

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

H. B. No. 348

Representative Miller, A.

A BILL

To amend sections 2903.214, 2919.26, and 3113.31 1
and to enact section 2923.22 of the Revised Code 2
to prohibit a person subject to a protection 3
order from purchasing or receiving a firearm for 4
the duration of the order. 5

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

Section 1. That sections 2903.214, 2919.26, and 3113.31 be 6
amended and section 2923.22 of the Revised Code be enacted to 7
read as follows: 8

Sec. 2903.214. (A) As used in this section: 9

(1) "Court" means the court of common pleas of the county 10
in which the person to be protected by the protection order 11
resides. 12

(2) "Victim advocate" means a person who provides support 13
and assistance for a person who files a petition under this 14
section. 15

(3) "Family or household member" has the same meaning as 16
in section 3113.31 of the Revised Code. 17

(4) "Protection order issued by a court of another state" 18

has the same meaning as in section 2919.27 of the Revised Code. 19

(5) "Sexually oriented offense" has the same meaning as in 20
section 2950.01 of the Revised Code. 21

(6) "Electronic monitoring" has the same meaning as in 22
section 2929.01 of the Revised Code. 23

(7) "Companion animal" has the same meaning as in section 24
959.131 of the Revised Code. 25

(B) The court has jurisdiction over all proceedings under 26
this section. 27

(C) A person may seek relief under this section for the 28
person, or any parent or adult household member may seek relief 29
under this section on behalf of any other family or household 30
member, by filing a petition with the court. The petition shall 31
contain or state all of the following: 32

(1) An allegation that the respondent is eighteen years of 33
age or older and engaged in a violation of section 2903.211 of 34
the Revised Code against the person to be protected by the 35
protection order or committed a sexually oriented offense 36
against the person to be protected by the protection order, 37
including a description of the nature and extent of the 38
violation; 39

(2) If the petitioner seeks relief in the form of 40
electronic monitoring of the respondent, an allegation that at 41
any time preceding the filing of the petition the respondent 42
engaged in conduct that would cause a reasonable person to 43
believe that the health, welfare, or safety of the person to be 44
protected was at risk, a description of the nature and extent of 45
that conduct, and an allegation that the respondent presents a 46
continuing danger to the person to be protected; 47

(3) A request for relief under this section. 48

(D) (1) If a person who files a petition pursuant to this 49
section requests an ex parte order, the court shall hold an ex 50
parte hearing as soon as possible after the petition is filed, 51
but not later than the next day that the court is in session 52
after the petition is filed. The court, for good cause shown at 53
the ex parte hearing, may enter any temporary orders, with or 54
without bond, that the court finds necessary for the safety and 55
protection of the person to be protected by the order. Immediate 56
and present danger to the person to be protected by the 57
protection order constitutes good cause for purposes of this 58
section. Immediate and present danger includes, but is not 59
limited to, situations in which the respondent has threatened 60
the person to be protected by the protection order with bodily 61
harm or in which the respondent previously has been convicted of 62
or pleaded guilty to a violation of section 2903.211 of the 63
Revised Code or a sexually oriented offense against the person 64
to be protected by the protection order. 65

(2) (a) If the court, after an ex parte hearing, issues a 66
protection order described in division (E) of this section, the 67
court shall schedule a full hearing for a date that is within 68
ten court days after the ex parte hearing. The court shall give 69
the respondent notice of, and an opportunity to be heard at, the 70
full hearing. The court shall hold the full hearing on the date 71
scheduled under this division unless the court grants a 72
continuance of the hearing in accordance with this division. 73
Under any of the following circumstances or for any of the 74
following reasons, the court may grant a continuance of the full 75
hearing to a reasonable time determined by the court: 76

(i) Prior to the date scheduled for the full hearing under 77

this division, the respondent has not been served with the 78
petition filed pursuant to this section and notice of the full 79
hearing. 80

(ii) The parties consent to the continuance. 81

(iii) The continuance is needed to allow a party to obtain 82
counsel. 83

(iv) The continuance is needed for other good cause. 84

(b) An ex parte order issued under this section does not 85
expire because of a failure to serve notice of the full hearing 86
upon the respondent before the date set for the full hearing 87
under division (D) (2) (a) of this section or because the court 88
grants a continuance under that division. 89

(3) If a person who files a petition pursuant to this 90
section does not request an ex parte order, or if a person 91
requests an ex parte order but the court does not issue an ex 92
parte order after an ex parte hearing, the court shall proceed 93
as in a normal civil action and grant a full hearing on the 94
matter. 95

(E) (1) (a) After an ex parte or full hearing, the court may 96
issue any protection order, with or without bond, that contains 97
terms designed to ensure the safety and protection of the person 98
to be protected by the protection order, including, but not 99
limited to, a requirement that the respondent refrain from 100
entering the residence, school, business, or place of employment 101
of the petitioner or family or household member. If the court 102
includes a requirement that the respondent refrain from entering 103
the residence, school, business, or place of employment of the 104
petitioner or family or household member in the order, it also 105
shall include in the order provisions of the type described in 106

division (E) (5) of this section. The court may include within a protection order issued under this section a term requiring that the respondent not remove, damage, hide, harm, or dispose of any companion animal owned or possessed by the person to be protected by the order, and may include within the order a term authorizing the person to be protected by the order to remove a companion animal owned by the person to be protected by the order from the possession of the respondent.

(b) After a full hearing, if the court considering a petition that includes an allegation of the type described in division (C) (2) of this section, or the court upon its own motion, finds upon clear and convincing evidence that the petitioner reasonably believed that the respondent's conduct at any time preceding the filing of the petition endangered the health, welfare, or safety of the person to be protected and that the respondent presents a continuing danger to the person to be protected, the court may order that the respondent be electronically monitored for a period of time and under the terms and conditions that the court determines are appropriate. Electronic monitoring shall be in addition to any other relief granted to the petitioner.

(2) (a) Any protection order issued pursuant to this section shall be valid until a date certain but not later than five years from the date of its issuance.

(b) Any protection order issued pursuant to this section may be renewed in the same manner as the original order was issued.

(3) A court may not issue a protection order that requires a petitioner to do or to refrain from doing an act that the court may require a respondent to do or to refrain from doing

under division (E) (1) of this section unless all of the 137
following apply: 138

(a) The respondent files a separate petition for a 139
protection order in accordance with this section. 140

(b) The petitioner is served with notice of the 141
respondent's petition at least forty-eight hours before the 142
court holds a hearing with respect to the respondent's petition, 143
or the petitioner waives the right to receive this notice. 144

(c) If the petitioner has requested an ex parte order 145
pursuant to division (D) of this section, the court does not 146
delay any hearing required by that division beyond the time 147
specified in that division in order to consolidate the hearing 148
with a hearing on the petition filed by the respondent. 149

(d) After a full hearing at which the respondent presents 150
evidence in support of the request for a protection order and 151
the petitioner is afforded an opportunity to defend against that 152
evidence, the court determines that the petitioner has committed 153
a violation of section 2903.211 of the Revised Code against the 154
person to be protected by the protection order issued pursuant 155
to division (E) (3) of this section, has committed a sexually 156
oriented offense against the person to be protected by the 157
protection order issued pursuant to division (E) (3) of this 158
section, or has violated a protection order issued pursuant to 159
section 2903.213 of the Revised Code relative to the person to 160
be protected by the protection order issued pursuant to division 161
(E) (3) of this section. 162

(4) No protection order issued pursuant to this section 163
shall in any manner affect title to any real property. 164

(5) (a) If the court issues a protection order under this 165

section that includes a requirement that the alleged offender 166
refrain from entering the residence, school, business, or place 167
of employment of the petitioner or a family or household member, 168
the order shall clearly state that the order cannot be waived or 169
nullified by an invitation to the alleged offender from the 170
complainant to enter the residence, school, business, or place 171
of employment or by the alleged offender's entry into one of 172
those places otherwise upon the consent of the petitioner or 173
family or household member. 174

(b) Division (E) (5) (a) of this section does not limit any 175
discretion of a court to determine that an alleged offender 176
charged with a violation of section 2919.27 of the Revised Code, 177
with a violation of a municipal ordinance substantially 178
equivalent to that section, or with contempt of court, which 179
charge is based on an alleged violation of a protection order 180
issued under this section, did not commit the violation or was 181
not in contempt of court. 182

(F) (1) The court shall cause the delivery of a copy of any 183
protection order that is issued under this section to the 184
petitioner, to the respondent, and to all law enforcement 185
agencies that have jurisdiction to enforce the order. The court 186
shall direct that a copy of the order be delivered to the 187
respondent on the same day that the order is entered. 188

(2) Upon the issuance of a protection order under this 189
section, the court shall provide the parties to the order with 190
the following notice orally or by form: 191

"NOTICE 192

As a result of this order, it may be unlawful for you to 193
possess, receive, or purchase a firearm, including a rifle, 194

pistol, or revolver, or ammunition pursuant to state law under 195
section 2923.22 of the Revised Code or federal law under 18 196
U.S.C. 922(g) (8) for the duration of this order. If you have any 197
questions whether this law makes it illegal for you to possess, 198
receive, or purchase a firearm or ammunition, you should consult 199
an attorney." 200

(3) All law enforcement agencies shall establish and 201
maintain an index for the protection orders delivered to the 202
agencies pursuant to division (F) (1) of this section. With 203
respect to each order delivered, each agency shall note on the 204
index the date and time that it received the order. 205

(4) Regardless of whether the petitioner has registered 206
the protection order in the county in which the officer's agency 207
has jurisdiction pursuant to division (M) of this section, any 208
officer of a law enforcement agency shall enforce a protection 209
order issued pursuant to this section by any court in this state 210
in accordance with the provisions of the order, including 211
removing the respondent from the premises, if appropriate. 212

(G) (1) Any proceeding under this section shall be 213
conducted in accordance with the Rules of Civil Procedure, 214
except that a protection order may be obtained under this 215
section with or without bond. An order issued under this 216
section, other than an ex parte order, that grants a protection 217
order, or that refuses to grant a protection order, is a final, 218
appealable order. The remedies and procedures provided in this 219
section are in addition to, and not in lieu of, any other 220
available civil or criminal remedies. 221

(2) If as provided in division (G) (1) of this section an 222
order issued under this section, other than an ex parte order, 223
refuses to grant a protection order, the court, on its own 224

motion, shall order that the ex parte order issued under this	225
section and all of the records pertaining to that ex parte order	226
be sealed after either of the following occurs:	227
(a) No party has exercised the right to appeal pursuant to	228
Rule 4 of the Rules of Appellate Procedure.	229
(b) All appellate rights have been exhausted.	230
(H) The filing of proceedings under this section does not	231
excuse a person from filing any report or giving any notice	232
required by section 2151.421 of the Revised Code or by any other	233
law.	234
(I) Any law enforcement agency that investigates an	235
alleged violation of section 2903.211 of the Revised Code or an	236
alleged commission of a sexually oriented offense shall provide	237
information to the victim and the family or household members of	238
the victim regarding the relief available under this section and	239
section 2903.213 of the Revised Code.	240
(J) (1) Subject to division (J) (2) of this section and	241
regardless of whether a protection order is issued or a consent	242
agreement is approved by a court of another county or by a court	243
of another state, no court or unit of state or local government	244
shall charge the petitioner any fee, cost, deposit, or money in	245
connection with the filing of a petition pursuant to this	246
section, in connection with the filing, issuance, registration,	247
modification, enforcement, dismissal, withdrawal, or service of	248
a protection order, consent agreement, or witness subpoena or	249
for obtaining a certified copy of a protection order or consent	250
agreement.	251
(2) Regardless of whether a protection order is issued or	252
a consent agreement is approved pursuant to this section, the	253

court may assess costs against the respondent in connection with	254
the filing, issuance, registration, modification, enforcement,	255
dismissal, withdrawal, or service of a protection order, consent	256
agreement, or witness subpoena or for obtaining a certified copy	257
of a protection order or consent agreement.	258
(K) (1) A person who violates a protection order issued	259
under this section is subject to the following sanctions:	260
(a) Criminal prosecution for a violation of section	261
2919.27 of the Revised Code, if the violation of the protection	262
order constitutes a violation of that section;	263
(b) Punishment for contempt of court.	264
(2) The punishment of a person for contempt of court for	265
violation of a protection order issued under this section does	266
not bar criminal prosecution of the person for a violation of	267
section 2919.27 of the Revised Code. However, a person punished	268
for contempt of court is entitled to credit for the punishment	269
imposed upon conviction of a violation of that section, and a	270
person convicted of a violation of that section shall not	271
subsequently be punished for contempt of court arising out of	272
the same activity.	273
(L) In all stages of a proceeding under this section, a	274
petitioner may be accompanied by a victim advocate.	275
(M) (1) A petitioner who obtains a protection order under	276
this section or a protection order under section 2903.213 of the	277
Revised Code may provide notice of the issuance or approval of	278
the order to the judicial and law enforcement officials in any	279
county other than the county in which the order is issued by	280
registering that order in the other county pursuant to division	281
(M) (2) of this section and filing a copy of the registered order	282

with a law enforcement agency in the other county in accordance 283
with that division. A person who obtains a protection order 284
issued by a court of another state may provide notice of the 285
issuance of the order to the judicial and law enforcement 286
officials in any county of this state by registering the order 287
in that county pursuant to section 2919.272 of the Revised Code 288
and filing a copy of the registered order with a law enforcement 289
agency in that county. 290

(2) A petitioner may register a protection order issued 291
pursuant to this section or section 2903.213 of the Revised Code 292
in a county other than the county in which the court that issued 293
the order is located in the following manner: 294

(a) The petitioner shall obtain a certified copy of the 295
order from the clerk of the court that issued the order and 296
present that certified copy to the clerk of the court of common 297
pleas or the clerk of a municipal court or county court in the 298
county in which the order is to be registered. 299

(b) Upon accepting the certified copy of the order for 300
registration, the clerk of the court of common pleas, municipal 301
court, or county court shall place an endorsement of 302
registration on the order and give the petitioner a copy of the 303
order that bears that proof of registration. 304

(3) The clerk of each court of common pleas, municipal 305
court, or county court shall maintain a registry of certified 306
copies of protection orders that have been issued by courts in 307
other counties pursuant to this section or section 2903.213 of 308
the Revised Code and that have been registered with the clerk. 309

(N) (1) If the court orders electronic monitoring of the 310
respondent under this section, the court shall direct the 311

sheriff's office or any other appropriate law enforcement agency 312
to install the electronic monitoring device and to monitor the 313
respondent. Unless the court determines that the respondent is 314
indigent, the court shall order the respondent to pay the cost 315
of the installation and monitoring of the electronic monitoring 316
device. If the court determines that the respondent is indigent 317
and subject to the maximum amount allowable to be paid in any 318
year from the fund and the rules promulgated by the attorney 319
general under division (N) (2) of this section, the cost of the 320
installation and monitoring of the electronic monitoring device 321
may be paid out of funds from the reparations fund created 322
pursuant to section 2743.191 of the Revised Code. The total 323
amount of costs for the installation and monitoring of 324
electronic monitoring devices paid pursuant to this division and 325
sections 2151.34 and 2919.27 of the Revised Code from the 326
reparations fund shall not exceed three hundred thousand dollars 327
per year. 328

(2) The attorney general may promulgate rules pursuant to 329
section 111.15 of the Revised Code to govern payments made from 330
the reparations fund pursuant to this division and sections 331
2151.34 and 2919.27 of the Revised Code. The rules may include 332
reasonable limits on the total cost paid pursuant to this 333
division and sections 2151.34 and 2919.27 of the Revised Code 334
per respondent, the amount of the three hundred thousand dollars 335
allocated to each county, and how invoices may be submitted by a 336
county, court, or other entity. 337

Sec. 2919.26. (A) (1) Upon the filing of a complaint that 338
alleges a violation of section 2909.06, 2909.07, 2911.12, or 339
2911.211 of the Revised Code if the alleged victim of the 340
violation was a family or household member at the time of the 341
violation, a violation of a municipal ordinance that is 342

substantially similar to any of those sections if the alleged 343
victim of the violation was a family or household member at the 344
time of the violation, any offense of violence if the alleged 345
victim of the offense was a family or household member at the 346
time of the commission of the offense, or any sexually oriented 347
offense if the alleged victim of the offense was a family or 348
household member at the time of the commission of the offense, 349
the complainant, the alleged victim, or a family or household 350
member of an alleged victim may file, or, if in an emergency the 351
alleged victim is unable to file, a person who made an arrest 352
for the alleged violation or offense under section 2935.03 of 353
the Revised Code may file on behalf of the alleged victim, a 354
motion that requests the issuance of a temporary protection 355
order as a pretrial condition of release of the alleged 356
offender, in addition to any bail set under Criminal Rule 46. 357
The motion shall be filed with the clerk of the court that has 358
jurisdiction of the case at any time after the filing of the 359
complaint. 360

(2) For purposes of section 2930.09 of the Revised Code, 361
all stages of a proceeding arising out of a complaint alleging 362
the commission of a violation, offense of violence, or sexually 363
oriented offense described in division (A)(1) of this section, 364
including all proceedings on a motion for a temporary protection 365
order, are critical stages of the case, and a victim may be 366
accompanied by a victim advocate or another person to provide 367
support to the victim as provided in that section. 368

(B) The motion shall be prepared on a form that is 369
provided by the clerk of the court, which form shall be 370
substantially as follows: 371

"MOTION FOR TEMPORARY PROTECTION ORDER 372

..... Court	373
Name and address of court	374
State of Ohio	375
v.No.	376
.....	377
Name of Defendant	378
(name of person), moves the court to issue a temporary protection order	379
containing terms designed to ensure the safety and protection of the	380
complainant, alleged victim, and other family or household members, in	381
relation to the named defendant, pursuant to its authority to issue such	382
an order under section 2919.26 of the Revised Code.	383
A complaint, a copy of which has been attached to this	384
motion, has been filed in this court charging the named	385
defendant with (name of the specified	386
violation, the offense of violence, or sexually oriented offense	387
charged) in circumstances in which the victim was a family or	388
household member in violation of (section of the Revised Code	389
designating the specified violation, offense of violence, or	390
sexually oriented offense charged), or charging the named	391
defendant with a violation of a municipal ordinance that is	392
substantially similar to (section of	393
the Revised Code designating the specified violation, offense of	394
violence, or sexually oriented offense charged) involving a	395
family or household member.	396
I understand that I must appear before the court, at a	397
time set by the court within twenty-four hours after the filing	398
of this motion, for a hearing on the motion or that, if I am	399
unable to appear because of hospitalization or a medical	400

condition resulting from the offense alleged in the complaint, a 401
person who can provide information about my need for a temporary 402
protection order must appear before the court in lieu of my 403
appearing in court. I understand that any temporary protection 404
order granted pursuant to this motion is a pretrial condition of 405
release and is effective only until the disposition of the 406
criminal proceeding arising out of the attached complaint, or 407
the issuance of a civil protection order or the approval of a 408
consent agreement, arising out of the same activities as those 409
that were the basis of the complaint, under section 3113.31 of 410
the Revised Code. 411

..... 412

Signature of person 413

(or signature of the arresting officer who filed the motion on behalf of 414
the alleged victim) 415

..... 416

Address of person (or office address of the arresting officer who filed 417
the motion on behalf of the alleged victim)" 418

(C) (1) As soon as possible after the filing of a motion 419
that requests the issuance of a temporary protection order, but 420
not later than twenty-four hours after the filing of the motion, 421
the court shall conduct a hearing to determine whether to issue 422
the order. The person who requested the order shall appear 423
before the court and provide the court with the information that 424
it requests concerning the basis of the motion. If the person 425
who requested the order is unable to appear and if the court 426
finds that the failure to appear is because of the person's 427
hospitalization or medical condition resulting from the offense 428
alleged in the complaint, another person who is able to provide 429

the court with the information it requests may appear in lieu of 430
the person who requested the order. If the court finds that the 431
safety and protection of the complainant, alleged victim, or any 432
other family or household member of the alleged victim may be 433
impaired by the continued presence of the alleged offender, the 434
court may issue a temporary protection order, as a pretrial 435
condition of release, that contains terms designed to ensure the 436
safety and protection of the complainant, alleged victim, or the 437
family or household member, including a requirement that the 438
alleged offender refrain from entering the residence, school, 439
business, or place of employment of the complainant, alleged 440
victim, or the family or household member. The court may include 441
within a protection order issued under this section a term 442
requiring that the alleged offender not remove, damage, hide, 443
harm, or dispose of any companion animal owned or possessed by 444
the complainant, alleged victim, or any other family or 445
household member of the alleged victim, and may include within 446
the order a term authorizing the complainant, alleged victim, or 447
other family or household member of the alleged victim to remove 448
a companion animal owned by the complainant, alleged victim, or 449
other family or household member from the possession of the 450
alleged offender. 451

(2) (a) If the court issues a temporary protection order 452
that includes a requirement that the alleged offender refrain 453
from entering the residence, school, business, or place of 454
employment of the complainant, the alleged victim, or the family 455
or household member, the order shall state clearly that the 456
order cannot be waived or nullified by an invitation to the 457
alleged offender from the complainant, alleged victim, or family 458
or household member to enter the residence, school, business, or 459
place of employment or by the alleged offender's entry into one 460

of those places otherwise upon the consent of the complainant, 461
alleged victim, or family or household member. 462

(b) Division (C) (2) (a) of this section does not limit any 463
discretion of a court to determine that an alleged offender 464
charged with a violation of section 2919.27 of the Revised Code, 465
with a violation of a municipal ordinance substantially 466
equivalent to that section, or with contempt of court, which 467
charge is based on an alleged violation of a temporary 468
protection order issued under this section, did not commit the 469
violation or was not in contempt of court. 470

(D) (1) Upon the filing of a complaint that alleges a 471
violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of 472
the Revised Code if the alleged victim of the violation was a 473
family or household member at the time of the violation, a 474
violation of a municipal ordinance that is substantially similar 475
to any of those sections if the alleged victim of the violation 476
was a family or household member at the time of the violation, 477
any offense of violence if the alleged victim of the offense was 478
a family or household member at the time of the commission of 479
the offense, or any sexually oriented offense if the alleged 480
victim of the offense was a family or household member at the 481
time of the commission of the offense, the court, upon its own 482
motion, may issue a temporary protection order as a pretrial 483
condition of release if it finds that the safety and protection 484
of the complainant, alleged victim, or other family or household 485
member of the alleged offender may be impaired by the continued 486
presence of the alleged offender. 487

(2) If the court issues a temporary protection order under 488
this section as an ex parte order, it shall conduct, as soon as 489
possible after the issuance of the order, a hearing in the 490

presence of the alleged offender not later than the next day on 491
which the court is scheduled to conduct business after the day 492
on which the alleged offender was arrested or at the time of the 493
appearance of the alleged offender pursuant to summons to 494
determine whether the order should remain in effect, be 495
modified, or be revoked. The hearing shall be conducted under 496
the standards set forth in division (C) of this section. 497

(3) An order issued under this section shall contain only 498
those terms authorized in orders issued under division (C) of 499
this section. 500

(4) If a municipal court or a county court issues a 501
temporary protection order under this section and if, subsequent 502
to the issuance of the order, the alleged offender who is the 503
subject of the order is bound over to the court of common pleas 504
for prosecution of a felony arising out of the same activities 505
as those that were the basis of the complaint upon which the 506
order is based, notwithstanding the fact that the order was 507
issued by a municipal court or county court, the order shall 508
remain in effect, as though it were an order of the court of 509
common pleas, while the charges against the alleged offender are 510
pending in the court of common pleas, for the period of time 511
described in division (E)(2) of this section, and the court of 512
common pleas has exclusive jurisdiction to modify the order 513
issued by the municipal court or county court. This division 514
applies when the alleged offender is bound over to the court of 515
common pleas as a result of the person waiving a preliminary 516
hearing on the felony charge, as a result of the municipal court 517
or county court having determined at a preliminary hearing that 518
there is probable cause to believe that the felony has been 519
committed and that the alleged offender committed it, as a 520
result of the alleged offender having been indicted for the 521

felony, or in any other manner. 522

(E) A temporary protection order that is issued as a 523
pretrial condition of release under this section: 524

(1) Is in addition to, but shall not be construed as a 525
part of, any bail set under Criminal Rule 46; 526

(2) Is effective only until the occurrence of either of 527
the following: 528

(a) The disposition, by the court that issued the order 529
or, in the circumstances described in division (D)(4) of this 530
section, by the court of common pleas to which the alleged 531
offender is bound over for prosecution, of the criminal 532
proceeding arising out of the complaint upon which the order is 533
based; 534

(b) The issuance of a protection order or the approval of 535
a consent agreement, arising out of the same activities as those 536
that were the basis of the complaint upon which the order is 537
based, under section 3113.31 of the Revised Code. 538

(3) Shall not be construed as a finding that the alleged 539
offender committed the alleged offense, and shall not be 540
introduced as evidence of the commission of the offense at the 541
trial of the alleged offender on the complaint upon which the 542
order is based. 543

(F) A person who meets the criteria for bail under 544
Criminal Rule 46 and who, if required to do so pursuant to that 545
rule, executes or posts bond or deposits cash or securities as 546
bail, shall not be held in custody pending a hearing before the 547
court on a motion requesting a temporary protection order. 548

(G) (1) A copy of any temporary protection order that is 549

issued under this section shall be issued by the court to the 550
complainant, to the alleged victim, to the person who requested 551
the order, to the defendant, and to all law enforcement agencies 552
that have jurisdiction to enforce the order. The court shall 553
direct that a copy of the order be delivered to the defendant on 554
the same day that the order is entered. If a municipal court or 555
a county court issues a temporary protection order under this 556
section and if, subsequent to the issuance of the order, the 557
defendant who is the subject of the order is bound over to the 558
court of common pleas for prosecution as described in division 559
(D) (4) of this section, the municipal court or county court 560
shall direct that a copy of the order be delivered to the court 561
of common pleas to which the defendant is bound over. 562

(2) Upon the issuance of a protection order under this 563
section, the court shall provide the parties to the order with 564
the following notice orally or by form: 565

"NOTICE 566

As a result of this protection order, it may be unlawful 567
for you to possess, receive, or purchase a firearm, including a 568
rifle, pistol, or revolver, or ammunition pursuant to state law 569
under section 2923.22 of the Revised Code or federal law under 570
18 U.S.C. 922(g) (8) for the duration of this order. If you have 571
any questions whether this law makes it illegal for you to 572
possess, receive, or purchase a firearm or ammunition, you 573
should consult an attorney." 574

(3) All law enforcement agencies shall establish and 575
maintain an index for the temporary protection orders delivered 576
to the agencies pursuant to division (G) (1) of this section. 577
With respect to each order delivered, each agency shall note on 578
the index, the date and time of the receipt of the order by the 579

agency. 580

(4) A complainant, alleged victim, or other person who 581
obtains a temporary protection order under this section may 582
provide notice of the issuance of the temporary protection order 583
to the judicial and law enforcement officials in any county 584
other than the county in which the order is issued by 585
registering that order in the other county in accordance with 586
division (N) of section 3113.31 of the Revised Code and filing a 587
copy of the registered protection order with a law enforcement 588
agency in the other county in accordance with that division. 589

(5) Any officer of a law enforcement agency shall enforce 590
a temporary protection order issued by any court in this state 591
in accordance with the provisions of the order, including 592
removing the defendant from the premises, regardless of whether 593
the order is registered in the county in which the officer's 594
agency has jurisdiction as authorized by division (G) (4) of this 595
section. 596

(H) Upon a violation of a temporary protection order, the 597
court may issue another temporary protection order, as a 598
pretrial condition of release, that modifies the terms of the 599
order that was violated. 600

(I) (1) As used in divisions (I) (1) and (2) of this 601
section, "defendant" means a person who is alleged in a 602
complaint to have committed a violation, offense of violence, or 603
sexually oriented offense of the type described in division (A) 604
of this section. 605

(2) If a complaint is filed that alleges that a person 606
committed a violation, offense of violence, or sexually oriented 607
offense of the type described in division (A) of this section, 608

the court may not issue a temporary protection order under this 609
section that requires the complainant, the alleged victim, or 610
another family or household member of the defendant to do or 611
refrain from doing an act that the court may require the 612
defendant to do or refrain from doing under a temporary 613
protection order unless both of the following apply: 614

(a) The defendant has filed a separate complaint that 615
alleges that the complainant, alleged victim, or other family or 616
household member in question who would be required under the 617
order to do or refrain from doing the act committed a violation 618
or offense of violence of the type described in division (A) of 619
this section. 620

(b) The court determines that both the complainant, 621
alleged victim, or other family or household member in question 622
who would be required under the order to do or refrain from 623
doing the act and the defendant acted primarily as aggressors, 624
that neither the complainant, alleged victim, or other family or 625
household member in question who would be required under the 626
order to do or refrain from doing the act nor the defendant 627
acted primarily in self-defense, and, in accordance with the 628
standards and criteria of this section as applied in relation to 629
the separate complaint filed by the defendant, that it should 630
issue the order to require the complainant, alleged victim, or 631
other family or household member in question to do or refrain 632
from doing the act. 633

(J) (1) Subject to division (J) (2) of this section and 634
regardless of whether a protection order is issued or a consent 635
agreement is approved by a court of another county or a court of 636
another state, no court or unit of state or local government 637
shall charge the movant any fee, cost, deposit, or money in 638

connection with the filing of a motion pursuant to this section, 639
in connection with the filing, issuance, registration, 640
modification, enforcement, dismissal, withdrawal, or service of 641
a protection order, consent agreement, or witness subpoena or 642
for obtaining a certified copy of a protection order or consent 643
agreement. 644

(2) Regardless of whether a protection order is issued or 645
a consent agreement is approved pursuant to this section, if the 646
defendant is convicted the court may assess costs against the 647
defendant in connection with the filing, issuance, registration, 648
modification, enforcement, dismissal, withdrawal, or service of 649
a protection order, consent agreement, or witness subpoena or 650
for obtaining a certified copy of a protection order or consent 651
agreement. 652

(K) As used in this section: 653

(1) "Companion animal" has the same meaning as in section 654
959.131 of the Revised Code. 655

(2) "Sexually oriented offense" has the same meaning as in 656
section 2950.01 of the Revised Code. 657

(3) "Victim advocate" means a person who provides support 658
and assistance for a victim of an offense during court 659
proceedings. 660

Sec. 2923.22. (A) No person shall knowingly purchase or 661
receive any firearm if the person is currently subject to an ex 662
parte order or civil protection order issued or a consent 663
agreement approved pursuant to section 2903.214 or 3113.31 of 664
the Revised Code or an ex parte order or temporary protection 665
order issued pursuant to section 2903.213 or 2919.26 of the 666
Revised Code for the duration of the order. 667

(B) Whoever violates this section is guilty of purchasing 668
or receiving a firearm while subject to a protection order, a 669
misdemeanor of the first degree on a first offense and a felony 670
of the fifth degree on each subsequent offense. 671

Sec. 3113.31. (A) As used in this section: 672

(1) "Domestic violence" means any of the following: 673

(a) The occurrence of one or more of the following acts 674
against a family or household member: 675

(i) Attempting to cause or recklessly causing bodily 676
injury; 677

(ii) Placing another person by the threat of force in fear 678
of imminent serious physical harm or committing a violation of 679
section 2903.211 or 2911.211 of the Revised Code; 680

(iii) Committing any act with respect to a child that 681
would result in the child being an abused child, as defined in 682
section 2151.031 of the Revised Code; 683

(iv) Committing a sexually oriented offense. 684

(b) The occurrence of one or more of the acts identified 685
in divisions (A) (1) (a) (i) to (iv) of this section against a 686
person with whom the respondent is or was in a dating 687
relationship. 688

(2) "Court" means the domestic relations division of the 689
court of common pleas in counties that have a domestic relations 690
division and the court of common pleas in counties that do not 691
have a domestic relations division, or the juvenile division of 692
the court of common pleas of the county in which the person to 693
be protected by a protection order issued or a consent agreement 694
approved under this section resides if the respondent is less 695

than eighteen years of age. 696

(3) "Family or household member" means any of the 697
following: 698

(a) Any of the following who is residing with or has 699
resided with the respondent: 700

(i) A spouse, a person living as a spouse, or a former 701
spouse of the respondent; 702

(ii) A parent, a foster parent, or a child of the 703
respondent, or another person related by consanguinity or 704
affinity to the respondent; 705

(iii) A parent or a child of a spouse, person living as a 706
spouse, or former spouse of the respondent, or another person 707
related by consanguinity or affinity to a spouse, person living 708
as a spouse, or former spouse of the respondent. 709

(b) The natural parent of any child of whom the respondent 710
is the other natural parent or is the putative other natural 711
parent. 712

(4) "Person living as a spouse" means a person who is 713
living or has lived with the respondent in a common law marital 714
relationship, who otherwise is cohabiting with the respondent, 715
or who otherwise has cohabited with the respondent within five 716
years prior to the date of the alleged occurrence of the act in 717
question. 718

(5) "Victim advocate" means a person who provides support 719
and assistance for a person who files a petition under this 720
section. 721

(6) "Sexually oriented offense" has the same meaning as in 722
section 2950.01 of the Revised Code. 723

(7) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.	724 725
(8) "Dating relationship" means a relationship between individuals who have, or have had, a relationship of a romantic or intimate nature. "Dating relationship" does not include a casual acquaintanceship or ordinary fraternization in a business or social context.	726 727 728 729 730
(9) "Person with whom the respondent is or was in a dating relationship" means an adult who, at the time of the conduct in question, is in a dating relationship with the respondent who also is an adult or who, within the twelve months preceding the conduct in question, has had a dating relationship with the respondent who also is an adult.	731 732 733 734 735 736
(B) The court has jurisdiction over all proceedings under this section. The petitioner's right to relief under this section is not affected by the petitioner's leaving the residence or household to avoid further domestic violence.	737 738 739 740
(C) A person may seek relief under this section on the person's own behalf, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state:	741 742 743 744 745
(1) An allegation that the respondent engaged in domestic violence against a family or household member of the respondent or against a person with whom the respondent is or was in a dating relationship, including a description of the nature and extent of the domestic violence;	746 747 748 749 750
(2) The relationship of the respondent to the petitioner, and to the victim if other than the petitioner;	751 752

(3) If the petition is for protection of a person with whom the respondent is or was in a dating relationship, the facts upon which the court may conclude that a dating relationship existed between the person to be protected and the respondent;

(4) A request for relief under this section.

(D) (1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing on the same day that the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, including, but not limited to, an order described in division (E) (1) (a), (b), or (c) of this section, that the court finds necessary to protect the family or household member or the person with whom the respondent is or was in a dating relationship from domestic violence. Immediate and present danger of domestic violence to the family or household member or to the person with whom the respondent is or was in a dating relationship constitutes good cause for purposes of this section. Immediate and present danger includes, but is not limited to, situations in which the respondent has threatened the family or household member or person with whom the respondent is or was in a dating relationship with bodily harm, in which the respondent has threatened the family or household member or person with whom the respondent is or was in a dating relationship with a sexually oriented offense, or in which the respondent previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for an offense that constitutes domestic violence against the family or household member or person with whom the respondent is or was in a dating relationship.

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

(i) Prior to the date scheduled for the full hearing under this division, the respondent has not been served with the petition filed pursuant to this section and notice of the full hearing.

(ii) The parties consent to the continuance.

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

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

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

(3) If a person who files a petition pursuant to this 812
section does not request an ex parte order, or if a person 813
requests an ex parte order but the court does not issue an ex 814
parte order after an ex parte hearing, the court shall proceed 815
as in a normal civil action and grant a full hearing on the 816
matter. 817

(E) (1) After an ex parte or full hearing, the court may 818
grant any protection order, with or without bond, or approve any 819
consent agreement to bring about a cessation of domestic 820
violence against the family or household members or persons with 821
whom the respondent is or was in a dating relationship. The 822
order or agreement may: 823

(a) Direct the respondent to refrain from abusing or from 824
committing sexually oriented offenses against the family or 825
household members or persons with whom the respondent is or was 826
in a dating relationship; 827

(b) With respect to a petition involving family or 828
household members, grant possession of the residence or 829
household to the petitioner or other family or household member, 830
to the exclusion of the respondent, by evicting the respondent, 831
when the residence or household is owned or leased solely by the 832
petitioner or other family or household member, or by ordering 833
the respondent to vacate the premises, when the residence or 834
household is jointly owned or leased by the respondent, and the 835
petitioner or other family or household member; 836

(c) With respect to a petition involving family or 837
household members, when the respondent has a duty to support the 838
petitioner or other family or household member living in the 839
residence or household and the respondent is the sole owner or 840
lessee of the residence or household, grant possession of the 841

residence or household to the petitioner or other family or 842
household member, to the exclusion of the respondent, by 843
ordering the respondent to vacate the premises, or, in the case 844
of a consent agreement, allow the respondent to provide 845
suitable, alternative housing; 846

(d) With respect to a petition involving family or 847
household members, temporarily allocate parental rights and 848
responsibilities for the care of, or establish temporary 849
parenting time rights with regard to, minor children, if no 850
other court has determined, or is determining, the allocation of 851
parental rights and responsibilities for the minor children or 852
parenting time rights; 853

(e) With respect to a petition involving family or 854
household members, require the respondent to maintain support, 855
if the respondent customarily provides for or contributes to the 856
support of the family or household member, or if the respondent 857
has a duty to support the petitioner or family or household 858
member; 859

(f) Require the respondent, petitioner, victim of domestic 860
violence, or any combination of those persons, to seek 861
counseling; 862

(g) Require the respondent to refrain from entering the 863
residence, school, business, or place of employment of the 864
petitioner or, with respect to a petition involving family or 865
household members, a family or household member; 866

(h) Grant other relief that the court considers equitable 867
and fair, including, but not limited to, ordering the respondent 868
to permit the use of a motor vehicle by the petitioner or, with 869
respect to a petition involving family or household members, 870

other family or household members and the apportionment of 871
household and family personal property; 872

(i) Require that the respondent not remove, damage, hide, 873
harm, or dispose of any companion animal owned or possessed by 874
the petitioner; 875

(j) Authorize the petitioner to remove a companion animal 876
owned by the petitioner from the possession of the respondent; 877

(k) Require a wireless service transfer in accordance with 878
sections 3113.45 to 3113.459 of the Revised Code. 879

(2) If a protection order has been issued pursuant to this 880
section in a prior action involving the respondent and the 881
petitioner or, with respect to a petition involving family or 882
household members, one or more of the family or household 883
members or victims, the court may include in a protection order 884
that it issues a prohibition against the respondent returning to 885
the residence or household. If it includes a prohibition against 886
the respondent returning to the residence or household in the 887
order, it also shall include in the order provisions of the type 888
described in division (E) (7) of this section. This division does 889
not preclude the court from including in a protection order or 890
consent agreement, in circumstances other than those described 891
in this division, a requirement that the respondent be evicted 892
from or vacate the residence or household or refrain from 893
entering the residence, school, business, or place of employment 894
of the petitioner or, with respect to a petition involving 895
family or household members, a family or household member, and, 896
if the court includes any requirement of that type in an order 897
or agreement, the court also shall include in the order 898
provisions of the type described in division (E) (7) of this 899
section. 900

(3) (a) Any protection order issued or consent agreement 901
approved under this section shall be valid until a date certain, 902
but not later than five years from the date of its issuance or 903
approval, or not later than the date a respondent who is less 904
than eighteen years of age attains nineteen years of age, unless 905
modified or terminated as provided in division (E) (8) of this 906
section. 907

(b) With respect to an order involving family or household 908
members, subject to the limitation on the duration of an order 909
or agreement set forth in division (E) (3) (a) of this section, 910
any order under division (E) (1) (d) of this section shall 911
terminate on the date that a court in an action for divorce, 912
dissolution of marriage, or legal separation brought by the 913
petitioner or respondent issues an order allocating parental 914
rights and responsibilities for the care of children or on the 915
date that a juvenile court in an action brought by the 916
petitioner or respondent issues an order awarding legal custody 917
of minor children. Subject to the limitation on the duration of 918
an order or agreement set forth in division (E) (3) (a) of this 919
section, any order under division (E) (1) (e) of this section 920
shall terminate on the date that a court in an action for 921
divorce, dissolution of marriage, or legal separation brought by 922
the petitioner or respondent issues a support order or on the 923
date that a juvenile court in an action brought by the 924
petitioner or respondent issues a support order. 925

(c) Any protection order issued or consent agreement 926
approved pursuant to this section may be renewed in the same 927
manner as the original order or agreement was issued or 928
approved. 929

(4) A court may not issue a protection order that requires 930

a petitioner to do or to refrain from doing an act that the court may require a respondent to do or to refrain from doing under division (E) (1) (a), (b), (c), (d), (e), (g), or (h) of this section unless all of the following apply:

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

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

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

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

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

(6) (a) With respect to an order involving family or household members, if a petitioner, or the child of a

petitioner, who obtains a protection order or consent agreement 960
pursuant to division (E) (1) of this section or a temporary 961
protection order pursuant to section 2919.26 of the Revised Code 962
and is the subject of a parenting time order issued pursuant to 963
section 3109.051 or 3109.12 of the Revised Code or a visitation 964
or companionship order issued pursuant to section 3109.051, 965
3109.11, or 3109.12 of the Revised Code or division (E) (1) (d) of 966
this section granting parenting time rights to the respondent, 967
the court may require the public children services agency of the 968
county in which the court is located to provide supervision of 969
the respondent's exercise of parenting time or visitation or 970
companionship rights with respect to the child for a period not 971
to exceed nine months, if the court makes the following findings 972
of fact: 973

(i) The child is in danger from the respondent; 974

(ii) No other person or agency is available to provide the 975
supervision. 976

(b) A court that requires an agency to provide supervision 977
pursuant to division (E) (6) (a) of this section shall order the 978
respondent to reimburse the agency for the cost of providing the 979
supervision, if it determines that the respondent has sufficient 980
income or resources to pay that cost. 981

(7) (a) If a protection order issued or consent agreement 982
approved under this section includes a requirement that the 983
respondent be evicted from or vacate the residence or household 984
or refrain from entering the residence, school, business, or 985
place of employment of the petitioner or, with respect to a 986
petition involving family or household members, a family or 987
household member, the order or agreement shall state clearly 988
that the order or agreement cannot be waived or nullified by an 989

invitation to the respondent from the petitioner or other family 990
or household member to enter the residence, school, business, or 991
place of employment or by the respondent's entry into one of 992
those places otherwise upon the consent of the petitioner or 993
other family or household member. 994

(b) Division (E) (7) (a) of this section does not limit any 995
discretion of a court to determine that a respondent charged 996
with a violation of section 2919.27 of the Revised Code, with a 997
violation of a municipal ordinance substantially equivalent to 998
that section, or with contempt of court, which charge is based 999
on an alleged violation of a protection order issued or consent 1000
agreement approved under this section, did not commit the 1001
violation or was not in contempt of court. 1002

(8) (a) The court may modify or terminate as provided in 1003
division (E) (8) of this section a protection order or consent 1004
agreement that was issued after a full hearing under this 1005
section. The court that issued the protection order or approved 1006
the consent agreement shall hear a motion for modification or 1007
termination of the protection order or consent agreement 1008
pursuant to division (E) (8) of this section. 1009

(b) Either the petitioner or the respondent of the 1010
original protection order or consent agreement may bring a 1011
motion for modification or termination of a protection order or 1012
consent agreement that was issued or approved after a full 1013
hearing. The court shall require notice of the motion to be made 1014
as provided by the Rules of Civil Procedure. If the petitioner 1015
for the original protection order or consent agreement has 1016
requested that the petitioner's address be kept confidential, 1017
the court shall not disclose the address to the respondent of 1018
the original protection order or consent agreement or any other 1019

person, except as otherwise required by law. The moving party 1020
has the burden of proof to show, by a preponderance of the 1021
evidence, that modification or termination of the protection 1022
order or consent agreement is appropriate because either the 1023
protection order or consent agreement is no longer needed or 1024
because the terms of the original protection order or consent 1025
agreement are no longer appropriate. 1026

(c) In considering whether to modify or terminate a 1027
protection order or consent agreement issued or approved under 1028
this section, the court shall consider all relevant factors, 1029
including, but not limited to, the following: 1030

(i) Whether the petitioner consents to modification or 1031
termination of the protection order or consent agreement; 1032

(ii) Whether the petitioner fears the respondent; 1033

(iii) The current nature of the relationship between the 1034
petitioner and the respondent; 1035

(iv) The circumstances of the petitioner and respondent, 1036
including the relative proximity of the petitioner's and 1037
respondent's workplaces and residences and whether the 1038
petitioner and respondent have minor children together; 1039

(v) Whether the respondent has complied with the terms and 1040
conditions of the original protection order or consent 1041
agreement; 1042

(vi) Whether the respondent has a continuing involvement 1043
with illegal drugs or alcohol; 1044

(vii) Whether the respondent has been convicted of, 1045
pleaded guilty to, or been adjudicated a delinquent child for an 1046
offense of violence since the issuance of the protection order 1047

or approval of the consent agreement; 1048

(viii) Whether any other protection orders, consent 1049
agreements, restraining orders, or no contact orders have been 1050
issued against the respondent pursuant to this section, section 1051
2919.26 of the Revised Code, any other provision of state law, 1052
or the law of any other state; 1053

(ix) Whether the respondent has participated in any 1054
domestic violence treatment, intervention program, or other 1055
counseling addressing domestic violence and whether the 1056
respondent has completed the treatment, program, or counseling; 1057

(x) The time that has elapsed since the protection order 1058
was issued or since the consent agreement was approved; 1059

(xi) The age and health of the respondent; 1060

(xii) When the last incident of abuse, threat of harm, or 1061
commission of a sexually oriented offense occurred or other 1062
relevant information concerning the safety and protection of the 1063
petitioner or other protected parties. 1064

(d) If a protection order or consent agreement is modified 1065
or terminated as provided in division (E) (8) of this section, 1066
the court shall issue copies of the modified or terminated order 1067
or agreement as provided in division (F) of this section. A 1068
petitioner may also provide notice of the modification or 1069
termination to the judicial and law enforcement officials in any 1070
county other than the county in which the order or agreement is 1071
modified or terminated as provided in division (N) of this 1072
section. 1073

(e) If the respondent moves for modification or 1074
termination of a protection order or consent agreement pursuant 1075
to this section and the court denies the motion, the court may 1076

assess costs against the respondent for the filing of the 1077
motion. 1078

(9) Any protection order issued or any consent agreement 1079
approved pursuant to this section shall include a provision that 1080
the court will automatically seal all of the records of the 1081
proceeding in which the order is issued or agreement approved on 1082
the date the respondent attains the age of nineteen years unless 1083
the petitioner provides the court with evidence that the 1084
respondent has not complied with all of the terms of the 1085
protection order or consent agreement. The protection order or 1086
consent agreement shall specify the date when the respondent 1087
attains the age of nineteen years. 1088

(F) (1) A copy of any protection order, or consent 1089
agreement, that is issued, approved, modified, or terminated 1090
under this section shall be issued by the court to the 1091
petitioner, to the respondent, and to all law enforcement 1092
agencies that have jurisdiction to enforce the order or 1093
agreement. The court shall direct that a copy of an order be 1094
delivered to the respondent on the same day that the order is 1095
entered. 1096

(2) Upon the issuance of a protection order or the 1097
approval of a consent agreement under this section, the court 1098
shall provide the parties to the order or agreement with the 1099
following notice orally or by form: 1100

"NOTICE 1101

As a result of this order or consent agreement, it may be 1102
unlawful for you to possess, receive, or purchase a firearm, 1103
including a rifle, pistol, or revolver, or ammunition pursuant 1104
to state law under section 2923.22 of the Revised Code or 1105

federal law under 18 U.S.C. 922(g)(8) for the duration of this 1106
order or consent agreement. If you have any questions whether 1107
this law makes it illegal for you to possess, receive, or 1108
purchase a firearm or ammunition, you should consult an 1109
attorney." 1110

(3) All law enforcement agencies shall establish and 1111
maintain an index for the protection orders and the approved 1112
consent agreements delivered to the agencies pursuant to 1113
division (F)(1) of this section. With respect to each order and 1114
consent agreement delivered, each agency shall note on the index 1115
the date and time that it received the order or consent 1116
agreement. 1117

(4) Regardless of whether the petitioner has registered 1118
the order or agreement in the county in which the officer's 1119
agency has jurisdiction pursuant to division (N) of this 1120
section, any officer of a law enforcement agency shall enforce a 1121
protection order issued or consent agreement approved by any 1122
court in this state in accordance with the provisions of the 1123
order or agreement, including removing the respondent from the 1124
premises, if appropriate. 1125

(G)(1) Any proceeding under this section shall be 1126
conducted in accordance with the Rules of Civil Procedure, 1127
except that an order under this section may be obtained with or 1128
without bond. An order issued under this section, other than an 1129
ex parte order, that grants a protection order or approves a 1130
consent agreement, that refuses to grant a protection order or 1131
approve a consent agreement that modifies or terminates a 1132
protection order or consent agreement, or that refuses to modify 1133
or terminate a protection order or consent agreement, is a 1134
final, appealable order. The remedies and procedures provided in 1135

this section are in addition to, and not in lieu of, any other 1136
available civil or criminal remedies. 1137

(2) If as provided in division (G) (1) of this section an 1138
order issued under this section, other than an ex parte order, 1139
refuses to grant a protection order, the court, on its own 1140
motion, shall order that the ex parte order issued under this 1141
section and all of the records pertaining to that ex parte order 1142
be sealed after either of the following occurs: 1143

(a) No party has exercised the right to appeal pursuant to 1144
Rule 4 of the Rules of Appellate Procedure. 1145

(b) All appellate rights have been exhausted. 1146

(H) The filing of proceedings under this section does not 1147
excuse a person from filing any report or giving any notice 1148
required by section 2151.421 of the Revised Code or by any other 1149
law. When a petition under this section alleges domestic 1150
violence against minor children, the court shall report the 1151
fact, or cause reports to be made, to a county, township, or 1152
municipal peace officer under section 2151.421 of the Revised 1153
Code. 1154

(I) Any law enforcement agency that investigates a 1155
domestic dispute shall provide information to the family or 1156
household members involved, or the persons in the dating 1157
relationship who are involved, whichever is applicable regarding 1158
the relief available under this section and, for family or 1159
household members, section 2919.26 of the Revised Code. 1160

(J) (1) Subject to divisions (E) (8) (e) and (J) (2) of this 1161
section and regardless of whether a protection order is issued 1162
or a consent agreement is approved by a court of another county 1163
or a court of another state, no court or unit of state or local 1164

government shall charge the petitioner any fee, cost, deposit, 1165
or money in connection with the filing of a petition pursuant to 1166
this section or in connection with the filing, issuance, 1167
registration, modification, enforcement, dismissal, withdrawal, 1168
or service of a protection order, consent agreement, or witness 1169
subpoena or for obtaining a certified copy of a protection order 1170
or consent agreement. 1171

(2) Regardless of whether a protection order is issued or 1172
a consent agreement is approved pursuant to this section, the 1173
court may assess costs against the respondent in connection with 1174
the filing, issuance, registration, modification, enforcement, 1175
dismissal, withdrawal, or service of a protection order, consent 1176
agreement, or witness subpoena or for obtaining a certified copy 1177
of a protection order or consent agreement. 1178

(K) (1) The court shall comply with Chapters 3119., 3121., 1179
3123., and 3125. of the Revised Code when it makes or modifies 1180
an order for child support under this section. 1181

(2) If any person required to pay child support under an 1182
order made under this section on or after April 15, 1985, or 1183
modified under this section on or after December 31, 1986, is 1184
found in contempt of court for failure to make support payments 1185
under the order, the court that makes the finding, in addition 1186
to any other penalty or remedy imposed, shall assess all court 1187
costs arising out of the contempt proceeding against the person 1188
and require the person to pay any reasonable attorney's fees of 1189
any adverse party, as determined by the court, that arose in 1190
relation to the act of contempt. 1191

(L) (1) A person who violates a protection order issued or 1192
a consent agreement approved under this section is subject to 1193
the following sanctions: 1194

(a) Criminal prosecution or a delinquent child proceeding 1195
for a violation of section 2919.27 of the Revised Code, if the 1196
violation of the protection order or consent agreement 1197
constitutes a violation of that section; 1198

(b) Punishment for contempt of court. 1199

(2) The punishment of a person for contempt of court for 1200
violation of a protection order issued or a consent agreement 1201
approved under this section does not bar criminal prosecution of 1202
the person or a delinquent child proceeding concerning the 1203
person for a violation of section 2919.27 of the Revised Code. 1204
However, a person punished for contempt of court is entitled to 1205
credit for the punishment imposed upon conviction of or 1206
adjudication as a delinquent child for a violation of that 1207
section, and a person convicted of or adjudicated a delinquent 1208
child for a violation of that section shall not subsequently be 1209
punished for contempt of court arising out of the same activity. 1210

(M) In all stages of a proceeding under this section, a 1211
petitioner may be accompanied by a victim advocate. 1212

(N) (1) A petitioner who obtains a protection order or 1213
consent agreement under this section or a temporary protection 1214
order under section 2919.26 of the Revised Code may provide 1215
notice of the issuance or approval of the order or agreement to 1216
the judicial and law enforcement officials in any county other 1217
than the county in which the order is issued or the agreement is 1218
approved by registering that order or agreement in the other 1219
county pursuant to division (N) (2) of this section and filing a 1220
copy of the registered order or registered agreement with a law 1221
enforcement agency in the other county in accordance with that 1222
division. A person who obtains a protection order issued by a 1223
court of another state may provide notice of the issuance of the 1224

order to the judicial and law enforcement officials in any 1225
county of this state by registering the order in that county 1226
pursuant to section 2919.272 of the Revised Code and filing a 1227
copy of the registered order with a law enforcement agency in 1228
that county. 1229

(2) A petitioner may register a temporary protection 1230
order, protection order, or consent agreement in a county other 1231
than the county in which the court that issued the order or 1232
approved the agreement is located in the following manner: 1233

(a) The petitioner shall obtain a certified copy of the 1234
order or agreement from the clerk of the court that issued the 1235
order or approved the agreement and present that certified copy 1236
to the clerk of the court of common pleas or the clerk of a 1237
municipal court or county court in the county in which the order 1238
or agreement is to be registered. 1239

(b) Upon accepting the certified copy of the order or 1240
agreement for registration, the clerk of the court of common 1241
pleas, municipal court, or county court shall place an 1242
endorsement of registration on the order or agreement and give 1243
the petitioner a copy of the order or agreement that bears that 1244
proof of registration. 1245

(3) The clerk of each court of common pleas, the clerk of 1246
each municipal court, and the clerk of each county court shall 1247
maintain a registry of certified copies of temporary protection 1248
orders, protection orders, or consent agreements that have been 1249
issued or approved by courts in other counties and that have 1250
been registered with the clerk. 1251

(O) Nothing in this section prohibits the domestic 1252
relations division of a court of common pleas in counties that 1253

have a domestic relations division or a court of common pleas in 1254
counties that do not have a domestic relations division from 1255
designating a minor child as a protected party on a protection 1256
order or consent agreement. 1257

Section 2. That existing sections 2903.214, 2919.26, and 1258
3113.31 of the Revised Code are hereby repealed. 1259