper attempts at least every hour, regardless of 721
the location of the person who is being monitored. 722

(YY) A person is "adjudicated a sexually violent predator" 723
if the person is convicted of or pleads guilty to a violent sex 724
offense and also is convicted of or pleads guilty to a sexually 725
violent predator specification that was included in the 726
indictment, count in the indictment, or information charging 727
that violent sex offense or if the person is convicted of or 728
pleads guilty to a designated homicide, assault, or kidnapping 729
offense and also is convicted of or pleads guilty to both a 730
sexual motivation specification and a sexually violent predator 731
specification that were included in the indictment, count in the 732
indictment, or information charging that designated homicide, 733
assault, or kidnapping offense. 734

(ZZ) An offense is "committed in proximity to a school" if 735
the offender commits the offense in a school safety zone or 736
within five hundred feet of any school building or the 737
boundaries of any school premises, regardless of whether the 738
offender knows the offense is being committed in a school safety 739
zone or within five hundred feet of any school building or the 740
boundaries of any school premises. 741

(AAA) "Human trafficking" means a scheme or plan to which 742
all of the following apply: 743

(1) Its object is one or ~~more~~ both of the following: 744

(a) To subject a victim or victims to involuntary 745
servitude, as defined in section 2905.31 of the Revised Code or 746
to compel a victim or victims to engage in sexual activity for 747
hire, to engage in a performance that is obscene, sexually 748
oriented, or nudity oriented, or to be a model or participant in 749
the production of material that is obscene, sexually oriented, 750
or nudity oriented; 751

(b) To facilitate, encourage, or recruit a victim who is 752
~~less than sixteen years of age a minor~~ or is a person with a 753
developmental disability, or victims who are ~~less than sixteen~~ 754
~~years of age minors~~ or are persons with developmental 755
disabilities, for any purpose listed in divisions (A) (2) (a) to 756
(c) of section 2905.32 of the Revised Code. 757

~~(c) To facilitate, encourage, or recruit a victim who is 758
sixteen or seventeen years of age, or victims who are sixteen or 759
seventeen years of age, for any purpose listed in divisions (A) 760
(2) (a) to (c) of section 2905.32 of the Revised Code, if the 761
circumstances described in division (A) (5), (6), (7), (8), (9), 762
(10), (11), (12), or (13) of section 2907.03 of the Revised Code 763
apply with respect to the person engaging in the conduct and the 764
victim or victims. 765~~

(2) It involves at least two felony offenses, whether or 766
not there has been a prior conviction for any of the felony 767
offenses, to which all of the following apply: 768

(a) Each of the felony offenses is a violation of section 769
2905.01, 2905.02, 2905.32, 2907.21, 2907.22, or 2923.32, 770
division (A) (1) or (2) of section 2907.323, or division (B) (1), 771
(2), (3), (4), or (5) of section 2919.22 of the Revised Code or 772
is a violation of a law of any state other than this state that 773
is substantially similar to any of the sections or divisions of 774
the Revised Code identified in this division. 775

(b) At least one of the felony offenses was committed in 776
this state. 777

(c) The felony offenses are related to the same scheme or 778
plan and are not isolated instances. 779

(BBB) "Material," "nudity," "obscene," "performance," and 780

"sexual activity" have the same meanings as in section 2907.01 781
of the Revised Code. 782

(CCC) "Material that is obscene, sexually oriented, or 783
nudity oriented" means any material that is obscene, that shows 784
a person participating or engaging in sexual activity, 785
masturbation, or bestiality, or that shows a person in a state 786
of nudity. 787

(DDD) "Performance that is obscene, sexually oriented, or 788
nudity oriented" means any performance that is obscene, that 789
shows a person participating or engaging in sexual activity, 790
masturbation, or bestiality, or that shows a person in a state 791
of nudity. 792

(EEE) "Accelerant" means a fuel or oxidizing agent, such 793
as an ignitable liquid, used to initiate a fire or increase the 794
rate of growth or spread of a fire. 795

(FFF) "Permanent disabling harm" means serious physical 796
harm that results in permanent injury to the intellectual, 797
physical, or sensory functions and that permanently and 798
substantially impairs a person's ability to meet one or more of 799
the ordinary demands of life, including the functions of caring 800
for one's self, performing manual tasks, walking, seeing, 801
hearing, speaking, breathing, learning, and working. 802

(GGG) "Non-life felony indefinite prison term" means a 803
prison term imposed under division (A) (1) (a) or (2) (a) of 804
section 2929.14 and section 2929.144 of the Revised Code for a 805
felony of the first or second degree committed on or after ~~the~~ 806
~~effective date of this amendment~~ March 22, 2019. 807

Sec. 2950.01. As used in this chapter, unless the context 808
clearly requires otherwise: 809

(A) "Sexually oriented offense" means any of the following 810
violations or offenses committed by a person, regardless of the 811
person's age: 812

(1) A violation of section 2907.02, 2907.03, 2907.05, 813
2907.06, 2907.07, 2907.08, 2907.21, 2907.22, 2907.32, 2907.321, 814
2907.322, or 2907.323 of the Revised Code; 815

(2) A violation of section 2907.04 of the Revised Code 816
when the offender is less than four years older than the other 817
person with whom the offender engaged in sexual conduct, the 818
other person did not consent to the sexual conduct, and the 819
offender previously has not been convicted of or pleaded guilty 820
to a violation of section 2907.02, 2907.03, or 2907.04 of the 821
Revised Code or a violation of former section 2907.12 of the 822
Revised Code; 823

(3) A violation of section 2907.04 of the Revised Code 824
when the offender is at least four years older than the other 825
person with whom the offender engaged in sexual conduct or when 826
the offender is less than four years older than the other person 827
with whom the offender engaged in sexual conduct and the 828
offender previously has been convicted of or pleaded guilty to a 829
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 830
Code or a violation of former section 2907.12 of the Revised 831
Code; 832

(4) A violation of section 2903.01, 2903.02, or 2903.11 of 833
the Revised Code when the violation was committed with a sexual 834
motivation; 835

(5) A violation of division (A) of section 2903.04 of the 836
Revised Code when the offender committed or attempted to commit 837
the felony that is the basis of the violation with a sexual 838

motivation;	839
(6) A violation of division (A) (3) of section 2903.211 of the Revised Code;	840 841
(7) A violation of division (A) (1), (2), (3), or (5) of section 2905.01 of the Revised Code when the offense is committed with a sexual motivation;	842 843 844
(8) A violation of division (A) (4) of section 2905.01 of the Revised Code;	845 846
(9) A violation of division (B) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age and the offender is not a parent of the victim of the offense;	847 848 849 850
(10) A violation of division (B) of section 2903.03, of division (B) of section 2905.02, of division (B) of section 2905.03, of division (B) of section 2905.05, or of division (B) (5) of section 2919.22 of the Revised Code;	851 852 853 854
(11) A violation of section 2905.32 of the Revised Code when any <u>either</u> of the following applies:	855 856
(a) The violation is a violation of division (A) (1) of that section and the offender knowingly recruited, lured, enticed, isolated, harbored, transported, provided, obtained, or maintained, or knowingly attempted to recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain, another person knowing that the person would be compelled to engage in sexual activity for hire, engage in a performance that was obscene, sexually oriented, or nudity oriented, or be a model or participant in the production of material that was obscene, sexually oriented, or nudity oriented.	857 858 859 860 861 862 863 864 865 866

(b) The violation is a violation of division (A) (2) of 867
that section and the offender knowingly recruited, lured, 868
enticed, isolated, harbored, transported, provided, obtained, or 869
maintained, or knowingly attempted to recruit, lure, entice, 870
isolate, harbor, transport, provide, obtain, or maintain a 871
person who is less than ~~sixteen~~ eighteen years of age or is a 872
person with a developmental disability whom the offender knows 873
or has reasonable cause to believe is a person with a 874
developmental disability for any purpose listed in divisions (A) 875
(2) (a) to (c) of that section. 876

~~(c) The violation is a violation of division (A) (3) of 877
that section, the offender knowingly recruited, lured, enticed, 878
isolated, harbored, transported, provided, obtained, or 879
maintained, or knowingly attempted to recruit, lure, entice, 880
isolate, harbor, transport, provide, obtain, or maintain a 881
person who is sixteen or seventeen years of age for any purpose 882
listed in divisions (A) (2) (a) to (c) of that section, and the 883
circumstances described in division (A) (5), (6), (7), (8), (9), 884
(10), (11), (12), or (13) of section 2907.03 of the Revised Code 885
apply with respect to the offender and the other person. 886~~

(12) A violation of division (B) (4) of section 2907.09 of 887
the Revised Code if the sentencing court classifies the offender 888
as a tier I sex offender/child-victim offender relative to that 889
offense pursuant to division (D) of that section; 890

(13) A violation of any former law of this state, any 891
existing or former municipal ordinance or law of another state 892
or the United States, any existing or former law applicable in a 893
military court or in an Indian tribal court, or any existing or 894
former law of any nation other than the United States that is or 895
was substantially equivalent to any offense listed in division 896

(A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), or (12) of this section;	897 898
(14) A violation of division (A) (3) of section 2907.24 of the Revised Code;	899 900
(15) Any attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), or (14) of this section.	901 902 903 904
(B) (1) "Sex offender" means, subject to division (B) (2) of this section, a person who is convicted of, pleads guilty to, has been convicted of, has pleaded guilty to, is adjudicated a delinquent child for committing, or has been adjudicated a delinquent child for committing any sexually oriented offense.	905 906 907 908 909
(2) "Sex offender" does not include a person who is convicted of, pleads guilty to, has been convicted of, has pleaded guilty to, is adjudicated a delinquent child for committing, or has been adjudicated a delinquent child for committing a sexually oriented offense if the offense involves consensual sexual conduct or consensual sexual contact and either of the following applies:	910 911 912 913 914 915 916
(a) The victim of the sexually oriented offense was eighteen years of age or older and at the time of the sexually oriented offense was not under the custodial authority of the person who is convicted of, pleads guilty to, has been convicted of, has pleaded guilty to, is adjudicated a delinquent child for committing, or has been adjudicated a delinquent child for committing the sexually oriented offense.	917 918 919 920 921 922 923
(b) The victim of the offense was thirteen years of age or older, and the person who is convicted of, pleads guilty to, has	924 925

been convicted of, has pleaded guilty to, is adjudicated a 926
delinquent child for committing, or has been adjudicated a 927
delinquent child for committing the sexually oriented offense is 928
not more than four years older than the victim. 929

(C) "Child-victim oriented offense" means any of the 930
following violations or offenses committed by a person, 931
regardless of the person's age, when the victim is under 932
eighteen years of age and is not a child of the person who 933
commits the violation: 934

(1) A violation of division (A) (1), (2), (3), or (5) of 935
section 2905.01 of the Revised Code when the violation is not 936
included in division (A) (7) of this section; 937

(2) A violation of division (A) of section 2905.02, 938
division (A) of section 2905.03, or division (A) of section 939
2905.05 of the Revised Code; 940

(3) A violation of any former law of this state, any 941
existing or former municipal ordinance or law of another state 942
or the United States, any existing or former law applicable in a 943
military court or in an Indian tribal court, or any existing or 944
former law of any nation other than the United States that is or 945
was substantially equivalent to any offense listed in division 946
(C) (1) or (2) of this section; 947

(4) Any attempt to commit, conspiracy to commit, or 948
complicity in committing any offense listed in division (C) (1), 949
(2), or (3) of this section. 950

(D) "Child-victim offender" means a person who is 951
convicted of, pleads guilty to, has been convicted of, has 952
pleaded guilty to, is adjudicated a delinquent child for 953
committing, or has been adjudicated a delinquent child for 954

committing any child-victim oriented offense. 955

(E) "Tier I sex offender/child-victim offender" means any 956
of the following: 957

(1) A sex offender who is convicted of, pleads guilty to, 958
has been convicted of, or has pleaded guilty to any of the 959
following sexually oriented offenses: 960

(a) A violation of section 2907.06, 2907.07, 2907.08, 961
2907.22, or 2907.32 of the Revised Code; 962

(b) A violation of section 2907.04 of the Revised Code 963
when the offender is less than four years older than the other 964
person with whom the offender engaged in sexual conduct, the 965
other person did not consent to the sexual conduct, and the 966
offender previously has not been convicted of or pleaded guilty 967
to a violation of section 2907.02, 2907.03, or 2907.04 of the 968
Revised Code or a violation of former section 2907.12 of the 969
Revised Code; 970

(c) A violation of division (A) (1), (2), (3), or (5) of 971
section 2907.05 of the Revised Code; 972

(d) A violation of division (A) (3) of section 2907.323 of 973
the Revised Code; 974

(e) A violation of division (A) (3) of section 2903.211, of 975
division (B) of section 2905.03, or of division (B) of section 976
2905.05 of the Revised Code; 977

(f) A violation of division (B) (4) of section 2907.09 of 978
the Revised Code if the sentencing court classifies the offender 979
as a tier I sex offender/child-victim offender relative to that 980
offense pursuant to division (D) of that section; 981

(g) A violation of any former law of this state, any 982

existing or former municipal ordinance or law of another state 983
or the United States, any existing or former law applicable in a 984
military court or in an Indian tribal court, or any existing or 985
former law of any nation other than the United States, that is 986
or was substantially equivalent to any offense listed in 987
division (E) (1) (a), (b), (c), (d), (e), or (f) of this section; 988

(h) Any attempt to commit, conspiracy to commit, or 989
complicity in committing any offense listed in division (E) (1) 990
(a), (b), (c), (d), (e), (f), or (g) of this section. 991

(2) A child-victim offender who is convicted of, pleads 992
guilty to, has been convicted of, or has pleaded guilty to a 993
child-victim oriented offense and who is not within either 994
category of child-victim offender described in division (F) (2) 995
or (G) (2) of this section. 996

(3) A sex offender who is adjudicated a delinquent child 997
for committing or has been adjudicated a delinquent child for 998
committing any sexually oriented offense and who a juvenile 999
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 1000
of the Revised Code, classifies a tier I sex offender/child- 1001
victim offender relative to the offense. 1002

(4) A child-victim offender who is adjudicated a 1003
delinquent child for committing or has been adjudicated a 1004
delinquent child for committing any child-victim oriented 1005
offense and who a juvenile court, pursuant to section 2152.82, 1006
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 1007
tier I sex offender/child-victim offender relative to the 1008
offense. 1009

(F) "Tier II sex offender/child-victim offender" means any 1010
of the following: 1011

(1) A sex offender who is convicted of, pleads guilty to,	1012
has been convicted of, or has pleaded guilty to any of the	1013
following sexually oriented offenses:	1014
(a) A violation of section 2907.21, 2907.321, or 2907.322	1015
of the Revised Code;	1016
(b) A violation of section 2907.04 of the Revised Code	1017
when the offender is at least four years older than the other	1018
person with whom the offender engaged in sexual conduct, or when	1019
the offender is less than four years older than the other person	1020
with whom the offender engaged in sexual conduct and the	1021
offender previously has been convicted of or pleaded guilty to a	1022
violation of section 2907.02, 2907.03, or 2907.04 of the Revised	1023
Code or former section 2907.12 of the Revised Code;	1024
(c) A violation of division (A) (4) of section 2907.05, of	1025
division (A) (3) of section 2907.24, or of division (A) (1) or (2)	1026
of section 2907.323 of the Revised Code;	1027
(d) A violation of division (A) (1), (2), (3), or (5) of	1028
section 2905.01 of the Revised Code when the offense is	1029
committed with a sexual motivation;	1030
(e) A violation of division (A) (4) of section 2905.01 of	1031
the Revised Code when the victim of the offense is eighteen	1032
years of age or older;	1033
(f) A violation of division (B) of section 2905.02 or of	1034
division (B) (5) of section 2919.22 of the Revised Code;	1035
(g) A violation of section 2905.32 of the Revised Code	1036
that is described in division (A) (11) (a) or <u>or</u> (b) or (c) of this	1037
section;	1038
(h) A violation of any former law of this state, any	1039

existing or former municipal ordinance or law of another state 1040
or the United States, any existing or former law applicable in a 1041
military court or in an Indian tribal court, or any existing or 1042
former law of any nation other than the United States that is or 1043
was substantially equivalent to any offense listed in division 1044
(F) (1) (a), (b), (c), (d), (e), (f), or (g) of this section; 1045

(i) Any attempt to commit, conspiracy to commit, or 1046
complicity in committing any offense listed in division (F) (1) 1047
(a), (b), (c), (d), (e), (f), (g), or (h) of this section; 1048

(j) Any sexually oriented offense that is committed after 1049
the sex offender previously has been convicted of, pleaded 1050
guilty to, or has been adjudicated a delinquent child for 1051
committing any sexually oriented offense or child-victim 1052
oriented offense for which the offender was classified a tier I 1053
sex offender/child-victim offender. 1054

(2) A child-victim offender who is convicted of, pleads 1055
guilty to, has been convicted of, or has pleaded guilty to any 1056
child-victim oriented offense when the child-victim oriented 1057
offense is committed after the child-victim offender previously 1058
has been convicted of, pleaded guilty to, or been adjudicated a 1059
delinquent child for committing any sexually oriented offense or 1060
child-victim oriented offense for which the offender was 1061
classified a tier I sex offender/child-victim offender. 1062

(3) A sex offender who is adjudicated a delinquent child 1063
for committing or has been adjudicated a delinquent child for 1064
committing any sexually oriented offense and who a juvenile 1065
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 1066
of the Revised Code, classifies a tier II sex offender/child- 1067
victim offender relative to the offense. 1068

(4) A child-victim offender who is adjudicated a delinquent child for committing or has been adjudicated a delinquent child for committing any child-victim oriented offense and whom a juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a tier II sex offender/child-victim offender relative to the current offense.

(5) A sex offender or child-victim offender who is not in any category of tier II sex offender/child-victim offender set forth in division (F)(1), (2), (3), or (4) of this section, who prior to January 1, 2008, was adjudicated a delinquent child for committing a sexually oriented offense or child-victim oriented offense, and who prior to that date was determined to be a habitual sex offender or determined to be a habitual child-victim offender, unless either of the following applies:

(a) The sex offender or child-victim offender is reclassified pursuant to section 2950.031 or 2950.032 of the Revised Code as a tier I sex offender/child-victim offender or a tier III sex offender/child-victim offender relative to the offense.

(b) A juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies the child a tier I sex offender/child-victim offender or a tier III sex offender/child-victim offender relative to the offense.

(G) "Tier III sex offender/child-victim offender" means any of the following:

(1) A sex offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to any of the following sexually oriented offenses:

(a) A violation of section 2907.02 or 2907.03 of the Revised Code;	1098 1099
(b) A violation of division (B) of section 2907.05 of the Revised Code;	1100 1101
(c) A violation of section 2903.01, 2903.02, or 2903.11 of the Revised Code when the violation was committed with a sexual motivation;	1102 1103 1104
(d) A violation of division (A) of section 2903.04 of the Revised Code when the offender committed or attempted to commit the felony that is the basis of the violation with a sexual motivation;	1105 1106 1107 1108
(e) A violation of division (A) (4) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age;	1109 1110 1111
(f) A violation of division (B) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age and the offender is not a parent of the victim of the offense;	1112 1113 1114 1115
(g) A violation of division (B) of section 2903.03 of the Revised Code;	1116 1117
(h) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any offense listed in division (G) (1) (a), (b), (c), (d), (e), (f), or (g) of this section;	1118 1119 1120 1121 1122 1123 1124
(i) Any attempt to commit, conspiracy to commit, or	1125

complicity in committing any offense listed in division (G) (1) 1126
 (a), (b), (c), (d), (e), (f), (g), or (h) of this section; 1127

(j) Any sexually oriented offense that is committed after 1128
 the sex offender previously has been convicted of, pleaded 1129
 guilty to, or been adjudicated a delinquent child for committing 1130
 any sexually oriented offense or child-victim oriented offense 1131
 for which the offender was classified a tier II sex 1132
 offender/child-victim offender or a tier III sex offender/child- 1133
 victim offender. 1134

(2) A child-victim offender who is convicted of, pleads 1135
 guilty to, has been convicted of, or has pleaded guilty to any 1136
 child-victim oriented offense when the child-victim oriented 1137
 offense is committed after the child-victim offender previously 1138
 has been convicted of, pleaded guilty to, or been adjudicated a 1139
 delinquent child for committing any sexually oriented offense or 1140
 child-victim oriented offense for which the offender was 1141
 classified a tier II sex offender/child-victim offender or a 1142
 tier III sex offender/child-victim offender. 1143

(3) A sex offender who is adjudicated a delinquent child 1144
 for committing or has been adjudicated a delinquent child for 1145
 committing any sexually oriented offense and who a juvenile 1146
 court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 1147
 of the Revised Code, classifies a tier III sex offender/child- 1148
 victim offender relative to the offense. 1149

(4) A child-victim offender who is adjudicated a 1150
 delinquent child for committing or has been adjudicated a 1151
 delinquent child for committing any child-victim oriented 1152
 offense and whom a juvenile court, pursuant to section 2152.82, 1153
 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 1154
 tier III sex offender/child-victim offender relative to the 1155

current offense. 1156

(5) A sex offender or child-victim offender who is not in 1157
any category of tier III sex offender/child-victim offender set 1158
forth in division (G) (1), (2), (3), or (4) of this section, who 1159
prior to January 1, 2008, was convicted of or pleaded guilty to 1160
a sexually oriented offense or child-victim oriented offense or 1161
was adjudicated a delinquent child for committing a sexually 1162
oriented offense or child-victim oriented offense and classified 1163
a juvenile offender registrant, and who prior to that date was 1164
adjudicated a sexual predator or adjudicated a child-victim 1165
predator, unless either of the following applies: 1166

(a) The sex offender or child-victim offender is 1167
reclassified pursuant to section 2950.031 or 2950.032 of the 1168
Revised Code as a tier I sex offender/child-victim offender or a 1169
tier II sex offender/child-victim offender relative to the 1170
offense. 1171

(b) The sex offender or child-victim offender is a 1172
delinquent child, and a juvenile court, pursuant to section 1173
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, 1174
classifies the child a tier I sex offender/child-victim offender 1175
or a tier II sex offender/child-victim offender relative to the 1176
offense. 1177

(6) A sex offender who is convicted of, pleads guilty to, 1178
was convicted of, or pleaded guilty to a sexually oriented 1179
offense, if the sexually oriented offense and the circumstances 1180
in which it was committed are such that division (F) of section 1181
2971.03 of the Revised Code automatically classifies the 1182
offender as a tier III sex offender/child-victim offender; 1183

(7) A sex offender or child-victim offender who is 1184

convicted of, pleads guilty to, was convicted of, pleaded guilty 1185
to, is adjudicated a delinquent child for committing, or was 1186
adjudicated a delinquent child for committing a sexually 1187
oriented offense or child-victim offense in another state, in a 1188
federal court, military court, or Indian tribal court, or in a 1189
court in any nation other than the United States if both of the 1190
following apply: 1191

(a) Under the law of the jurisdiction in which the 1192
offender was convicted or pleaded guilty or the delinquent child 1193
was adjudicated, the offender or delinquent child is in a 1194
category substantially equivalent to a category of tier III sex 1195
offender/child-victim offender described in division (G) (1), 1196
(2), (3), (4), (5), or (6) of this section. 1197

(b) Subsequent to the conviction, plea of guilty, or 1198
adjudication in the other jurisdiction, the offender or 1199
delinquent child resides, has temporary domicile, attends school 1200
or an institution of higher education, is employed, or intends 1201
to reside in this state in any manner and for any period of time 1202
that subjects the offender or delinquent child to a duty to 1203
register or provide notice of intent to reside under section 1204
2950.04 or 2950.041 of the Revised Code. 1205

(H) "Confinement" includes, but is not limited to, a 1206
community residential sanction imposed pursuant to section 1207
2929.16 or 2929.26 of the Revised Code. 1208

(I) "Prosecutor" has the same meaning as in section 1209
2935.01 of the Revised Code. 1210

(J) "Supervised release" means a release of an offender 1211
from a prison term, a term of imprisonment, or another type of 1212
confinement that satisfies either of the following conditions: 1213

(1) The release is on parole, a conditional pardon, under a community control sanction, under transitional control, or under a post-release control sanction, and it requires the person to report to or be supervised by a parole officer, probation officer, field officer, or another type of supervising officer.

(2) The release is any type of release that is not described in division (J) (1) of this section and that requires the person to report to or be supervised by a probation officer, a parole officer, a field officer, or another type of supervising officer.

(K) "Sexually violent predator specification," "sexually violent predator," "sexually violent offense," "sexual motivation specification," "designated homicide, assault, or kidnapping offense," and "violent sex offense" have the same meanings as in section 2971.01 of the Revised Code.

(L) "Post-release control sanction" and "transitional control" have the same meanings as in section 2967.01 of the Revised Code.

(M) "Juvenile offender registrant" means a person who is adjudicated a delinquent child for committing on or after January 1, 2002, a sexually oriented offense or a child-victim oriented offense, who is fourteen years of age or older at the time of committing the offense, and who a juvenile court judge, pursuant to an order issued under section 2152.82, 2152.83, 2152.84, 2152.85, or 2152.86 of the Revised Code, classifies a juvenile offender registrant and specifies has a duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code. "Juvenile offender registrant" includes a person who prior to January 1, 2008, was a "juvenile offender

registrant" under the definition of the term in existence prior 1244
to January 1, 2008, and a person who prior to July 31, 2003, was 1245
a "juvenile sex offender registrant" under the former definition 1246
of that former term. 1247

(N) "Public registry-qualified juvenile offender 1248
registrant" means a person who is adjudicated a delinquent child 1249
and on whom a juvenile court has imposed a serious youthful 1250
offender dispositional sentence under section 2152.13 of the 1251
Revised Code before, on, or after January 1, 2008, and to whom 1252
all of the following apply: 1253

(1) The person is adjudicated a delinquent child for 1254
committing, attempting to commit, conspiring to commit, or 1255
complicity in committing one of the following acts: 1256

(a) A violation of section 2907.02 of the Revised Code, 1257
division (B) of section 2907.05 of the Revised Code, or section 1258
2907.03 of the Revised Code if the victim of the violation was 1259
less than twelve years of age; 1260

(b) A violation of section 2903.01, 2903.02, or 2905.01 of 1261
the Revised Code that was committed with a purpose to gratify 1262
the sexual needs or desires of the child; 1263

(c) A violation of division (B) of section 2903.03 of the 1264
Revised Code. 1265

(2) The person was fourteen, fifteen, sixteen, or 1266
seventeen years of age at the time of committing the act. 1267

(3) A juvenile court judge, pursuant to an order issued 1268
under section 2152.86 of the Revised Code, classifies the person 1269
a juvenile offender registrant, specifies the person has a duty 1270
to comply with sections 2950.04, 2950.05, and 2950.06 of the 1271

Revised Code, and classifies the person a public registry- 1272
qualified juvenile offender registrant, and the classification 1273
of the person as a public registry-qualified juvenile offender 1274
registrant has not been terminated pursuant to division (D) of 1275
section 2152.86 of the Revised Code. 1276

(O) "Secure facility" means any facility that is designed 1277
and operated to ensure that all of its entrances and exits are 1278
locked and under the exclusive control of its staff and to 1279
ensure that, because of that exclusive control, no person who is 1280
institutionalized or confined in the facility may leave the 1281
facility without permission or supervision. 1282

(P) "Out-of-state juvenile offender registrant" means a 1283
person who is adjudicated a delinquent child in a court in 1284
another state, in a federal court, military court, or Indian 1285
tribal court, or in a court in any nation other than the United 1286
States for committing a sexually oriented offense or a child- 1287
victim oriented offense, who on or after January 1, 2002, moves 1288
to and resides in this state or temporarily is domiciled in this 1289
state for more than five days, and who has a duty under section 1290
2950.04 or 2950.041 of the Revised Code to register in this 1291
state and the duty to otherwise comply with that applicable 1292
section and sections 2950.05 and 2950.06 of the Revised Code. 1293
"Out-of-state juvenile offender registrant" includes a person 1294
who prior to January 1, 2008, was an "out-of-state juvenile 1295
offender registrant" under the definition of the term in 1296
existence prior to January 1, 2008, and a person who prior to 1297
July 31, 2003, was an "out-of-state juvenile sex offender 1298
registrant" under the former definition of that former term. 1299

(Q) "Juvenile court judge" includes a magistrate to whom 1300
the juvenile court judge confers duties pursuant to division (A) 1301

(15) of section 2151.23 of the Revised Code. 1302

(R) "Adjudicated a delinquent child for committing a 1303
sexually oriented offense" includes a child who receives a 1304
serious youthful offender dispositional sentence under section 1305
2152.13 of the Revised Code for committing a sexually oriented 1306
offense. 1307

(S) "School" and "school premises" have the same meanings 1308
as in section 2925.01 of the Revised Code. 1309

(T) "Residential premises" means the building in which a 1310
residential unit is located and the grounds upon which that 1311
building stands, extending to the perimeter of the property. 1312
"Residential premises" includes any type of structure in which a 1313
residential unit is located, including, but not limited to, 1314
multi-unit buildings and mobile and manufactured homes. 1315

(U) "Residential unit" means a dwelling unit for 1316
residential use and occupancy, and includes the structure or 1317
part of a structure that is used as a home, residence, or 1318
sleeping place by one person who maintains a household or two or 1319
more persons who maintain a common household. "Residential unit" 1320
does not include a halfway house or a community-based 1321
correctional facility. 1322

(V) "Multi-unit building" means a building in which is 1323
located more than twelve residential units that have entry doors 1324
that open directly into the unit from a hallway that is shared 1325
with one or more other units. A residential unit is not 1326
considered located in a multi-unit building if the unit does not 1327
have an entry door that opens directly into the unit from a 1328
hallway that is shared with one or more other units or if the 1329
unit is in a building that is not a multi-unit building as 1330

described in this division. 1331

(W) "Community control sanction" has the same meaning as 1332
in section 2929.01 of the Revised Code. 1333

(X) "Halfway house" and "community-based correctional 1334
facility" have the same meanings as in section 2929.01 of the 1335
Revised Code. 1336

Section 2. That existing sections 2152.021, 2905.32, 1337
2929.01, and 2950.01 of the Revised Code are hereby repealed." 1338

In line 72, delete "2" and insert "3" 1339

In line 85, delete "3" and insert "4" 1340

After line 96, insert: 1341

"Section 5. Section 2929.01 of the Revised Code is 1342
presented in this act as a composite of the section as amended 1343
by H.B. 63, H.B. 411, H.B. 1, S.B. 20, and S.B. 201, all of the 1344
132nd General Assembly. The General Assembly, applying the 1345
principle stated in division (B) of section 1.52 of the Revised 1346
Code that amendments are to be harmonized if reasonably capable 1347
of simultaneous operation, finds that the composite is the 1348
resulting version of the section in effect prior to the 1349
effective date of the section as presented in this act." 1350

The motion was _____ agreed to.

SYNOPSIS 1351

Guardian ad litem and abeyance procedure 1352

R.C. 2152.021 1353

Requires a juvenile court to appoint a guardian ad litem 1354
for an allegedly delinquent child if the court has reason to 1355
believe the act charged in the complaint might be a specified 1356
prostitution-related offense or that the child is a victim of 1357
trafficking in persons. 1358

Modifies the abeyance procedure by which a juvenile court 1359
may temporarily set aside a complaint against a child for a 1360
specified prostitution-related offense or for another offense 1361
related to the victimization of the child by human trafficking, 1362
pending the child's active engagement in diversion actions. 1363

Age distinction in trafficking in persons 1364

R.C. 2905.32, 2929.01, and 2950.01 1365

Removes the distinction in the elements of the offense of 1366
"trafficking in persons" regarding victims who are minors under 1367
age 16 and victims who are minors age 16 or 17. 1368

Conforms the Criminal Law definition of "human 1369
trafficking" and the SORN Law definitions of "sexually oriented 1370
offense" and "Tier II sex offender/child-victim offender" to the 1371
changes in the offense of "trafficking in persons." 1372