

## As Passed by the Senate

132nd General Assembly

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Am. S. B. No. 251

Senator Schiavoni

**Cosponsors: Senators Tavares, Thomas, Yuko, Bacon, Beagle, Brown, Coley, Dolan, Hackett, Hoagland, Jordan, Kunze, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Sykes, Terhar, Uecker, Williams**

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## A BILL

To amend sections 2907.01, 2981.02, and 2981.04 and  
to enact sections 9.74, 2307.66, 2917.211, and  
3345.49 of the Revised Code to prohibit the  
nonconsensual dissemination of private sexual  
images, to provide that certain property  
involved in the offense may be criminally  
forfeited, and to create certain legal rights  
and protections of a victim of the offense.

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

**Section 1.** That sections 2907.01, 2981.02, and 2981.04 be  
amended and sections 9.74, 2307.66, 2917.211, and 3345.49 of the  
Revised Code be enacted to read as follows:

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Sec. 9.74. (A) As used in this section:

(1) "License" means a license, certificate, registration,  
permit, card, or other authority issued or conferred by a  
licensing authority of which the licensee has or claims the  
privilege to engage in the profession, occupation, or activity,

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or to have control of and operate certain specific equipment, 17  
machinery, or premises, over which the licensing authority has 18  
jurisdiction. 19

(2) "Licensing authority" means a public office that 20  
issues a license to a person or entity. 21

(3) "Political subdivision" means a county, township, 22  
municipal corporation, or any other body corporate and politic 23  
that is responsible for government activities in a geographic 24  
area smaller than that of the state. 25

(4) "Public office" means any state agency, public 26  
institution, political subdivision, other organized body, 27  
office, agency, institution, or entity established by the laws 28  
of this state for the exercise of any function of government. 29  
"Public office" does not include the nonprofit corporation 30  
formed under section 187.01 of the Revised Code. 31

(5) "Victim" has the same meaning as in section 2930.01 of 32  
the Revised Code. 33

(B) No licensing authority shall knowingly take any of the 34  
following actions against a person who is applying for or holds 35  
a license solely on the basis that the person is a victim of a 36  
violation of section 2917.211 of the Revised Code: 37

- (1) Refuse to issue a license to an applicant; 38
- (2) Limit, suspend, or revoke a license; 39
- (3) Refuse to renew a license. 40

**Sec. 2307.66. (A) A victim of a violation of section** 41  
**2917.211 of the Revised Code has and may commence a civil cause** 42  
**of action against the offender for any of the following, in** 43  
**addition to reasonable attorney's fees and the costs of bringing** 44

<u>the action:</u>	45
<u>(1) An injunction or a temporary restraining order prohibiting further dissemination of the image that is the subject of the violation;</u>	46
<u>(2) Compensatory and punitive damages for harm resulting from the violation.</u>	49
<u>(B) The victim shall be presumed to have suffered harm as a result of the nonconsensual dissemination of private sexual images.</u>	51
<u>(C) The cause of action created by this section is in addition to any other cause of action available under statutory or common law.</u>	54
<u>(D) As used in this section, "victim" has the same meaning as in section 2930.01 of the Revised Code.</u>	57
<b>Sec. 2907.01.</b> As used in sections 2907.01 to 2907.38 <u>and</u> 2917.211 <u>of the Revised Code:</u>	59
(A) "Sexual conduct" means vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.	61
(B) "Sexual contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.	68

(C) "Sexual activity" means sexual conduct or sexual contact, or both.	73 74
(D) "Prostitute" means a male or female who promiscuously engages in sexual activity for hire, regardless of whether the hire is paid to the prostitute or to another.	75 76 77
(E) "Harmful to juveniles" means that quality of any material or performance describing or representing nudity, sexual conduct, sexual excitement, or sado-masochistic abuse in any form to which all of the following apply:	78 79 80 81
(1) The material or performance, when considered as a whole, appeals to the prurient interest of juveniles in sex.	82 83
(2) The material or performance is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for juveniles.	84 85 86
(3) The material or performance, when considered as a whole, lacks serious literary, artistic, political, and scientific value for juveniles.	87 88 89
(F) When considered as a whole, and judged with reference to ordinary adults or, if it is designed for sexual deviates or other specially susceptible group, judged with reference to that group, any material or performance is "obscene" if any of the following apply:	90 91 92 93 94
(1) Its dominant appeal is to prurient interest;	95
(2) Its dominant tendency is to arouse lust by displaying or depicting sexual activity, masturbation, sexual excitement, or nudity in a way that tends to represent human beings as mere objects of sexual appetite;	96 97 98 99
(3) Its dominant tendency is to arouse lust by displaying	100

or depicting bestiality or extreme or bizarre violence, cruelty,  
or brutality; 101  
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(4) Its dominant tendency is to appeal to scatological 103  
interest by displaying or depicting human bodily functions of 104  
elimination in a way that inspires disgust or revulsion in 105  
persons with ordinary sensibilities, without serving any genuine 106  
scientific, educational, sociological, moral, or artistic 107  
purpose; 108

(5) It contains a series of displays or descriptions of 109  
sexual activity, masturbation, sexual excitement, nudity,  
bestiality, extreme or bizarre violence, cruelty, or brutality,  
or human bodily functions of elimination, the cumulative effect 111  
of which is a dominant tendency to appeal to prurient or  
scatological interest, when the appeal to such an interest is  
primarily for its own sake or for commercial exploitation,  
rather than primarily for a genuine scientific, educational,  
sociological, moral, or artistic purpose. 117

(G) "Sexual excitement" means the condition of human male 118  
or female genitals when in a state of sexual stimulation or  
arousal. 119  
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(H) "Nudity" means the showing, representation, or 121  
depiction of human male or female genitals, pubic area, or  
buttocks with less than a full, opaque covering, or of a female 123  
breast with less than a full, opaque covering of any portion  
thereof below the top of the nipple, or of covered male genitals 124  
in a discernibly turgid state. 125  
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(I) "Juvenile" means an unmarried person under the age of 127  
eighteen. 128

(J) "Material" means any book, magazine, newspaper, 129

pamphlet, poster, print, picture, figure, image, description,	130
motion picture film, phonographic record, or tape, or other	131
tangible thing capable of arousing interest through sight,	132
sound, or touch and includes an image or text appearing on a	133
computer monitor, television screen, liquid crystal display, or	134
similar display device or an image or text recorded on a	135
computer hard disk, computer floppy disk, compact disk, magnetic	136
tape, or similar data storage device.	137
(K) "Performance" means any motion picture, preview,	138
trailer, play, show, skit, dance, or other exhibition performed	139
before an audience.	140
(L) "Spouse" means a person married to an offender at the	141
time of an alleged offense, except that such person shall not be	142
considered the spouse when any of the following apply:	143
(1) When the parties have entered into a written	144
separation agreement authorized by section 3103.06 of the	145
Revised Code;	146
(2) During the pendency of an action between the parties	147
for annulment, divorce, dissolution of marriage, or legal	148
separation;	149
(3) In the case of an action for legal separation, after	150
the effective date of the judgment for legal separation.	151
(M) "Minor" means a person under the age of eighteen.	152
(N) "Mental health client or patient" has the same meaning	153
as in section 2305.51 of the Revised Code.	154
(O) "Mental health professional" has the same meaning as	155
in section 2305.115 of the Revised Code.	156
(P) "Sado-masochistic abuse" means flagellation or torture	157

by or upon a person or the condition of being fettered, bound,  
or otherwise physically restrained. 158  
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**Sec. 2917.211.** (A) As used in this section: 160

(1) "Disseminate" means to post, distribute, or publish on  
a computer device, computer network, web site, or other  
electronic device or medium of communication. 161  
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(2) "Image" means a photograph, film, videotape, digital  
recording, or other depiction or portrayal of a person. 164  
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(3) "Interactive computer service" has the meaning defined  
in the "Telecommunications Act of 1996," 47 U.S.C. 230, as  
amended. 166  
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(4) "Internet provider" means a provider of internet  
service, including all of the following: 169  
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(a) Broadband service, however defined or classified by  
the federal communications commission; 171  
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(b) Information service, as defined in the  
"Telecommunications Act of 1996," 47 U.S.C. 153, as amended; 173  
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(c) Internet protocol-enabled services, as defined in  
section 4927.01 of the Revised Code. 175  
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(5) "Mobile service" and "telecommunications carrier" have  
the meanings defined in 47 U.S.C. 153, as amended. 177  
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(6) "Cable service provider" has the same meaning as in  
section 1332.01 of the Revised Code. 179  
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(7) "Direct-to-home satellite service" has the meaning  
defined in 47 U.S.C. 303, as amended. 181  
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(8) "Video service provider" has the same meaning as in  
section 1332.21 of the Revised Code. 183  
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<u>(9) "Sexual act"</u> means any of the following:	185
(a) <u>Sexual activity;</u>	186
(b) <u>Masturbation;</u>	187
(c) <u>An act involving a bodily substance that is performed for the purpose of sexual arousal or gratification;</u>	188 189
(d) <u>Sado-masochistic abuse.</u>	190
(B) <u>No person shall knowingly disseminate an image of another person if all of the following apply:</u>	191 192
(1) <u>The person in the image is eighteen years of age or older.</u>	193 194
(2) <u>The person in the image can be identified from the image itself or from information displayed in connection with the image and the offender supplied the identifying information.</u>	195 196 197
(3) <u>The person in the image is in a state of nudity or is engaged in a sexual act.</u>	198 199
(4) <u>The image is disseminated without consent from the person in the image.</u>	200 201
(5) <u>The image is disseminated with intent to harm the person in the image.</u>	202 203
(C) <u>This section does not prohibit the dissemination of an image if any of the following apply:</u>	204 205
(1) <u>The image is disseminated for the purpose of a criminal investigation that is otherwise lawful.</u>	206 207
(2) <u>The image is disseminated for the purpose of, or in connection with, the reporting of unlawful conduct.</u>	208 209
(3) <u>The image is part of a news report or commentary or an</u>	210

<u>artistic or expressive work, such as a performance, work of art, literary work, theatrical work, musical work, motion picture, film, or audiovisual work.</u>	211 212 213
<u>(4) The image is disseminated by a law enforcement officer, or a corrections officer or guard in a detention facility, acting within the scope of the person's official duties.</u>	214 215 216 217
<u>(5) The image is disseminated for another lawful public purpose.</u>	218 219
<u>(6) The person in the image is knowingly and willingly in a state of nudity or engaged in a sexual act and is knowingly and willingly in a location in which the person does not have a reasonable expectation of privacy.</u>	220 221 222 223
<u>(7) The image is disseminated for the purpose of medical treatment or examination.</u>	224 225
<u>(D) The following entities are not liable for a violation of this section solely as a result of an image or other information provided by another person:</u>	226 227 228
<u>(1) A provider of interactive computer service;</u>	229
<u>(2) A mobile service;</u>	230
<u>(3) A telecommunications carrier;</u>	231
<u>(4) An internet provider;</u>	232
<u>(5) A cable service provider;</u>	233
<u>(6) A direct-to-home satellite service;</u>	234
<u>(7) A video service provider.</u>	235
<u>(E) Any conduct that is a violation of this section and</u>	236

<u>any other section of the Revised Code may be prosecuted under this section, the other section, or both sections.</u>	237 238
<u>(F) (1) (a) Except as otherwise provided in division (F) (1) (b), (c), or (d) of this section, whoever violates this section is guilty of nonconsensual dissemination of private sexual images, a misdemeanor of the third degree.</u>	239 240 241 242
<u>(b) If the offender previously has been convicted of or pleaded guilty to a violation of this section, nonconsensual dissemination of private sexual images is a misdemeanor of the second degree.</u>	243 244 245 246
<u>(c) If the offender previously has been convicted of or pleaded guilty to two or more violations of this section, nonconsensual dissemination of private sexual images is a misdemeanor of the first degree.</u>	247 248 249 250
<u>(d) If the offender is under eighteen years of age and the person in the image is not more than five years older than the offender, the offender shall not be prosecuted under this section.</u>	251 252 253 254
<u>(2) In addition to any other penalty or disposition authorized or required by law, the court may order any person who is convicted of a violation of this section or who is adjudicated delinquent by reason of a violation of this section to criminally forfeit all of the following property to the state under Chapter 2981. of the Revised Code:</u>	255 256 257 258 259 260
<u>(a) Any profits or proceeds and any property the person has acquired or maintained in violation of this section that the sentencing court determines to have been acquired or maintained as a result of the violation;</u>	261 262 263 264
<u>(b) Any interest in, securities of, claim against, or</u>	265

property or contractual right of any kind affording a source of 266  
influence over any enterprise that the person has established, 267  
operated, controlled, or conducted in violation of this section 268  
that the sentencing court determines to have been acquired or 269  
maintained as a result of the violation. 270

(G) A victim of a violation of this section may commence a 271  
civil cause of action against the offender, as described in 272  
section 2307.66 of the Revised Code. 273

**Sec. 2981.02.** (A) (1) The following property is subject to 274  
forfeiture to the state or a political subdivision under either 275  
the criminal or delinquency process in section 2981.04 of the 276  
Revised Code or the civil process in section 2981.05 of the 277  
Revised Code: 278

(1) (a) Contraband involved in an offense; 279

(2) (b) Proceeds derived from or acquired through the 280  
commission of an offense; 281

(3) (c) An instrumentality that is used in or intended to 282  
be used in the commission or facilitation of any of the 283  
following offenses when the use or intended use, consistent with 284  
division (B) of this section, is sufficient to warrant 285  
forfeiture under this chapter: 286

(a) (i) A felony; 287

(b) (ii) A misdemeanor, when forfeiture is specifically 288  
authorized by a section of the Revised Code or by a municipal 289  
ordinance that creates the offense or sets forth its penalties; 290

(c) (iii) An attempt to commit, complicity in committing, 291  
or a conspiracy to commit an offense of the type described in 292  
divisions (A) (3) (a) and (b) of this section. 293

<u>(B) — (2)</u> In determining whether an alleged instrumentality was used in or was intended to be used in the commission or facilitation of an offense or an attempt, complicity, or conspiracy to commit an offense in a manner sufficient to warrant its forfeiture, the trier of fact shall consider the following factors the trier of fact determines are relevant:	294 295 296 297 298 299
<u>(1) — (a)</u> Whether the offense could not have been committed or attempted but for the presence of the instrumentality;	300 301
<u>(2) — (b)</u> Whether the primary purpose in using the instrumentality was to commit or attempt to commit the offense;	302 303
<u>(3) — (c)</u> The extent to which the instrumentality furthered the commission of, or attempt to commit, the offense.	304 305
<u>(B) The property described in division (F) (2) of section 2917.211 of the Revised Code is subject to forfeiture under the criminal or delinquency process in section 2981.04 of the Revised Code, if the forfeiture is ordered by the court imposing sentence or an order of disposition.</u>	306 307 308 309 310
(C) This chapter does not apply to or limit forfeitures under Title XLV of the Revised Code, including forfeitures relating to section 2903.06 or 2903.08 of the Revised Code.	311 312 313
<b>Sec. 2981.04.</b> (A) (1) Property described in division (A) <u>or</u> <u>(B)</u> of section 2981.02 of the Revised Code may be forfeited under this section only if the defendant is convicted of, or enters intervention in lieu of conviction for, an offense or the juvenile is adjudicated a delinquent child for committing an act that would be an offense if committed by an adult and the complaint, indictment, or information charging the offense or municipal violation, or the complaint charging the delinquent act, contains a specification of the type described in section	314 315 316 317 318 319 320 321 322

2941.1417 of the Revised Code that sets forth all of the 323  
following to the extent it is reasonably known at the time of 324  
the filing: 325

(a) The nature and extent of the alleged offender's or 326  
delinquent child's interest in the property; 327

(b) A description of the property; 328

(c) If the property is alleged to be an instrumentality, 329  
the alleged use or intended use of the property in the 330  
commission or facilitation of the offense. 331

(2) If any property is not reasonably foreseen to be 332  
subject to forfeiture at the time of filing the indictment, 333  
information, or complaint, the trier of fact still may return a 334  
verdict of forfeiture concerning that property in the hearing 335  
described in division (B) of this section if the prosecutor, 336  
upon discovering the property to be subject to forfeiture, gave 337  
prompt notice of this fact to the alleged offender or delinquent 338  
child under Criminal Rule 7(E) or Juvenile Rule 10(B). 339

(B) If a person pleads guilty to or is convicted of, or 340  
enters intervention in lieu of conviction for, an offense or is 341  
adjudicated a delinquent child for committing a delinquent act 342  
and the complaint, indictment, or information charging the 343  
offense or act contains a specification covering property 344  
subject to forfeiture under section 2981.02 of the Revised Code, 345  
the trier of fact shall determine whether the person's property 346  
shall be forfeited. If the state or political subdivision proves 347  
by clear and convincing evidence that the property is in whole 348  
or part subject to forfeiture under section 2981.02 of the 349  
Revised Code, after a proportionality review under section 350  
2981.09 of the Revised Code when relevant, the trier of fact 351

shall return a verdict of forfeiture that specifically describes 352  
the extent of the property subject to forfeiture. If the trier 353  
of fact is a jury, on the offender's or delinquent child's 354  
motion, the court shall make the determination of whether the 355  
property shall be forfeited. 356

(C) If the court enters a verdict of forfeiture under this 357  
section, the court imposing sentence or disposition, in addition 358  
to any other sentence authorized by section 2951.041 or Chapter 359  
2929. of the Revised Code or any disposition authorized by 360  
Chapter 2152. of the Revised Code, shall order that the offender 361  
or delinquent child forfeit to the state or political 362  
subdivision the offender's or delinquent child's interest in the 363  
property. The property vests with the state or political 364  
subdivision subject to the claims of third parties. The court 365  
may issue any additional order to affect the forfeiture, 366  
including, but not limited to, an order under section 2981.06 of 367  
the Revised Code. 368

(D) After the entry of a forfeiture order under this 369  
section, the prosecutor shall attempt to identify any person 370  
with an interest in the property subject to forfeiture by 371  
searching appropriate public records and making reasonably 372  
diligent inquiries. The prosecutor shall give notice of the 373  
forfeiture that remains subject to the claims of third parties 374  
and proposed disposal of the forfeited property to any person 375  
known to have an interest in the property. The prosecutor also 376  
shall publish notice of the forfeiture that remains subject to 377  
the claims of third parties and proposed disposal of the 378  
forfeited property once each week for two consecutive weeks in a 379  
newspaper of general circulation in the county in which the 380  
property was seized. 381

(E) (1) Any person, other than the offender or delinquent child whose conviction or plea of guilty or delinquency adjudication is the basis of the forfeiture order, who asserts a legal interest in the property that is the subject of the order may petition the court that issued the order for a hearing under division (E) (3) of this section to adjudicate the validity of the person's alleged interest in the property. All of the following apply to the petition:	382 383 384 385 386 387 388 389
(a) It shall be filed within thirty days after the final publication of notice or the person's receipt of notice under division (D) of this section.	390 391 392
(b) It shall be signed by the petitioner under the penalties for falsification specified in section 2921.13 of the Revised Code.	393 394 395
(c) It shall describe the nature and extent of the petitioner's interest in the property, the time and circumstances of the petitioner's acquisition of that interest, any additional facts supporting the petitioner's claim, and the relief sought.	396 397 398 399 400
(d) It shall state that one of the following conditions applies to the petitioner:	401 402
(i) The petitioner has a legal interest in the property that is subject to the forfeiture order that renders the order completely or partially invalid because the legal interest in the property was vested in the petitioner, rather than the offender or delinquent child whose conviction or plea of guilty or delinquency adjudication is the basis of the order, or was superior to any interest of that offender or delinquent child, at the time of the commission of the offense or delinquent act	403 404 405 406 407 408 409 410

that is the basis of the order.

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(ii) The petitioner is a bona fide purchaser for value of  
the interest in the property that is subject to the forfeiture  
order and was, at the time of the purchase, reasonably without  
cause to believe that it was subject to forfeiture.

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(2) (a) In lieu of filing a petition as described in  
division (E) (1) of this section, a person, other than the  
offender or delinquent child whose conviction or plea of guilty  
or delinquency adjudication is the basis of the forfeiture  
order, may file an affidavit as described in this division to  
establish the validity of the alleged right, title, or interest  
in the property that is the subject of the forfeiture order if  
the person is a secured party or other lienholder of record that  
asserts a legal interest in the property, including, but not  
limited to, a mortgage, security interest, or other type of  
lien. The affidavit shall contain averments that the secured  
party or other lienholder acquired its alleged right, title, or  
interest in the property in the regular course of its business,  
for a specified valuable consideration, without actual knowledge  
of any facts pertaining to the offense that was the basis of the  
forfeiture order, in good faith, and without the intent to  
prevent or otherwise impede the state or political subdivision  
from seizing or obtaining a forfeiture of the property. The  
person shall file the affidavit within thirty days after the  
earlier of the final publication of notice or the receipt of  
notice under division (D) of this section.

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(b) Except as otherwise provided in this section, the  
affidavit shall constitute prima-facie evidence of the validity  
of the affiant's alleged interest in the property.

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(c) Unless the prosecutor files a motion challenging the

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affidavit within ten days after its filing and unless the 441  
prosecutor establishes by clear and convincing evidence at the 442  
hearing held under division (E)(3) of this section that the 443  
affiant does not possess the alleged interest in the property or 444  
that the affiant had actual knowledge of facts pertaining to the 445  
offense or delinquent act that was the basis of the forfeiture 446  
order, the affidavit shall constitute conclusive evidence of the 447  
validity of the affiant's interest in the property. 448

(d) Any subsequent purchaser or other transferee of 449  
property pursuant to forfeiture under this section shall take 450  
the property subject to the continued validity of the interest 451  
of the affiant. 452

(3) Upon receipt of a petition or affidavit filed under 453  
division (E)(1) or (2) of this section, the court shall hold a 454  
hearing to determine the validity of the petitioner's interest 455  
in the property that is the subject of the forfeiture order or, 456  
if the affidavit was challenged, to determine the validity of 457  
the affiant's interest in the property. To the extent 458  
practicable and consistent with the interests of justice, the 459  
court shall hold the hearing within thirty days after the filing 460  
of the petition or within thirty days after the prosecutor files 461  
the motion challenging the affidavit. The court may consolidate 462  
the hearing with a hearing on any other petition or affidavit 463  
that is filed by a person other than the offender or delinquent 464  
child whose conviction or plea of guilty or delinquency 465  
adjudication is the basis of the forfeiture order and that 466  
relates to the property that is the subject of the forfeiture 467  
order. 468

At the hearing, the petitioner or affiant may testify, 469  
present evidence and witnesses on the petitioner's or affiant's 470

behalf, and cross-examine witnesses for the state or political subdivision. In regards to a petition, the state or political subdivision may present evidence and witnesses in rebuttal and in defense of its claim to the property and may cross-examine witnesses for the petitioner. In regards to an affidavit, the prosecutor may present evidence and witnesses and cross-examine witnesses for the affiant.

In addition to the evidence and testimony presented at the hearing, the court also shall consider the relevant portions of the record in the criminal or delinquent child case that resulted in the forfeiture order.

(F) (1) If the hearing involves a petition, the court shall amend its forfeiture order if it determines at the hearing held pursuant to division (E) (3) of this section that the petitioner has established by a preponderance of the evidence that ~~that~~ the applicable condition alleged by the petitioner under division (E) (1) (d) of this section applies to the petitioner.

(2) The court also shall amend its forfeiture order to reflect any interest of a secured party or other lienholder of record in the property subject to forfeiture who prevails at a hearing on the petition or affidavit filed pursuant to division (E) (1) or (2) of this section.

(G) If the court disposes of all petitions or affidavits timely filed under this section in favor of the state or political subdivision, the state or political subdivision shall have clear title to the property that is the subject of a forfeiture order issued under this section, but only to the extent that other parties' lawful interests in the property are not infringed. To the extent that the state or political subdivision has clear title to the property, the state or

political subdivision may warrant good title to any subsequent  
purchaser or other transferee. 501  
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**Sec. 3345.49.** (A) No student who is enrolled in an 503  
institution of higher education in Ohio and is the victim of a 504  
violation of section 2917.211 of the Revised Code shall lose any 505  
form of financial assistance provided by that institution for 506  
educational expenses, including grants, scholarships, and 507  
fellowships, for the sole reason of being the victim of such a 508  
violation. Additionally, no institution of higher education 509  
shall take any disciplinary action, including the imposition of 510  
academic penalties, against that student for the sole reason of 511  
being such a victim. 512

(B) If a person who is the victim of a violation of 513  
section 2917.211 of the Revised Code applies to an institution 514  
of higher education in Ohio, that person's status as such a 515  
victim shall not affect the person's eligibility for any form of 516  
financial assistance provided by the institution for educational 517  
expenses, including grants, scholarships, and fellowships. 518

(C) As used in this section, "victim" has the same meaning 519  
as in section 2930.01 of the Revised Code. 520

**Section 2.** That existing sections 2907.01, 2981.02, and 521  
2981.04 of the Revised Code are hereby repealed. 522