A BILL

To enact section 109.96 of the Revised Code to create the Sexual Exploitation Database and to make an appropriation.

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

Section 1. That section 109.96 of the Revised Code be enacted to read as follows:

Sec. 109.96. (A) As used in this section:

(1) "Conviction record" means a record containing all of the following:

(a) The prostitution offender's full legal name;

(b) The prostitution offender's last known address;

(c) A color photograph of the prostitution offender;

(d) The offense that the prostitution offender was convicted of or pleaded guilty to committing;

(e) The date the offense listed in division (A)(1)(d) of this section was committed;
(f) The county and municipality or township where the
offense listed in division (A)(1)(d) of this section was
committed.

(2) "Prostitution offender" means a person who was
convicted of or pleaded guilty to a prostitution offense.

(3) "Prostitution offense" means either of the following:

(a) A violation of section 2907.22 of the Revised Code;

(b) A violation of section 2907.24 of the Revised Code if
the offender offered to give the other person anything of value
in exchange for engaging in sexual activity for hire.

(4) "Sexual activity for hire" has the same meaning as in
section 2907.24 of the Revised Code.

(B) The attorney general shall establish and maintain the
sexual exploitation database.

(C) If a person is convicted of or pleads guilty to a
prostitution offense on or after the effective date of this
section, the clerk of courts shall send the prostitution
offender's conviction record to the attorney general.

(D) The attorney general shall ensure that a prostitution
offender's conviction record received under division (C) of this
section is entered into the sexual exploitation database if the
prostitution offender was convicted of or pleaded guilty to the
prostitution offense on or after the effective date of this
section.

(E) The attorney general shall ensure that a prostitution
offender's conviction record is removed from the sexual
exploitation database in accordance with the following:
(1) If five years have elapsed since the prostitution offender's most recent conviction of or plea of guilty to a prostitution offense, the attorney general shall automatically remove the prostitution offender from the sexual exploitation database. The prostitution offender does not need to submit an application to be removed from the sexual exploitation database under this division.

(2) If the prostitution offender's conviction of or plea of guilty to a prostitution offense has been overturned, expunged, or sealed prior to the automatic removal from the sexual exploitation database as described in division (E)(1) of this section, the prostitution offender may submit an application to have that conviction record removed from the sexual exploitation database. If the attorney general approves the prostitution offender's application to have that conviction record removed from the sexual exploitation database, the attorney general shall remove that conviction record from the sexual exploitation database.

(F) The attorney general shall adopt rules under Chapter 119. of the Revised Code establishing guidelines for the establishment and operation of the sexual exploitation database and prescribe forms necessary for the establishment and operation of the sexual exploitation database, including rules and forms establishing procedures for a prostitution offender to submit an application to be removed from the sexual exploitation database and for the attorney general to approve or deny a prostitution offender's application to be removed from the sexual exploitation database.

Section 2. All items in this section are hereby appropriated as designated out of any moneys in the state.
treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2020 and those in the second column are for fiscal year 2021. The appropriations made in this act are in addition to any other appropriations made for the FY 2020-FY 2021 biennium.

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SEXUAL EXPLOITATION DATABASE

The foregoing appropriation item 055436, Sexual Exploitation Database, shall be used to establish and maintain the database described in section 109.96 of the Revised Code.

Section 3. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for.
as though made in the main operating appropriations act of the 133rd General Assembly.

The appropriations made in this act are subject to all provisions of the main operating appropriations act of the 133rd General Assembly that are generally applicable to such appropriations.