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**131st General Assembly**

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**Am. S. B. No. 76**

**Senators Bacon, Manning**

**Cosponsors: Senators Beagle, Brown, Cafaro, Hughes, Jones, Oelslager, Patton, Seitz, Thomas, LaRose, Obhof, Burke, Coley, Eklund, Faber, Gentile, Hite, Peterson, Sawyer, Schiavoni, Uecker, Widener, Yuko Representatives Amstutz, Anielski, Antonio, Arndt, Baker, Barnes, Blessing, Bocchieri, Boggs, Boose, Boyd, Buchy, Burkley, Butler, Celebrezze, Clyde, Conditt, Craig, Dever, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Gavarone, Green, Grossman, Hagan, Hall, Hambley, Hayes, Hill, Howse, Johnson, G., Kuhns, Kunze, Landis, LaTourette, Leland, Lepore-Hagan, Maag, Manning, McColley, O'Brien, M., O'Brien, S., Patterson, Perales, Phillips, Ramos, Reece, Retherford, Roegner, Rogers, Ruhl, Sheehy, Slesnick, Smith, K., Smith, R., Sprague, Strahorn, Sweeney, Sykes, Terhar, Thompson, Speaker Rosenberger**

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**A BILL**

To amend sections 109.42, 2151.23, 2919.27, and 1  
3113.33 and to enact section 3113.311 of the 2  
Revised Code to provide the circumstances when 3  
service of a protection order or consent 4  
agreement upon a person is not necessary for the 5  
person to be convicted of the offense of 6  
violating a protection order, to authorize the 7  
issuance of dating violence protection orders 8  
with respect to conduct directed at a petitioner 9  
alleging dating violence, to provide access to 10  
domestic violence shelters for victims of dating 11  
violence, and to require the Attorney General's 12  
victim's bill of rights pamphlet to include a 13  
notice that a petitioner alleging dating 14  
violence has the right to petition for a civil 15  
protection order. 16

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

**Section 1.** That sections 109.42, 2151.23, 2919.27, and 3113.33 be amended and section 3113.311 of the Revised Code be enacted to read as follows:

**Sec. 109.42.** (A) The attorney general shall prepare and have printed a pamphlet that contains a compilation of all statutes relative to victim's rights in which the attorney general lists and explains the statutes in the form of a victim's bill of rights. The attorney general shall distribute the pamphlet to all sheriffs, marshals, municipal corporation and township police departments, constables, and other law enforcement agencies, to all prosecuting attorneys, city directors of law, village solicitors, and other similar chief legal officers of municipal corporations, and to organizations that represent or provide services for victims of crime. The victim's bill of rights set forth in the pamphlet shall contain a description of all of the rights of victims that are provided for in Chapter 2930. or in any other section of the Revised Code and shall include, but not be limited to, all of the following:

(1) The right of a victim or a victim's representative to attend a proceeding before a grand jury, in a juvenile case, or in a criminal case pursuant to a subpoena without being discharged from the victim's or representative's employment, having the victim's or representative's employment terminated, having the victim's or representative's pay decreased or withheld, or otherwise being punished, penalized, or threatened as a result of time lost from regular employment because of the victim's or representative's attendance at the proceeding pursuant to the subpoena, as set forth in section 2151.211,

2930.18, 2939.121, or 2945.451 of the Revised Code;	45
(2) The potential availability pursuant to section 2151.359 or 2152.61 of the Revised Code of a forfeited recognizance to pay damages caused by a child when the delinquency of the child or child's violation of probation or community control is found to be proximately caused by the failure of the child's parent or guardian to subject the child to reasonable parental authority or to faithfully discharge the conditions of probation or community control;	46 47 48 49 50 51 52 53
(3) The availability of awards of reparations pursuant to sections 2743.51 to 2743.72 of the Revised Code for injuries caused by criminal offenses;	54 55 56
(4) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.06 of the Revised Code, notice of the date, time, and place of the trial or delinquency proceeding in the case or, if there will not be a trial or delinquency proceeding, information from the prosecutor, as defined in section 2930.01 of the Revised Code, regarding the disposition of the case;	57 58 59 60 61 62 63
(5) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.04, 2930.05, or 2930.06 of the Revised Code, notice of the name of the person charged with the violation, the case or docket number assigned to the charge, and a telephone number or numbers that can be called to obtain information about the disposition of the case;	64 65 66 67 68 69 70
(6) The right of the victim in certain criminal or juvenile cases or of the victim's representative pursuant to section 2930.13 or 2930.14 of the Revised Code, subject to any	71 72 73

reasonable terms set by the court as authorized under section 74  
2930.14 of the Revised Code, to make a statement about the 75  
victimization and, if applicable, a statement relative to the 76  
sentencing or disposition of the offender; 77

(7) The opportunity to obtain a court order, pursuant to 78  
section 2945.04 of the Revised Code, to prevent or stop the 79  
commission of the offense of intimidation of a crime victim or 80  
witness or an offense against the person or property of the 81  
complainant, or of the complainant's ward or child; 82

(8) The right of the victim in certain criminal or 83  
juvenile cases or a victim's representative pursuant to sections 84  
2151.38, 2929.20, 2930.10, 2930.16, and 2930.17 of the Revised 85  
Code to receive notice of a pending motion for judicial release, 86  
release pursuant to section 2967.19 of the Revised Code, or 87  
other early release of the person who committed the offense 88  
against the victim, to make an oral or written statement at the 89  
court hearing on the motion, and to be notified of the court's 90  
decision on the motion; 91

(9) The right of the victim in certain criminal or 92  
juvenile cases or a victim's representative pursuant to section 93  
2930.16, 2967.12, 2967.26, or 5139.56 of the Revised Code to 94  
receive notice of any pending commutation, pardon, parole, 95  
transitional control, discharge, other form of authorized 96  
release, post-release control, or supervised release for the 97  
person who committed the offense against the victim or any 98  
application for release of that person and to send a written 99  
statement relative to the victimization and the pending action 100  
to the adult parole authority or the release authority of the 101  
department of youth services; 102

(10) The right of the victim to bring a civil action 103

pursuant to sections 2969.01 to 2969.06 of the Revised Code to	104
obtain money from the offender's profit fund;	105
(11) The right, pursuant to section 3109.09 of the Revised	106
Code, to maintain a civil action to recover compensatory damages	107
not exceeding ten thousand dollars and costs from the parent of	108
a minor who willfully damages property through the commission of	109
an act that would be a theft offense, as defined in section	110
2913.01 of the Revised Code, if committed by an adult;	111
(12) The right, pursuant to section 3109.10 of the Revised	112
Code, to maintain a civil action to recover compensatory damages	113
not exceeding ten thousand dollars and costs from the parent of	114
a minor who willfully and maliciously assaults a person;	115
(13) The possibility of receiving restitution from an	116
offender or a delinquent child pursuant to section 2152.20,	117
2929.18, or 2929.28 of the Revised Code;	118
(14) The right of the victim in certain criminal or	119
juvenile cases or a victim's representative, pursuant to section	120
2930.16 of the Revised Code, to receive notice of the escape	121
from confinement or custody of the person who committed the	122
offense, to receive that notice from the custodial agency of the	123
person at the victim's last address or telephone number provided	124
to the custodial agency, and to receive notice that, if either	125
the victim's address or telephone number changes, it is in the	126
victim's interest to provide the new address or telephone number	127
to the custodial agency;	128
(15) The right of a victim of domestic violence to seek	129
the issuance of a civil protection order pursuant to section	130
3113.31 <u>of the Revised Code, the right of a petitioner alleging</u>	131
<u>dating violence to seek the issuance of a protection order under</u>	132

section 3113.311 of the Revised Code, the right of a victim of a 133  
violation of section 2903.14, 2909.06, 2909.07, 2911.12, 134  
2911.211, or 2919.22 of the Revised Code, a violation of a 135  
substantially similar municipal ordinance, or an offense of 136  
violence who is a family or household member of the offender at 137  
the time of the offense to seek the issuance of a temporary 138  
protection order pursuant to section 2919.26 of the Revised 139  
Code, and the right of both types of victims to be accompanied 140  
by a victim advocate during court proceedings; 141

(16) The right of a victim of a sexually oriented offense 142  
or of a child-victim oriented offense that is committed by a 143  
person who is convicted of, pleads guilty to, or is adjudicated 144  
a delinquent child for committing the offense and who is in a 145  
category specified in division (B) of section 2950.10 of the 146  
Revised Code to receive, pursuant to that section, notice that 147  
the person has registered with a sheriff under section 2950.04, 148  
2950.041, or 2950.05 of the Revised Code and notice of the 149  
person's name, the person's residence that is registered, and 150  
the offender's school, institution of higher education, or place 151  
of employment address or addresses that are registered, the 152  
person's photograph, and a summary of the manner in which the 153  
victim must make a request to receive the notice. As used in 154  
this division, "sexually oriented offense" and "child-victim 155  
oriented offense" have the same meanings as in section 2950.01 156  
of the Revised Code. 157

(17) The right of a victim of certain sexually violent 158  
offenses committed by an offender who also is convicted of or 159  
pleads guilty to a sexually violent predator specification and 160  
who is sentenced to a prison term pursuant to division (A) (3) of 161  
section 2971.03 of the Revised Code, of a victim of a violation 162  
of division (A) (1) (b) of section 2907.02 of the Revised Code 163

committed on or after January 2, 2007, by an offender who is 164  
sentenced for the violation pursuant to division (B)(1)(a), (b), 165  
or (c) of section 2971.03 of the Revised Code, of a victim of an 166  
attempted rape committed on or after January 2, 2007, by an 167  
offender who also is convicted of or pleads guilty to a 168  
specification of the type described in section 2941.1418, 169  
2941.1419, or 2941.1420 of the Revised Code and is sentenced for 170  
the violation pursuant to division (B)(2)(a), (b), or (c) of 171  
section 2971.03 of the Revised Code, and of a victim of an 172  
offense that is described in division (B)(3)(a), (b), (c), or 173  
(d) of section 2971.03 of the Revised Code and is committed by 174  
an offender who is sentenced pursuant to one of those divisions 175  
to receive, pursuant to section 2930.16 of the Revised Code, 176  
notice of a hearing to determine whether to modify the 177  
requirement that the offender serve the entire prison term in a 178  
state correctional facility, whether to continue, revise, or 179  
revoke any existing modification of that requirement, or whether 180  
to terminate the prison term. As used in this division, 181  
"sexually violent offense" and "sexually violent predator 182  
specification" have the same meanings as in section 2971.01 of 183  
the Revised Code. 184

(B)(1)(a) Subject to division (B)(1)(c) of this section, a 185  
prosecuting attorney, assistant prosecuting attorney, city 186  
director of law, assistant city director of law, village 187  
solicitor, assistant village solicitor, or similar chief legal 188  
officer of a municipal corporation or an assistant of any of 189  
those officers who prosecutes an offense committed in this 190  
state, upon first contact with the victim of the offense, the 191  
victim's family, or the victim's dependents, shall give the 192  
victim, the victim's family, or the victim's dependents a copy 193  
of the pamphlet prepared pursuant to division (A) of this 194

section and explain, upon request, the information in the 195  
pamphlet to the victim, the victim's family, or the victim's 196  
dependents. 197

(b) Subject to division (B) (1) (c) of this section, a law 198  
enforcement agency that investigates an offense or delinquent 199  
act committed in this state shall give the victim of the offense 200  
or delinquent act, the victim's family, or the victim's 201  
dependents a copy of the pamphlet prepared pursuant to division 202  
(A) of this section at one of the following times: 203

(i) Upon first contact with the victim, the victim's 204  
family, or the victim's dependents; 205

(ii) If the offense or delinquent act is an offense of 206  
violence, if the circumstances of the offense or delinquent act 207  
and the condition of the victim, the victim's family, or the 208  
victim's dependents indicate that the victim, the victim's 209  
family, or the victim's dependents will not be able to 210  
understand the significance of the pamphlet upon first contact 211  
with the agency, and if the agency anticipates that it will have 212  
an additional contact with the victim, the victim's family, or 213  
the victim's dependents, upon the agency's second contact with 214  
the victim, the victim's family, or the victim's dependents. 215

If the agency does not give the victim, the victim's 216  
family, or the victim's dependents a copy of the pamphlet upon 217  
first contact with them and does not have a second contact with 218  
the victim, the victim's family, or the victim's dependents, the 219  
agency shall mail a copy of the pamphlet to the victim, the 220  
victim's family, or the victim's dependents at their last known 221  
address. 222

(c) In complying on and after December 9, 1994, with the 223



duties imposed by division (B) (1) (a) or (b) of this section, an 224  
official or a law enforcement agency shall use copies of the 225  
pamphlet that are in the official's or agency's possession on 226  
December 9, 1994, until the official or agency has distributed 227  
all of those copies. After the official or agency has 228  
distributed all of those copies, the official or agency shall 229  
use only copies of the pamphlet that contain at least the 230  
information described in divisions (A) (1) to (17) of this 231  
section. 232

(2) The failure of a law enforcement agency or of a 233  
prosecuting attorney, assistant prosecuting attorney, city 234  
director of law, assistant city director of law, village 235  
solicitor, assistant village solicitor, or similar chief legal 236  
officer of a municipal corporation or an assistant to any of 237  
those officers to give, as required by division (B) (1) of this 238  
section, the victim of an offense or delinquent act, the 239  
victim's family, or the victim's dependents a copy of the 240  
pamphlet prepared pursuant to division (A) of this section does 241  
not give the victim, the victim's family, the victim's 242  
dependents, or a victim's representative any rights under 243  
section 2743.51 to 2743.72, 2945.04, 2967.12, 2969.01 to 244  
2969.06, 3109.09, or 3109.10 of the Revised Code or under any 245  
other provision of the Revised Code and does not affect any 246  
right under those sections. 247

(3) A law enforcement agency, a prosecuting attorney or 248  
assistant prosecuting attorney, or a city director of law, 249  
assistant city director of law, village solicitor, assistant 250  
village solicitor, or similar chief legal officer of a municipal 251  
corporation that distributes a copy of the pamphlet prepared 252  
pursuant to division (A) of this section shall not be required 253  
to distribute a copy of an information card or other printed 254

material provided by the clerk of the court of claims pursuant	255
to section 2743.71 of the Revised Code.	256
(C) The cost of printing and distributing the pamphlet	257
prepared pursuant to division (A) of this section shall be paid	258
out of the reparations fund, created pursuant to section	259
2743.191 of the Revised Code, in accordance with division (D) of	260
that section.	261
(D) As used in this section:	262
(1) "Victim's representative" has the same meaning as in	263
section 2930.01 of the Revised Code;	264
(2) "Victim advocate" has the same meaning as in section	265
2919.26 of the Revised Code.	266
<b>Sec. 2151.23.</b> (A) The juvenile court has exclusive	267
original jurisdiction under the Revised Code as follows:	268
(1) Concerning any child who on or about the date	269
specified in the complaint, indictment, or information is	270
alleged to have violated section 2151.87 of the Revised Code or	271
an order issued under that section or to be a juvenile traffic	272
offender or a delinquent, unruly, abused, neglected, or	273
dependent child and, based on and in relation to the allegation	274
pertaining to the child, concerning the parent, guardian, or	275
other person having care of a child who is alleged to be an	276
unruly or delinquent child for being an habitual or chronic	277
truant;	278
(2) Subject to divisions (G), (K), and (V) of section	279
2301.03 of the Revised Code, to determine the custody of any	280
child not a ward of another court of this state;	281
(3) To hear and determine any application for a writ of	282

habeas corpus involving the custody of a child;	283
(4) To exercise the powers and jurisdiction given the	284
probate division of the court of common pleas in Chapter 5122.	285
of the Revised Code, if the court has probable cause to believe	286
that a child otherwise within the jurisdiction of the court is a	287
mentally ill person subject to court order, as defined in	288
section 5122.01 of the Revised Code;	289
(5) To hear and determine all criminal cases charging	290
adults with the violation of any section of this chapter;	291
(6) To hear and determine all criminal cases in which an	292
adult is charged with a violation of division (C) of section	293
2919.21, division (B) (1) of section 2919.22, section 2919.222,	294
division (B) of section 2919.23, or section 2919.24 of the	295
Revised Code, provided the charge is not included in an	296
indictment that also charges the alleged adult offender with the	297
commission of a felony arising out of the same actions that are	298
the basis of the alleged violation of division (C) of section	299
2919.21, division (B) (1) of section 2919.22, section 2919.222,	300
division (B) of section 2919.23, or section 2919.24 of the	301
Revised Code;	302
(7) Under the interstate compact on juveniles in section	303
2151.56 of the Revised Code;	304
(8) Concerning any child who is to be taken into custody	305
pursuant to section 2151.31 of the Revised Code, upon being	306
notified of the intent to take the child into custody and the	307
reasons for taking the child into custody;	308
(9) To hear and determine requests for the extension of	309
temporary custody agreements, and requests for court approval of	310
permanent custody agreements, that are filed pursuant to section	311

5103.15 of the Revised Code;	312
(10) To hear and determine applications for consent to marry pursuant to section 3101.04 of the Revised Code;	313 314
(11) Subject to divisions (G), (K), and (V) of section 2301.03 of the Revised Code, to hear and determine a request for an order for the support of any child if the request is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, or an action for support brought under Chapter 3115. of the Revised Code;	315 316 317 318 319 320 321
(12) Concerning an action commenced under section 121.38 of the Revised Code;	322 323
(13) To hear and determine violations of section 3321.38 of the Revised Code;	324 325
(14) To exercise jurisdiction and authority over the parent, guardian, or other person having care of a child alleged to be a delinquent child, unruly child, or juvenile traffic offender, based on and in relation to the allegation pertaining to the child;	326 327 328 329 330
(15) To conduct the hearings, and to make the determinations, adjudications, and orders authorized or required under sections 2152.82 to 2152.86 and Chapter 2950. of the Revised Code regarding a child who has been adjudicated a delinquent child and to refer the duties conferred upon the juvenile court judge under sections 2152.82 to 2152.86 and Chapter 2950. of the Revised Code to magistrates appointed by the juvenile court judge in accordance with Juvenile Rule 40;	331 332 333 334 335 336 337 338
(16) To hear and determine a petition for a protection order against a child under section 2151.34 <del>or</del> , <u>3113.31, or</u>	339 340

3113.311 of the Revised Code and to enforce a protection order 341  
issued or a consent agreement approved under ~~either section~~ any 342  
of these sections against a child until a date certain but not 343  
later than the date the child attains nineteen years of age. 344

(B) Except as provided in divisions (G) and (I) of section 345  
2301.03 of the Revised Code, the juvenile court has original 346  
jurisdiction under the Revised Code: 347

(1) To hear and determine all cases of misdemeanors 348  
charging adults with any act or omission with respect to any 349  
child, which act or omission is a violation of any state law or 350  
any municipal ordinance; 351

(2) To determine the paternity of any child alleged to 352  
have been born out of wedlock pursuant to sections 3111.01 to 353  
3111.18 of the Revised Code; 354

(3) Under the uniform interstate family support act in 355  
Chapter 3115. of the Revised Code; 356

(4) To hear and determine an application for an order for 357  
the support of any child, if the child is not a ward of another 358  
court of this state; 359

(5) To hear and determine an action commenced under 360  
section 3111.28 of the Revised Code; 361

(6) To hear and determine a motion filed under section 362  
3119.961 of the Revised Code; 363

(7) To receive filings under section 3109.74 of the 364  
Revised Code, and to hear and determine actions arising under 365  
sections 3109.51 to 3109.80 of the Revised Code. 366

(8) To enforce an order for the return of a child made 367  
under the Hague Convention on the Civil Aspects of International 368

Child Abduction pursuant to section 3127.32 of the Revised Code; 369

(9) To grant any relief normally available under the laws 370  
of this state to enforce a child custody determination made by a 371  
court of another state and registered in accordance with section 372  
3127.35 of the Revised Code. 373

(C) The juvenile court, except as to juvenile courts that 374  
are a separate division of the court of common pleas or a 375  
separate and independent juvenile court, has jurisdiction to 376  
hear, determine, and make a record of any action for divorce or 377  
legal separation that involves the custody or care of children 378  
and that is filed in the court of common pleas and certified by 379  
the court of common pleas with all the papers filed in the 380  
action to the juvenile court for trial, provided that no 381  
certification of that nature shall be made to any juvenile court 382  
unless the consent of the juvenile judge first is obtained. 383  
After a certification of that nature is made and consent is 384  
obtained, the juvenile court shall proceed as if the action 385  
originally had been begun in that court, except as to awards for 386  
spousal support or support due and unpaid at the time of 387  
certification, over which the juvenile court has no 388  
jurisdiction. 389

(D) The juvenile court, except as provided in divisions 390  
(G) and (I) of section 2301.03 of the Revised Code, has 391  
jurisdiction to hear and determine all matters as to custody and 392  
support of children duly certified by the court of common pleas 393  
to the juvenile court after a divorce decree has been granted, 394  
including jurisdiction to modify the judgment and decree of the 395  
court of common pleas as the same relate to the custody and 396  
support of children. 397

(E) The juvenile court, except as provided in divisions 398

(G) and (I) of section 2301.03 of the Revised Code, has 399  
jurisdiction to hear and determine the case of any child 400  
certified to the court by any court of competent jurisdiction if 401  
the child comes within the jurisdiction of the juvenile court as 402  
defined by this section. 403

(F) (1) The juvenile court shall exercise its jurisdiction 404  
in child custody matters in accordance with sections 3109.04 and 405  
3127.01 to 3127.53 of the Revised Code and, as applicable, 406  
sections 5103.20 to 5103.22 or 5103.23 to 5103.237 of the 407  
Revised Code. 408

(2) The juvenile court shall exercise its jurisdiction in 409  
child support matters in accordance with section 3109.05 of the 410  
Revised Code. 411

(G) Any juvenile court that makes or modifies an order for 412  
child support shall comply with Chapters 3119., 3121., 3123., 413  
and 3125. of the Revised Code. If any person required to pay 414  
child support under an order made by a juvenile court on or 415  
after April 15, 1985, or modified on or after December 1, 1986, 416  
is found in contempt of court for failure to make support 417  
payments under the order, the court that makes the finding, in 418  
addition to any other penalty or remedy imposed, shall assess 419  
all court costs arising out of the contempt proceeding against 420  
the person and require the person to pay any reasonable 421  
attorney's fees of any adverse party, as determined by the 422  
court, that arose in relation to the act of contempt. 423

(H) If a child who is charged with an act that would be an 424  
offense if committed by an adult was fourteen years of age or 425  
older and under eighteen years of age at the time of the alleged 426  
act and if the case is transferred for criminal prosecution 427  
pursuant to section 2152.12 of the Revised Code, except as 428

provided in section 2152.121 of the Revised Code, the juvenile 429  
court does not have jurisdiction to hear or determine the case 430  
subsequent to the transfer. The court to which the case is 431  
transferred for criminal prosecution pursuant to that section 432  
has jurisdiction subsequent to the transfer to hear and 433  
determine the case in the same manner as if the case originally 434  
had been commenced in that court, subject to section 2152.121 of 435  
the Revised Code, including, but not limited to, jurisdiction to 436  
accept a plea of guilty or another plea authorized by Criminal 437  
Rule 11 or another section of the Revised Code and jurisdiction 438  
to accept a verdict and to enter a judgment of conviction 439  
pursuant to the Rules of Criminal Procedure against the child 440  
for the commission of the offense that was the basis of the 441  
transfer of the case for criminal prosecution, whether the 442  
conviction is for the same degree or a lesser degree of the 443  
offense charged, for the commission of a lesser-included 444  
offense, or for the commission of another offense that is 445  
different from the offense charged. 446

(I) If a person under eighteen years of age allegedly 447  
commits an act that would be a felony if committed by an adult 448  
and if the person is not taken into custody or apprehended for 449  
that act until after the person attains twenty-one years of age, 450  
the juvenile court does not have jurisdiction to hear or 451  
determine any portion of the case charging the person with 452  
committing that act. In those circumstances, divisions (A) and 453  
(B) of section 2152.12 of the Revised Code do not apply 454  
regarding the act, and the case charging the person with 455  
committing the act shall be a criminal prosecution commenced and 456  
heard in the appropriate court having jurisdiction of the 457  
offense as if the person had been eighteen years of age or older 458  
when the person committed the act. All proceedings pertaining to 459



the act shall be within the jurisdiction of the court having 460  
jurisdiction of the offense, and that court has all the 461  
authority and duties in the case that it has in other criminal 462  
cases in that court. 463

(J) In exercising its exclusive original jurisdiction 464  
under division (A) (16) of this section with respect to any 465  
proceedings brought under section 2151.34 ~~or, 3113.31, or~~ 466  
3113.311 of the Revised Code in which the respondent is a child, 467  
the juvenile court retains all dispositional powers consistent 468  
with existing rules of juvenile procedure and may also exercise 469  
its discretion to adjudicate proceedings as provided in sections 470  
2151.34 ~~and, 3113.31, and 3113.311~~ of the Revised Code, 471  
including the issuance of protection orders or the approval of 472  
consent agreements under those sections. 473

**Sec. 2919.27.** (A) No person shall recklessly violate the 474  
terms of any of the following: 475

(1) A protection order issued or consent agreement 476  
approved pursuant to section 2919.26 ~~or, 3113.31, or 3113.311~~ 477  
of the Revised Code; 478

(2) A protection order issued pursuant to section 2151.34, 479  
2903.213, or 2903.214 of the Revised Code; 480

(3) A protection order issued by a court of another state. 481

(B) (1) Whoever violates this section is guilty of 482  
violating a protection order. 483

(2) Except as otherwise provided in division (B) (3) or (4) 484  
of this section, violating a protection order is a misdemeanor 485  
of the first degree. 486

(3) ~~If~~ Violating a protection order is a felony of the 487

fifth degree if the offender previously has been convicted of, 488  
pleaded guilty to, or been adjudicated a delinquent child for 489  
any of the following: 490

(a) A violation of a protection order or consent agreement 491  
issued pursuant to section 2151.34, 2903.213, ~~or~~ 2903.214, or 492  
3113.31 of the Revised Code, ~~two~~; 493

(b) Two or more violations of section 2903.21, 2903.211, 494  
2903.22, or 2911.211 of the Revised Code, or any combination of 495  
those offenses, that involved the same person who is the subject 496  
of the protection order or consent agreement, ~~or one~~; 497

(c) One or more violations of this section, ~~violating a~~ 498  
~~protection order is a felony of the fifth degree.~~ 499

(4) If the offender violates a protection order or consent 500  
agreement while committing a felony offense, violating a 501  
protection order is a felony of the third degree. 502

(5) If the protection order violated by the offender was 503  
an order issued pursuant to section 2151.34 or 2903.214 of the 504  
Revised Code that required electronic monitoring of the offender 505  
pursuant to that section, the court may require in addition to 506  
any other sentence imposed upon the offender that the offender 507  
be electronically monitored for a period not exceeding five 508  
years by a law enforcement agency designated by the court. If 509  
the court requires under this division that the offender be 510  
electronically monitored, unless the court determines that the 511  
offender is indigent, the court shall order that the offender 512  
pay the costs of the installation of the electronic monitoring 513  
device and the cost of monitoring the electronic monitoring 514  
device. If the court determines that the offender is indigent 515  
and subject to the maximum amount allowable and the rules 516

promulgated by the attorney general under section 2903.214 of 517  
the Revised Code, the costs of the installation of the 518  
electronic monitoring device and the cost of monitoring the 519  
electronic monitoring device may be paid out of funds from the 520  
reparations fund created pursuant to section 2743.191 of the 521  
Revised Code. The total amount paid from the reparations fund 522  
created pursuant to section 2743.191 of the Revised Code for 523  
electronic monitoring under this section and sections 2151.34 524  
and 2903.214 of the Revised Code shall not exceed three hundred 525  
thousand dollars per year. 526

(C) It is an affirmative defense to a charge under 527  
division (A) (3) of this section that the protection order issued 528  
by a court of another state does not comply with the 529  
requirements specified in 18 U.S.C. 2265(b) for a protection 530  
order that must be accorded full faith and credit by a court of 531  
this state or that it is not entitled to full faith and credit 532  
under 18 U.S.C. 2265(c). 533

(D) In a prosecution for a violation of this section, it 534  
is not necessary for the prosecution to prove that the 535  
protection order or consent agreement was served on the 536  
defendant if the prosecution proves that the defendant was shown 537  
the protection order or consent agreement or a copy of either or 538  
a judge or law enforcement officer informed the defendant that a 539  
protection order or consent agreement had been issued, and 540  
proves that the defendant recklessly violated the terms of the 541  
order or agreement. 542

(E) As used in this section, "protection order issued by a 543  
court of another state" means an injunction or another order 544  
issued by a criminal court of another state for the purpose of 545  
preventing violent or threatening acts or harassment against, 546

contact or communication with, or physical proximity to another 547  
person, including a temporary order, and means an injunction or 548  
order of that nature issued by a civil court of another state, 549  
including a temporary order and a final order issued in an 550  
independent action or as a pendente lite order in a proceeding 551  
for other relief, if the court issued it in response to a 552  
complaint, petition, or motion filed by or on behalf of a person 553  
seeking protection. "Protection order issued by a court of 554  
another state" does not include an order for support or for 555  
custody of a child issued pursuant to the divorce and child 556  
custody laws of another state, except to the extent that the 557  
order for support or for custody of a child is entitled to full 558  
faith and credit under the laws of the United States. 559

Sec. 3113.311. (A) As used in this section: 560

(1) "Dating violence" means the occurrence of one or more 561  
of the following acts against a petitioner alleging dating 562  
violence: 563

(a) Attempting to cause or recklessly causing bodily 564  
injury; 565

(b) Placing the petitioner alleging dating violence by the 566  
threat of force in fear of imminent serious physical harm or 567  
committing a violation of section 2903.211 or 2911.211 of the 568  
Revised Code; 569

(c) Committing a sexually oriented offense. 570

(2) "Court" means the domestic relations division of the 571  
court of common pleas in counties that have a domestic relations 572  
division and the court of common pleas in counties that do not 573  
have a domestic relations division, or the juvenile division of 574  
the court of common pleas of the county in which the person to 575

be protected by a protection order issued or a consent agreement 576  
approved under this section resides if the respondent is less 577  
than eighteen years of age. 578

(3) (a) "Petitioner alleging dating violence" or "person 579  
alleging dating violence" means a person who has or has had a 580  
dating relationship with the respondent within the twelve months 581  
preceding the date of the conduct in question that constitutes 582  
the alleged dating violence. "Petitioner alleging dating 583  
violence" or "person alleging dating violence" does not include, 584  
with respect to a specified respondent, another person who has 585  
only a casual relationship with the specified respondent or 586  
another person who has engaged solely in ordinary fraternization 587  
in a business or social context with the specified respondent. 588

(b) The existence of a dating relationship between two 589  
persons shall be determined based on a consideration of either 590  
of the following factors: 591

(i) The nature of the relationship must have been 592  
characterized by the expectation of affection between the two 593  
persons. 594

(ii) The frequency and type of interaction between the two 595  
persons involved in the relationship must have included that the 596  
persons have been involved over time and on a continuous basis 597  
during the course of the relationship. 598

(4) "Victim advocate" means a person who provides support 599  
and assistance for a person who files a petition under this 600  
section. 601

(5) "Sexually oriented offense" has the same meaning as in 602  
section 2950.01 of the Revised Code. 603

(6) "Companion animal" has the same meaning as in section 604

959.131 of the Revised Code. 605

(B) The court has jurisdiction over all proceedings under this section. 606  
607

(C) A petitioner alleging dating violence may seek relief under this section on the person's own behalf, or any parent or adult household member of a person alleging dating violence may seek relief under this section on behalf of that person, by filing a petition with the court. The petition shall contain or state: 608  
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(1) An allegation that the respondent engaged in dating violence against the petitioner alleging dating violence, including a description of the nature and extent of the dating violence; 614  
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(2) The relationship of the respondent to the petitioner alleging dating violence and to the person alleging dating violence if other than the petitioner filing the petition; 618  
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(3) A request for relief under this section. 621

(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) of this section, that the court finds necessary to protect the petitioner alleging dating violence from any dating violence. Immediate and present danger of dating violence to the petitioner alleging dating violence constitutes good cause for purposes of this section. Immediate and present danger includes, but is not limited to, situations in which the respondent has 622  
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threatened the petitioner alleging dating violence with bodily 634  
harm, in which the respondent has threatened that petitioner 635  
with a sexually oriented offense, or in which the respondent 636  
previously has been convicted of, pleaded guilty to, or been 637  
adjudicated a delinquent child for an offense that constitutes 638  
dating violence against the petitioner alleging dating violence. 639

(2) (a) If the court, after an ex parte hearing, issues any 640  
protection order that is authorized under division (E) of this 641  
section, the court shall schedule a full hearing for a date that 642  
is within ten court days after the ex parte hearing. The court 643  
shall give the respondent notice of, and an opportunity to be 644  
heard at, the full hearing. The court shall hold the full 645  
hearing on the date scheduled under this division unless the 646  
court grants a continuance of the hearing in accordance with 647  
this division. Under any of the following circumstances or for 648  
any of the following reasons, the court may grant a continuance 649  
of the full hearing to a reasonable time determined by the 650  
court: 651

(i) Prior to the date scheduled for the full hearing under 652  
this division, the respondent has not been served with the 653  
petition filed pursuant to this section and notice of the full 654  
hearing. 655

(ii) The parties consent to the continuance. 656

(iii) The continuance is needed to allow a party to obtain 657  
counsel. 658

(iv) The continuance is needed for other good cause. 659

(b) An ex parte order issued under this section does not 660  
expire because of a failure to serve notice of the full hearing 661  
upon the respondent before the date set for the full hearing 662

under division (D) (2) (a) of this section or because the court 663  
grants a continuance under that division. 664

(3) If a person who files a petition pursuant to this 665  
section does not request an ex parte order, or if a person 666  
requests an ex parte order but the court does not issue an ex 667  
parte order after an ex parte hearing, the court shall proceed 668  
as in a normal civil action and grant a full hearing on the 669  
matter. 670

(E) (1) After an ex parte or full hearing, the court may 671  
grant any protection order, with or without bond, or approve any 672  
consent agreement to bring about a cessation of dating violence 673  
against the petitioner alleging dating violence. The order or 674  
agreement may: 675

(a) Direct the respondent to refrain from abusing or from 676  
committing sexually oriented offenses against the petitioner 677  
alleging dating violence; 678

(b) Require the respondent, the petitioner alleging dating 679  
violence, the petitioner filing the petition if other than the 680  
person alleging dating violence, or any combination of those 681  
persons, to seek counseling; 682

(c) Require the respondent to refrain from entering the 683  
residence, school, business, or place of employment of the 684  
petitioner alleging dating violence or the petitioner filing the 685  
petition if other than the person alleging dating violence; 686

(d) Require that the respondent not remove, damage, hide, 687  
harm, or dispose of any companion animal owned or possessed by 688  
the petitioner alleging dating violence; 689

(e) Authorize the petitioner alleging dating violence to 690  
remove a companion animal owned by that petitioner from the 691



possession of the respondent; 692

(f) Grant other relief that the court considers equitable 693  
and fair. 694

(2) If a protection order has been issued pursuant to this 695  
section in a prior action involving the respondent and the 696  
petitioner alleging dating violence or the petitioner filing the 697  
petition if other than the person alleging dating violence, the 698  
court may include in a protection order that it issues a 699  
prohibition against the respondent returning to the residence, 700  
school, business, or place of employment. 701

(3) (a) Any protection order issued or consent agreement 702  
approved under this section shall be valid until a date certain, 703  
but not later than five years from the date of its issuance or 704  
approval, or not later than the date a respondent who is less 705  
than eighteen years of age attains nineteen years of age, unless 706  
modified or terminated as provided in division (E) (6) of this 707  
section. 708

(b) Any protection order issued or consent agreement 709  
approved pursuant to this section may be renewed in the same 710  
manner as the original order or agreement was issued or 711  
approved. 712

(4) A court may not issue a protection order that requires 713  
a petitioner alleging dating violence to do or to refrain from 714  
doing an act that the court may require a respondent to do or to 715  
refrain from doing under division (E) (1) (a), (c), (d), (e), or 716  
(f) of this section unless all of the following apply: 717

(a) The respondent files a separate petition for a 718  
protection order in accordance with this section. 719

(b) The petitioner is served notice of the respondent's 720

petition at least forty-eight hours before the court holds a 721  
hearing with respect to the respondent's petition, or the 722  
petitioner waives the right to receive this notice. 723

(c) If the petitioner has requested an ex parte order 724  
pursuant to division (D) of this section, the court does not 725  
delay any hearing required by that division beyond the time 726  
specified in that division in order to consolidate the hearing 727  
with a hearing on the petition filed by the respondent. 728

(d) After a full hearing at which the respondent presents 729  
evidence in support of the request for a protection order and 730  
the petitioner is afforded an opportunity to defend against that 731  
evidence, the court determines that the petitioner has committed 732  
an act of dating violence, that both the petitioner and the 733  
respondent acted primarily as aggressors, and that neither the 734  
petitioner nor the respondent acted primarily in self-defense. 735

(5) (a) If a protection order issued or consent agreement 736  
approved under this section includes a requirement that the 737  
respondent refrain from entering the residence, school, 738  
business, or place of employment of the petitioner alleging 739  
dating violence or the petitioner filing the petition if other 740  
than the person alleging dating violence, the order or agreement 741  
shall state clearly that the order or agreement cannot be waived 742  
or nullified by an invitation to the respondent from the 743  
petitioner alleging dating violence or the petitioner filing the 744  
petition to enter the residence, school, business, or place of 745  
employment or by the respondent's entry into one of those places 746  
otherwise upon the consent of the applicable petitioner. 747

(b) Division (E) (5) (a) of this section does not limit any 748  
discretion of a court to determine that a respondent charged 749  
with contempt of court, which charge is based on an alleged 750

violation of a protection order issued or consent agreement 751  
approved under this section, did not commit the violation or was 752  
not in contempt of court. 753

(6) (a) The court may modify or terminate as provided in 754  
division (E) (6) of this section a protection order or consent 755  
agreement that was issued after a full hearing under this 756  
section. The court that issued the protection order or approved 757  
the consent agreement shall hear a motion for modification or 758  
termination of the protection order or consent agreement 759  
pursuant to division (E) (6) of this section. 760

(b) Either the petitioner alleging dating violence or the 761  
respondent of the original protection order or consent agreement 762  
may bring a motion for modification or termination of a 763  
protection order or consent agreement that was issued or 764  
approved after a full hearing. The court shall require notice of 765  
the motion to be made as provided by the Rules of Civil 766  
Procedure. If that petitioner for the original protection order 767  
or consent agreement has requested that the petitioner's address 768  
be kept confidential, the court shall not disclose the address 769  
to the respondent of the original protection order or consent 770  
agreement or any other person, except as otherwise required by 771  
law. The moving party has the burden of proof to show, by a 772  
preponderance of the evidence, that modification or termination 773  
of the protection order or consent agreement is appropriate 774  
because either the protection order or consent agreement is no 775  
longer needed or because the terms of the original protection 776  
order or consent agreement are no longer appropriate. 777

(c) In considering whether to modify or terminate a 778  
protection order or consent agreement issued or approved under 779  
this section, the court shall consider all relevant factors, 780

<u>including, but not limited to, the following:</u>	781
<u>(i) Whether the petitioner consents to modification or</u>	782
<u>termination of the protection order or consent agreement;</u>	783
<u>(ii) Whether the petitioner fears the respondent;</u>	784
<u>(iii) The current nature of the relationship between the</u>	785
<u>petitioner and the respondent;</u>	786
<u>(iv) The circumstances of the petitioner and respondent,</u>	787
<u>including the relative proximity of the petitioner's and</u>	788
<u>respondent's workplaces and residences;</u>	789
<u>(v) Whether the respondent has complied with the terms and</u>	790
<u>conditions of the original protection order or consent</u>	791
<u>agreement;</u>	792
<u>(vi) Whether the respondent has a continuing involvement</u>	793
<u>with illegal drugs or alcohol;</u>	794
<u>(vii) Whether the respondent has been convicted of,</u>	795
<u>pleaded guilty to, or been adjudicated a delinquent child for an</u>	796
<u>offense of violence since the issuance of the protection order</u>	797
<u>or approval of the consent agreement;</u>	798
<u>(viii) Whether any other protection orders, consent</u>	799
<u>agreements, restraining orders, or no contact orders have been</u>	800
<u>issued against the respondent pursuant to this section, section</u>	801
<u>2919.26 or 3113.31 of the Revised Code, any other provision of</u>	802
<u>state law, or the law of any other state;</u>	803
<u>(ix) Whether the respondent has participated in any dating</u>	804
<u>violence treatment, intervention program, or other counseling</u>	805
<u>addressing dating violence and whether the respondent has</u>	806
<u>completed the treatment, program, or counseling;</u>	807

(x) The time that has elapsed since the protection order 808  
was issued or since the consent agreement was approved; 809

(xi) The age and health of the respondent; 810

(xii) When the last incident of abuse, threat of harm, or 811  
commission of a sexually oriented offense occurred or other 812  
relevant information concerning the safety and protection of the 813  
petitioner alleging dating violence, or the petitioner filing 814  
the petition if other than the person alleging dating violence. 815

(d) If a protection order or consent agreement is modified 816  
or terminated as provided in division (E) (6) of this section, 817  
the court shall issue copies of the modified or terminated order 818  
or agreement as provided in division (F) of this section. A 819  
petitioner may also provide notice of the modification or 820  
termination to the judicial and law enforcement officials in any 821  
county other than the county in which the order or agreement is 822  
modified or terminated as provided in division (L) of this 823  
section. 824

(e) If the respondent moves for modification or 825  
termination of a protection order or consent agreement pursuant 826  
to this section and the court denies the motion, the court may 827  
assess costs against the respondent for the filing of the 828  
motion. 829

(7) Any protection order issued or any consent agreement 830  
approved pursuant to this section shall include a provision that 831  
the court will automatically seal all of the records of the 832  
proceeding in which the order is issued or agreement approved on 833  
the date the respondent attains the age of nineteen years unless 834  
the petitioner provides the court with evidence that the 835  
respondent has not complied with all of the terms of the 836

protection order or consent agreement. The protection order or 837  
consent agreement shall specify the date when the respondent 838  
attains the age of nineteen years. 839

(F)(1) A copy of any protection order, or consent 840  
agreement, that is issued, approved, modified, or terminated 841  
under this section shall be issued by the court to the 842  
petitioner, to the respondent, and to all law enforcement 843  
agencies that have jurisdiction to enforce the order or 844  
agreement. The court shall direct that a copy of an order be 845  
delivered to the respondent on the same day that the order is 846  
entered. 847

(2) Upon the issuance of a protection order or the 848  
approval of a consent agreement under this section, the court 849  
shall provide the parties to the order or agreement with the 850  
following notice orally or by form: 851

"NOTICE 852

As a result of this order or consent agreement, it may be 853  
unlawful for you to possess or purchase a firearm, including a 854  
rifle, pistol, or revolver, or ammunition pursuant to federal 855  
law under 18 U.S.C. 922(q)(8). If you have any questions whether 856  
this law makes it illegal for you to possess or purchase a 857  
firearm or ammunition, you should consult an attorney." 858

(3) All law enforcement agencies shall establish and 859  
maintain an index for the protection orders and the approved 860  
consent agreements delivered to the agencies pursuant to 861  
division (F)(1) of this section. With respect to each order and 862  
consent agreement delivered, each agency shall note on the index 863  
the date and time that it received the order or consent 864  
agreement. 865

(4) Regardless of whether the petitioner has registered 866  
the order or agreement in the county in which the officer's 867  
agency has jurisdiction pursuant to division (L) of this 868  
section, any officer of a law enforcement agency shall enforce a 869  
protection order issued or consent agreement approved by any 870  
court in this state in accordance with the provisions of the 871  
order or agreement, including removing the respondent from the 872  
premises, if appropriate. 873

(G) Any proceeding under this section shall be conducted 874  
in accordance with the Rules of Civil Procedure, except that an 875  
order under this section may be obtained with or without bond. 876  
An order issued under this section, other than an ex parte 877  
order, that grants a protection order or approves a consent 878  
agreement, that refuses to grant a protection order or approve a 879  
consent agreement that modifies or terminates a protection order 880  
or consent agreement, or that refuses to modify or terminate a 881  
protection order or consent agreement, is a final, appealable 882  
order. The remedies and procedures provided in this section are 883  
in addition to, and not in lieu of, any other available civil or 884  
criminal remedies. 885

(H) Any law enforcement agency that investigates a dispute 886  
involving persons in a dating relationship shall provide 887  
information to the potential petitioner alleging dating violence 888  
involved regarding the relief available under this section. 889

(I) (1) Subject to divisions (E) (6) (e) and (I) (2) of this 890  
section and regardless of whether a protection order is issued 891  
or a consent agreement is approved by a court of another county 892  
or a court of another state, no court or unit of state or local 893  
government shall charge the petitioner any fee, cost, deposit, 894  
or money in connection with the filing of a petition pursuant to 895

this section or in connection with the filing, issuance, 896  
registration, modification, enforcement, dismissal, withdrawal, 897  
or service of a protection order, consent agreement, or witness 898  
subpoena or for obtaining a certified copy of a protection order 899  
or consent agreement. 900

(2) Regardless of whether a protection order is issued or 901  
a consent agreement is approved pursuant to this section, the 902  
court may assess costs against the respondent in connection with 903  
the filing, issuance, registration, modification, enforcement, 904  
dismissal, withdrawal, or service of a protection order, consent 905  
agreement, or witness subpoena or for obtaining a certified copy 906  
of a protection order or consent agreement. 907

(J) A person who violates a protection order issued or a 908  
consent agreement approved under this section is guilty of a 909  
violation of section 2919.27 of the Revised Code. 910

(K) In all stages of a proceeding under this section, a 911  
petitioner may be accompanied by a victim advocate. 912

(L) (1) A petitioner who obtains a protection order or 913  
consent agreement under this section may provide notice of the 914  
issuance or approval of the order or agreement to the judicial 915  
and law enforcement officials in any county other than the 916  
county in which the order is issued or the agreement is approved 917  
by registering that order or agreement in the other county 918  
pursuant to division (L) (2) of this section and filing a copy of 919  
the registered order or registered agreement with a law 920  
enforcement agency in the other county in accordance with that 921  
division. A person who obtains a protection order issued by a 922  
court of another state may provide notice of the issuance of the 923  
order to the judicial and law enforcement officials in any 924  
county of this state by registering the order in that county 925



pursuant to section 2919.272 of the Revised Code and filing a 926  
copy of the registered order with a law enforcement agency in 927  
that county. 928

(2) A petitioner may register a temporary protection 929  
order, protection order, or consent agreement in a county other 930  
than the county in which the court that issued the order or 931  
approved the agreement is located in the following manner: 932

(a) The petitioner shall obtain a certified copy of the 933  
order or agreement from the clerk of the court that issued the 934  
order or approved the agreement and present that certified copy 935  
to the clerk of the court of common pleas or the clerk of a 936  
municipal court or county court in the county in which the order 937  
or agreement is to be registered. 938

(b) Upon accepting the certified copy of the order or 939  
agreement for registration, the clerk of the court of common 940  
pleas, municipal court, or county court shall place an 941  
endorsement of registration on the order or agreement and give 942  
the petitioner a copy of the order or agreement that bears that 943  
proof of registration. 944

(3) The clerk of each court of common pleas, the clerk of 945  
each municipal court, and the clerk of each county court shall 946  
maintain a registry of certified copies of temporary protection 947  
orders, protection orders, or consent agreements that have been 948  
issued or approved by courts in other counties and that have 949  
been registered with the clerk. 950

**Sec. 3113.33.** As used in sections 3113.33 to 3113.40 of 951  
the Revised Code: 952

(A) "Domestic violence" means attempting to cause or 953  
causing bodily injury to a family or household member, or 954

placing a family or household member by threat of force in fear 955  
of imminent physical harm. "Domestic violence" includes dating 956  
violence. 957

(B) "Family or household member" means any of the 958  
following: 959

(1) Any of the following who is residing or has resided 960  
with the person committing the domestic violence: 961

(a) A spouse, a person living as a spouse, or a former 962  
spouse of the person committing the domestic violence; 963

(b) A parent, foster parent, or child of the person 964  
committing the domestic violence, or another person related by 965  
consanguinity or affinity to the person committing the domestic 966  
violence; 967

(c) A parent or a child of a spouse, person living as a 968  
spouse, or former spouse of the person committing the domestic 969  
violence, or another person related by consanguinity or affinity 970  
to a spouse, person living as a spouse, or former spouse of the 971  
person committing the domestic violence; 972

(d) The dependents of any person listed in division (B) (1) 973  
(a), (b), or (c) of this section. 974

(2) The natural parent of any child of whom the person 975  
committing the domestic violence is the other natural parent or 976  
is the putative other natural parent; 977

(3) A person in a dating relationship with the person 978  
committing the dating violence and who is the victim of that 979  
dating violence. 980

(C) "Shelter for victims of domestic violence" or 981  
"shelter" means a facility that provides temporary residential 982

service or facilities to family or household members who are 983  
victims of domestic violence. 984

(D) "Person living as a spouse" means a person who is 985  
living or has lived with the person committing the domestic 986  
violence in a common law marital relationship, who otherwise is 987  
cohabiting with the person committing the domestic violence, or 988  
who otherwise has cohabited with the person committing the 989  
domestic violence within five years prior to the date of the 990  
alleged occurrence of the act in question. 991

(E) "Dating violence" has the same meaning as in section 992  
3113.311 of the Revised Code. 993

**Section 2.** That existing sections 109.42, 2151.23, 994  
2919.27, and 3113.33 of the Revised Code are hereby repealed. 995

**Section 3.** The amendments made by this act to division (D) 996  
of section 2919.27 of the Revised Code are intended to supersede 997  
the holding of the Ohio Supreme Court in *State v. Smith* (2013), 998  
136 Ohio St.3d 1, so that unperfected service of a protection 999  
order or consent agreement does not preclude a prosecution for a 1000  
violation of division (A) of that section. 1001