

**As Reported by the House Community and Family Advancement  
Committee**

**131st General Assembly**

**Regular Session  
2015-2016**

**Sub. H. B. No. 63**

**Representatives Pelanda, Grossman**

**Cosponsors: Representatives Slaby, Boose, Maag, Becker, Buchy, Leland, Sears,  
Dever, Hill, Barnes, Fedor, Blessing, Boyd, Sheehy, Driehaus**

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**A BILL**

To amend sections 2919.22, 3107.05, 3109.51, 1  
4510.13, 4510.31, and 5101.13 and to enact 2  
sections 3107.035, 3109.81, 3109.811, 3109.812, 3  
3109.813, 3109.814, and 3109.815 of the Revised 4  
Code regarding child rehoming and nonjudicial 5  
grants of parental rights. 6

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

**Section 1.** That sections 2919.22, 3107.05, 3109.51, 7  
4510.13, 4510.31, and 5101.13 be amended and sections 3107.035, 8  
3109.81, 3109.811, 3109.812, 3109.813, 3109.814, and 3109.815 of 9  
the Revised Code be enacted to read as follows: 10

**Sec. 2919.22.** (A) No person, who is the parent, guardian, 11  
custodian, person having custody or control, or person in loco 12  
parentis of a child under eighteen years of age or a mentally or 13  
physically handicapped child under twenty-one years of age, 14  
shall create a substantial risk to the health or safety of the 15  
child, by violating a duty of care, protection, or support. It 16  
is not a violation of a duty of care, protection, or support 17

under this division when the parent, guardian, custodian, or 18  
person having custody or control of a child treats the physical 19  
or mental illness or defect of the child by spiritual means 20  
through prayer alone, in accordance with the tenets of a 21  
recognized religious body. 22

(B) No person shall do any of the following to a child 23  
under eighteen years of age or a mentally or physically 24  
handicapped child under twenty-one years of age: 25

(1) Abuse the child; 26

(2) Torture or cruelly abuse the child; 27

(3) Administer corporal punishment or other physical 28  
disciplinary measure, or physically restrain the child in a 29  
cruel manner or for a prolonged period, which punishment, 30  
discipline, or restraint is excessive under the circumstances 31  
and creates a substantial risk of serious physical harm to the 32  
child; 33

(4) Repeatedly administer unwarranted disciplinary 34  
measures to the child, when there is a substantial risk that 35  
such conduct, if continued, will seriously impair or retard the 36  
child's mental health or development; 37

(5) Entice, coerce, permit, encourage, compel, hire, 38  
employ, use, or allow the child to act, model, or in any other 39  
way participate in, or be photographed for, the production, 40  
presentation, dissemination, or advertisement of any material or 41  
performance that the offender knows or reasonably should know is 42  
obscene, is sexually oriented matter, or is nudity-oriented 43  
matter; 44

(6) Allow the child to be on the same parcel of real 45  
property and within one hundred feet of, or, in the case of more 46

than one housing unit on the same parcel of real property, in 47  
the same housing unit and within one hundred feet of, any act in 48  
violation of section 2925.04 or 2925.041 of the Revised Code 49  
when the person knows that the act is occurring, whether or not 50  
any person is prosecuted for or convicted of the violation of 51  
section 2925.04 or 2925.041 of the Revised Code that is the 52  
basis of the violation of this division; 53

(7) Sell or transfer, or arrange to sell or transfer, a 54  
child for anything of value; 55

(8) (a) (i) Receive or place a child in the custody of 56  
another person, with the intent that the child remain in the 57  
person's custody for more than one year; 58

(ii) Receive or place a child in the custody of another 59  
person, with the intent that the child remain in that person's 60  
custody for a reason other than a vacation or school sponsored 61  
function or activity or because of a parent's incarceration, 62  
military service, medical treatment, or incapacity. 63

(b) For purposes of division (B) (8) of this section, 64  
"receive or place a child in the custody of another person" 65  
means both of the following: 66

(i) To grant or be granted any of the parents', 67  
guardian's, or custodian's rights and responsibilities regarding 68  
the care, custody, and control of the child; 69

(ii) To have the child reside with the person. 70

(C) (1) No person shall operate a vehicle, streetcar, or 71  
trackless trolley within this state in violation of division (A) 72  
of section 4511.19 of the Revised Code when one or more children 73  
under eighteen years of age are in the vehicle, streetcar, or 74  
trackless trolley. Notwithstanding any other provision of law, a 75

person may be convicted at the same trial or proceeding of a 76  
violation of this division and a violation of division (A) of 77  
section 4511.19 of the Revised Code that constitutes the basis 78  
of the charge of the violation of this division. For purposes of 79  
sections 4511.191 to 4511.197 of the Revised Code and all 80  
related provisions of law, a person arrested for a violation of 81  
this division shall be considered to be under arrest for 82  
operating a vehicle while under the influence of alcohol, a drug 83  
of abuse, or a combination of them or for operating a vehicle 84  
with a prohibited concentration of alcohol, a controlled 85  
substance, or a metabolite of a controlled substance in the 86  
whole blood, blood serum or plasma, breath, or urine. 87

(2) As used in division (C) (1) of this section: 88

(a) "Controlled substance" has the same meaning as in 89  
section 3719.01 of the Revised Code. 90

(b) "Vehicle," "streetcar," and "trackless trolley" have 91  
the same meanings as in section 4511.01 of the Revised Code. 92

(D) (1) Division (B) (5) of this section does not apply to 93  
any material or performance that is produced, presented, or 94  
disseminated for a bona fide medical, scientific, educational, 95  
religious, governmental, judicial, or other proper purpose, by 96  
or to a physician, psychologist, sociologist, scientist, 97  
teacher, person pursuing bona fide studies or research, 98  
librarian, member of the clergy, prosecutor, judge, or other 99  
person having a proper interest in the material or performance. 100

(2) Mistake of age is not a defense to a charge under 101  
division (B) (5) of this section. 102

(3) In a prosecution under division (B) (5) of this 103  
section, the trier of fact may infer that an actor, model, or 104

participant in the material or performance involved is a 105  
juvenile if the material or performance, through its title, 106  
text, visual representation, or otherwise, represents or depicts 107  
the actor, model, or participant as a juvenile. 108

(4) As used in this division and division (B) (5) of this 109  
section: 110

(a) "Material," "performance," "obscene," and "sexual 111  
activity" have the same meanings as in section 2907.01 of the 112  
Revised Code. 113

(b) "Nudity-oriented matter" means any material or 114  
performance that shows a minor in a state of nudity and that, 115  
taken as a whole by the average person applying contemporary 116  
community standards, appeals to prurient interest. 117

(c) "Sexually oriented matter" means any material or 118  
performance that shows a minor participating or engaging in 119  
sexual activity, masturbation, or bestiality. 120

(E) Division (B) (8) of this section does not apply in any 121  
of the following situations: 122

(1) Voluntary delivery of a child, and that child's 123  
subsequent care in accordance with sections 2151.3515 to 124  
2151.3530 of the Revised Code; 125

(2) The child is related by consanguinity or affinity 126  
within the fifth degree to the person receiving the child; 127

(3) Placement in accordance with Chapter 5103. of the 128  
Revised Code; 129

(4) Placement in accordance with any court order. 130

(F) (1) Whoever violates this section is guilty of 131

endangering children. 132

(2) If the offender violates division (A) or (B) (1) of 133  
this section, endangering children is one of the following, and, 134  
in the circumstances described in division ~~(E)~~ (F) (2) (e) of this 135  
section, that division applies: 136

(a) Except as otherwise provided in division ~~(E)~~ (F) (2) (b), 137  
(c), or (d) of this section, a misdemeanor of the first degree; 138

(b) If the offender previously has been convicted of an 139  
offense under this section or of any offense involving neglect, 140  
abandonment, contributing to the delinquency of, or physical 141  
abuse of a child, except as otherwise provided in division ~~(E)~~ 142  
(F) (2) (c) or (d) of this section, a felony of the fourth degree; 143

(c) If the violation is a violation of division (A) of 144  
this section and results in serious physical harm to the child 145  
involved, a felony of the third degree; 146

(d) If the violation is a violation of division (B) (1) of 147  
this section and results in serious physical harm to the child 148  
involved, a felony of the second degree. 149

(e) If the violation is a felony violation of division (B) 150  
(1) of this section and the offender also is convicted of or 151  
pleads guilty to a specification as described in section 152  
2941.1422 of the Revised Code that was included in the 153  
indictment, count in the indictment, or information charging the 154  
offense, the court shall sentence the offender to a mandatory 155  
prison term as provided in division (B) (7) of section 2929.14 of 156  
the Revised Code and shall order the offender to make 157  
restitution as provided in division (B) (8) of section 2929.18 of 158  
the Revised Code. 159

(3) If the offender violates division (B) (2), (3), (4), or 160

(6) of this section, except as otherwise provided in this 161  
division, endangering children is a felony of the third degree. 162  
If the violation results in serious physical harm to the child 163  
involved, or if the offender previously has been convicted of an 164  
offense under this section or of any offense involving neglect, 165  
abandonment, contributing to the delinquency of, or physical 166  
abuse of a child, endangering children is a felony of the second 167  
degree. If the offender violates division (B) (2), (3), or (4) of 168  
this section and the offender also is convicted of or pleads 169  
guilty to a specification as described in section 2941.1422 of 170  
the Revised Code that was included in the indictment, count in 171  
the indictment, or information charging the offense, the court 172  
shall sentence the offender to a mandatory prison term as 173  
provided in division (B) (7) of section 2929.14 of the Revised 174  
Code and shall order the offender to make restitution as 175  
provided in division (B) (8) of section 2929.18 of the Revised 176  
Code. If the offender violates division (B) (6) of this section 177  
and the drug involved is methamphetamine, the court shall impose 178  
a mandatory prison term on the offender as follows: 179

(a) If the violation is a violation of division (B) (6) of 180  
this section that is a felony of the third degree under division 181  
~~(E)~~ (F) (3) of this section and the drug involved is 182  
methamphetamine, except as otherwise provided in this division, 183  
the court shall impose as a mandatory prison term one of the 184  
prison terms prescribed for a felony of the third degree that is 185  
not less than two years. If the violation is a violation of 186  
division (B) (6) of this section that is a felony of the third 187  
degree under division ~~(E)~~ (F) (3) of this section, if the drug 188  
involved is methamphetamine, and if the offender previously has 189  
been convicted of or pleaded guilty to a violation of division 190  
(B) (6) of this section, a violation of division (A) of section 191

2925.04 of the Revised Code, or a violation of division (A) of 192  
section 2925.041 of the Revised Code, the court shall impose as 193  
a mandatory prison term one of the prison terms prescribed for a 194  
felony of the third degree that is not less than five years. 195

(b) If the violation is a violation of division (B)(6) of 196  
this section that is a felony of the second degree under 197  
division ~~(E)~~(F)(3) of this section and the drug involved is 198  
methamphetamine, except as otherwise provided in this division, 199  
the court shall impose as a mandatory prison term one of the 200  
prison terms prescribed for a felony of the second degree that 201  
is not less than three years. If the violation is a violation of 202  
division (B)(6) of this section that is a felony of the second 203  
degree under division ~~(E)~~(F)(3) of this section, if the drug 204  
involved is methamphetamine, and if the offender previously has 205  
been convicted of or pleaded guilty to a violation of division 206  
(B)(6) of this section, a violation of division (A) of section 207  
2925.04 of the Revised Code, or a violation of division (A) of 208  
section 2925.041 of the Revised Code, the court shall impose as 209  
a mandatory prison term one of the prison terms prescribed for a 210  
felony of the second degree that is not less than five years. 211

(4) If the offender violates division (B)(5) of this 212  
section, endangering children is a felony of the second degree. 213  
If the offender also is convicted of or pleads guilty to a 214  
specification as described in section 2941.1422 of the Revised 215  
Code that was included in the indictment, count in the 216  
indictment, or information charging the offense, the court shall 217  
sentence the offender to a mandatory prison term as provided in 218  
division (B)(7) of section 2929.14 of the Revised Code and shall 219  
order the offender to make restitution as provided in division 220  
(B)(8) of section 2929.18 of the Revised Code. 221

(5) (a) If the offender violates division (B) (7) or (8) of this section for a first offense, endangering children is a felony of the fifth degree. 222  
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(b) If the offender previously has been convicted of an offense under division (B) (7) or (8) of this section and subsequently violates division (B) (7) or (8) of this section, endangering children is a felony of the fourth degree. 225  
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(6) If the offender violates division (C) of this section, the offender shall be punished as follows: 229  
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(a) Except as otherwise provided in division ~~(E) (5)~~ (F) (6) (b) or (c) of this section, endangering children in violation of division (C) of this section is a misdemeanor of the first degree. 231  
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(b) If the violation results in serious physical harm to the child involved or the offender previously has been convicted of an offense under this section or any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division ~~(E) (5)~~ (F) (6) (c) of this section, endangering children in violation of division (C) of this section is a felony of the fifth degree. 235  
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(c) If the violation results in serious physical harm to the child involved and if the offender previously has been convicted of a violation of division (C) of this section, section 2903.06 or 2903.08 of the Revised Code, section 2903.07 of the Revised Code as it existed prior to March 23, 2000, or section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, endangering children in violation of division 243  
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(C) of this section is a felony of the fourth degree. 251

(d) In addition to any term of imprisonment, fine, or 252  
other sentence, penalty, or sanction it imposes upon the 253  
offender pursuant to division ~~(E) (5)~~ (F) (6) (a), (b), or (c) of 254  
this section or pursuant to any other provision of law and in 255  
addition to any suspension of the offender's driver's or 256  
commercial driver's license or permit or nonresident operating 257  
privilege under Chapter 4506., 4509., 4510., or 4511. of the 258  
Revised Code or under any other provision of law, the court also 259  
may impose upon the offender a class seven suspension of the 260  
offender's driver's or commercial driver's license or permit or 261  
nonresident operating privilege from the range specified in 262  
division (A) (7) of section 4510.02 of the Revised Code. 263

(e) In addition to any term of imprisonment, fine, or 264  
other sentence, penalty, or sanction imposed upon the offender 265  
pursuant to division ~~(E) (5)~~ (F) (6) (a), (b), (c), or (d) of this 266  
section or pursuant to any other provision of law for the 267  
violation of division (C) of this section, if as part of the 268  
same trial or proceeding the offender also is convicted of or 269  
pleads guilty to a separate charge charging the violation of 270  
division (A) of section 4511.19 of the Revised Code that was the 271  
basis of the charge of the violation of division (C) of this 272  
section, the offender also shall be sentenced in accordance with 273  
section 4511.19 of the Revised Code for that violation of 274  
division (A) of section 4511.19 of the Revised Code. 275

~~(F)~~ (G) (1) (a) A court may require an offender to perform 276  
not more than two hundred hours of supervised community service 277  
work under the authority of an agency, subdivision, or 278  
charitable organization. The requirement shall be part of the 279  
community control sanction or sentence of the offender, and the 280

court shall impose the community service in accordance with and 281  
subject to divisions ~~(F)~~(G)(1) (a) and (b) of this section. The 282  
court may require an offender whom it requires to perform 283  
supervised community service work as part of the offender's 284  
community control sanction or sentence to pay the court a 285  
reasonable fee to cover the costs of the offender's 286  
participation in the work, including, but not limited to, the 287  
costs of procuring a policy or policies of liability insurance 288  
to cover the period during which the offender will perform the 289  
work. If the court requires the offender to perform supervised 290  
community service work as part of the offender's community 291  
control sanction or sentence, the court shall do so in 292  
accordance with the following limitations and criteria: 293

(i) The court shall require that the community service 294  
work be performed after completion of the term of imprisonment 295  
or jail term imposed upon the offender for the violation of 296  
division (C) of this section, if applicable. 297

(ii) The supervised community service work shall be 298  
subject to the limitations set forth in divisions (B) (1), (2), 299  
and (3) of section 2951.02 of the Revised Code. 300

(iii) The community service work shall be supervised in 301  
the manner described in division (B) (4) of section 2951.02 of 302  
the Revised Code by an official or person with the 303  
qualifications described in that division. The official or 304  
person periodically shall report in writing to the court 305  
concerning the conduct of the offender in performing the work. 306

(iv) The court shall inform the offender in writing that 307  
if the offender does not adequately perform, as determined by 308  
the court, all of the required community service work, the court 309  
may order that the offender be committed to a jail or workhouse 310

for a period of time that does not exceed the term of 311  
imprisonment that the court could have imposed upon the offender 312  
for the violation of division (C) of this section, reduced by 313  
the total amount of time that the offender actually was 314  
imprisoned under the sentence or term that was imposed upon the 315  
offender for that violation and by the total amount of time that 316  
the offender was confined for any reason arising out of the 317  
offense for which the offender was convicted and sentenced as 318  
described in sections 2949.08 and 2967.191 of the Revised Code, 319  
and that, if the court orders that the offender be so committed, 320  
the court is authorized, but not required, to grant the offender 321  
credit upon the period of the commitment for the community 322  
service work that the offender adequately performed. 323

(b) If a court, pursuant to division ~~(F)~~(G) (1) (a) of this 324  
section, orders an offender to perform community service work as 325  
part of the offender's community control sanction or sentence 326  
and if the offender does not adequately perform all of the 327  
required community service work, as determined by the court, the 328  
court may order that the offender be committed to a jail or 329  
workhouse for a period of time that does not exceed the term of 330  
imprisonment that the court could have imposed upon the offender 331  
for the violation of division (C) of this section, reduced by 332  
the total amount of time that the offender actually was 333  
imprisoned under the sentence or term that was imposed upon the 334  
offender for that violation and by the total amount of time that 335  
the offender was confined for any reason arising out of the 336  
offense for which the offender was convicted and sentenced as 337  
described in sections 2949.08 and 2967.191 of the Revised Code. 338  
The court may order that a person committed pursuant to this 339  
division shall receive hour-for-hour credit upon the period of 340  
the commitment for the community service work that the offender 341

adequately performed. No commitment pursuant to this division 342  
shall exceed the period of the term of imprisonment that the 343  
sentencing court could have imposed upon the offender for the 344  
violation of division (C) of this section, reduced by the total 345  
amount of time that the offender actually was imprisoned under 346  
that sentence or term and by the total amount of time that the 347  
offender was confined for any reason arising out of the offense 348  
for which the offender was convicted and sentenced as described 349  
in sections 2949.08 and 2967.191 of the Revised Code. 350

(2) Division ~~(F)~~(G) (1) of this section does not limit or 351  
affect the authority of the court to suspend the sentence 352  
imposed upon a misdemeanor offender and place the offender under 353  
a community control sanction pursuant to section 2929.25 of the 354  
Revised Code, to require a misdemeanor or felony offender to 355  
perform supervised community service work in accordance with 356  
division (B) of section 2951.02 of the Revised Code, or to place 357  
a felony offender under a community control sanction. 358

~~(G)~~(H) (1) If a court suspends an offender's driver's or 359  
commercial driver's license or permit or nonresident operating 360  
privilege under division ~~(E)~~~~(5)~~(F) ~~(6)~~ (d) of this section, the 361  
period of the suspension shall be consecutive to, and commence 362  
after, the period of suspension of the offender's driver's or 363  
commercial driver's license or permit or nonresident operating 364  
privilege that is imposed under Chapter 4506., 4509., 4510., or 365  
4511. of the Revised Code or under any other provision of law in 366  
relation to the violation of division (C) of this section that 367  
is the basis of the suspension under division ~~(E)~~~~(5)~~(F) ~~(6)~~ (d) of 368  
this section or in relation to the violation of division (A) of 369  
section 4511.19 of the Revised Code that is the basis for that 370  
violation of division (C) of this section. 371

(2) An offender is not entitled to request, and the court shall not grant to the offender, limited driving privileges if the offender's license, permit, or privilege has been suspended under division ~~(E) (5)~~ (F) (6) (d) of this section and the offender, within the preceding six years, has been convicted of or pleaded guilty to three or more violations of one or more of the following:

(a) Division (C) of this section;

(b) Any equivalent offense, as defined in section 4511.181 of the Revised Code.

~~(H)~~ (I) (1) If a person violates division (C) of this section and if, at the time of the violation, there were two or more children under eighteen years of age in the motor vehicle involved in the violation, the offender may be convicted of a violation of division (C) of this section for each of the children, but the court may sentence the offender for only one of the violations.

(2) (a) If a person is convicted of or pleads guilty to a violation of division (C) of this section but the person is not also convicted of and does not also plead guilty to a separate charge charging the violation of division (A) of section 4511.19 of the Revised Code that was the basis of the charge of the violation of division (C) of this section, both of the following apply:

(i) For purposes of the provisions of section 4511.19 of the Revised Code that set forth the penalties and sanctions for a violation of division (A) of section 4511.19 of the Revised Code, the conviction of or plea of guilty to the violation of division (C) of this section shall not constitute a violation of

division (A) of section 4511.19 of the Revised Code; 401

(ii) For purposes of any provision of law that refers to a 402  
conviction of or plea of guilty to a violation of division (A) 403  
of section 4511.19 of the Revised Code and that is not described 404  
in division ~~(H)~~(I)(2) (a) (i) of this section, the conviction of 405  
or plea of guilty to the violation of division (C) of this 406  
section shall constitute a conviction of or plea of guilty to a 407  
violation of division (A) of section 4511.19 of the Revised 408  
Code. 409

(b) If a person is convicted of or pleads guilty to a 410  
violation of division (C) of this section and the person also is 411  
convicted of or pleads guilty to a separate charge charging the 412  
violation of division (A) of section 4511.19 of the Revised Code 413  
that was the basis of the charge of the violation of division 414  
(C) of this section, the conviction of or plea of guilty to the 415  
violation of division (C) of this section shall not constitute, 416  
for purposes of any provision of law that refers to a conviction 417  
of or plea of guilty to a violation of division (A) of section 418  
4511.19 of the Revised Code, a conviction of or plea of guilty 419  
to a violation of division (A) of section 4511.19 of the Revised 420  
Code. 421

~~(I)~~(J) As used in this section: 422

(1) "Community control sanction" has the same meaning as 423  
in section 2929.01 of the Revised Code; 424

(2) "Limited driving privileges" has the same meaning as 425  
in section 4501.01 of the Revised Code; 426

(3) "Methamphetamine" has the same meaning as in section 427  
2925.01 of the Revised Code. 428

**Sec. 3107.035.** Any training that the department of job and 429

family services may require for a prospective adoptive parent 430  
shall include instruction regarding divisions (B) (7) and (8) of 431  
section 2919.22 and sections 3109.81 to 3109.813 of the Revised 432  
Code. 433

**Sec. 3107.05.** (A) A petition for adoption shall be 434  
prepared and filed according to the procedure for commencing an 435  
action under the Rules of Civil Procedure. It shall include the 436  
following information: 437

(1) The date and place of birth of the person to be 438  
adopted, if known; 439

(2) The name of the person to be adopted, if known; 440

(3) The name to be used for the person to be adopted; 441

(4) The date of placement of a minor and the name of the 442  
person placing the minor; 443

(5) The full name, age, place, and duration of residence 444  
of the petitioner; 445

(6) The marital status of the petitioner, including the 446  
date and place of marriage, if married; 447

(7) The relationship to the petitioner of the person to be 448  
adopted; 449

(8) That the petitioner has facilities and resources 450  
suitable to provide for the nurture and care of the person to be 451  
adopted, and that it is the desire of the petitioner to 452  
establish the relationship of parent and child with the person 453  
to be adopted; 454

(9) A description and estimate of value of all property of 455  
the person to be adopted; 456

(10) The name and address, if known, of any person whose consent to the adoption is required, but who has not consented, and facts that explain the lack of the consent normally required to the adoption;

(11) A certification by the petitioner that the petitioner is aware of the provisions of divisions (B) (7) and (8) of section 2919.22 and sections 3109.81 to 3109.813 of the Revised Code.

(B) A certified copy of the birth certificate of the person to be adopted, if available, and ordinary copies of the required consents, and relinquishments of consents, if any, shall be filed with the clerk.

**Sec. 3109.51.** As used in sections 3109.52 to ~~3109.80~~ 3109.815 of the Revised Code:

(A) "Child" means a person under eighteen years of age.

(B) "Custodian" means an individual with legal custody of a child.

(C) "Guardian" means an individual granted authority by a probate court pursuant to Chapter 2111. of the Revised Code to exercise parental rights over a child to the extent provided in the court's order and subject to the residual parental rights, privileges, and responsibilities of the child's parents.

(D) "Legal custody" and "residual parental rights, privileges, and responsibilities" have the same meanings as in section 2151.011 of the Revised Code.

**Sec. 3109.81.** As used in sections 3109.811 to 3109.813, "mandatory reporter" means any person listed in division (A) (1) (b) of section 2151.421 of the Revised Code.

Sec. 3109.811. (A) Except as provided in division (B) of 485  
this section, when an attorney in fact under a document that 486  
purports to grant to a person with whom a child is residing any 487  
of the parent's, guardian's, or custodian's rights and 488  
responsibilities regarding the care, physical control, and 489  
custody of the child requests registration in a school, medical 490  
treatment, or other services for a child and presents the 491  
document as authority for requesting the services, the mandatory 492  
reporter shall promptly investigate whether the child has been 493  
placed with the attorney in fact due to a vacation, school 494  
sponsored function or activity, or because of a parent's 495  
incarceration, military service, medical treatment, or 496  
incapacity. The provider shall also investigate how long the 497  
child has been placed with the attorney in fact. If the provider 498  
determines that the child has been placed for more than one year 499  
or that the child has been placed for a reason other than 500  
because of a vacation, school sponsored function or activity, or 501  
because of a parent's incarceration, military service, medical 502  
treatment, or incapacity, the provider shall promptly report the 503  
request, in writing, to the public children services agency of 504  
the county in which the child resides. The report shall include 505  
the name and address of the attorney in fact and of the child, 506  
the child's age, and the nature of the services requested. 507

(B) A mandatory reporter is not required to conduct an 508  
investigation or make a report under division (A) of this 509  
section if either of the following apply: 510

(1) The document presented appears to be a valid court 511  
order, power of attorney given to a grandparent under section 512  
3109.52 of the Revised Code, or caretaker authorization 513  
affidavit executed under section 3109.65 of the Revised Code; 514

(2) The child has been placed in a situation as described 515  
in division (E) of section 2919.22 of the Revised Code. 516

**Sec. 3109.812.** (A) Except as provided in division (B) of 517  
this section, on receiving a report made under section 3109.811 518  
of the Revised Code, a public children services agency shall 519  
investigate the child's placement. 520

(1) The public children services agency shall determine 521  
the extent of the investigation, based upon the facts in the 522  
report under section 3109.811, the agency's familiarity with the 523  
parties involved, and other factors it determines relevant. 524

(2) The investigation may include a criminal records 525  
check, a check of court records for any child-related civil 526  
proceedings, and, if the public children services agency 527  
determines that the records check warrants it, a study following 528  
standard protocols. 529

(B) A public children services agency is not required to 530  
conduct an investigation under division (A) of this section if 531  
the child has been placed in either of the following situations: 532

(1) For a designated period of less than one year due to a 533  
vacation, school sponsored function or activity, or because of a 534  
parent's incarceration, military service, medical treatment, or 535  
incapacity; 536

(2) As described in division (E) of section 2919.22 of the 537  
Revised Code. 538

**Sec. 3109.813.** If a public children services agency, after 539  
an investigation conducted under section 3109.812 of the Revised 540  
Code, determines that the placement of the child with the 541  
attorney in fact is unsafe for the child, the agency shall file 542  
a complaint with the juvenile court pursuant to section 2151.27 543

of the Revised Code. 544

**Sec. 3109.814.** The general assembly strongly recommends 545  
that every board, commission, or agency that is created under 546  
Title XLVII of the Revised Code and that is authorized to grant 547  
licensure or certification to persons who may encounter a child 548  
described in sections 3109.811 to 3109.813 of the Revised Code 549  
in the normal course of their work adopt rules pursuant to 550  
Chapter 119. of the Revised Code to require those persons, as a 551  
condition of receiving or maintaining licensure or 552  
certification, to receive training in the recognition and 553  
handling of these cases in accordance with sections 3109.81 to 554  
3109.813 of the Revised Code. 555

**Sec. 3109.815.** The department of job and family services 556  
shall adopt rules pursuant to Chapter 119. of the Revised Code 557  
establishing the following: 558

(A) Guidelines and procedures for public children services 559  
agencies to conduct investigations under section 3109.812 of the 560  
Revised Code; 561

(B) Criteria for determining if the placement of a child 562  
is unsafe under section 3109.813 of the Revised Code. 563

**Sec. 4510.13.** (A) (1) Divisions (A) (2) to (9) of this 564  
section apply to a judge or mayor regarding the suspension of, 565  
or the grant of limited driving privileges during a suspension 566  
of, an offender's driver's or commercial driver's license or 567  
permit or nonresident operating privilege imposed under division 568  
(G) or (H) of section 4511.19 of the Revised Code, under 569  
division (B) or (C) of section 4511.191 of the Revised Code, or 570  
under section 4510.07 of the Revised Code for a conviction of a 571  
violation of a municipal OVI ordinance. 572

(2) No judge or mayor shall suspend the following portions 573  
of the suspension of an offender's driver's or commercial 574  
driver's license or permit or nonresident operating privilege 575  
imposed under division (G) or (H) of section 4511.19 of the 576  
Revised Code or under section 4510.07 of the Revised Code for a 577  
conviction of a violation of a municipal OVI ordinance, provided 578  
that division (A) (2) of this section does not limit a court or 579  
mayor in crediting any period of suspension imposed pursuant to 580  
division (B) or (C) of section 4511.191 of the Revised Code 581  
against any time of judicial suspension imposed pursuant to 582  
section 4511.19 or 4510.07 of the Revised Code, as described in 583  
divisions (B) (2) and (C) (2) of section 4511.191 of the Revised 584  
Code: 585

(a) The first six months of a suspension imposed under 586  
division (G) (1) (a) of section 4511.19 of the Revised Code or of 587  
a comparable length suspension imposed under section 4510.07 of 588  
the Revised Code; 589

(b) The first year of a suspension imposed under division 590  
(G) (1) (b) or (c) of section 4511.19 of the Revised Code or of a 591  
comparable length suspension imposed under section 4510.07 of 592  
the Revised Code; 593

(c) The first three years of a suspension imposed under 594  
division (G) (1) (d) or (e) of section 4511.19 of the Revised Code 595  
or of a comparable length suspension imposed under section 596  
4510.07 of the Revised Code; 597

(d) The first sixty days of a suspension imposed under 598  
division (H) of section 4511.19 of the Revised Code or of a 599  
comparable length suspension imposed under section 4510.07 of 600  
the Revised Code. 601

(3) No judge or mayor shall grant limited driving 602  
privileges to an offender whose driver's or commercial driver's 603  
license or permit or nonresident operating privilege has been 604  
suspended under division (G) or (H) of section 4511.19 of the 605  
Revised Code, under division (C) of section 4511.191 of the 606  
Revised Code, or under section 4510.07 of the Revised Code for a 607  
municipal OVI conviction if the offender, within the preceding 608  
six years, has been convicted of or pleaded guilty to three or 609  
more violations of one or more of the Revised Code sections, 610  
municipal ordinances, statutes of the United States or another 611  
state, or municipal ordinances of a municipal corporation of 612  
another state that are identified in divisions ~~(G)~~ (H) (2) (b) to 613  
(h) of section 2919.22 of the Revised Code. 614

Additionally, no judge or mayor shall grant limited 615  
driving privileges to an offender whose driver's or commercial 616  
driver's license or permit or nonresident operating privilege 617  
has been suspended under division (B) of section 4511.191 of the 618  
Revised Code if the offender, within the preceding six years, 619  
has refused three previous requests to consent to a chemical 620  
test of the person's whole blood, blood serum or plasma, breath, 621  
or urine to determine its alcohol content. 622

(4) No judge or mayor shall grant limited driving 623  
privileges for employment as a driver of commercial motor 624  
vehicles to an offender whose driver's or commercial driver's 625  
license or permit or nonresident operating privilege has been 626  
suspended under division (G) or (H) of section 4511.19 of the 627  
Revised Code, under division (B) or (C) of section 4511.191 of 628  
the Revised Code, or under section 4510.07 of the Revised Code 629  
for a municipal OVI conviction if the offender is disqualified 630  
from operating a commercial motor vehicle, or whose license or 631  
permit has been suspended, under section 3123.58 or 4506.16 of 632

the Revised Code. 633

(5) No judge or mayor shall grant limited driving 634  
privileges to an offender whose driver's or commercial driver's 635  
license or permit or nonresident operating privilege has been 636  
suspended under division (G) or (H) of section 4511.19 of the 637  
Revised Code, under division (C) of section 4511.191 of the 638  
Revised Code, or under section 4510.07 of the Revised Code for a 639  
conviction of a violation of a municipal OVI ordinance during 640  
any of the following periods of time: 641

(a) The first fifteen days of a suspension imposed under 642  
division (G) (1) (a) of section 4511.19 of the Revised Code or a 643  
comparable length suspension imposed under section 4510.07 of 644  
the Revised Code, or of a suspension imposed under division (C) 645  
(1) (a) of section 4511.191 of the Revised Code. On or after the 646  
sixteenth day of the suspension, the court may grant limited 647  
driving privileges, but the court may require that the offender 648  
shall not exercise the privileges unless the vehicles the 649  
offender operates are equipped with immobilizing or disabling 650  
devices that monitor the offender's alcohol consumption or any 651  
other type of immobilizing or disabling devices, except as 652  
provided in division (C) of section 4510.43 of the Revised Code. 653

(b) The first forty-five days of a suspension imposed 654  
under division (C) (1) (b) of section 4511.191 of the Revised 655  
Code. On or after the forty-sixth day of suspension, the court 656  
may grant limited driving privileges, but the court may require 657  
that the offender shall not exercise the privileges unless the 658  
vehicles the offender operates are equipped with immobilizing or 659  
disabling devices that monitor the offender's alcohol 660  
consumption or any other type of immobilizing or disabling 661  
devices, except as provided in division (C) of section 4510.43 662

of the Revised Code. 663

(c) The first sixty days of a suspension imposed under 664  
division (H) of section 4511.19 of the Revised Code or a 665  
comparable length suspension imposed under section 4510.07 of 666  
the Revised Code. 667

(d) The first one hundred eighty days of a suspension 668  
imposed under division (C) (1) (c) of section 4511.191 of the 669  
Revised Code. On or after the one hundred eighty-first day of 670  
suspension, the court may grant limited driving privileges, and 671  
either of the following applies: 672

(i) If the underlying arrest is alcohol-related, the court 673  
shall issue an order that, except as provided in division (C) of 674  
section 4510.43 of the Revised Code, for the remainder of the 675  
period of suspension the offender shall not exercise the 676  
privileges unless the vehicles the offender operates are 677  
equipped with a certified ignition interlock device. 678

(ii) If the underlying arrest is drug-related, the court 679  
in its discretion may issue an order that, except as provided in 680  
division (C) of section 4510.43 of the Revised Code, for the 681  
remainder of the period of suspension the offender shall not 682  
exercise the privileges unless the vehicles the offender 683  
operates are equipped with a certified ignition interlock 684  
device. 685

(e) The first forty-five days of a suspension imposed 686  
under division (G) (1) (b) of section 4511.19 of the Revised Code 687  
or a comparable length suspension imposed under section 4510.07 688  
of the Revised Code. On or after the forty-sixth day of the 689  
suspension, the court may grant limited driving privileges, and 690  
either of the following applies: 691

(i) If the underlying conviction is alcohol-related, the court shall issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

(ii) If the underlying conviction is drug-related, the court in its discretion may issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

(f) The first one hundred eighty days of a suspension imposed under division (G) (1) (c) of section 4511.19 of the Revised Code or a comparable length suspension imposed under section 4510.07 of the Revised Code. On or after the one hundred eighty-first day of the suspension, the court may grant limited driving privileges, and either of the following applies:

(i) If the underlying conviction is alcohol-related, the court shall issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

(ii) If the underlying conviction is drug-related, the court in its discretion may issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender

operates are equipped with a certified ignition interlock 722  
device. 723

(g) The first three years of a suspension imposed under 724  
division (G) (1) (d) or (e) of section 4511.19 of the Revised Code 725  
or a comparable length suspension imposed under section 4510.07 726  
of the Revised Code, or of a suspension imposed under division 727  
(C) (1) (d) of section 4511.191 of the Revised Code. On or after 728  
the first three years of suspension, the court may grant limited 729  
driving privileges, and either of the following applies: 730

(i) If the underlying conviction is alcohol-related, the 731  
court shall issue an order that, except as provided in division 732  
(C) of section 4510.43 of the Revised Code, for the remainder of 733  
the period of suspension the offender shall not exercise the 734  
privileges unless the vehicles the offender operates are 735  
equipped with a certified ignition interlock device. 736

(ii) If the underlying conviction is drug-related, the 737  
court in its discretion may issue an order that, except as 738  
provided in division (C) of section 4510.43 of the Revised Code, 739  
for the remainder of the period of suspension the offender shall 740  
not exercise the privileges unless the vehicles the offender 741  
operates are equipped with a certified ignition interlock 742  
device. 743

(6) No judge or mayor shall grant limited driving 744  
privileges to an offender whose driver's or commercial driver's 745  
license or permit or nonresident operating privilege has been 746  
suspended under division (B) of section 4511.191 of the Revised 747  
Code during any of the following periods of time: 748

(a) The first thirty days of suspension imposed under 749  
division (B) (1) (a) of section 4511.191 of the Revised Code; 750

(b) The first ninety days of suspension imposed under 751  
division (B) (1) (b) of section 4511.191 of the Revised Code; 752

(c) The first year of suspension imposed under division 753  
(B) (1) (c) of section 4511.191 of the Revised Code; 754

(d) The first three years of suspension imposed under 755  
division (B) (1) (d) of section 4511.191 of the Revised Code. 756

(7) In any case in which a judge or mayor grants limited 757  
driving privileges to an offender whose driver's or commercial 758  
driver's license or permit or nonresident operating privilege 759  
has been suspended under division (G) (1) (b), (c), (d), or (e) of 760  
section 4511.19 of the Revised Code, under division (G) (1) (a) of 761  
section 4511.19 of the Revised Code for a violation of division 762  
(A) (1) (f), (g), (h), or (i) of that section, or under section 763  
4510.07 of the Revised Code for a municipal OVI conviction for 764  
which sentence would have been imposed under division (G) (1) (a) 765  
(ii) or (G) (1) (b), (c), (d), or (e) of section 4511.19 of the 766  
Revised Code had the offender been charged with and convicted of 767  
a violation of section 4511.19 of the Revised Code instead of a 768  
violation of the municipal OVI ordinance, the judge or mayor 769  
shall impose as a condition of the privileges that the offender 770  
must display on the vehicle that is driven subject to the 771  
privileges restricted license plates that are issued under 772  
section 4503.231 of the Revised Code, except as provided in 773  
division (B) of that section. 774

(8) In any case in which the offender operates a motor 775  
vehicle that is not equipped with an ignition interlock device, 776  
circumvents the device, or tampers with the device or in any 777  
case in which the court receives notice pursuant to section 778  
4510.46 of the Revised Code that a certified ignition interlock 779  
device required by an order issued under division (A) (5) (e), 780

(f), or (g) of this section prevented an offender from starting 781  
a motor vehicle, the following applies: 782

(a) If the offender was sentenced under division (G) (1) (b) 783  
of section 4511.19 of the Revised Code, on a first instance the 784  
court may require the offender to wear a monitor that provides 785  
continuous alcohol monitoring that is remote. On a second 786  
instance, the court shall require the offender to wear a monitor 787  
that provides continuous alcohol monitoring that is remote for a 788  
minimum of forty days. On a third instance or more, the court 789  
shall require the offender to wear a monitor that provides 790  
continuous alcohol monitoring that is remote for a minimum of 791  
sixty days. 792

(b) If the offender was sentenced under division (G) (1) 793  
(c), (d), or (e) of section 4511.19 of the Revised Code, on a 794  
first instance the court shall require the offender to wear a 795  
monitor that provides continuous alcohol monitoring that is 796  
remote for a minimum of forty days. On a second instance or 797  
more, the court shall require the offender to wear a monitor 798  
that provides continuous alcohol monitoring that is remote for a 799  
minimum of sixty days. 800

(9) In any case in which the court issues an order under 801  
this section prohibiting an offender from exercising limited 802  
driving privileges unless the vehicles the offender operates are 803  
equipped with an immobilizing or disabling device, including a 804  
certified ignition interlock device, or requires an offender to 805  
wear a monitor that provides continuous alcohol monitoring that 806  
is remote, the court shall impose an additional court cost of 807  
two dollars and fifty cents upon the offender. The court shall 808  
not waive the payment of the two dollars and fifty cents unless 809  
the court determines that the offender is indigent and waives 810

the payment of all court costs imposed upon the indigent 811  
offender. The clerk of court shall transmit one hundred per cent 812  
of this mandatory court cost collected during a month on or 813  
before the twenty-third day of the following month to the state 814  
treasury to be credited to the state highway safety fund created 815  
under section 4501.06 of the Revised Code, to be used by the 816  
department of public safety to cover costs associated with 817  
maintaining the habitual OVI/OMWI offender registry created 818  
under section 5502.10 of the Revised Code. In its discretion the 819  
court may impose an additional court cost of two dollars and 820  
fifty cents upon the offender. The clerk of court shall retain 821  
this discretionary two dollar and fifty cent court cost, if 822  
imposed, and shall deposit it in the court's special projects 823  
fund that is established under division (E)(1) of section 824  
2303.201, division (B)(1) of section 1901.26, or division (B)(1) 825  
of section 1907.24 of the Revised Code. 826

(10) In any case in which the court issues an order under 827  
this section prohibiting an offender from exercising limited 828  
driving privileges unless the vehicles the offender operates are 829  
equipped with an immobilizing or disabling device, including a 830  
certified ignition interlock device, the court shall notify the 831  
offender at the time the offender is granted limited driving 832  
privileges that, in accordance with section 4510.46 of the 833  
Revised Code, if the court receives notice that the device 834  
prevented the offender from starting the motor vehicle because 835  
the device was tampered with or circumvented or because the 836  
analysis of the deep-lung breath sample or other method employed 837  
by the device to measure the concentration by weight of alcohol 838  
in the offender's breath indicated the presence of alcohol in 839  
the offender's breath in a concentration sufficient to prevent 840  
the device from permitting the motor vehicle to be started, the 841

court may increase the period of suspension of the offender's 842  
driver's or commercial driver's license or permit or nonresident 843  
operating privilege from that originally imposed by the court by 844  
a factor of two and may increase the period of time during which 845  
the offender will be prohibited from exercising any limited 846  
driving privileges granted to the offender unless the vehicles 847  
the offender operates are equipped with a certified ignition 848  
interlock device by a factor of two. 849

(B) Any person whose driver's or commercial driver's 850  
license or permit or nonresident operating privilege has been 851  
suspended pursuant to section 4511.19 or 4511.191 of the Revised 852  
Code or under section 4510.07 of the Revised Code for a 853  
violation of a municipal OVI ordinance may file a petition for 854  
limited driving privileges during the suspension. The person 855  
shall file the petition in the court that has jurisdiction over 856  
the place of arrest. Subject to division (A) of this section, 857  
the court may grant the person limited driving privileges during 858  
the period during which the suspension otherwise would be 859  
imposed. However, the court shall not grant the privileges for 860  
employment as a driver of a commercial motor vehicle to any 861  
person who is disqualified from operating a commercial motor 862  
vehicle under section 4506.16 of the Revised Code or during any 863  
of the periods prescribed by division (A) of this section. 864

(C) (1) After a driver's or commercial driver's license or 865  
permit or nonresident operating privilege has been suspended 866  
pursuant to section 2903.06, 2903.08, 2903.11, 2907.24, 867  
2921.331, 2923.02, 2929.02, 4511.19, 4511.251, 4549.02, 868  
4549.021, or 5743.99 of the Revised Code, any provision of 869  
Chapter 2925. of the Revised Code, or section 4510.07 of the 870  
Revised Code for a violation of a municipal OVI ordinance, the 871  
judge of the court or mayor of the mayor's court that suspended 872

the license, permit, or privilege shall cause the offender to 873  
deliver to the court the license or permit. The judge, mayor, or 874  
clerk of the court or mayor's court shall forward to the 875  
registrar the license or permit together with notice of the 876  
action of the court. 877

(2) A suspension of a commercial driver's license under 878  
any section or chapter identified in division (C)(1) of this 879  
section shall be concurrent with any period of suspension or 880  
disqualification under section 3123.58 or 4506.16 of the Revised 881  
Code. No person who is disqualified for life from holding a 882  
commercial driver's license under section 4506.16 of the Revised 883  
Code shall be issued a driver's license under this chapter 884  
during the period for which the commercial driver's license was 885  
suspended under this section, and no person whose commercial 886  
driver's license is suspended under any section or chapter 887  
identified in division (C)(1) of this section shall be issued a 888  
driver's license under Chapter 4507. of the Revised Code during 889  
the period of the suspension. 890

(3) No judge or mayor shall suspend any class one 891  
suspension, or any portion of any class one suspension, imposed 892  
under section 2903.04, 2903.06, 2903.08, or 2921.331 of the 893  
Revised Code. No judge or mayor shall suspend the first thirty 894  
days of any class two, class three, class four, class five, or 895  
class six suspension imposed under section 2903.06, 2903.08, 896  
2903.11, 2923.02, or 2929.02 of the Revised Code. 897

(D) The judge of the court or mayor of the mayor's court 898  
shall credit any time during which an offender was subject to an 899  
administrative suspension of the offender's driver's or 900  
commercial driver's license or permit or nonresident operating 901  
privilege imposed pursuant to section 4511.191 or 4511.192 of 902

the Revised Code or a suspension imposed by a judge, referee, or 903  
mayor pursuant to division (B) (1) or (2) of section 4511.196 of 904  
the Revised Code against the time to be served under a related 905  
suspension imposed pursuant to any section or chapter identified 906  
in division (C) (1) of this section. 907

(E) The judge or mayor shall notify the bureau of motor 908  
vehicles of any determinations made pursuant to this section and 909  
of any suspension imposed pursuant to any section or chapter 910  
identified in division (C) (1) of this section. 911

(F) (1) If a court issues an immobilizing or disabling 912  
device order under section 4510.43 of the Revised Code, the 913  
order shall authorize the offender during the specified period 914  
to operate a motor vehicle only if it is equipped with an 915  
immobilizing or disabling device, except as provided in division 916  
(C) of that section. The court shall provide the offender with a 917  
copy of an immobilizing or disabling device order issued under 918  
section 4510.43 of the Revised Code, and the offender shall use 919  
the copy of the order in lieu of an Ohio driver's or commercial 920  
driver's license or permit until the registrar or a deputy 921  
registrar issues the offender a restricted license. 922

An order issued under section 4510.43 of the Revised Code 923  
does not authorize or permit the offender to whom it has been 924  
issued to operate a vehicle during any time that the offender's 925  
driver's or commercial driver's license or permit is suspended 926  
under any other provision of law. 927

(2) An offender may present an immobilizing or disabling 928  
device order to the registrar or to a deputy registrar. Upon 929  
presentation of the order to the registrar or a deputy 930  
registrar, the registrar or deputy registrar shall issue the 931  
offender a restricted license. A restricted license issued under 932

this division shall be identical to an Ohio driver's license, 933  
except that it shall have printed on its face a statement that 934  
the offender is prohibited during the period specified in the 935  
court order from operating any motor vehicle that is not 936  
equipped with an immobilizing or disabling device. The date of 937  
commencement and the date of termination of the period of 938  
suspension shall be indicated conspicuously upon the face of the 939  
license. 940

**Sec. 4510.31.** (A) (1) Except as provided in division (C) (1) 941  
or (2) of this section, the registrar of motor vehicles shall 942  
suspend the probationary driver's license, restricted license, 943  
or temporary instruction permit issued to any person when the 944  
person has been convicted of, pleaded guilty to, or been 945  
adjudicated in juvenile court of having committed, prior to the 946  
person's eighteenth birthday, any of the following: 947

(a) Three separate violations of section 2903.06, 2903.08, 948  
2921.331, 4511.12, 4511.13, 4511.191, 4511.20, 4511.201, 949  
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 950  
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the 951  
Revised Code, section 4510.14 of the Revised Code involving a 952  
suspension imposed under section 4511.191 or 4511.196 of the 953  
Revised Code, section 2903.04 of the Revised Code in a case in 954  
which the person would have been subject to the sanctions 955  
described in division (D) of that section had the person been 956  
convicted of the violation of that section, former section 957  
2903.07 of the Revised Code, or any municipal ordinances 958  
similarly relating to the offenses referred to in those 959  
sections; 960

(b) One violation of section 4511.19 of the Revised Code 961  
or a substantially similar municipal ordinance; 962

(c) Two separate violations of any of the Revised Code 963  
sections referred to in division (A)(1)(a) of this section, or 964  
any municipal ordinance that is substantially similar to any of 965  
those sections. 966

(2) Any person whose license or permit is suspended under 967  
division (A)(1)(a), (b), or (c) of this section shall mail or 968  
deliver the person's probationary driver's license, restricted 969  
license, or temporary instruction permit to the registrar within 970  
fourteen days of notification of the suspension. The registrar 971  
shall retain the license or permit during the period of the 972  
suspension. A suspension pursuant to division (A)(1)(a) of this 973  
section shall be a class C suspension, a suspension pursuant to 974  
division (A)(1)(b) of this section shall be a class D 975  
suspension, and a suspension pursuant to division (A)(1)(c) of 976  
this section shall be a class E suspension, all for the periods 977  
of time specified in division (B) of section 4510.02 of the 978  
Revised Code. If the person's probationary driver's license, 979  
restricted license, or temporary instruction permit is under 980  
suspension on the date the court imposes sentence upon the 981  
person for a violation described in division (A)(1)(b) of this 982  
section, the suspension shall take effect on the next day 983  
immediately following the end of that period of suspension. If 984  
the person is sixteen years of age or older and pleads guilty to 985  
or is convicted of a violation described in division (A)(1)(b) 986  
of this section and the person does not have a current, valid 987  
probationary driver's license, restricted license, or temporary 988  
instruction permit, the registrar shall deny the issuance to the 989  
person of a probationary driver's license, restricted license, 990  
driver's license, commercial driver's license, or temporary 991  
instruction permit, as the case may be, for six months beginning 992  
on the date the court imposes sentence upon the person for the 993

violation. If the person has not attained the age of sixteen 994  
years on the date the court imposes sentence upon the person for 995  
the violation, the period of denial shall commence on the date 996  
the person attains the age of sixteen years. 997

(3) The registrar shall suspend the person's license or 998  
permit under division (A) of this section regardless of whether 999  
the disposition of the case in juvenile court occurred after the 1000  
person's eighteenth birthday. 1001

(B) The registrar also shall impose a class D suspension 1002  
for the period of time specified in division (B) (4) of section 1003  
4510.02 of the Revised Code of the temporary instruction permit 1004  
or probationary driver's license of any person under the age of 1005  
eighteen who has been adjudicated an unruly child, delinquent 1006  
child, or juvenile traffic offender for having committed any act 1007  
that if committed by an adult would be a drug abuse offense or a 1008  
violation of division (B) of section 2917.11 of the Revised 1009  
Code. The registrar, in the registrar's discretion, may 1010  
terminate the suspension if the child, at the discretion of the 1011  
court, attends and satisfactorily completes a drug abuse or 1012  
alcohol abuse education, intervention, or treatment program 1013  
specified by the court. Any person whose temporary instruction 1014  
permit or probationary driver's license is suspended under this 1015  
division shall mail or deliver the person's permit or license to 1016  
the registrar within fourteen days of notification of the 1017  
suspension. The registrar shall retain the permit or license 1018  
during the period of the suspension. 1019

(C) (1) (a) Except as provided in division (C) (1) (c) of this 1020  
section, for any person who is convicted of, pleads guilty to, 1021  
or is adjudicated in juvenile court of having committed a second 1022  
or third violation of section 4511.12, 4511.13, 4511.20 to 1023

4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1024  
4511.75 of the Revised Code or any similar municipal ordinances 1025  
and whose license or permit is suspended under division (A) (1) 1026  
(a) or (c) of this section, the court in which the second or 1027  
third conviction, finding, plea, or adjudication resulting in 1028  
the suspension was made, upon petition of the person, may grant 1029  
the person limited driving privileges during the period during 1030  
which the suspension otherwise would be imposed under division 1031  
(A) (1) (a) or (c) of this section if the court finds reasonable 1032  
cause to believe that the suspension will seriously affect the 1033  
person's ability to continue in employment, educational 1034  
training, vocational training, or treatment. In granting the 1035  
limited driving privileges, the court shall specify the 1036  
purposes, times, and places of the privileges and may impose any 1037  
other conditions upon the person's driving a motor vehicle that 1038  
the court considers reasonable and necessary. 1039

A court that grants limited driving privileges to a person 1040  
under this division shall retain the person's probationary 1041  
driver's license, restricted license, or temporary instruction 1042  
permit during the period the license or permit is suspended and 1043  
also during the period for which limited driving privileges are 1044  
granted, and shall deliver to the person a permit card, in a 1045  
form to be prescribed by the court, setting forth the date on 1046  
which the limited driving privileges will become effective, the 1047  
purposes for which the person may drive, the times and places at 1048  
which the person may drive, and any other conditions imposed 1049  
upon the person's use of a motor vehicle. 1050

The court immediately shall notify the registrar, in 1051  
writing, of a grant of limited driving privileges under this 1052  
division. The notification shall specify the date on which the 1053  
limited driving privileges will become effective, the purposes 1054

for which the person may drive, the times and places at which 1055  
the person may drive, and any other conditions imposed upon the 1056  
person's use of a motor vehicle. The registrar shall not suspend 1057  
the probationary driver's license, restricted license, or 1058  
temporary instruction permit of any person pursuant to division 1059  
(A) of this section during any period for which the person has 1060  
been granted limited driving privileges as provided in this 1061  
division, if the registrar has received the notification 1062  
described in this division from the court. 1063

(b) Except as provided in division (C) (1) (c) of this 1064  
section, in any case in which the temporary instruction permit 1065  
or probationary driver's license of a person under eighteen 1066  
years of age has been suspended under division (A) or (B) of 1067  
this section or any other provision of law, the court may grant 1068  
the person limited driving privileges for the purpose of the 1069  
person's practicing of driving with the person's parent, 1070  
guardian, or other custodian during the period of the 1071  
suspension. Any grant of limited driving privileges under this 1072  
division shall comply with division (D) of section 4510.021 of 1073  
the Revised Code. 1074

(c) A court shall not grant limited driving privileges to 1075  
a person identified in division (C) (1) (a) or (b) of this section 1076  
if the person, within the preceding six years, has been 1077  
convicted of, pleaded guilty to, or adjudicated in juvenile 1078  
court of having committed three or more violations of one or 1079  
more of the divisions or sections set forth in divisions ~~(G)~~(H) 1080  
(2) (b) to (g) of section 2919.22 of the Revised Code. 1081

(2) (a) In a case in which a person is convicted of, pleads 1082  
guilty to, or is adjudicated in juvenile court of having 1083  
committed, prior to the person's eighteenth birthday, a second 1084

or third violation of section 4511.12, 4511.13, 4511.20 to 1085  
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1086  
4511.75 of the Revised Code or any similar municipal ordinances 1087  
and division (A) (1) (a) or (c) of this section requires the 1088  
registrar of motor vehicles to suspend the person's license or 1089  
permit, the court in which the person is convicted of, pleads 1090  
guilty to, or is adjudicated of having committed the second or 1091  
third violation may elect to order the registrar of motor 1092  
vehicles to waive the suspension if all of the following apply: 1093

(i) Prior to the date on which the court imposes sentence 1094  
upon, or makes an order of disposition for, the person for the 1095  
second or third violation, the person submits to the court a 1096  
petition requesting the court to order the registrar to waive 1097  
the prescribed suspension and describing the reasons why the 1098  
person believes the suspension, if imposed, would seriously 1099  
affect the person's ability to continue in employment, 1100  
educational training, vocational training, or treatment. 1101

(ii) Prior to the date specified in division (C) (2) (a) (i) 1102  
of this section, the person submits to the court satisfactory 1103  
proof showing that the person successfully completed an advanced 1104  
juvenile driver improvement program approved by the director of 1105  
public safety under division (B) of section 4510.311 of the 1106  
Revised Code after the date the person committed that second or 1107  
third violation. 1108

(iii) Prior to imposing sentence upon, or making an order 1109  
of disposition for, the person for the second or third 1110  
violation, the court finds reasonable cause to believe that the 1111  
suspension, if imposed, would seriously affect the person's 1112  
ability to continue in employment, educational training, 1113  
vocational training, or treatment. 1114

(iv) If the court is imposing sentence upon, or making an order of disposition for, the person for a third violation, the person did not submit to the court that imposed sentence upon, or made an order of disposition for, the person for the second violation a petition of the type described in division (C) (2) (a) (i) of this section, and the court that imposed sentence upon, or made an order of disposition for, the person for that second violation did not order the registrar of motor vehicles to waive the suspension of the person's license or permit required under division (A) (1) (c) of this section for the conviction of, plea of guilty to, or adjudication in juvenile court of having committed that second violation.

(b) If a court elects pursuant to division (C) (2) (a) of this section to order the registrar of motor vehicles to waive a suspension that otherwise is required under division (A) (1) (a) or (c) of this section, the court immediately shall send a written copy of the order to the registrar. Upon receipt of the written copy of the order, the registrar shall not suspend pursuant to division (A) (1) (a) or (c) of this section the probationary driver's license, restricted license, or temporary instruction permit of the person who is the subject of the order for the second or third violation for which the suspension otherwise would be imposed under that division.

(D) If a person who has been granted limited driving privileges under division (C) (1) of this section is convicted of, pleads guilty to, or is adjudicated in juvenile court of having committed, a violation of Chapter 4510. of the Revised Code, or a subsequent violation of any of the sections of the Revised Code listed in division (A) (1) (a) of this section or any similar municipal ordinance during the period for which the person was granted limited driving privileges, the court that

granted the limited driving privileges shall suspend the 1146  
person's permit card. The court or the clerk of the court 1147  
immediately shall forward the person's probationary driver's 1148  
license, restricted license, or temporary instruction permit 1149  
together with written notification of the court's action to the 1150  
registrar. Upon receipt of the license or permit and 1151  
notification, the registrar shall impose a class C suspension of 1152  
the person's probationary driver's license, restricted license, 1153  
or temporary instruction permit for the period of time specified 1154  
in division (B) (3) of section 4510.02 of the Revised Code. The 1155  
registrar shall retain the license or permit during the period 1156  
of suspension, and no further limited driving privileges shall 1157  
be granted during that period. 1158

(E) No application for a driver's or commercial driver's 1159  
license shall be received from any person whose probationary 1160  
driver's license, restricted license, or temporary instruction 1161  
permit has been suspended under this section until each of the 1162  
following has occurred: 1163

(1) The suspension period has expired; 1164

(2) A temporary instruction permit or commercial driver's 1165  
license temporary instruction permit has been issued; 1166

(3) The person successfully completes a juvenile driver 1167  
improvement program approved by the director of public safety 1168  
under division (A) of section 4510.311 of the Revised Code; 1169

(4) The applicant has submitted to the examination for a 1170  
driver's license as provided for in section 4507.11 or a 1171  
commercial driver's license as provided in Chapter 4506. of the 1172  
Revised Code. 1173

**Sec. 5101.13.** (A) The department of job and family 1174

services shall establish and maintain a uniform statewide 1175  
automated child welfare information system in accordance with 1176  
the requirements of 42 U.S.C.A. 674(a) (3) (C) and related federal 1177  
regulations and guidelines. The information system shall contain 1178  
records regarding any of the following: 1179

(1) (a) Investigations of children and families, and 1180  
children's care in out-of-home care, in accordance with sections 1181  
2151.421 and 5153.16 of the Revised Code; 1182

(b) Investigations and determinations under sections 1183  
3109.812 and 3109.813 of the Revised Code. 1184

(2) Care and treatment provided to children and families; 1185

(3) Any other information related to children and families 1186  
that state or federal law, regulation, or rule requires the 1187  
department or a public children services agency to maintain. 1188

(B) The department shall plan implementation of the 1189  
information system on a county-by-county basis and shall 1190  
finalize statewide implementation by all public children 1191  
services agencies as described in section 5153.02 of the Revised 1192  
Code not later than January 1, 2008. 1193

(C) The department shall promptly notify all public 1194  
children services agencies of the initiation and completion of 1195  
statewide implementation of the statewide information system 1196  
established under division (A) of this section. 1197

(D) The department may adopt rules, not later than June 1198  
30, 2017, creating an intake type for unregulated child custody 1199  
transfers in the statewide information system for records of 1200  
investigations and determinations under division (A) (1) (b) of 1201  
this section. 1202

<u>(E)</u> "Out-of-home care" has the same meaning as in section	1203
2151.011 of the Revised Code.	1204
<b>Section 2.</b> That existing sections 2919.22, 3107.05,	1205
3109.51, 4510.13, 4510.31, and 5101.13 of the Revised Code are	1206
hereby repealed.	1207