

**As Reported by the House Criminal Justice Committee**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. S. B. No. 16**

**Senator Schaffer**

**Cosponsors: Senators Brenner, Cirino, Manning, Antonio, Blessing, Dolan, Gavarone, Hackett, Hoagland, Huffman, S., Johnson, Kunze, Lang, McColley, O'Brien, Peterson, Reineke, Roegner, Romanchuk, Rulli, Schuring, Thomas, Wilson, Yuko**

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**A BILL**

To amend sections 109.71, 109.73, 109.75, 109.79, 1  
109.801, 307.93, 309.10, 2152.75, 2901.10, 2  
2901.13, 2903.13, 2903.22, 2907.01, 2907.07, 3  
2907.08, 2950.01, 2950.99, 2951.02, 2967.131, 4  
3761.16, and 5502.522; to enact sections 5  
109.772, 109.773, 2917.14, 2950.035, and 6  
5502.411; and to repeal section 309.16 of the 7  
Revised Code regarding assault or menacing 8  
committed or directed against, and targeting, an 9  
emergency service responder, family member, or 10  
co-worker; the offense of unlawfully impeding 11  
public passage of an emergency service 12  
responder; prohibiting certain sex offenders and 13  
child-victim offenders from engaging in a 14  
specified volunteer capacity involving direct 15  
work with, or supervision or disciplinary power 16  
over, minors; changes to the offense of 17  
voyeurism; firearms qualification for county 18  
correctional officers; the specification that 19  
there is no period of limitations for 20  
prosecution of a conspiracy or attempt to 21

commit, or complicity in committing, aggravated 22  
murder or murder; a political subdivision's 23  
emergency powers when suppressing a riot, mob, 24  
or potential riot or mob; the preservation of 25  
rights regarding deadly weapons and firearms 26  
during an emergency; the penalties for the 27  
offense of importuning; additions to the 28  
Statewide Emergency Alert Program; the 29  
requirement that county prosecutors annually 30  
report all case resolutions to the board of 31  
county commissioners and all fire-related case 32  
resolutions to the State Fire Marshal; and the 33  
removal of ankle and leg restraints from those 34  
prohibited for use on a pregnant charged or 35  
convicted criminal offender or a pregnant 36  
charged or convicted delinquent child, and the 37  
lowering of the required threat level for this 38  
use of restraints. 39

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

**Section 1.** That sections 109.71, 109.73, 109.75, 109.79, 40  
109.801, 307.93, 309.10, 2152.75, 2901.10, 2901.13, 2903.13, 41  
2903.22, 2907.01, 2907.07, 2907.08, 2950.01, 2950.99, 2951.02, 42  
2967.131, 3761.16, and 5502.522 be amended and sections 109.772, 43  
109.773, 2917.14, 2950.035, and 5502.411 of the Revised Code be 44  
enacted to read as follows: 45

**Sec. 109.71.** There is hereby created in the office of the 46  
attorney general the Ohio peace officer training commission. The 47  
commission shall consist of ten members appointed by the 48

governor with the advice and consent of the senate and selected 49  
as follows: one member representing the public; one member who 50  
represents a fraternal organization representing law enforcement 51  
officers; two members who are incumbent sheriffs; two members 52  
who are incumbent chiefs of police; one member from the bureau 53  
of criminal identification and investigation; one member from 54  
the state highway patrol; one member who is the special agent in 55  
charge of a field office of the federal bureau of investigation 56  
in this state; and one member from the department of education, 57  
trade and industrial education services, law enforcement 58  
training. 59

This section does not confer any arrest authority or any 60  
ability or authority to detain a person, write or issue any 61  
citation, or provide any disposition alternative, as granted 62  
under Chapter 2935. of the Revised Code. 63

Pursuant to division (A) (9) of section 101.82 of the 64  
Revised Code, the commission is exempt from the requirements of 65  
sections 101.82 to 101.87 of the Revised Code. 66

As used in sections 109.71 to 109.801 of the Revised Code: 67

(A) "Peace officer" means: 68

(1) A deputy sheriff, marshal, deputy marshal, member of 69  
the organized police department of a township or municipal 70  
corporation, member of a township police district or joint 71  
police district police force, member of a police force employed 72  
by a metropolitan housing authority under division (D) of 73  
section 3735.31 of the Revised Code, or township constable, who 74  
is commissioned and employed as a peace officer by a political 75  
subdivision of this state or by a metropolitan housing 76  
authority, and whose primary duties are to preserve the peace, 77

to protect life and property, and to enforce the laws of this	78
state, ordinances of a municipal corporation, resolutions of a	79
township, or regulations of a board of county commissioners or	80
board of township trustees, or any of those laws, ordinances,	81
resolutions, or regulations;	82
(2) A police officer who is employed by a railroad company	83
and appointed and commissioned by the secretary of state	84
pursuant to sections 4973.17 to 4973.22 of the Revised Code;	85
(3) Employees of the department of taxation engaged in the	86
enforcement of Chapter 5743. of the Revised Code and designated	87
by the tax commissioner for peace officer training for purposes	88
of the delegation of investigation powers under section 5743.45	89
of the Revised Code;	90
(4) An undercover drug agent;	91
(5) Enforcement agents of the department of public safety	92
whom the director of public safety designates under section	93
5502.14 of the Revised Code;	94
(6) An employee of the department of natural resources who	95
is a natural resources law enforcement staff officer designated	96
pursuant to section 1501.013, a natural resources officer	97
appointed pursuant to section 1501.24, a forest-fire	98
investigator appointed pursuant to section 1503.09, or a	99
wildlife officer designated pursuant to section 1531.13 of the	100
Revised Code;	101
(7) An employee of a park district who is designated	102
pursuant to section 511.232 or 1545.13 of the Revised Code;	103
(8) An employee of a conservancy district who is	104
designated pursuant to section 6101.75 of the Revised Code;	105

(9) A police officer who is employed by a hospital that	106
employs and maintains its own proprietary police department or	107
security department, and who is appointed and commissioned by	108
the secretary of state pursuant to sections 4973.17 to 4973.22	109
of the Revised Code;	110
(10) Veterans' homes police officers designated under	111
section 5907.02 of the Revised Code;	112
(11) A police officer who is employed by a qualified	113
nonprofit corporation police department pursuant to section	114
1702.80 of the Revised Code;	115
(12) A state university law enforcement officer appointed	116
under section 3345.04 of the Revised Code or a person serving as	117
a state university law enforcement officer on a permanent basis	118
on June 19, 1978, who has been awarded a certificate by the	119
executive director of the Ohio peace officer training commission	120
attesting to the person's satisfactory completion of an approved	121
state, county, municipal, or department of natural resources	122
peace officer basic training program;	123
(13) A special police officer employed by the department	124
of mental health and addiction services pursuant to section	125
5119.08 of the Revised Code or the department of developmental	126
disabilities pursuant to section 5123.13 of the Revised Code;	127
(14) A member of a campus police department appointed	128
under section 1713.50 of the Revised Code;	129
(15) A member of a police force employed by a regional	130
transit authority under division (Y) of section 306.35 of the	131
Revised Code;	132
(16) Investigators appointed by the auditor of state	133
pursuant to section 117.091 of the Revised Code and engaged in	134

the enforcement of Chapter 117. of the Revised Code;	135
(17) A special police officer designated by the	136
superintendent of the state highway patrol pursuant to section	137
5503.09 of the Revised Code or a person who was serving as a	138
special police officer pursuant to that section on a permanent	139
basis on October 21, 1997, and who has been awarded a	140
certificate by the executive director of the Ohio peace officer	141
training commission attesting to the person's satisfactory	142
completion of an approved state, county, municipal, or	143
department of natural resources peace officer basic training	144
program;	145
(18) A special police officer employed by a port authority	146
under section 4582.04 or 4582.28 of the Revised Code or a person	147
serving as a special police officer employed by a port authority	148
on a permanent basis on May 17, 2000, who has been awarded a	149
certificate by the executive director of the Ohio peace officer	150
training commission attesting to the person's satisfactory	151
completion of an approved state, county, municipal, or	152
department of natural resources peace officer basic training	153
program;	154
(19) A special police officer employed by a municipal	155
corporation who has been awarded a certificate by the executive	156
director of the Ohio peace officer training commission for	157
satisfactory completion of an approved peace officer basic	158
training program and who is employed on a permanent basis on or	159
after March 19, 2003, at a municipal airport, or other municipal	160
air navigation facility, that has scheduled operations, as	161
defined in section 119.3 of Title 14 of the Code of Federal	162
Regulations, 14 C.F.R. 119.3, as amended, and that is required	163
to be under a security program and is governed by aviation	164

security rules of the transportation security administration of 165  
the United States department of transportation as provided in 166  
Parts 1542. and 1544. of Title 49 of the Code of Federal 167  
Regulations, as amended; 168

(20) A police officer who is employed by an owner or 169  
operator of an amusement park that has an average yearly 170  
attendance in excess of six hundred thousand guests and that 171  
employs and maintains its own proprietary police department or 172  
security department, and who is appointed and commissioned by a 173  
judge of the appropriate municipal court or county court 174  
pursuant to section 4973.17 of the Revised Code; 175

(21) A police officer who is employed by a bank, savings 176  
and loan association, savings bank, credit union, or association 177  
of banks, savings and loan associations, savings banks, or 178  
credit unions, who has been appointed and commissioned by the 179  
secretary of state pursuant to sections 4973.17 to 4973.22 of 180  
the Revised Code, and who has been awarded a certificate by the 181  
executive director of the Ohio peace officer training commission 182  
attesting to the person's satisfactory completion of a state, 183  
county, municipal, or department of natural resources peace 184  
officer basic training program; 185

(22) An investigator, as defined in section 109.541 of the 186  
Revised Code, of the bureau of criminal identification and 187  
investigation who is commissioned by the superintendent of the 188  
bureau as a special agent for the purpose of assisting law 189  
enforcement officers or providing emergency assistance to peace 190  
officers pursuant to authority granted under that section; 191

(23) A state fire marshal law enforcement officer 192  
appointed under section 3737.22 of the Revised Code or a person 193  
serving as a state fire marshal law enforcement officer on a 194

permanent basis on or after July 1, 1982, who has been awarded a 195  
certificate by the executive director of the Ohio peace officer 196  
training commission attesting to the person's satisfactory 197  
completion of an approved state, county, municipal, or 198  
department of natural resources peace officer basic training 199  
program; 200

(24) A gaming agent employed under section 3772.03 of the 201  
Revised Code; 202

(25) An employee of the state board of pharmacy designated 203  
by the executive director of the board pursuant to section 204  
4729.04 of the Revised Code to investigate violations of 205  
Chapters 2925., 3715., 3719., 3796., 4729., and 4752. of the 206  
Revised Code and rules adopted thereunder. 207

(B) "Undercover drug agent" has the same meaning as in 208  
division (B) (2) of section 109.79 of the Revised Code. 209

(C) "Crisis intervention training" means training in the 210  
use of interpersonal and communication skills to most 211  
effectively and sensitively interview victims of rape. 212

(D) "Missing children" has the same meaning as in section 213  
2901.30 of the Revised Code. 214

(E) "Tactical medical professional" means an EMT, EMT- 215  
basic, AEMT, EMT-I, paramedic, nurse, or physician who is 216  
trained and certified in a nationally recognized tactical 217  
medical training program that is equivalent to "tactical combat 218  
casualty care" (TCCC) and "tactical emergency medical support" 219  
(TEMS) and who functions in the tactical or austere environment 220  
while attached to a law enforcement agency of either this state 221  
or a political subdivision of this state. 222

(F) "EMT-basic," "EMT-I," and "paramedic" have the same 223



meanings as in section 4765.01 of the Revised Code and "EMT" and 224  
"AEMT" have the same meanings as in section 4765.011 of the 225  
Revised Code. 226

(G) "Nurse" means any of the following: 227

(1) Any person who is licensed to practice nursing as a 228  
registered nurse by the board of nursing; 229

(2) Any certified nurse practitioner, clinical nurse 230  
specialist, certified registered nurse anesthetist, or certified 231  
nurse-midwife who holds a certificate of authority issued by the 232  
board of nursing under Chapter 4723. of the Revised Code; 233

(3) Any person who is licensed to practice nursing as a 234  
licensed practical nurse by the board of nursing pursuant to 235  
Chapter 4723. of the Revised Code. 236

(H) "Physician" means a person who is licensed pursuant to 237  
Chapter 4731. of the Revised Code to practice medicine and 238  
surgery or osteopathic medicine and surgery. 239

(I) "County correctional officer" has the same meaning as 240  
in section 341.41 of the Revised Code. 241

**Sec. 109.73.** (A) The Ohio peace officer training 242  
commission shall recommend rules to the attorney general with 243  
respect to all of the following: 244

(1) The approval, or revocation of approval, of peace 245  
officer training schools administered by the state, counties, 246  
municipal corporations, public school districts, technical 247  
college districts, and the department of natural resources; 248

(2) Minimum courses of study, attendance requirements, and 249  
equipment and facilities to be required at approved state, 250  
county, municipal, and department of natural resources peace 251

officer training schools;	252
(3) Minimum qualifications for instructors at approved	253
state, county, municipal, and department of natural resources	254
peace officer training schools;	255
(4) The requirements of minimum basic training that peace	256
officers appointed to probationary terms shall complete before	257
being eligible for permanent appointment, which requirements	258
shall include training in the handling of the offense of	259
domestic violence, other types of domestic violence-related	260
offenses and incidents, and protection orders and consent	261
agreements issued or approved under section 2919.26 or 3113.31	262
of the Revised Code; crisis intervention training; and training	263
in the handling of missing children and child abuse and neglect	264
cases; and training in handling violations of section 2905.32 of	265
the Revised Code; and the time within which such basic training	266
shall be completed following appointment to a probationary term;	267
(5) The requirements of minimum basic training that peace	268
officers not appointed for probationary terms but appointed on	269
other than a permanent basis shall complete in order to be	270
eligible for continued employment or permanent appointment,	271
which requirements shall include training in the handling of the	272
offense of domestic violence, other types of domestic violence-	273
related offenses and incidents, and protection orders and	274
consent agreements issued or approved under section 2919.26 or	275
3113.31 of the Revised Code, crisis intervention training, and	276
training in the handling of missing children and child abuse and	277
neglect cases, and training in handling violations of section	278
2905.32 of the Revised Code, and the time within which such	279
basic training shall be completed following appointment on other	280
than a permanent basis;	281

(6) Categories or classifications of advanced in-service	282
training programs for peace officers, including programs in the	283
handling of the offense of domestic violence, other types of	284
domestic violence-related offenses and incidents, and protection	285
orders and consent agreements issued or approved under section	286
2919.26 or 3113.31 of the Revised Code, in crisis intervention,	287
and in the handling of missing children and child abuse and	288
neglect cases, and in handling violations of section 2905.32 of	289
the Revised Code, and minimum courses of study and attendance	290
requirements with respect to such categories or classifications;	291
(7) Permitting persons, who are employed as members of a	292
campus police department appointed under section 1713.50 of the	293
Revised Code; who are employed as police officers by a qualified	294
nonprofit corporation police department pursuant to section	295
1702.80 of the Revised Code; who are appointed and commissioned	296
as bank, savings and loan association, savings bank, credit	297
union, or association of banks, savings and loan associations,	298
savings banks, or credit unions police officers, as railroad	299
police officers, or as hospital police officers pursuant to	300
sections 4973.17 to 4973.22 of the Revised Code; or who are	301
appointed and commissioned as amusement park police officers	302
pursuant to section 4973.17 of the Revised Code, to attend	303
approved peace officer training schools, including the Ohio	304
peace officer training academy, and to receive certificates of	305
satisfactory completion of basic training programs, if the	306
private college or university that established the campus police	307
department; qualified nonprofit corporation police department;	308
bank, savings and loan association, savings bank, credit union,	309
or association of banks, savings and loan associations, savings	310
banks, or credit unions; railroad company; hospital; or	311
amusement park sponsoring the police officers pays the entire	312

cost of the training and certification and if trainee vacancies	313
are available;	314
(8) Permitting undercover drug agents to attend approved	315
peace officer training schools, other than the Ohio peace	316
officer training academy, and to receive certificates of	317
satisfactory completion of basic training programs, if, for each	318
undercover drug agent, the county, township, or municipal	319
corporation that employs that undercover drug agent pays the	320
entire cost of the training and certification;	321
(9) (a) The requirements for basic training programs for	322
bailiffs and deputy bailiffs of courts of record of this state	323
and for criminal investigators employed by the state public	324
defender that those persons shall complete before they may carry	325
a firearm while on duty;	326
(b) The requirements for any training received by a	327
bailiff or deputy bailiff of a court of record of this state or	328
by a criminal investigator employed by the state public defender	329
prior to June 6, 1986, that is to be considered equivalent to	330
the training described in division (A) (9) (a) of this section.	331
(10) Establishing minimum qualifications and requirements	332
for certification for dogs utilized by law enforcement agencies;	333
(11) Establishing minimum requirements for certification	334
of persons who are employed as correction officers in a full-	335
service jail, five-day facility, or eight-hour holding facility	336
or who provide correction services in such a jail or facility;	337
(12) Establishing requirements for the training of humane	338
society agents under section 1717.061 of the Revised Code,	339
including, without limitation, a requirement that the agents	340
receive instruction on traditional animal husbandry methods and	341

training techniques, including customary owner-performed 342  
practices; 343

(13) Permitting tactical medical professionals to attend 344  
approved peace officer training schools, including the Ohio 345  
peace officer training academy, to receive training of the type 346  
described in division (A) (14) of this section and to receive 347  
certificates of satisfactory completion of training programs 348  
described in that division; 349

(14) The requirements for training programs that tactical 350  
medical professionals shall complete to qualify them to carry 351  
firearms while on duty under section 109.771 of the Revised 352  
Code, which requirements shall include at least the firearms 353  
training specified in division (A) of section 109.748 of the 354  
Revised Code; 355

(15) Procedures and requirements for a portion of basic 356  
training that peace officers complete in proper interactions 357  
with civilians during traffic stops and other in-person 358  
encounters as specified in division (B) (4) of section 109.803 of 359  
the Revised Code and including the topics of instruction listed 360  
for active duty peace officers under divisions (B) (4) (a) to (d) 361  
of that section; 362

(16) Permitting county correctional officers to attend 363  
approved peace officer training schools, including the Ohio 364  
peace officer training academy, to receive training of the type 365  
described in division (A) (17) of this section, and to receive 366  
certificates of satisfactory completion of basic training 367  
programs described in that division; 368

(17) The requirements for basic training programs that 369  
county correctional officers shall complete to qualify them to 370

carry firearms while on duty under section 109.772 of the 371  
Revised Code, which requirements shall include the firearms 372  
training specified in section 109.773 of the Revised Code. 373

(B) The commission shall appoint an executive director, 374  
with the approval of the attorney general, who shall hold office 375  
during the pleasure of the commission. The executive director 376  
shall perform such duties assigned by the commission. The 377  
executive director shall receive a salary fixed pursuant to 378  
Chapter 124. of the Revised Code and reimbursement for expenses 379  
within the amounts available by appropriation. The executive 380  
director may appoint officers, employees, agents, and 381  
consultants as the executive director considers necessary, 382  
prescribe their duties, and provide for reimbursement of their 383  
expenses within the amounts available for reimbursement by 384  
appropriation and with the approval of the commission. 385

(C) The commission may do all of the following: 386

(1) Recommend studies, surveys, and reports to be made by 387  
the executive director regarding the carrying out of the 388  
objectives and purposes of sections 109.71 to 109.77 of the 389  
Revised Code; 390

(2) Visit and inspect any peace officer training school 391  
that has been approved by the executive director or for which 392  
application for approval has been made; 393

(3) Make recommendations, from time to time, to the 394  
executive director, the attorney general, and the general 395  
assembly regarding the carrying out of the purposes of sections 396  
109.71 to 109.77 of the Revised Code; 397

(4) Report to the attorney general from time to time, and 398  
to the governor and the general assembly at least annually, 399

concerning the activities of the commission; 400

(5) Establish fees for the services the commission offers 401  
under sections 109.71 to 109.79 of the Revised Code, including, 402  
but not limited to, fees for training, certification, and 403  
testing; 404

(6) Perform such other acts as are necessary or 405  
appropriate to carry out the powers and duties of the commission 406  
as set forth in sections 109.71 to 109.77 of the Revised Code. 407

(D) In establishing the requirements, under division (A) 408  
(12) of this section, the commission may consider any portions 409  
of the curriculum for instruction on the topic of animal 410  
husbandry practices, if any, of the Ohio state university 411  
college of veterinary medicine. No person or entity that fails 412  
to provide instruction on traditional animal husbandry methods 413  
and training techniques, including customary owner-performed 414  
practices, shall qualify to train a humane society agent for 415  
appointment under section 1717.06 of the Revised Code. 416

**Sec. 109.75.** The executive director of the Ohio peace 417  
officer training commission, on behalf of the commission, shall 418  
have the following powers and duties, which shall be exercised 419  
with the general advice of the commission and only in accordance 420  
with section 109.751 of the Revised Code and the rules adopted 421  
pursuant to that section, and with the rules adopted by the 422  
attorney general pursuant to sections 109.74, 109.741, 109.742, 423  
and 109.743 of the Revised Code: 424

(A) To approve peace officer training schools and firearms 425  
requalification programs administered by the state, counties, 426  
municipal corporations, and the department of natural resources, 427  
to issue certificates of approval to approved schools, and to 428

revoke an approval or certificate;	429
(B) To certify, as qualified, instructors at approved	430
peace officer training schools, to issue appropriate	431
certificates to these instructors, and to revoke for good cause	432
shown certificates of these instructors;	433
(C) To certify, as qualified, commanders at approved peace	434
officer training schools, to issue appropriate certificates to	435
these commanders, and to revoke for good cause shown	436
certificates of these commanders. As used in this division,	437
"commander" means the director or other head of an approved	438
peace officer training school.	439
(D) To certify peace officers and sheriffs who have	440
satisfactorily completed basic training programs and to issue	441
appropriate certificates to these peace officers and sheriffs;	442
(E) To cause studies and surveys to be made relating to	443
the establishment, operation, and approval of state, county, and	444
municipal peace officer training schools;	445
(F) To consult and cooperate with state, county, and	446
municipal peace officer training schools for the development of	447
advanced in-service training programs for peace officers;	448
(G) To consult and cooperate with universities, colleges,	449
and institutes for the development of specialized courses of	450
study in the state for peace officers in police science and	451
police administration;	452
(H) To consult and cooperate with other departments and	453
agencies of the state and federal government concerned with	454
peace officer training;	455
(I) To perform any other acts that may be necessary or	456



appropriate to carry out the executive director's powers and 457  
duties as set forth in sections 109.71 to 109.77 of the Revised 458  
Code; 459

(J) To report to the commission at each regular meeting of 460  
the commission and at any other times that the commission may 461  
require; 462

(K) To certify persons who have satisfactorily completed 463  
approved training programs for correction officers in full- 464  
service jails, five-day facilities, or eight-hour holding 465  
facilities or approved training programs for others who provide 466  
correction services in those jails or facilities and to issue 467  
appropriate certificates to those persons; 468

(L) To maintain any records associated with the powers and 469  
duties set forth in this section. Certification examinations, 470  
either before or after completion, are not public records for 471  
purposes of section 149.43 of the Revised Code, but the results 472  
of such examinations are public records under that section; 473

(M) To certify tactical medical professionals who have 474  
satisfactorily completed approved training programs that qualify 475  
them to carry firearms while on duty under section 109.771 of 476  
the Revised Code and to issue appropriate certificates to such 477  
professionals; 478

(N) To certify county correctional officers who have 479  
satisfactorily completed approved basic training programs that 480  
qualify them to carry firearms while on duty under section 481  
109.772 of the Revised Code and to issue appropriate 482  
certificates to such county correctional officers. 483

**Sec. 109.772.** (A) A county correctional officer may carry 484  
firearms while on duty in the same manner, to the same extent, 485

and in the same areas as a law enforcement officer of the law 486  
enforcement agency with jurisdiction over the place at which the 487  
county jail, county workhouse, minimum security jail, joint city 488  
and county workhouse, municipal-county correctional center, 489  
multicounty-municipal correctional center, municipal-county jail 490  
or workhouse, or multicounty-municipal jail or workhouse is 491  
located, if all of the following apply: 492

(1) The person in charge of the county jail, county 493  
workhouse, minimum security jail, joint city and county 494  
workhouse, municipal-county correctional center, multicounty- 495  
municipal correctional center, municipal-county jail or 496  
workhouse, or multicounty-municipal jail or workhouse has 497  
specifically authorized the county correctional officer to carry 498  
firearms while on duty. 499

(2) The county correctional officer has done or received 500  
one of the following: 501

(a) The county correctional officer has been awarded a 502  
certificate by the executive director of the Ohio peace officer 503  
training commission, which certificate attests to satisfactory 504  
completion of an approved state, county, or municipal basic 505  
training program or a program at the Ohio peace officer training 506  
academy that qualifies the county correctional officer to carry 507  
firearms while on duty and that conforms to the rules adopted 508  
under section 109.773 of the Revised Code. 509

(b) Prior to or during employment as a county correctional 510  
officer and prior to the effective date of this section, the 511  
county correctional officer has successfully completed a 512  
firearms training program, other than one described in division 513  
(A) (2) (a) of this section, that was approved by the Ohio peace 514  
officer training commission. 515

(B) A county correctional officer to whom division (A) of 516  
this section applies and who is carrying one or more firearms 517  
under authority of that division has protection from potential 518  
civil or criminal liability for any conduct occurring while 519  
carrying the firearm or firearms to the same extent as a law 520  
enforcement officer of the law enforcement agency with 521  
jurisdiction over the place at which the county jail, county 522  
workhouse, minimum security jail, joint city and county 523  
workhouse, municipal-county correctional center, multicounty- 524  
municipal correctional center, municipal-county jail or 525  
workhouse, or multicounty-municipal jail or workhouse is located 526  
has such protection. 527

**Sec. 109.773.** The attorney general shall adopt, in 528  
accordance with Chapter 119. or pursuant to section 109.74 of 529  
the Revised Code, rules authorizing and governing the attendance 530  
of county correctional officers at approved peace officer 531  
training schools, including the Ohio peace officer training 532  
academy, to receive training to qualify them to carry firearms 533  
while on duty under section 109.771 of the Revised Code, and the 534  
certification of the county correctional officers upon their 535  
satisfactory completion of training programs providing that 536  
training. 537

**Sec. 109.79.** (A) The Ohio peace officer training 538  
commission shall establish and conduct a training school for law 539  
enforcement officers of any political subdivision of the state 540  
or of the state public defender's office. The school shall be 541  
known as the Ohio peace officer training academy. No bailiff or 542  
deputy bailiff of a court of record of this state and no 543  
criminal investigator employed by the state public defender 544  
shall be permitted to attend the academy for training unless the 545  
employing court of the bailiff or deputy bailiff or the state 546

public defender, whichever is applicable, has authorized the 547  
bailiff, deputy bailiff, or investigator to attend the academy. 548

The Ohio peace officer training commission shall develop 549  
the training program, which shall include courses in both the 550  
civil and criminal functions of law enforcement officers, a 551  
course in crisis intervention with six or more hours of 552  
training, training in the handling of missing children and child 553  
abuse and neglect cases, and training on companion animal 554  
encounters and companion animal behavior, and shall establish 555  
rules governing qualifications for admission to the academy. The 556  
commission may require competitive examinations to determine 557  
fitness of prospective trainees, so long as the examinations or 558  
other criteria for admission to the academy are consistent with 559  
the provisions of Chapter 124. of the Revised Code. 560

The Ohio peace officer training commission shall determine 561  
tuition costs sufficient in the aggregate to pay the costs of 562  
operating the academy. Tuition paid by a political subdivision 563  
of the state or by the state public defender's office shall be 564  
deposited into the state treasury to the credit of the peace 565  
officer training academy fee fund, which is hereby established. 566  
The attorney general shall use money in the fund to pay costs 567  
associated with operation of the academy. The costs of acquiring 568  
and equipping the academy shall be paid from appropriations made 569  
by the general assembly to the Ohio peace officer training 570  
commission for that purpose, from gifts or grants received for 571  
that purpose, or from fees for goods related to the academy. 572

The Ohio peace officer training commission shall create a 573  
gaming-related curriculum for gaming agents. The Ohio peace 574  
officer training commission shall use money distributed to the 575  
Ohio peace officer training academy from the Ohio law 576

enforcement training fund to first support the academy's 577  
training programs for gaming agents and gaming-related 578  
curriculum. The Ohio peace officer training commission may 579  
utilize existing training programs in other states that 580  
specialize in training gaming agents. 581

The law enforcement officers, during the period of their 582  
training, shall receive compensation as determined by the 583  
political subdivision that sponsors them or, if the officer is a 584  
criminal investigator employed by the state public defender, as 585  
determined by the state public defender. The political 586  
subdivision may pay the tuition costs of the law enforcement 587  
officers they sponsor and the state public defender may pay the 588  
tuition costs of criminal investigators of that office who 589  
attend the academy. 590

If trainee vacancies exist, the academy may train and 591  
issue certificates of satisfactory completion to peace officers 592  
who are employed by a campus police department pursuant to 593  
section 1713.50 of the Revised Code, by a qualified nonprofit 594  
corporation police department pursuant to section 1702.80 of the 595  
Revised Code, or by a railroad company, who are amusement park 596  
police officers appointed and commissioned by a judge of the 597  
appropriate municipal court or county court pursuant to section 598  
4973.17 of the Revised Code, or who are bank, savings and loan 599  
association, savings bank, credit union, or association of 600  
banks, savings and loan associations, savings banks, or credit 601  
unions, or hospital police officers appointed and commissioned 602  
by the secretary of state pursuant to sections 4973.17 to 603  
4973.22 of the Revised Code, provided that no such officer shall 604  
be trained at the academy unless the officer meets the 605  
qualifications established for admission to the academy and the 606  
qualified nonprofit corporation police department; bank, savings 607

and loan association, savings bank, credit union, or association 608  
of banks, savings and loan associations, savings banks, or 609  
credit unions; railroad company; hospital; or amusement park or 610  
the private college or university that established the campus 611  
police department prepays the entire cost of the training. A 612  
qualified nonprofit corporation police department; bank, savings 613  
and loan association, savings bank, credit union, or association 614  
of banks, savings and loan associations, savings banks, or 615  
credit unions; railroad company; hospital; or amusement park or 616  
a private college or university that has established a campus 617  
police department is not entitled to reimbursement from the 618  
state for any amount paid for the cost of training the bank, 619  
savings and loan association, savings bank, credit union, or 620  
association of banks, savings and loan associations, savings 621  
banks, or credit unions peace officers; the railroad company's 622  
peace officers; or the peace officers of the qualified nonprofit 623  
corporation police department, campus police department, 624  
hospital, or amusement park. 625

The academy shall permit investigators employed by the 626  
state medical board to take selected courses that the board 627  
determines are consistent with its responsibilities for initial 628  
and continuing training of investigators as required under 629  
sections 4730.26 and 4731.05 of the Revised Code. The board 630  
shall pay the entire cost of training that investigators receive 631  
at the academy. 632

The academy shall permit tactical medical professionals to 633  
attend training courses at the academy that are designed to 634  
qualify the professionals to carry firearms while on duty under 635  
section 109.771 of the Revised Code and that provide training 636  
comparable to training mandated under the rules required by 637  
division (A) of section 109.748 of the Revised Code. The 638

executive director of the Ohio peace officer training commission 639  
may certify tactical medical professionals who satisfactorily 640  
complete the training courses. The law enforcement agency served 641  
by a tactical medical professional who attends the academy may 642  
pay the tuition costs of the professional. 643

The academy shall permit county correctional officers to 644  
attend training courses at the academy that are designed to 645  
qualify the county correctional officers to carry firearms while 646  
on duty under section 109.772 of the Revised Code and that 647  
provide training mandated under the rules required by section 648  
109.773 of the Revised Code. The executive director of the Ohio 649  
peace officer training commission may certify county 650  
correctional officers who satisfactorily complete the training 651  
courses. The county jail, county workhouse, minimum security 652  
jail, joint city and county workhouse, municipal-county 653  
correctional center, multicounty-municipal correctional center, 654  
municipal-county jail or workhouse, or multicounty-municipal 655  
jail or workhouse served by the county correctional officer who 656  
attends the academy may pay the tuition costs of the county 657  
correctional officer. 658

(B) As used in this section: 659

(1) "Law enforcement officers" include any undercover drug 660  
agent, any bailiff or deputy bailiff of a court of record, and 661  
any criminal investigator who is employed by the state public 662  
defender. 663

(2) "Undercover drug agent" means any person who: 664

(a) Is employed by a county, township, or municipal 665  
corporation for the purposes set forth in division (B) (2) (b) of 666  
this section but who is not an employee of a county sheriff's 667

department, of a township constable, or of the police department 668  
of a municipal corporation or township; 669

(b) In the course of the person's employment by a county, 670  
township, or municipal corporation, investigates and gathers 671  
information pertaining to persons who are suspected of violating 672  
Chapter 2925. or 3719. of the Revised Code, and generally does 673  
not wear a uniform in the performance of the person's duties. 674

(3) "Crisis intervention training" has the same meaning as 675  
in section 109.71 of the Revised Code. 676

(4) "Missing children" has the same meaning as in section 677  
2901.30 of the Revised Code. 678

(5) "Companion animal" has the same meaning as in section 679  
959.131 of the Revised Code. 680

**Sec. 109.801.** (A) (1) Each year, any of the following 681  
persons who are authorized to carry firearms in the course of 682  
their official duties shall complete successfully a firearms 683  
requalification program approved by the executive director of 684  
the Ohio peace officer training commission in accordance with 685  
rules adopted by the attorney general pursuant to section 686  
109.743 of the Revised Code: any peace officer, sheriff, chief 687  
of police of an organized police department of a municipal 688  
corporation or township, chief of police of a township police 689  
district or joint police district police force, superintendent 690  
of the state highway patrol, state highway patrol trooper, or 691  
chief of police of a university or college police department; 692  
any parole or probation officer who carries a firearm in the 693  
course of official duties; any ~~corrections~~ county correctional 694  
~~officer of a multicounty correctional center, or of a municipal-~~ 695  
~~county or multicounty municipal correctional center, established~~ 696



~~under section 307.93 of the Revised Code who carries a firearm~~ 697  
~~in the course of official duties;~~ the house of representatives 698  
sergeant at arms if the house of representatives sergeant at 699  
arms has arrest authority pursuant to division (E) (1) of section 700  
101.311 of the Revised Code; any assistant house of 701  
representatives sergeant at arms; the senate sergeant at arms; 702  
any assistant senate sergeant at arms; any tactical medical 703  
professional; or any employee of the department of youth 704  
services who is designated pursuant to division (A) (2) of 705  
section 5139.53 of the Revised Code as being authorized to carry 706  
a firearm while on duty as described in that division. 707

(2) No person listed in division (A) (1) of this section 708  
shall carry a firearm during the course of official duties if 709  
the person does not comply with division (A) (1) of this section. 710

(B) The hours that a sheriff spends attending a firearms 711  
requalification program required by division (A) of this section 712  
are in addition to the sixteen hours of continuing education 713  
that are required by division (E) of section 311.01 of the 714  
Revised Code. 715

(C) As used in this section, "firearm" has the same 716  
meaning as in section 2923.11 of the Revised Code. 717

**Sec. 307.93.** ~~(A) (1)~~ (A) The boards of county commissioners 718  
of two or more adjacent counties may contract for the joint 719  
establishment of a multicounty correctional center, and the 720  
board of county commissioners of a county or the boards of two 721  
or more counties may contract with any municipal corporation or 722  
municipal corporations located in that county or those counties 723  
for the joint establishment of a municipal-county or 724  
multicounty-municipal correctional center. The center shall 725  
augment county and, where applicable, municipal jail programs 726

and facilities by providing custody and rehabilitative programs 727  
for those persons under the charge of the sheriff of any of the 728  
contracting counties or of the officer or officers of the 729  
contracting municipal corporation or municipal corporations 730  
having charge of persons incarcerated in the municipal jail,  
workhouse, or other correctional facility who, in the opinion of 731  
the sentencing court, need programs of custody and 732  
rehabilitation not available at the county or municipal jail and 733  
by providing custody and rehabilitative programs in accordance 734  
with division (C) of this section, if applicable. The contract 735  
may include, but need not be limited to, provisions regarding 736  
the acquisition, construction, maintenance, repair, termination 737  
of operations, and administration of the center. The contract 738  
shall prescribe the manner of funding of, and debt assumption 739  
for, the center and the standards and procedures to be followed 740  
in the operation of the center. Except as provided in division 741  
(G) of this section, the contracting counties and municipal 742  
corporations shall form a corrections commission to oversee the 743  
administration of the center. Members of the commission shall 744  
consist of the sheriff of each participating county, a member of 745  
the board of county commissioners of each participating county, 746  
the chief of police of each participating municipal corporation, 747  
and the mayor or city manager of each participating municipal 748  
corporation. Any of the foregoing officers may appoint a 749  
designee to serve in the officer's place on the corrections 750  
commission. 751  
752

The standards and procedures prescribed under this 753  
division shall be formulated and agreed to by the commission and 754  
may be amended at any time during the life of the contract by 755  
agreement of a majority of the voting members of the commission 756  
or by other means set forth in the contract between the 757

contracting counties and municipal corporations. The standards 758  
and procedures formulated by the commission and amendments to 759  
them shall include, but need not be limited to, designation of 760  
the person in charge of the center, designation of a fiscal 761  
agent, the categories of employees to be employed at the center, 762  
the appointing authority of the center, and the standards of 763  
treatment and security to be maintained at the center. The 764  
person in charge of, and all persons employed to work at, the 765  
center shall have all the powers of police officers that are 766  
necessary for the proper performance of the duties ~~and work~~ 767  
~~responsibilities of relating to their positions at the center,~~ 768  
~~provided that the corrections officers of the center may carry~~ 769  
~~firearms in the performance of those duties and responsibilities~~ 770  
~~only in accordance with division (A) (2) of this section.~~ 771

~~(2) The person in charge of a multicounty correctional 772  
center, or of a municipal county or multicounty municipal 773  
correctional center, may grant permission to a corrections 774  
officer of the center to carry firearms when required in the 775  
discharge of official duties if the corrections officer has 776  
successfully completed a basic firearm training program that is 777  
approved by the executive director of the Ohio peace officer 778  
training commission. A corrections officer who has been granted 779  
permission to carry firearms in the discharge of official duties 780  
annually shall successfully complete a firearms requalification 781  
program in accordance with section 109.801 of the Revised Code. 782  
A corrections officer may carry firearms under authority of this 783  
division only while the officer is acting within the scope of 784  
the officer's official duties. 785~~

(B) (1) Upon the establishment of a corrections commission 786  
under division (A) of this section, the judges specified in this 787  
division shall form a judicial advisory board for the purpose of 788

making recommendations to the corrections commission on issues 789  
of bed allocation, expansion of the center that the corrections 790  
commission oversees, and other issues concerning the 791  
administration of sentences or any other matter determined to be 792  
appropriate by the board. The judges who shall form the judicial 793  
advisory board for a corrections commission are the 794  
administrative judge of the general division of the court of 795  
common pleas of each county participating in the corrections 796  
center, the presiding judge of the municipal court of each 797  
municipal corporation participating in the corrections center, 798  
and the presiding judge of each county court of each county 799  
participating in the corrections center. If the number of the 800  
foregoing members of the board is even, the county auditor or 801  
the county auditor of the most populous county if the board 802  
serves more than one county shall also be a member of the board. 803  
Any of the foregoing judges may appoint a designee to serve in 804  
the judge's place on the judicial advisory board, provided that 805  
the designee shall be a judge of the same court as the judge who 806  
makes the appointment. The judicial advisory board for a 807  
corrections commission shall meet with the corrections 808  
commission at least once each year. 809

(2) Each board of county commissioners that enters a 810  
contract under division (A) of this section may appoint a 811  
building commission pursuant to section 153.21 of the Revised 812  
Code. If any commissions are appointed, they shall function 813  
jointly in the construction of a multicounty or multicounty- 814  
municipal correctional center with all the powers and duties 815  
authorized by law. 816

(C) Prior to the acceptance for custody and rehabilitation 817  
into a center established under this section of any persons who 818  
are designated by the department of rehabilitation and 819

correction, who plead guilty to or are convicted of a felony of 820  
the fourth or fifth degree, and who satisfy the other 821  
requirements listed in section 5120.161 of the Revised Code, the 822  
corrections commission of a center established under this 823  
section shall enter into an agreement with the department of 824  
rehabilitation and correction under section 5120.161 of the 825  
Revised Code for the custody and rehabilitation in the center of 826  
persons who are designated by the department, who plead guilty 827  
to or are convicted of a felony of the fourth or fifth degree, 828  
and who satisfy the other requirements listed in that section, 829  
in exchange for a per diem fee per person. Persons incarcerated 830  
in the center pursuant to an agreement entered into under this 831  
division shall be subject to supervision and control in the 832  
manner described in section 5120.161 of the Revised Code. This 833  
division does not affect the authority of a court to directly 834  
sentence a person who is convicted of or pleads guilty to a 835  
felony to the center in accordance with section 2929.16 of the 836  
Revised Code. 837

(D) Pursuant to section 2929.37 of the Revised Code, each 838  
board of county commissioners and the legislative authority of 839  
each municipal corporation that enters into a contract under 840  
division (A) of this section may require a person who was 841  
convicted of an offense, who is under the charge of the sheriff 842  
of their county or of the officer or officers of the contracting 843  
municipal corporation or municipal corporations having charge of 844  
persons incarcerated in the municipal jail, workhouse, or other 845  
correctional facility, and who is confined in the multicounty, 846  
municipal-county, or multicounty-municipal correctional center 847  
as provided in that division, to reimburse the applicable county 848  
or municipal corporation for its expenses incurred by reason of 849  
the person's confinement in the center. 850

(E) Notwithstanding any contrary provision in this section 851  
or section 2929.18, 2929.28, or 2929.37 of the Revised Code, the 852  
corrections commission of a center may establish a policy that 853  
complies with section 2929.38 of the Revised Code and that 854  
requires any person who is not indigent and who is confined in 855  
the multicounty, municipal-county, or multicounty-municipal 856  
correctional center to pay a reception fee, a fee for medical 857  
treatment or service requested by and provided to that person, 858  
or the fee for a random drug test assessed under division (E) of 859  
section 341.26 of the Revised Code. 860

(F) (1) The corrections commission of a center established 861  
under this section may establish a commissary for the center. 862  
The commissary may be established either in-house or by another 863  
arrangement. If a commissary is established, all persons 864  
incarcerated in the center shall receive commissary privileges. 865  
A person's purchases from the commissary shall be deducted from 866  
the person's account record in the center's business office. The 867  
commissary shall provide for the distribution to indigent 868  
persons incarcerated in the center of necessary hygiene articles 869  
and writing materials. 870

(2) If a commissary is established, the corrections 871  
commission of a center established under this section shall 872  
establish a commissary fund for the center. The management of 873  
funds in the commissary fund shall be strictly controlled in 874  
accordance with procedures adopted by the auditor of state. 875  
Commissary fund revenue over and above operating costs and 876  
reserve shall be considered profits. All profits from the 877  
commissary fund shall be used to purchase supplies and equipment 878  
for the benefit of persons incarcerated in the center and to pay 879  
salary and benefits for employees of the center, or for any 880  
other persons, who work in or are employed for the sole purpose 881

of providing service to the commissary. The corrections 882  
commission shall adopt rules and regulations for the operation 883  
of any commissary fund it establishes. 884

(G) In lieu of forming a corrections commission to 885  
administer a multicounty correctional center or a municipal- 886  
county or multicounty-municipal correctional center, the boards 887  
of county commissioners and the legislative authorities of the 888  
municipal corporations contracting to establish the center may 889  
also agree to contract for the private operation and management 890  
of the center as provided in section 9.06 of the Revised Code, 891  
but only if the center houses only misdemeanor inmates. In 892  
order to enter into a contract under section 9.06 of the Revised 893  
Code, all the boards and legislative authorities establishing 894  
the center shall approve and be parties to the contract. 895

(H) If a person who is convicted of or pleads guilty to an 896  
offense is sentenced to a term in a multicounty correctional 897  
center or a municipal-county or multicounty-municipal 898  
correctional center or is incarcerated in the center in the 899  
manner described in division (C) of this section, or if a person 900  
who is arrested for an offense, and who has been denied bail or 901  
has had bail set and has not been released on bail is confined 902  
in a multicounty correctional center or a municipal-county or 903  
multicounty-municipal correctional center pending trial, at the 904  
time of reception and at other times the officer, officers, or 905  
other person in charge of the operation of the center determines 906  
to be appropriate, the officer, officers, or other person in 907  
charge of the operation of the center may cause the convicted or 908  
accused offender to be examined and tested for tuberculosis, HIV 909  
infection, hepatitis, including but not limited to hepatitis A, 910  
B, and C, and other contagious diseases. The officer, officers, 911  
or other person in charge of the operation of the center may 912

cause a convicted or accused offender in the center who refuses 913  
to be tested or treated for tuberculosis, HIV infection, 914  
hepatitis, including but not limited to hepatitis A, B, and C, 915  
or another contagious disease to be tested and treated 916  
involuntarily. 917

(I) As used in this section, "multicounty-municipal" means 918  
more than one county and a municipal corporation, or more than 919  
one municipal corporation and a county, or more than one 920  
municipal corporation and more than one county. 921

**Sec. 309.10.** Sections 309.08 and 309.09 of the Revised 922  
Code do not prevent a school board from employing counsel to 923  
represent it, but when counsel is employed, the counsel shall be 924  
paid by the school board from the school fund. Sections 309.08 925  
and 309.09 of the Revised Code do not prevent a county board of 926  
developmental disabilities from employing counsel to represent 927  
it, but that counsel shall be employed in accordance with 928  
division (C) of section 305.14 and paid in accordance with 929  
division (A) (7) of section 5126.05 of the Revised Code. 930

Sections 309.08 and 309.09 of the Revised Code do not 931  
prevent a board of county hospital trustees from employing 932  
counsel with the approval of the county commissioners to bring 933  
legal action for the collection of delinquent accounts of the 934  
hospital, but when counsel is employed, the counsel shall be 935  
paid from the hospital's funds. Sections 309.08 and 309.09 of 936  
the Revised Code do not prevent a board of library trustees from 937  
employing counsel to represent it, but when counsel is employed, 938  
the counsel shall be paid from the library's funds. Sections 939  
309.08 and 309.09 of the Revised Code do not prevent the 940  
appointment and employment of assistants, clerks, and 941  
stenographers to assist the prosecuting attorney as provided in 942



sections 309.01 to ~~309.16~~ 309.15 of the Revised Code, or the 943  
appointment by the court of common pleas or the court of appeals 944  
of an attorney to assist the prosecuting attorney in the trial 945  
of a criminal cause pending in that court, or the board of 946  
county commissioners from paying for those services. 947

**Sec. 2152.75.** (A) As used in this section: 948

(1) "Charged or adjudicated delinquent child" means any 949  
female child to whom both of the following apply: 950

(a) The child is charged with a delinquent act or, with 951  
respect to a delinquent act, is subject to juvenile court 952  
proceedings, has been adjudicated a delinquent child, or is 953  
serving a disposition. 954

(b) The child is, following arrest, transportation, and 955  
routine processing and booking, in custody of any law 956  
enforcement, court, or corrections official. 957

(2) "Health care professional" has the same meaning as in 958  
section 2108.61 of the Revised Code. 959

(3) "Law enforcement, court, or corrections official" 960  
means any officer or employee of this state or a political 961  
subdivision of this state who has custody or control of any 962  
child who is a charged or adjudicated delinquent child. 963

(4) "Restrain" means to use any shackles, handcuffs, or 964  
other similar appliance or device. 965

(5) "Unborn child" means a member of the species homo 966  
sapiens who is carried in the womb of a child who is a charged 967  
or adjudicated delinquent child, during a period that begins 968  
with fertilization and continues until live birth occurs. 969

(6) "Emergency circumstance" means a sudden, urgent, 970

unexpected incident or occurrence that requires an immediate 971  
reaction and restraint of the charged or adjudicated delinquent 972  
child who is pregnant for an emergency situation faced by a law 973  
enforcement, court, or corrections official. 974

(B) Except as otherwise provided in division (C) of this 975  
section, beginning on the date on which a pregnancy is confirmed 976  
to law enforcement by a health care professional, no law 977  
enforcement, court, or corrections official, with knowledge that 978  
the female child is pregnant or was pregnant, shall knowingly 979  
restrain a female child who is a charged or adjudicated 980  
delinquent child during any of the following periods of time: 981

(1) If the child is pregnant, at any time during her 982  
pregnancy; 983

(2) If the child is pregnant, during transport to a 984  
hospital, during labor, or during delivery; 985

(3) If the child was pregnant, during any period of 986  
postpartum recovery up to six weeks after the child's pregnancy. 987

(C) A law enforcement, court, or corrections official may 988  
restrain a female child who is a charged or adjudicated 989  
delinquent child during a period of time specified in division 990  
(B) of this section if the official determines that the child 991  
presents a ~~serious threat~~ risk of physical harm to herself, to 992  
the official, to other law enforcement or court personnel, or to 993  
any other person, presents a ~~serious threat~~ risk of physical 994  
harm to property, presents a ~~substantial~~ security risk, or 995  
presents a substantial flight risk. 996

(D) A law enforcement, court, or corrections official who 997  
restrains a female child who is a charged or adjudicated 998  
delinquent child during a period of time specified in division 999

(B) of this section under authority of division (C) of this 1000  
section shall not use any ~~leg, ankle, or~~ waist restraint to 1001  
restrain the child. 1002

(E) (1) If a law enforcement, court, or corrections 1003  
official restrains a female child who is a charged or 1004  
adjudicated delinquent child during a period of time specified 1005  
in division (B) of this section under authority of division (C) 1006  
of this section, the official shall remove the restraint if, at 1007  
any time while the restraint is in use, a health care 1008  
professional who is treating the child provides a notice to the 1009  
official or to the official's employing agency or court stating 1010  
that the restraint poses a risk of physical harm to the child or 1011  
to the child's unborn child. 1012

(2) A law enforcement, court, or corrections official 1013  
shall not restrain a female child who is a charged or 1014  
adjudicated delinquent child during a period of time specified 1015  
in division (B) of this section if, prior to the use of the 1016  
restraint, a health care professional who is treating the child 1017  
provides a notice to the official or to the official's employing 1018  
agency or court stating that any restraint of the child during a 1019  
period of time specified in division (B) of this section poses a 1020  
risk of physical harm to the child or to the child's unborn 1021  
child. A notice provided as described in this division applies 1022  
throughout all periods of time specified in division (B) of this 1023  
section that occur after the provision of the notice. 1024

**Sec. 2901.10.** (A) As used in this section: 1025

(1) "Charged or convicted criminal offender" means any 1026  
woman to whom both of the following apply: 1027

(a) The woman is charged with a crime or, with respect to 1028

a crime, is being tried, has been convicted of or pleaded 1029  
guilty, or is serving a sentence. 1030

(b) The woman is, following arrest, transportation, and 1031  
routine processing and booking, in custody of any law 1032  
enforcement, court, or corrections official. 1033

(2) "Health care professional" has the same meaning as in 1034  
section 2108.61 of the Revised Code. 1035

(3) "Law enforcement, court, or corrections official" 1036  
means any officer or employee of this state or a political 1037  
subdivision of this state who has custody or control of any 1038  
woman who is a charged or convicted criminal offender. 1039

(4) "Restrain" means to use any shackles, handcuffs, or 1040  
other similar appliance or device. 1041

(5) "Unborn child" means a member of the species homo 1042  
sapiens who is carried in the womb of a woman who is a charged 1043  
or convicted criminal offender, during a period that begins with 1044  
fertilization and continues until live birth occurs. 1045

(6) "Emergency circumstance" means a sudden, urgent, 1046  
unexpected incident or occurrence that requires an immediate 1047  
reaction and restraint of the charged or convicted criminal 1048  
offender who is pregnant for an emergency situation faced by a 1049  
law enforcement, court, or corrections official. 1050

(B) Except as otherwise provided in division (C) of this 1051  
section, beginning on the date on which a pregnancy is confirmed 1052  
to law enforcement by a health care professional, no law 1053  
enforcement, court, or corrections official, with knowledge that 1054  
the woman is pregnant or was pregnant, shall knowingly restrain 1055  
a woman who is a charged or convicted criminal offender during 1056  
any of the following periods of time: 1057

(1) If the woman is pregnant, at any time during her pregnancy; 1058  
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(2) If the woman is pregnant, during transport to a hospital, during labor, or during delivery; 1060  
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(3) If the woman was pregnant, during any period of postpartum recovery up to six weeks after the woman's pregnancy. 1062  
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(C) A law enforcement, court, or corrections official may restrain a woman who is a charged or convicted criminal offender during a period of time specified in division (B) of this section if the official determines that the woman presents a ~~serious threat~~ risk of physical harm to herself, to the official, to other law enforcement or court personnel, or to any other person, presents a ~~serious threat~~ risk of physical harm to property, presents a ~~substantial~~ security risk, or presents a substantial flight risk. 1064  
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(D) A law enforcement, court, or corrections official who restrains a woman who is a charged or convicted criminal offender during a period of time specified in division (B) of this section under authority of division (C) of this section shall not use any ~~leg, ankle, or waist~~ restraint to restrain the woman. 1073  
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(E) (1) If a law enforcement, court, or corrections official restrains a woman who is a charged or convicted criminal offender during a period of time specified in division (B) of this section under authority of division (C) of this section, the official shall remove the restraint if, at any time while the restraint is in use, a health care professional who is treating the woman provides a notice to the official or to the official's employing agency or court stating that the restraint 1079  
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poses a risk of physical harm to the woman or to the woman's 1087  
unborn child. 1088

(2) A law enforcement, court, or corrections official 1089  
shall not restrain a woman who is a charged or convicted 1090  
criminal offender during a period of time specified in division 1091  
(B) of this section if, prior to the use of the restraint, a 1092  
health care professional who is treating the woman provides a 1093  
notice to the official or to the official's employing agency or 1094  
court stating that any restraint of the woman during a period of 1095  
time specified in division (B) of this section poses a risk of 1096  
physical harm to the woman or to the woman's unborn child. A 1097  
notice provided as described in this division applies throughout 1098  
all periods of time specified in division (B) of this section 1099  
that occur after the provision of the notice. 1100

**Sec. 2901.13.** (A) (1) Except as provided in division (A) 1101  
(2), (3), or (4) of this section or as otherwise provided in 1102  
this section, a prosecution shall be barred unless it is 1103  
commenced within the following periods after an offense is 1104  
committed: 1105

(a) For a felony, six years; 1106

(b) For a misdemeanor other than a minor misdemeanor, two 1107  
years; 1108

(c) For a minor misdemeanor, six months. 1109

(2) There is no period of limitation for the prosecution 1110  
of a violation of section 2903.01 or 2903.02 of the Revised Code 1111  
or for the prosecution of a conspiracy to commit, attempt to 1112  
commit, or complicity in committing a violation of section 1113  
2903.01 or 2903.02 of the Revised Code. 1114

(3) Except as otherwise provided in divisions (B) to (J) 1115

of this section, a prosecution of any of the following offenses 1116  
shall be barred unless it is commenced within twenty years after 1117  
the offense is committed: 1118

(a) A violation of section 2903.03, 2903.04, 2905.01, 1119  
2905.32, 2907.04, 2907.05, 2907.21, 2909.02, 2909.22, 2909.23, 1120  
2909.24, 2909.26, 2909.27, 2909.28, 2909.29, 2911.01, 2911.02, 1121  
2911.11, 2911.12, or 2917.02 of the Revised Code, a violation of 1122  
section 2903.11 or 2903.12 of the Revised Code if the victim is 1123  
a peace officer, a violation of section 2903.13 of the Revised 1124  
Code that is a felony, or a violation of former section 2907.12 1125  
of the Revised Code; 1126

(b) A conspiracy to commit, attempt to commit, or 1127  
complicity in committing a violation set forth in division (A) 1128  
(3) (a) of this section. 1129

(4) Except as otherwise provided in divisions (D) to (L) 1130  
of this section, a prosecution of a violation of section 2907.02 1131  
or 2907.03 of the Revised Code or a conspiracy to commit, 1132  
attempt to commit, or complicity in committing a violation of 1133  
either section shall be barred unless it is commenced within 1134  
twenty-five years after the offense is committed. 1135

(B) (1) Except as otherwise provided in division (B) (2) of 1136  
this section, if the period of limitation provided in division 1137  
(A) (1) or (3) of this section has expired, prosecution shall be 1138  
commenced for an offense of which an element is fraud or breach 1139  
of a fiduciary duty, within one year after discovery of the 1140  
offense either by an aggrieved person, or by the aggrieved 1141  
person's legal representative who is not a party to the offense. 1142

(2) If the period of limitation provided in division (A) 1143  
(1) or (3) of this section has expired, prosecution for a 1144

violation of section 2913.49 of the Revised Code shall be 1145  
commenced within five years after discovery of the offense 1146  
either by an aggrieved person or the aggrieved person's legal 1147  
representative who is not a party to the offense. 1148

(C) (1) If the period of limitation provided in division 1149  
(A) (1) or (3) of this section has expired, prosecution shall be 1150  
commenced for the following offenses during the following 1151  
specified periods of time: 1152

(a) For an offense involving misconduct in office by a 1153  
public servant, at any time while the accused remains a public 1154  
servant, or within two years thereafter; 1155

(b) For an offense by a person who is not a public servant 1156  
but whose offense is directly related to the misconduct in 1157  
office of a public servant, at any time while that public 1158  
servant remains a public servant, or within two years 1159  
thereafter. 1160

(2) As used in this division: 1161

(a) An "offense is directly related to the misconduct in 1162  
office of a public servant" includes, but is not limited to, a 1163  
violation of section 101.71, 101.91, 121.61 or 2921.13, division 1164  
(F) or (H) of section 102.03, division (A) of section 2921.02, 1165  
division (A) or (B) of section 2921.43, or division (F) or (G) 1166  
of section 3517.13 of the Revised Code, that is directly related 1167  
to an offense involving misconduct in office of a public 1168  
servant. 1169

(b) "Public servant" has the same meaning as in section 1170  
2921.01 of the Revised Code. 1171

(D) (1) If a DNA record made in connection with the 1172  
criminal investigation of the commission of a violation of 1173



section 2907.02 or 2907.03 of the Revised Code is determined to 1174  
match another DNA record that is of an identifiable person and 1175  
if the time of the determination is later than twenty-five years 1176  
after the offense is committed, prosecution of that person for a 1177  
violation of the section may be commenced within five years 1178  
after the determination is complete. 1179

(2) If a DNA record made in connection with the criminal 1180  
investigation of the commission of a violation of section 1181  
2907.02 or 2907.03 of the Revised Code is determined to match 1182  
another DNA record that is of an identifiable person and if the 1183  
time of the determination is within twenty-five years after the 1184  
offense is committed, prosecution of that person for a violation 1185  
of the section may be commenced within the longer of twenty-five 1186  
years after the offense is committed or five years after the 1187  
determination is complete. 1188

(3) As used in this division, "DNA record" has the same 1189  
meaning as in section 109.573 of the Revised Code. 1190

(E) An offense is committed when every element of the 1191  
offense occurs. In the case of an offense of which an element is 1192  
a continuing course of conduct, the period of limitation does 1193  
not begin to run until such course of conduct or the accused's 1194  
accountability for it terminates, whichever occurs first. 1195

(F) A prosecution is commenced on the date an indictment 1196  
is returned or an information filed, or on the date a lawful 1197  
arrest without a warrant is made, or on the date a warrant, 1198  
summons, citation, or other process is issued, whichever occurs 1199  
first. A prosecution is not commenced by the return of an 1200  
indictment or the filing of an information unless reasonable 1201  
diligence is exercised to issue and execute process on the same. 1202  
A prosecution is not commenced upon issuance of a warrant, 1203

summons, citation, or other process, unless reasonable diligence is exercised to execute the same. 1204  
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(G) The period of limitation shall not run during any time when the corpus delicti remains undiscovered. 1206  
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(H) The period of limitation shall not run during any time when the accused purposely avoids prosecution. Proof that the accused departed this state or concealed the accused's identity or whereabouts is prima-facie evidence of the accused's purpose to avoid prosecution. 1208  
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(I) The period of limitation shall not run during any time a prosecution against the accused based on the same conduct is pending in this state, even though the indictment, information, or process that commenced the prosecution is quashed or the proceedings on the indictment, information, or process are set aside or reversed on appeal. 1213  
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(J) The period of limitation for a violation of any provision of Title XXIX of the Revised Code that involves a physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of a child under eighteen years of age or of a child with a developmental disability or physical impairment under twenty-one years of age shall not begin to run until either of the following occurs: 1219  
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(1) The victim of the offense reaches the age of majority. 1226

(2) A public children services agency, or a municipal or county peace officer that is not the parent or guardian of the child, in the county in which the child resides or in which the abuse or neglect is occurring or has occurred has been notified that abuse or neglect is known, suspected, or believed to have occurred. 1227  
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(K) As used in this section, "peace officer" has the same meaning as in section 2935.01 of the Revised Code. 1233  
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~~(L)~~(L) (1) The amendments to divisions (A) and (D) of this section that took effect on July 16, 2015, apply to a violation of section 2907.02 or 2907.03 of the Revised Code committed on and after July 16, 2015, and apply to a violation of either of those sections committed prior to July 16, 2015, if prosecution for that violation was not barred under this section as it existed on the day prior to July 16, 2015. 1235  
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(2) The amendment to division (A) (2) of this section that takes effect on the effective date of this amendment applies to a conspiracy to commit, attempt to commit, or complicity in committing a violation of section 2903.01 or 2903.02 of the Revised Code if the conspiracy, attempt, or complicity is committed on or after the effective date of this amendment and applies to a conspiracy to commit, attempt to commit, or complicity in committing a violation of either of those sections if the conspiracy, attempt, or complicity was committed prior to that effective date and prosecution for that conspiracy, attempt, or complicity was not barred under this section as it existed on the day prior to that effective date. 1242  
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**Sec. 2903.13.** (A) No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn. 1254  
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(B) No person shall recklessly cause serious physical harm to another or to another's unborn. 1257  
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(C) (1) Whoever violates this section is guilty of assault, and the court shall sentence the offender as provided in this division and divisions (C) (1), (2), (3), (4), (5), (6), (7), 1259  
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(8), (9), and (10) of this section. Except as otherwise provided 1262  
in division (C)(2), (3), (4), (5), (6), (7), (8), or (9) of this 1263  
section, assault is a misdemeanor of the first degree. 1264

(2) Except as otherwise provided in this division, if the 1265  
offense is committed by a caretaker against a functionally 1266  
impaired person under the caretaker's care, assault is a felony 1267  
of the fourth degree. If the offense is committed by a caretaker 1268  
against a functionally impaired person under the caretaker's 1269  
care, if the offender previously has been convicted of or 1270  
pleaded guilty to a violation of this section or section 2903.11 1271  
or 2903.16 of the Revised Code, and if in relation to the 1272  
previous conviction the offender was a caretaker and the victim 1273  
was a functionally impaired person under the offender's care, 1274  
assault is a felony of the third degree. 1275

(3) If the offense occurs in or on the grounds of a state 1276  
correctional institution or an institution of the department of 1277  
youth services, the victim of the offense is an employee of the 1278  
department of rehabilitation and correction or the department of 1279  
youth services, and the offense is committed by a person 1280  
incarcerated in the state correctional institution or by a 1281  
person institutionalized in the department of youth services 1282  
institution pursuant to a commitment to the department of youth 1283  
services, assault is a felony of the third degree. 1284

(4) If the offense is committed in any of the following 1285  
circumstances, assault is a felony of the fifth degree: 1286

(a) The offense occurs in or on the grounds of a local 1287  
correctional facility, the victim of the offense is an employee 1288  
of the local correctional facility or a probation department or 1289  
is on the premises of the facility for business purposes or as a 1290  
visitor, and the offense is committed by a person who is under 1291

custody in the facility subsequent to the person's arrest for 1292  
any crime or delinquent act, subsequent to the person's being 1293  
charged with or convicted of any crime, or subsequent to the 1294  
person's being alleged to be or adjudicated a delinquent child. 1295

(b) The offense occurs off the grounds of a state 1296  
correctional institution and off the grounds of an institution 1297  
of the department of youth services, the victim of the offense 1298  
is an employee of the department of rehabilitation and 1299  
correction, the department of youth services, or a probation 1300  
department, the offense occurs during the employee's official 1301  
work hours and while the employee is engaged in official work 1302  
responsibilities, and the offense is committed by a person 1303  
incarcerated in a state correctional institution or 1304  
institutionalized in the department of youth services who 1305  
temporarily is outside of the institution for any purpose, by a 1306  
parolee, by an offender under transitional control, under a 1307  
community control sanction, or on an escorted visit, by a person 1308  
under post-release control, or by an offender under any other 1309  
type of supervision by a government agency. 1310

(c) The offense occurs off the grounds of a local 1311  
correctional facility, the victim of the offense is an employee 1312  
of the local correctional facility or a probation department, 1313  
the offense occurs during the employee's official work hours and 1314  
while the employee is engaged in official work responsibilities, 1315  
and the offense is committed by a person who is under custody in 1316  
the facility subsequent to the person's arrest for any crime or 1317  
delinquent act, subsequent to the person being charged with or 1318  
convicted of any crime, or subsequent to the person being 1319  
alleged to be or adjudicated a delinquent child and who 1320  
temporarily is outside of the facility for any purpose or by a 1321  
parolee, by an offender under transitional control, under a 1322

community control sanction, or on an escorted visit, by a person 1323  
under post-release control, or by an offender under any other 1324  
type of supervision by a government agency. 1325

(d) The victim of the offense is a school teacher or 1326  
administrator or a school bus operator, and the offense occurs 1327  
in a school, on school premises, in a school building, on a 1328  
school bus, or while the victim is outside of school premises or 1329  
a school bus and is engaged in duties or official 1330  
responsibilities associated with the victim's employment or 1331  
position as a school teacher or administrator or a school bus 1332  
operator, including, but not limited to, driving, accompanying, 1333  
or chaperoning students at or on class or field trips, athletic 1334  
events, or other school extracurricular activities or functions 1335  
outside of school premises. 1336

(5) If the assault is committed in any of the following 1337  
circumstances, assault is a felony of the fourth degree: 1338

(a) The victim of the offense is a peace officer or an 1339  
investigator of the bureau of criminal identification and 1340  
investigation, a firefighter, or a person performing emergency 1341  
medical service, while in the performance of ~~their~~ the 1342  
officer's, investigator's, firefighter's, or person's official 1343  
duties, ~~assault is a felony of the fourth degree.~~ 1344

(b) The victim of the offense is an emergency service 1345  
responder, the offender knows or reasonably should know that the 1346  
victim is an emergency service responder, and it is the 1347  
offender's specific purpose to commit the offense against an 1348  
emergency service responder; 1349

(c) The victim of the offense is a family or household 1350  
member or co-worker of a person who is an emergency service 1351

responder, the offender knows or reasonably should know that the 1352  
victim is a family or household member or co-worker of an 1353  
emergency service responder, and it is the offender's specific 1354  
purpose to commit the offense against a family or household 1355  
member or co-worker of an emergency service responder. 1356

(6) If the offense is a felony of the fourth degree under 1357  
division (C) (5) (a) of this section, if the victim of the offense 1358  
is a peace officer or an investigator of the bureau of criminal 1359  
identification and investigation, and if the victim suffered 1360  
serious physical harm as a result of the commission of the 1361  
offense, ~~assault is a felony of the fourth degree, and the~~ 1362  
court, pursuant to division (F) of section 2929.13 of the 1363  
Revised Code, shall impose as a mandatory prison term one of the 1364  
prison terms prescribed for a felony of the fourth degree that 1365  
is at least twelve months in duration. 1366

(7) If the victim of the offense is an officer or employee 1367  
of a public children services agency or a private child placing 1368  
agency and the offense relates to the officer's or employee's 1369  
performance or anticipated performance of official 1370  
responsibilities or duties, assault is either a felony of the 1371  
fifth degree or, if the offender previously has been convicted 1372  
of or pleaded guilty to an offense of violence, the victim of 1373  
that prior offense was an officer or employee of a public 1374  
children services agency or private child placing agency, and 1375  
that prior offense related to the officer's or employee's 1376  
performance or anticipated performance of official 1377  
responsibilities or duties, a felony of the fourth degree. 1378

(8) If the victim of the offense is a health care 1379  
professional of a hospital, a health care worker of a hospital, 1380  
or a security officer of a hospital whom the offender knows or 1381

has reasonable cause to know is a health care professional of a 1382  
hospital, a health care worker of a hospital, or a security 1383  
officer of a hospital, if the victim is engaged in the 1384  
performance of the victim's duties, and if the hospital offers 1385  
de-escalation or crisis intervention training for such 1386  
professionals, workers, or officers, assault is one of the 1387  
following: 1388

(a) Except as otherwise provided in division (C) (8) (b) of 1389  
this section, assault committed in the specified circumstances 1390  
is a misdemeanor of the first degree. Notwithstanding the fine 1391  
specified in division (A) (2) (b) of section 2929.28 of the 1392  
Revised Code for a misdemeanor of the first degree, in 1393  
sentencing the offender under this division and if the court 1394  
decides to impose a fine, the court may impose upon the offender 1395  
a fine of not more than five thousand dollars. 1396

(b) If the offender previously has been convicted of or 1397  
pleaded guilty to one or more assault or homicide offenses 1398  
committed against hospital personnel, assault committed in the 1399  
specified circumstances is a felony of the fifth degree. 1400

(9) If the victim of the offense is a judge, magistrate, 1401  
prosecutor, or court official or employee whom the offender 1402  
knows or has reasonable cause to know is a judge, magistrate, 1403  
prosecutor, or court official or employee, and if the victim is 1404  
engaged in the performance of the victim's duties, assault is 1405  
one of the following: 1406

(a) Except as otherwise provided in division ~~(C) (8) (b)~~ (C) 1407  
(9) (b) of this section, assault committed in the specified 1408  
circumstances is a misdemeanor of the first degree. In 1409  
sentencing the offender under this division, if the court 1410  
decides to impose a fine, notwithstanding the fine specified in 1411



division (A) (2) (b) of section 2929.28 of the Revised Code for a 1412  
misdemeanor of the first degree, the court may impose upon the 1413  
offender a fine of not more than five thousand dollars. 1414

(b) If the offender previously has been convicted of or 1415  
pleaded guilty to one or more assault or homicide offenses 1416  
committed against justice system personnel, assault committed in 1417  
the specified circumstances is a felony of the fifth degree. 1418

(10) If an offender who is convicted of or pleads guilty 1419  
to assault when it is a misdemeanor also is convicted of or 1420  
pleads guilty to a specification as described in section 1421  
2941.1423 of the Revised Code that was included in the 1422  
indictment, count in the indictment, or information charging the 1423  
offense, the court shall sentence the offender to a mandatory 1424  
jail term as provided in division (G) of section 2929.24 of the 1425  
Revised Code. 1426

If an offender who is convicted of or pleads guilty to 1427  
assault when it is a felony also is convicted of or pleads 1428  
guilty to a specification as described in section 2941.1423 of 1429  
the Revised Code that was included in the indictment, count in 1430  
the indictment, or information charging the offense, except as 1431  
otherwise provided in division (C) (6) of this section, the court 1432  
shall sentence the offender to a mandatory prison term as 1433  
provided in division (B) (8) of section 2929.14 of the Revised 1434  
Code. 1435

(D) A prosecution for a violation of this section does not 1436  
preclude a prosecution of a violation of any other section of 1437  
the Revised Code. One or more acts, a series of acts, or a 1438  
course of behavior that can be prosecuted under this section or 1439  
any other section of the Revised Code may be prosecuted under 1440  
this section, the other section of the Revised Code, or both 1441

sections. However, if an offender is convicted of or pleads 1442  
guilty to a violation of this section and also is convicted of 1443  
or pleads guilty to a violation of section 2903.22 of the 1444  
Revised Code based on the same conduct involving the same victim 1445  
that was the basis of the violation of this section, the two 1446  
offenses are allied offenses of similar import under section 1447  
2941.25 of the Revised Code. 1448

(E) As used in this section: 1449

(1) "Peace officer" has the same meaning as in section 1450  
2935.01 of the Revised Code. 1451

(2) "~~Firefighter" has the same meaning as~~ means any 1452  
person who is a firefighter as defined in section 3937.41 of the 1453  
Revised Code and, for purposes of division (E) (21) of this 1454  
section, also includes a member of a fire department as defined 1455  
in section 742.01 of the Revised Code. 1456

(3) "Emergency medical service" has the same meaning as in 1457  
section 4765.01 of the Revised Code. 1458

(4) "Local correctional facility" means a county, 1459  
multicounty, municipal, municipal-county, or multicounty- 1460  
municipal jail or workhouse, a minimum security jail established 1461  
under section 341.23 or 753.21 of the Revised Code, or another 1462  
county, multicounty, municipal, municipal-county, or 1463  
multicounty-municipal facility used for the custody of persons 1464  
arrested for any crime or delinquent act, persons charged with 1465  
or convicted of any crime, or persons alleged to be or 1466  
adjudicated a delinquent child. 1467

(5) "Employee of a local correctional facility" means a 1468  
person who is an employee of the political subdivision or of one 1469  
or more of the affiliated political subdivisions that operates 1470

the local correctional facility and who operates or assists in 1471  
the operation of the facility. 1472

(6) "School teacher or administrator" means either of the 1473  
following: 1474

(a) A person who is employed in the public schools of the 1475  
state under a contract described in section 3311.77 or 3319.08 1476  
of the Revised Code in a position in which the person is 1477  
required to have a certificate issued pursuant to sections 1478  
3319.22 to 3319.311 of the Revised Code. 1479

(b) A person who is employed by a nonpublic school for 1480  
which the state board of education prescribes minimum standards 1481  
under section 3301.07 of the Revised Code and who is 1482  
certificated in accordance with section 3301.071 of the Revised 1483  
Code. 1484

(7) "Community control sanction" has the same meaning as 1485  
in section 2929.01 of the Revised Code. 1486

(8) "Escorted visit" means an escorted visit granted under 1487  
section 2967.27 of the Revised Code. 1488

(9) "Post-release control" and "transitional control" have 1489  
the same meanings as in section 2967.01 of the Revised Code. 1490

(10) "Investigator of the bureau of criminal 1491  
identification and investigation" has the same meaning as in 1492  
section 2903.11 of the Revised Code. 1493

(11) "Health care professional" and "health care worker" 1494  
have the same meanings as in section 2305.234 of the Revised 1495  
Code. 1496

(12) "Assault or homicide offense committed against 1497  
hospital personnel" means a violation of this section or of 1498

section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 1499  
2903.12, or 2903.14 of the Revised Code committed in 1500  
circumstances in which all of the following apply: 1501

(a) The victim of the offense was a health care 1502  
professional of a hospital, a health care worker of a hospital, 1503  
or a security officer of a hospital. 1504

(b) The offender knew or had reasonable cause to know that 1505  
the victim was a health care professional of a hospital, a 1506  
health care worker of a hospital, or a security officer of a 1507  
hospital. 1508

(c) The victim was engaged in the performance of the 1509  
victim's duties. 1510

(d) The hospital offered de-escalation or crisis 1511  
intervention training for such professionals, workers, or 1512  
officers. 1513

(13) "De-escalation or crisis intervention training" means 1514  
de-escalation or crisis intervention training for health care 1515  
professionals of a hospital, health care workers of a hospital, 1516  
and security officers of a hospital to facilitate interaction 1517  
with patients, members of a patient's family, and visitors, 1518  
including those with mental impairments. 1519

(14) "Assault or homicide offense committed against 1520  
justice system personnel" means a violation of this section or 1521  
of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 1522  
2903.11, 2903.12, or 2903.14 of the Revised Code committed in 1523  
circumstances in which the victim of the offense was a judge, 1524  
magistrate, prosecutor, or court official or employee whom the 1525  
offender knew or had reasonable cause to know was a judge, 1526  
magistrate, prosecutor, or court official or employee, and the 1527

victim was engaged in the performance of the victim's duties. 1528

(15) "Court official or employee" means any official or 1529  
employee of a court created under the constitution or statutes 1530  
of this state or of a United States court located in this state. 1531

(16) "Judge" means a judge of a court created under the 1532  
constitution or statutes of this state or of a United States 1533  
court located in this state. 1534

(17) "Magistrate" means an individual who is appointed by 1535  
a court of record of this state and who has the powers and may 1536  
perform the functions specified in Civil Rule 53, Criminal Rule 1537  
19, or Juvenile Rule 40, or an individual who is appointed by a 1538  
United States court located in this state who has similar powers 1539  
and functions. 1540

(18) "Prosecutor" has the same meaning as in section 1541  
2935.01 of the Revised Code. 1542

(19) (a) "Hospital" means, subject to division ~~(D) (19) (b)~~ 1543  
(E) (19) (b) of this section, an institution classified as a 1544  
hospital under section 3701.01 of the Revised Code in which are 1545  
provided to patients diagnostic, medical, surgical, obstetrical, 1546  
psychiatric, or rehabilitation care or a hospital operated by a 1547  
health maintenance organization. 1548

(b) "Hospital" does not include any of the following: 1549

(i) A facility licensed under Chapter 3721. of the Revised 1550  
Code, a health care facility operated by the department of 1551  
mental health or the department of developmental disabilities, a 1552  
health maintenance organization that does not operate a 1553  
hospital, or the office of any private, licensed health care 1554  
professional, whether organized for individual or group 1555  
practice; 1556

(ii) An institution for the sick that is operated 1557  
exclusively for patients who use spiritual means for healing and 1558  
for whom the acceptance of medical care is inconsistent with 1559  
their religious beliefs, accredited by a national accrediting 1560  
organization, exempt from federal income taxation under section 1561  
501 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 1562  
U.S.C. 1, as amended, and providing twenty-four-hour nursing 1563  
care pursuant to the exemption in division (E) of section 1564  
4723.32 of the Revised Code from the licensing requirements of 1565  
Chapter 4723. of the Revised Code. 1566

(20) "Health maintenance organization" has the same 1567  
meaning as in section 3727.01 of the Revised Code. 1568

(21) "Emergency service responder" means any law 1569  
enforcement officer, first responder, emergency medical 1570  
technician-basic, emergency medical technician-intermediate, 1571  
emergency medical technician-paramedic, firefighter, or 1572  
volunteer firefighter. 1573

(22) "Family or household member" means any of the 1574  
following: 1575

(a) Any of the following who is residing or has resided 1576  
with a person who is employed as an emergency service responder: 1577

(i) A spouse, a person living as a spouse, or a former 1578  
spouse of a person who is employed as an emergency service 1579  
responder; 1580

(ii) A parent, a foster parent, or a child of a person who 1581  
is employed as an emergency service responder, or another person 1582  
related by consanguinity or affinity to a person who is employed 1583  
as an emergency service responder; 1584

(iii) A parent or a child of a spouse, person living as a 1585

spouse, or former spouse of a person who is employed as an 1586  
emergency service responder, or another person related by 1587  
consanguinity or affinity to a spouse, person living as a 1588  
spouse, or former spouse of a person who is employed as an 1589  
emergency service responder. 1590

(b) The natural parent of any child of whom a person who 1591  
is employed as an emergency service responder is the other 1592  
natural parent or is the putative other natural parent. 1593

(23) "First responder," "emergency medical technician- 1594  
basic," "emergency medical technician-intermediate," and 1595  
"emergency medical technician-paramedic" have the same meanings 1596  
as in section 4765.01 of the Revised Code. 1597

(24) "Volunteer firefighter" has the same meaning as in 1598  
section 146.01 of the Revised Code. 1599

(25) "Person living as a spouse" means a person who is 1600  
living or has lived with a person who is employed as an 1601  
emergency service responder in a common law marital 1602  
relationship, who otherwise is cohabiting with a person who is 1603  
employed as an emergency service responder, or who otherwise has 1604  
cohabited with a person who is employed as an emergency service 1605  
responder within five years prior to the date of the alleged 1606  
commission of the act in question. 1607

(26) "Co-worker" means a person who is employed by the 1608  
organization or entity that is served by a person who is 1609  
employed as an emergency service responder. 1610

**Sec. 2903.22.** (A) (1) No person shall knowingly cause 1611  
another to believe that the offender will cause physical harm to 1612  
the person or property of the other person, the other person's 1613  
unborn, or a member of the other person's immediate family. In 1614

addition to any other basis for the other person's belief that 1615  
the offender will cause physical harm to the person or property 1616  
of the other person, the other person's unborn, or a member of 1617  
the other person's immediate family, the other person's belief 1618  
may be based on words or conduct of the offender that are 1619  
directed at or identify a corporation, association, or other 1620  
organization that employs the other person or to which the other 1621  
person belongs. 1622

(2) No person shall knowingly place or attempt to place 1623  
another in reasonable fear of physical harm or death by 1624  
displaying a deadly weapon, regardless of whether the deadly 1625  
weapon displayed is operable or inoperable, if either of the 1626  
following applies: 1627

(a) The other person is an emergency service responder, 1628  
the person knows or reasonably should know that the other person 1629  
is an emergency service responder, and it is the person's 1630  
specific purpose to engage in the specified conduct against an 1631  
emergency service responder. 1632

(b) The other person is a family or household member or 1633  
co-worker of an emergency service responder, the person knows or 1634  
reasonably should know that the other person is a family or 1635  
household member or co-worker of an emergency service responder, 1636  
and it is the person's specific purpose to engage in the 1637  
specified conduct against a family or household member or co- 1638  
worker of an emergency service responder. 1639

(B) Whoever violates this section is guilty of menacing. 1640

Except as otherwise provided in this division, menacing is 1641  
a misdemeanor of the fourth degree. If the victim of the offense 1642  
is an officer or employee of a public children services agency 1643



or a private child placing agency and the offense relates to the 1644  
officer's or employee's performance or anticipated performance 1645  
of official responsibilities or duties or if the victim of the 1646  
offense is an emergency service responder in the performance of 1647  
the responder's official duties, menacing is one of the 1648  
following: 1649

(1) Except as otherwise provided in division (B) (2) of 1650  
this section, a misdemeanor of the first degree ~~or, if;~~ 1651

(2) If the offender previously has been convicted of or 1652  
pleaded guilty to an offense of violence, the victim of that 1653  
prior offense was an officer or employee of a public children 1654  
services agency or private child placing agency or an emergency 1655  
service responder, and that prior offense related to the 1656  
officer's or employee's performance or anticipated performance 1657  
of official responsibilities or duties or to the responder's 1658  
performance of the responder's official duties, a felony of the 1659  
fourth degree. 1660

(C) A prosecution for a violation of this section does not 1661  
preclude a prosecution of a violation of any other section of 1662  
the Revised Code. One or more acts, a series of acts, or a 1663  
course of behavior that can be prosecuted under this section or 1664  
any other section of the Revised Code may be prosecuted under 1665  
this section, the other section of the Revised Code, or both 1666  
sections. However, if an offender is convicted of or pleads 1667  
guilty to a violation of this section and also is convicted of 1668  
or pleads guilty to a violation of section 2903.13 of the 1669  
Revised Code based on the same conduct involving the same victim 1670  
that was the basis of the violation of this section, the two 1671  
offenses are allied offenses of similar import under section 1672  
2941.25 of the Revised Code. 1673

(D) As used in this section, <del>"organization"</del> :	1674
(1) <u>"Emergency service responder," "family or household member," and "co-worker" have the same meanings as in section 2903.13 of the Revised Code.</u>	1675 1676 1677
(2) <u>"Organization"</u> includes an entity that is a governmental employer.	1678 1679
<b>Sec. 2907.01.</b> As used in sections 2907.01 to 2907.38 and 2917.211 of the Revised Code:	1680 1681
(A) "Sexual conduct" means vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.	1682 1683 1684 1685 1686 1687 1688
(B) "Sexual contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.	1689 1690 1691 1692 1693
(C) "Sexual activity" means sexual conduct or sexual contact, or both.	1694 1695
(D) "Prostitute" means a male or female who promiscuously engages in sexual activity for hire, regardless of whether the hire is paid to the prostitute or to another.	1696 1697 1698
(E) "Harmful to juveniles" means that quality of any material or performance describing or representing nudity, sexual conduct, sexual excitement, or sado-masochistic abuse in	1699 1700 1701

any form to which all of the following apply: 1702

(1) The material or performance, when considered as a 1703  
whole, appeals to the prurient interest of juveniles in sex. 1704

(2) The material or performance is patently offensive to 1705  
prevailing standards in the adult community as a whole with 1706  
respect to what is suitable for juveniles. 1707

(3) The material or performance, when considered as a 1708  
whole, lacks serious literary, artistic, political, and 1709  
scientific value for juveniles. 1710

(F) When considered as a whole, and judged with reference 1711  
to ordinary adults or, if it is designed for sexual deviates or 1712  
other specially susceptible group, judged with reference to that 1713  
group, any material or performance is "obscene" if any of the 1714  
following apply: 1715

(1) Its dominant appeal is to prurient interest; 1716

(2) Its dominant tendency is to arouse lust by displaying 1717  
or depicting sexual activity, masturbation, sexual excitement, 1718  
or nudity in a way that tends to represent human beings as mere 1719  
objects of sexual appetite; 1720

(3) Its dominant tendency is to arouse lust by displaying 1721  
or depicting bestiality or extreme or bizarre violence, cruelty, 1722  
or brutality; 1723

(4) Its dominant tendency is to appeal to scatological 1724  
interest by displaying or depicting human bodily functions of 1725  
elimination in a way that inspires disgust or revulsion in 1726  
persons with ordinary sensibilities, without serving any genuine 1727  
scientific, educational, sociological, moral, or artistic 1728  
purpose; 1729

(5) It contains a series of displays or descriptions of 1730  
sexual activity, masturbation, sexual excitement, nudity, 1731  
bestiality, extreme or bizarre violence, cruelty, or brutality, 1732  
or human bodily functions of elimination, the cumulative effect 1733  
of which is a dominant tendency to appeal to prurient or 1734  
scatological interest, when the appeal to such an interest is 1735  
primarily for its own sake or for commercial exploitation, 1736  
rather than primarily for a genuine scientific, educational, 1737  
sociological, moral, or artistic purpose. 1738

(G) "Sexual excitement" means the condition of human male 1739  
or female genitals when in a state of sexual stimulation or 1740  
arousal. 1741

(H) "Nudity" means the showing, representation, or 1742  
depiction of human male or female genitals, pubic area, or 1743  
buttocks with less than a full, opaque covering, or of a female 1744  
breast with less than a full, opaque covering of any portion 1745  
thereof below the top of the nipple, or of covered male genitals 1746  
in a discernibly turgid state. 1747

(I) "Juvenile" means an unmarried person under the age of 1748  
eighteen. 1749

(J) "Material" means any book, magazine, newspaper, 1750  
pamphlet, poster, print, picture, figure, image, description, 1751  
motion picture film, phonographic record, or tape, or other 1752  
tangible thing capable of arousing interest through sight, 1753  
sound, or touch and includes an image or text appearing on a 1754  
computer monitor, television screen, liquid crystal display, or 1755  
similar display device or an image or text recorded on a 1756  
computer hard disk, computer floppy disk, compact disk, magnetic 1757  
tape, or similar data storage device. 1758

(K) "Performance" means any motion picture, preview, trailer, play, show, skit, dance, or other exhibition performed before an audience.

(L) "Spouse" means a person married to an offender at the time of an alleged offense, except that such person shall not be considered the spouse when any of the following apply:

(1) When the parties have entered into a written separation agreement authorized by section 3103.06 of the Revised Code;

(2) During the pendency of an action between the parties for annulment, divorce, dissolution of marriage, or legal separation;

(3) In the case of an action for legal separation, after the effective date of the judgment for legal separation.

(M) "Minor" means a person under the age of eighteen.

(N) "Mental health client or patient" has the same meaning as in section 2305.51 of the Revised Code.

(O) "Mental health professional" has the same meaning as in section 2305.115 of the Revised Code.

(P) "Sado-masochistic abuse" means flagellation or torture by or upon a person or the condition of being fettered, bound, or otherwise physically restrained.

(Q) "Place where a person has a reasonable expectation of privacy" means a place where a reasonable person would believe that the person could fully disrobe in private.

(R) "Private area" means the genitals, pubic area, buttocks, or female breast below the top of the areola, where

nude or covered by an undergarment. 1786

**Sec. 2907.07.** (A) No person shall solicit a person who is 1787  
less than thirteen years of age to engage in sexual activity 1788  
with the offender, whether or not the offender knows the age of 1789  
such person. 1790

(B) (1) No person shall solicit another, not the spouse of 1791  
the offender, to engage in sexual conduct with the offender, 1792  
when the offender is eighteen years of age or older and four or 1793  
more years older than the other person, and the other person is 1794  
thirteen years of age or older but less than sixteen years of 1795  
age, whether or not the offender knows the age of the other 1796  
person. 1797

(2) No person shall solicit another, not the spouse of the 1798  
offender, to engage in sexual conduct with the offender, when 1799  
the offender is eighteen years of age or older and four or more 1800  
years older than the other person, the other person is sixteen 1801  
or seventeen years of age and a victim of a violation of section 1802  
2905.32 of the Revised Code, and the offender knows or has 1803  
reckless disregard of the age of the other person. 1804

(C) No person shall solicit a person who is less than 1805  
sixteen years of age to engage in sexual activity with the 1806  
offender when the person who is less than sixteen years of age 1807  
is substantially impaired because of a mental or physical 1808  
condition. 1809

(D) No person shall solicit another by means of a 1810  
telecommunications device, as defined in section 2913.01 of the 1811  
Revised Code, to engage in sexual activity with the offender 1812  
when the offender is eighteen years of age or older and either 1813  
of the following applies: 1814

(1) The other person is less than thirteen years of age, 1815  
and the offender knows that the other person is less than 1816  
thirteen years of age or is reckless in that regard. 1817

(2) The other person is a law enforcement officer posing 1818  
as a person who is less than thirteen years of age, and the 1819  
offender believes that the other person is less than thirteen 1820  
years of age or is reckless in that regard. 1821

~~(D)~~ (E) No person shall solicit another by means of a 1822  
telecommunications device, as defined in section 2913.01 of the 1823  
Revised Code, to engage in sexual activity with the offender 1824  
when the offender is eighteen years of age or older and either 1825  
of the following applies: 1826

(1) The other person is thirteen years of age or older but 1827  
less than sixteen years of age, the offender knows that the 1828  
other person is thirteen years of age or older but less than 1829  
sixteen years of age or is reckless in that regard, and the 1830  
offender is four or more years older than the other person. 1831

(2) The other person is a law enforcement officer posing 1832  
as a person who is thirteen years of age or older but less than 1833  
sixteen years of age, the offender believes that the other 1834  
person is thirteen years of age or older but less than sixteen 1835  
years of age or is reckless in that regard, and the offender is 1836  
four or more years older than the age the law enforcement 1837  
officer assumes in posing as the person who is thirteen years of 1838  
age or older but less than sixteen years of age. 1839

~~(E)~~ (F) Divisions ~~(C)~~ (D) and ~~(D)~~ (E) of this section 1840  
apply to any solicitation that is contained in a transmission 1841  
via a telecommunications device that either originates in this 1842  
state or is received in this state. 1843

~~(F) (1)~~ (G) (1) Whoever violates this section is guilty of 1844  
importuning. 1845

(2) ~~Except as otherwise provided in this division, a~~ 1846  
violation of division (A) ~~or~~, (C), or (D) of this section is a 1847  
felony of the third degree on a first offense, and, 1848  
notwithstanding division (C) of section 2929.13 of the Revised 1849  
Code, there is a presumption that a prison term shall be imposed 1850  
as described in division (D) of section 2929.13 of the Revised 1851  
Code. If the offender, in addition to soliciting the other 1852  
person, arranged to meet the other person for the purpose of 1853  
engaging in sexual activity, the court shall impose upon the 1854  
offender as a mandatory prison term one of the prison terms 1855  
prescribed in division (A) (3) (b) of section 2929.14 of the 1856  
Revised Code for a felony of the third degree. 1857

If the offender previously has been convicted of a 1858  
sexually oriented offense or a child-victim oriented offense, a 1859  
violation of division (A) ~~or~~, (C), or (D) of this section is a 1860  
felony of the second degree, and the court shall impose upon the 1861  
offender as a mandatory prison term one of the definite prison 1862  
terms prescribed in division (A) (2) (b) of section 2929.14 of the 1863  
Revised Code for a felony of the second degree, except that if 1864  
the violation is committed on or after ~~the effective date of~~ 1865  
~~this amendment~~ March 22, 2019, the court shall impose as the 1866  
minimum prison term for the offense a mandatory prison term that 1867  
is one of the minimum terms prescribed in division (A) (2) (a) of 1868  
that section for a felony of the second degree. 1869

(3) A violation of division (B) or ~~(D)~~ (E) of this section 1870  
is a felony of the fifth degree on a first offense, and, 1871  
notwithstanding division (B) of section 2929.13 of the Revised 1872  
Code, there is a presumption that a prison term shall be imposed 1873



as described in division (D) of section 2929.13 of the Revised Code. The court shall impose upon the offender as a mandatory prison term one of the prison terms prescribed in section 2929.14 of the Revised Code for a felony of the fifth degree if both of the following apply:

(a) Either of the following applies:

(i) The offender is ten or more years older than the other person.

(ii) Regarding a violation of division (E)(2) of this section, a law enforcement officer posed as a person thirteen years of age or older but less than sixteen years of age and the offender is ten or more years older than the officer claimed to be.

(b) In addition to soliciting the other person, the offender arranged to meet the other person for the purpose of engaging in sexual activity.

(4) If the offender previously has been convicted of a sexually oriented offense or a child-victim oriented offense, a violation of division (B) or ~~(D)~~ (E) of this section is a felony of the fourth degree, and the court shall impose upon the offender as a mandatory prison term one of the prison terms prescribed in section 2929.14 of the Revised Code for a felony of the fourth degree that is not less than twelve months in duration.

**Sec. 2907.08.** (A) No person, for the purpose of sexually arousing or gratifying the person's self, shall commit trespass or otherwise surreptitiously invade the privacy of another, to spy or eavesdrop upon another.

~~(B) No person, for the purpose of sexually arousing or~~

~~gratifying the person's self,~~ shall knowingly commit trespass or 1903  
otherwise secretly or surreptitiously ~~invade the privacy of~~ 1904  
~~another to~~ videotape, film, photograph, broadcast, stream, or 1905  
otherwise record ~~the other person in a state of nudity~~another 1906  
person, in a place where a person has a reasonable expectation 1907  
of privacy, for the purpose of viewing the private areas of that 1908  
person. 1909

(C) No person, ~~for the purpose of sexually arousing or~~ 1910  
~~gratifying the person's self,~~ shall knowingly commit trespass or 1911  
otherwise secretly or surreptitiously ~~invade the privacy of~~ 1912  
~~another to~~ videotape, film, photograph, broadcast, stream, or 1913  
otherwise record, ~~or spy or eavesdrop upon the other person in a~~ 1914  
~~state of nudity if the other person is a minor, in a place where~~ 1915  
a person has a reasonable expectation of privacy, for the 1916  
purpose of viewing the private areas of the minor. 1917

(D) No person shall secretly or surreptitiously videotape, 1918  
film, photograph, or otherwise record another person above, 1919  
under, or through the clothing being worn by that other person 1920  
for the purpose of viewing the body of, or the undergarments 1921  
worn by, that other person. 1922

(E) (1) Whoever violates this section is guilty of 1923  
voyeurism. 1924

(2) A violation of division (A) of this section is a 1925  
misdemeanor of the third degree. 1926

(3) A violation of division (B) of this section is a 1927  
misdemeanor of the second degree. 1928

(4) A violation of division (D) of this section is a 1929  
misdemeanor of the first degree. 1930

(5) A violation of division (C) of this section is a 1931

felony of the fifth degree. 1932

Sec. 2917.14. (A) No person, without privilege to do so, 1933  
shall recklessly obstruct any highway, street, sidewalk, or any 1934  
other public passage in such a manner as to render the highway, 1935  
street, sidewalk, or passage impassable without unreasonable 1936  
inconvenience or hazard if both of the following apply: 1937

(1) The obstruction prevents an emergency vehicle from 1938  
accessing a highway or street, prevents an emergency service 1939  
responder from responding to an emergency, or prevents an 1940  
emergency vehicle or an emergency service responder from having 1941  
access to an exit from an emergency. 1942

(2) Upon receipt of a request or order from an emergency 1943  
service responder to remove or cease the obstruction, the person 1944  
refuses to remove or cease the obstruction. 1945

(B) Division (A) of this section does not limit or affect 1946  
the application of section 2921.31 of the Revised Code or any 1947  
other section of the Revised Code. Any conduct that is a 1948  
violation of division (A) of this section and that also is a 1949  
violation of section 2921.31 of the Revised Code or any other 1950  
section of the Revised Code may be prosecuted under this 1951  
section, the other section, or both sections. 1952

(C) Whoever violates this section is guilty of unlawfully 1953  
impeding public passage of an emergency service responder, a 1954  
misdemeanor of the first degree. 1955

(D) As used in this section, "emergency service responder" 1956  
has the same meaning as in section 2921.01 of the Revised Code. 1957

**Sec. 2950.01.** As used in this chapter, unless the context 1958  
clearly requires otherwise: 1959

(A) "Sexually oriented offense" means any of the following 1960  
violations or offenses committed by a person, regardless of the 1961  
person's age: 1962

(1) A violation of section 2907.02, 2907.03, 2907.05, 1963  
2907.06, 2907.07, 2907.08, 2907.21, 2907.22, 2907.32, 2907.321, 1964  
2907.322, or 2907.323 of the Revised Code; 1965

(2) A violation of section 2907.04 of the Revised Code 1966  
when the offender is less than four years older than the other 1967  
person with whom the offender engaged in sexual conduct, the 1968  
other person did not consent to the sexual conduct, and the 1969  
offender previously has not been convicted of or pleaded guilty 1970  
to a violation of section 2907.02, 2907.03, or 2907.04 of the 1971  
Revised Code or a violation of former section 2907.12 of the 1972  
Revised Code; 1973

(3) A violation of section 2907.04 of the Revised Code 1974  
when the offender is at least four years older than the other 1975  
person with whom the offender engaged in sexual conduct or when 1976  
the offender is less than four years older than the other person 1977  
with whom the offender engaged in sexual conduct and the 1978  
offender previously has been convicted of or pleaded guilty to a 1979  
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 1980  
Code or a violation of former section 2907.12 of the Revised 1981  
Code; 1982

(4) A violation of section 2903.01, 2903.02, or 2903.11 of 1983  
the Revised Code when the violation was committed with a sexual 1984  
motivation; 1985

(5) A violation of division (A) of section 2903.04 of the 1986  
Revised Code when the offender committed or attempted to commit 1987  
the felony that is the basis of the violation with a sexual 1988

motivation;	1989
(6) A violation of division (A) (3) of section 2903.211 of the Revised Code;	1990 1991
(7) A violation of division (A) (1), (2), (3), or (5) of section 2905.01 of the Revised Code when the offense is committed with a sexual motivation;	1992 1993 1994
(8) A violation of division (A) (4) of section 2905.01 of the Revised Code;	1995 1996
(9) A violation of division (B) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age and the offender is not a parent of the victim of the offense;	1997 1998 1999 2000
(10) A violation of division (B) of section 2903.03, of division (B) of section 2905.02, of division (B) of section 2905.03, of division (B) of section 2905.05, or of division (B) (5) of section 2919.22 of the Revised Code;	2001 2002 2003 2004
(11) A violation of section 2905.32 of the Revised Code when either of the following applies:	2005 2006
(a) The violation is a violation of division (A) (1) of that section and the offender knowingly recruited, lured, enticed, isolated, harbored, transported, provided, obtained, or maintained, or knowingly attempted to recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain, another person knowing that the person would be compelled to engage in sexual activity for hire, engage in a performance that was obscene, sexually oriented, or nudity oriented, or be a model or participant in the production of material that was obscene, sexually oriented, or nudity oriented.	2007 2008 2009 2010 2011 2012 2013 2014 2015 2016

(b) The violation is a violation of division (A) (2) of 2017  
that section and the offender knowingly recruited, lured, 2018  
enticed, isolated, harbored, transported, provided, obtained, or 2019  
maintained, or knowingly attempted to recruit, lure, entice, 2020  
isolate, harbor, transport, provide, obtain, or maintain a 2021  
person who is less than eighteen years of age or is a person 2022  
with a developmental disability whom the offender knows or has 2023  
reasonable cause to believe is a person with a developmental 2024  
disability for any purpose listed in divisions (A) (2) (a) to (c) 2025  
of that section. 2026

(12) A violation of division (B) (4) of section 2907.09 of 2027  
the Revised Code if the sentencing court classifies the offender 2028  
as a tier I sex offender/child-victim offender relative to that 2029  
offense pursuant to division (D) of that section; 2030

(13) A violation of any former law of this state, any 2031  
existing or former municipal ordinance or law of another state 2032  
or the United States, any existing or former law applicable in a 2033  
military court or in an Indian tribal court, or any existing or 2034  
former law of any nation other than the United States that is or 2035  
was substantially equivalent to any offense listed in division 2036  
(A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), or 2037  
(12) of this section; 2038

(14) Any attempt to commit, conspiracy to commit, or 2039  
complicity in committing any offense listed in division (A) (1), 2040  
(2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), or 2041  
(13) of this section. 2042

(B) (1) "Sex offender" means, subject to division (B) (2) of 2043  
this section, a person who is convicted of, pleads guilty to, 2044  
has been convicted of, has pleaded guilty to, is adjudicated a 2045  
delinquent child for committing, or has been adjudicated a 2046

delinquent child for committing any sexually oriented offense. 2047

(2) "Sex offender" does not include a person who is 2048  
convicted of, pleads guilty to, has been convicted of, has 2049  
pleaded guilty to, is adjudicated a delinquent child for 2050  
committing, or has been adjudicated a delinquent child for 2051  
committing a sexually oriented offense if the offense involves 2052  
consensual sexual conduct or consensual sexual contact and 2053  
either of the following applies: 2054

(a) The victim of the sexually oriented offense was 2055  
eighteen years of age or older and at the time of the sexually 2056  
oriented offense was not under the custodial authority of the 2057  
person who is convicted of, pleads guilty to, has been convicted 2058  
of, has pleaded guilty to, is adjudicated a delinquent child for 2059  
committing, or has been adjudicated a delinquent child for 2060  
committing the sexually oriented offense. 2061

(b) The victim of the offense was thirteen years of age or 2062  
older, and the person who is convicted of, pleads guilty to, has 2063  
been convicted of, has pleaded guilty to, is adjudicated a 2064  
delinquent child for committing, or has been adjudicated a 2065  
delinquent child for committing the sexually oriented offense is 2066  
not more than four years older than the victim. 2067

(C) "Child-victim oriented offense" means any of the 2068  
following violations or offenses committed by a person, 2069  
regardless of the person's age, when the victim is under 2070  
eighteen years of age and is not a child of the person who 2071  
commits the violation: 2072

(1) A violation of division (A)(1), (2), (3), or (5) of 2073  
section 2905.01 of the Revised Code when the violation is not 2074  
included in division (A)(7) of this section; 2075

(2) A violation of division (A) of section 2905.02, 2076  
division (A) of section 2905.03, or division (A) of section 2077  
2905.05 of the Revised Code; 2078

(3) A violation of any former law of this state, any 2079  
existing or former municipal ordinance or law of another state 2080  
or the United States, any existing or former law applicable in a 2081  
military court or in an Indian tribal court, or any existing or 2082  
former law of any nation other than the United States that is or 2083  
was substantially equivalent to any offense listed in division 2084  
(C) (1) or (2) of this section; 2085

(4) Any attempt to commit, conspiracy to commit, or 2086  
complicity in committing any offense listed in division (C) (1), 2087  
(2), or (3) of this section. 2088

(D) "Child-victim offender" means a person who is 2089  
convicted of, pleads guilty to, has been convicted of, has 2090  
pleaded guilty to, is adjudicated a delinquent child for 2091  
committing, or has been adjudicated a delinquent child for 2092  
committing any child-victim oriented offense. 2093

(E) "Tier I sex offender/child-victim offender" means any 2094  
of the following: 2095

(1) A sex offender who is convicted of, pleads guilty to, 2096  
has been convicted of, or has pleaded guilty to any of the 2097  
following sexually oriented offenses: 2098

(a) A violation of section 2907.06, 2907.07, 2907.08, 2099  
2907.22, or 2907.32 of the Revised Code; 2100

(b) A violation of section 2907.04 of the Revised Code 2101  
when the offender is less than four years older than the other 2102  
person with whom the offender engaged in sexual conduct, the 2103  
other person did not consent to the sexual conduct, and the 2104



offender previously has not been convicted of or pleaded guilty to a violation of section 2907.02, 2907.03, or 2907.04 of the Revised Code or a violation of former section 2907.12 of the Revised Code;

(c) A violation of division (A) (1), (2), (3), or (5) of section 2907.05 of the Revised Code;

(d) A violation of division (A) (3) of section 2907.323 of the Revised Code;

(e) A violation of division (A) (3) of section 2903.211, of division (B) of section 2905.03, or of division (B) of section 2905.05 of the Revised Code;

(f) A violation of division (B) (4) of section 2907.09 of the Revised Code if the sentencing court classifies the offender as a tier I sex offender/child-victim offender relative to that offense pursuant to division (D) of that section;

(g) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States, that is or was substantially equivalent to any offense listed in division (E) (1) (a), (b), (c), (d), (e), or (f) of this section;

(h) Any attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (E) (1) (a), (b), (c), (d), (e), (f), or (g) of this section.

(2) A child-victim offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to a child-victim oriented offense and who is not within either category of child-victim offender described in division (F) (2)

or (G) (2) of this section. 2134

(3) A sex offender who is adjudicated a delinquent child 2135  
for committing or has been adjudicated a delinquent child for 2136  
committing any sexually oriented offense and who a juvenile 2137  
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 2138  
of the Revised Code, classifies a tier I sex offender/child- 2139  
victim offender relative to the offense. 2140

(4) A child-victim offender who is adjudicated a 2141  
delinquent child for committing or has been adjudicated a 2142  
delinquent child for committing any child-victim oriented 2143  
offense and who a juvenile court, pursuant to section 2152.82, 2144  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 2145  
tier I sex offender/child-victim offender relative to the 2146  
offense. 2147

(F) "Tier II sex offender/child-victim offender" means any 2148  
of the following: 2149

(1) A sex offender who is convicted of, pleads guilty to, 2150  
has been convicted of, or has pleaded guilty to any of the 2151  
following sexually oriented offenses: 2152

(a) A violation of section 2907.21, 2907.321, or 2907.322 2153  
of the Revised Code; 2154

(b) A violation of section 2907.04 of the Revised Code 2155  
when the offender is at least four years older than the other 2156  
person with whom the offender engaged in sexual conduct, or when 2157  
the offender is less than four years older than the other person 2158  
with whom the offender engaged in sexual conduct and the 2159  
offender previously has been convicted of or pleaded guilty to a 2160  
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 2161  
Code or former section 2907.12 of the Revised Code; 2162

(c) A violation of division (A) (4) of section 2907.05 or	2163
of division (A) (1) or (2) of section 2907.323 of the Revised	2164
Code;	2165
(d) A violation of division (A) (1), (2), (3), or (5) of	2166
section 2905.01 of the Revised Code when the offense is	2167
committed with a sexual motivation;	2168
(e) A violation of division (A) (4) of section 2905.01 of	2169
the Revised Code when the victim of the offense is eighteen	2170
years of age or older;	2171
(f) A violation of division (B) of section 2905.02 or of	2172
division (B) (5) of section 2919.22 of the Revised Code;	2173
(g) A violation of section 2905.32 of the Revised Code	2174
that is described in division (A) (11) (a) or (b) of this section;	2175
(h) A violation of any former law of this state, any	2176
existing or former municipal ordinance or law of another state	2177
or the United States, any existing or former law applicable in a	2178
military court or in an Indian tribal court, or any existing or	2179
former law of any nation other than the United States that is or	2180
was substantially equivalent to any offense listed in division	2181
(F) (1) (a), (b), (c), (d), (e), (f), or (g) of this section;	2182
(i) Any attempt to commit, conspiracy to commit, or	2183
complicity in committing any offense listed in division (F) (1)	2184
(a), (b), (c), (d), (e), (f), (g), or (h) of this section;	2185
(j) Any sexually oriented offense that is committed after	2186
the sex offender previously has been convicted of, pleaded	2187
guilty to, or has been adjudicated a delinquent child for	2188
committing any sexually oriented offense or child-victim	2189
oriented offense for which the offender was classified a tier I	2190
sex offender/child-victim offender.	2191

(2) A child-victim offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to any child-victim oriented offense when the child-victim oriented offense is committed after the child-victim offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing any sexually oriented offense or child-victim oriented offense for which the offender was classified a tier I sex offender/child-victim offender.

(3) A sex offender who is adjudicated a delinquent child for committing or has been adjudicated a delinquent child for committing any sexually oriented offense and who a juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a tier II sex offender/child-victim offender relative to the offense.

(4) A child-victim offender who is adjudicated a delinquent child for committing or has been adjudicated a delinquent child for committing any child-victim oriented offense and whom a juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a tier II sex offender/child-victim offender relative to the current offense.

(5) A sex offender or child-victim offender who is not in any category of tier II sex offender/child-victim offender set forth in division (F)(1), (2), (3), or (4) of this section, who prior to January 1, 2008, was adjudicated a delinquent child for committing a sexually oriented offense or child-victim oriented offense, and who prior to that date was determined to be a habitual sex offender or determined to be a habitual child-victim offender, unless either of the following applies:

(a) The sex offender or child-victim offender is

reclassified pursuant to section 2950.031 or 2950.032 of the Revised Code as a tier I sex offender/child-victim offender or a tier III sex offender/child-victim offender relative to the offense.

(b) A juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies the child a tier I sex offender/child-victim offender or a tier III sex offender/child-victim offender relative to the offense.

(G) "Tier III sex offender/child-victim offender" means any of the following:

(1) A sex offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to any of the following sexually oriented offenses:

(a) A violation of section 2907.02 or 2907.03 of the Revised Code;

(b) A violation of division (B) of section 2907.05 of the Revised Code;

(c) A violation of section 2903.01, 2903.02, or 2903.11 of the Revised Code when the violation was committed with a sexual motivation;

(d) A violation of division (A) of section 2903.04 of the Revised Code when the offender committed or attempted to commit the felony that is the basis of the violation with a sexual motivation;

(e) A violation of division (A) (4) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age;

(f) A violation of division (B) of section 2905.01 of the

Revised Code when the victim of the offense is under eighteen 2250  
years of age and the offender is not a parent of the victim of 2251  
the offense; 2252

(g) A violation of division (B) of section 2903.03 of the 2253  
Revised Code; 2254

(h) A violation of any former law of this state, any 2255  
existing or former municipal ordinance or law of another state 2256  
or the United States, any existing or former law applicable in a 2257  
military court or in an Indian tribal court, or any existing or 2258  
former law of any nation other than the United States that is or 2259  
was substantially equivalent to any offense listed in division 2260  
(G) (1) (a), (b), (c), (d), (e), (f), or (g) of this section; 2261

(i) Any attempt to commit, conspiracy to commit, or 2262  
complicity in committing any offense listed in division (G) (1) 2263  
(a), (b), (c), (d), (e), (f), (g), or (h) of this section; 2264

(j) Any sexually oriented offense that is committed after 2265  
the sex offender previously has been convicted of, pleaded 2266  
guilty to, or been adjudicated a delinquent child for committing 2267  
any sexually oriented offense or child-victim oriented offense 2268  
for which the offender was classified a tier II sex 2269  
offender/child-victim offender or a tier III sex offender/child- 2270  
victim offender. 2271

(2) A child-victim offender who is convicted of, pleads 2272  
guilty to, has been convicted of, or has pleaded guilty to any 2273  
child-victim oriented offense when the child-victim oriented 2274  
offense is committed after the child-victim offender previously 2275  
has been convicted of, pleaded guilty to, or been adjudicated a 2276  
delinquent child for committing any sexually oriented offense or 2277  
child-victim oriented offense for which the offender was 2278

classified a tier II sex offender/child-victim offender or a 2279  
tier III sex offender/child-victim offender. 2280

(3) A sex offender who is adjudicated a delinquent child 2281  
for committing or has been adjudicated a delinquent child for 2282  
committing any sexually oriented offense and who a juvenile 2283  
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 2284  
of the Revised Code, classifies a tier III sex offender/child- 2285  
victim offender relative to the offense. 2286

(4) A child-victim offender who is adjudicated a 2287  
delinquent child for committing or has been adjudicated a 2288  
delinquent child for committing any child-victim oriented 2289  
offense and whom a juvenile court, pursuant to section 2152.82, 2290  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 2291  
tier III sex offender/child-victim offender relative to the 2292  
current offense. 2293

(5) A sex offender or child-victim offender who is not in 2294  
any category of tier III sex offender/child-victim offender set 2295  
forth in division (G) (1), (2), (3), or (4) of this section, who 2296  
prior to January 1, 2008, was convicted of or pleaded guilty to 2297  
a sexually oriented offense or child-victim oriented offense or 2298  
was adjudicated a delinquent child for committing a sexually 2299  
oriented offense or child-victim oriented offense and classified 2300  
a juvenile offender registrant, and who prior to that date was 2301  
adjudicated a sexual predator or adjudicated a child-victim 2302  
predator, unless either of the following applies: 2303

(a) The sex offender or child-victim offender is 2304  
reclassified pursuant to section 2950.031 or 2950.032 of the 2305  
Revised Code as a tier I sex offender/child-victim offender or a 2306  
tier II sex offender/child-victim offender relative to the 2307  
offense. 2308

(b) The sex offender or child-victim offender is a 2309  
delinquent child, and a juvenile court, pursuant to section 2310  
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, 2311  
classifies the child a tier I sex offender/child-victim offender 2312  
or a tier II sex offender/child-victim offender relative to the 2313  
offense. 2314

(6) A sex offender who is convicted of, pleads guilty to, 2315  
was convicted of, or pleaded guilty to a sexually oriented 2316  
offense, if the sexually oriented offense and the circumstances 2317  
in which it was committed are such that division (F) of section 2318  
2971.03 of the Revised Code automatically classifies the 2319  
offender as a tier III sex offender/child-victim offender; 2320

(7) A sex offender or child-victim offender who is 2321  
convicted of, pleads guilty to, was convicted of, pleaded guilty 2322  
to, is adjudicated a delinquent child for committing, or was 2323  
adjudicated a delinquent child for committing a sexually 2324  
oriented offense or child-victim offense in another state, in a 2325  
federal court, military court, or Indian tribal court, or in a 2326  
court in any nation other than the United States if both of the 2327  
following apply: 2328

(a) Under the law of the jurisdiction in which the 2329  
offender was convicted or pleaded guilty or the delinquent child 2330  
was adjudicated, the offender or delinquent child is in a 2331  
category substantially equivalent to a category of tier III sex 2332  
offender/child-victim offender described in division (G) (1), 2333  
(2), (3), (4), (5), or (6) of this section. 2334

(b) Subsequent to the conviction, plea of guilty, or 2335  
adjudication in the other jurisdiction, the offender or 2336  
delinquent child resides, has temporary domicile, attends school 2337  
or an institution of higher education, is employed, or intends 2338



to reside in this state in any manner and for any period of time 2339  
that subjects the offender or delinquent child to a duty to 2340  
register or provide notice of intent to reside under section 2341  
2950.04 or 2950.041 of the Revised Code. 2342

(H) "Confinement" includes, but is not limited to, a 2343  
community residential sanction imposed pursuant to section 2344  
2929.16 or 2929.26 of the Revised Code. 2345

(I) "Prosecutor" has the same meaning as in section 2346  
2935.01 of the Revised Code. 2347

(J) "Supervised release" means a release of an offender 2348  
from a prison term, a term of imprisonment, or another type of 2349  
confinement that satisfies either of the following conditions: 2350

(1) The release is on parole, a conditional pardon, under 2351  
a community control sanction, under transitional control, or 2352  
under a post-release control sanction, and it requires the 2353  
person to report to or be supervised by a parole officer, 2354  
probation officer, field officer, or another type of supervising 2355  
officer. 2356

(2) The release is any type of release that is not 2357  
described in division (J)(1) of this section and that requires 2358  
the person to report to or be supervised by a probation officer, 2359  
a parole officer, a field officer, or another type of 2360  
supervising officer. 2361

(K) "Sexually violent predator specification," "sexually 2362  
violent predator," "sexually violent offense," "sexual 2363  
motivation specification," "designated homicide, assault, or 2364  
kidnapping offense," and "violent sex offense" have the same 2365  
meanings as in section 2971.01 of the Revised Code. 2366

(L) "Post-release control sanction" and "transitional 2367

control" have the same meanings as in section 2967.01 of the Revised Code.

(M) "Juvenile offender registrant" means a person who is adjudicated a delinquent child for committing on or after January 1, 2002, a sexually oriented offense or a child-victim oriented offense, who is fourteen years of age or older at the time of committing the offense, and who a juvenile court judge, pursuant to an order issued under section 2152.82, 2152.83, 2152.84, 2152.85, or 2152.86 of the Revised Code, classifies a juvenile offender registrant and specifies has a duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code. "Juvenile offender registrant" includes a person who prior to January 1, 2008, was a "juvenile offender registrant" under the definition of the term in existence prior to January 1, 2008, and a person who prior to July 31, 2003, was a "juvenile sex offender registrant" under the former definition of that former term.

(N) "Public registry-qualified juvenile offender registrant" means a person who is adjudicated a delinquent child and on whom a juvenile court has imposed a serious youthful offender dispositional sentence under section 2152.13 of the Revised Code before, on, or after January 1, 2008, and to whom all of the following apply:

(1) The person is adjudicated a delinquent child for committing, attempting to commit, conspiring to commit, or complicity in committing one of the following acts:

(a) A violation of section 2907.02 of the Revised Code, division (B) of section 2907.05 of the Revised Code, or section 2907.03 of the Revised Code if the victim of the violation was less than twelve years of age;

(b) A violation of section 2903.01, 2903.02, or 2905.01 of the Revised Code that was committed with a purpose to gratify the sexual needs or desires of the child;

(c) A violation of division (B) of section 2903.03 of the Revised Code.

(2) The person was fourteen, fifteen, sixteen, or seventeen years of age at the time of committing the act.

(3) A juvenile court judge, pursuant to an order issued under section 2152.86 of the Revised Code, classifies the person a juvenile offender registrant, specifies the person has a duty to comply with sections 2950.04, 2950.05, and 2950.06 of the Revised Code, and classifies the person a public registry-qualified juvenile offender registrant, and the classification of the person as a public registry-qualified juvenile offender registrant has not been terminated pursuant to division (D) of section 2152.86 of the Revised Code.

(O) "Secure facility" means any facility that is designed and operated to ensure that all of its entrances and exits are locked and under the exclusive control of its staff and to ensure that, because of that exclusive control, no person who is institutionalized or confined in the facility may leave the facility without permission or supervision.

(P) "Out-of-state juvenile offender registrant" means a person who is adjudicated a delinquent child in a court in another state, in a federal court, military court, or Indian tribal court, or in a court in any nation other than the United States for committing a sexually oriented offense or a child-victim oriented offense, who on or after January 1, 2002, moves to and resides in this state or temporarily is domiciled in this

state for more than five days, and who has a duty under section 2427  
2950.04 or 2950.041 of the Revised Code to register in this 2428  
state and the duty to otherwise comply with that applicable 2429  
section and sections 2950.05 and 2950.06 of the Revised Code. 2430  
"Out-of-state juvenile offender registrant" includes a person 2431  
who prior to January 1, 2008, was an "out-of-state juvenile 2432  
offender registrant" under the definition of the term in 2433  
existence prior to January 1, 2008, and a person who prior to 2434  
July 31, 2003, was an "out-of-state juvenile sex offender 2435  
registrant" under the former definition of that former term. 2436

(Q) "Juvenile court judge" includes a magistrate to whom 2437  
the juvenile court judge confers duties pursuant to division (A) 2438  
(15) of section 2151.23 of the Revised Code. 2439

(R) "Adjudicated a delinquent child for committing a 2440  
sexually oriented offense" includes a child who receives a 2441  
serious youthful offender dispositional sentence under section 2442  
2152.13 of the Revised Code for committing a sexually oriented 2443  
offense. 2444

(S) "School" and "school premises" have the same meanings 2445  
as in section 2925.01 of the Revised Code. 2446

(T) "Residential premises" means the building in which a 2447  
residential unit is located and the grounds upon which that 2448  
building stands, extending to the perimeter of the property. 2449  
"Residential premises" includes any type of structure in which a 2450  
residential unit is located, including, but not limited to, 2451  
multi-unit buildings and mobile and manufactured homes. 2452

(U) "Residential unit" means a dwelling unit for 2453  
residential use and occupancy, and includes the structure or 2454  
part of a structure that is used as a home, residence, or 2455

sleeping place by one person who maintains a household or two or more persons who maintain a common household. "Residential unit" does not include a halfway house or a community-based correctional facility.

(V) "Multi-unit building" means a building in which is located more than twelve residential units that have entry doors that open directly into the unit from a hallway that is shared with one or more other units. A residential unit is not considered located in a multi-unit building if the unit does not have an entry door that opens directly into the unit from a hallway that is shared with one or more other units or if the unit is in a building that is not a multi-unit building as described in this division.

(W) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(X) "Halfway house" and "community-based correctional facility" have the same meanings as in section 2929.01 of the Revised Code.

(Y) A person is in a "restricted offender category" if both of the following apply with respect to the person:

(1) The person has been convicted of, is convicted of, has pleaded guilty to, or pleads guilty to a sexually oriented offense where the victim was under the age of eighteen or a child-victim oriented offense.

(2) With respect to the offense described in division (Y) (1) of this section, one of the following applies:

(a) With respect to that offense, the person is a tier II sex offender/child-victim offender or is a tier III sex offender/child-victim offender who is subject to the duties

imposed by sections 2950.04, 2950.041, 2950.05, and 2950.06 of 2485  
the Revised Code. 2486

(b) With respect to that offense if it was committed prior 2487  
to January 1, 2008, under the version of Chapter 2950. of the 2488  
Revised Code in effect prior to January 1, 2008, the person was 2489  
adjudicated a sexual predator, was adjudicated a child-victim 2490  
predator, was classified a habitual sex offender, or was 2491  
classified a habitual child-victim sex offender. 2492

(Z) "Adjudicated a sexual predator," "adjudicated a child- 2493  
victim predator," "habitual sex offender," and "habitual child- 2494  
victim offender" have the meanings of those terms that applied 2495  
to them under Chapter 2950. of the Revised Code prior to January 2496  
1, 2008. 2497

**Sec. 2950.035.** (A) (1) Regardless of whether the person 2498  
committed the person's sexually oriented offense or child-victim 2499  
oriented offense prior to, on, or after the effective date of 2500  
this section, no person who is in a restricted offender category 2501  
shall do either of the following: 2502

(a) On or after the effective date of this section, 2503  
commence service in a position as a volunteer with any person, 2504  
group, or organization, in a capacity affording extensive 2505  
contact with minor children; 2506

(b) If the person was in the position prior to the 2507  
effective date of this section, at any time after the expiration 2508  
of ninety days after the effective date of this section, serve 2509  
in a position as a volunteer with any person, group, or 2510  
organization, in a capacity affording extensive contact with 2511  
minor children. 2512

(2) No person shall violate division (A) (1) of this 2513

section at any time after an injunction has been obtained 2514  
against the person under division (B) (2) of this section with 2515  
respect to a violation of division (A) (1) of this section. 2516

(3) A violation of division (A) (1) of this section that is 2517  
not also a violation of division (A) (2) of this section is 2518  
subject to injunctive relief as described in division (B) (2) of 2519  
this section. A violation of division (A) (2) of this section is 2520  
a criminal offense and is subject to the penalties specified in 2521  
section 2950.99 of the Revised Code. 2522

(4) The application of division (A) (1) of this section to 2523  
a person who committed the person's sexually oriented offense or 2524  
child-victim oriented offense prior to the effective date of 2525  
this section is procedural and remedial, pertains to conduct of 2526  
the person occurring on or after that date, and does not impose 2527  
punishment on the person for the sexually oriented offense or 2528  
child-victim oriented offense. 2529

(B) (1) If a law enforcement agency, based on a report made 2530  
to the agency by any person or based on its own investigation, 2531  
finds that a person to whom division (A) of this section applies 2532  
is violating that division, the agency shall report that finding 2533  
to the prosecuting authority. 2534

(2) A prosecuting authority, upon receipt of a report 2535  
under division (B) (1) of this section, has a cause of action for 2536  
injunctive relief against the person for the violation if the 2537  
violation is of division (A) (1) of this section and may bring an 2538  
action to obtain the injunctive relief. The plaintiff shall not 2539  
be required to prove irreparable harm in order to obtain the 2540  
relief. A prosecuting authority, upon receipt of a report under 2541  
division (B) (1) of this section, may proceed with a criminal 2542  
prosecution for the violation if the violation is of division 2543

<u>(A) (2) of this section.</u>	2544
<u>(C) As used in this section:</u>	2545
<u>(1) "Capacity affording extensive contact with minor children" means any capacity in which a person would be working directly and in an unaccompanied setting with minor children on more than an incidental and occasional basis or would have supervision or disciplinary power over minor children.</u>	2546 2547 2548 2549 2550
<u>(2) "Prosecuting authority" means the prosecuting attorney, village solicitor, city or township director of law, similar chief legal officer of a municipal corporation or township, or official designated as a prosecutor in a municipal corporation that has jurisdiction over the place at which a person serves in a position in violation of division (A) (1) or (2) of this section.</u>	2551 2552 2553 2554 2555 2556 2557
<u>(3) "Working directly and in an unaccompanied setting" includes, but is not limited to, providing goods or services to minors.</u>	2558 2559 2560
<b>Sec. 2950.99.</b> (A) (1) (a) Except as otherwise provided in division (A) (1) (b) of this section, whoever violates a prohibition in section 2950.04, 2950.041, 2950.05, or 2950.06 of the Revised Code shall be punished as follows:	2561 2562 2563 2564
(i) If the most serious sexually oriented offense that was the basis of the registration, notice of intent to reside, change of address notification, or address verification requirement that was violated under the prohibition is aggravated murder or murder if committed by an adult or a comparable category of offense committed in another jurisdiction, the offender is guilty of a felony of the first degree.	2565 2566 2567 2568 2569 2570 2571 2572



(ii) If the most serious sexually oriented offense or 2573  
child-victim oriented offense that was the basis of the 2574  
registration, notice of intent to reside, change of address 2575  
notification, or address verification requirement that was 2576  
violated under the prohibition is a felony of the first, second, 2577  
third, or fourth degree if committed by an adult or a comparable 2578  
category of offense committed in another jurisdiction, the 2579  
offender is guilty of a felony of the same degree as the most 2580  
serious sexually oriented offense or child-victim oriented 2581  
offense that was the basis of the registration, notice of intent 2582  
to reside, change of address, or address verification 2583  
requirement that was violated under the prohibition, or, if the 2584  
most serious sexually oriented offense or child-victim oriented 2585  
offense that was the basis of the registration, notice of intent 2586  
to reside, change of address, or address verification 2587  
requirement that was violated under the prohibition is a 2588  
comparable category of offense committed in another 2589  
jurisdiction, the offender is guilty of a felony of the same 2590  
degree as that offense committed in the other jurisdiction would 2591  
constitute if committed in this state. 2592

(iii) If the most serious sexually oriented offense or 2593  
child-victim oriented offense that was the basis of the 2594  
registration, notice of intent to reside, change of address 2595  
notification, or address verification requirement that was 2596  
violated under the prohibition is a felony of the fifth degree 2597  
or a misdemeanor if committed by an adult or a comparable 2598  
category of offense committed in another jurisdiction, the 2599  
offender is guilty of a felony of the fourth degree. 2600

(b) If the offender previously has been convicted of or 2601  
pleaded guilty to, or previously has been adjudicated a 2602  
delinquent child for committing, a violation of a prohibition in 2603

section 2950.04, 2950.041, 2950.05, or 2950.06 of the Revised 2604  
Code, whoever violates a prohibition in section 2950.04, 2605  
2950.041, 2950.05, or 2950.06 of the Revised Code shall be 2606  
punished as follows: 2607

(i) If the most serious sexually oriented offense that was 2608  
the basis of the registration, notice of intent to reside, 2609  
change of address notification, or address verification 2610  
requirement that was violated under the prohibition is 2611  
aggravated murder or murder if committed by an adult or a 2612  
comparable category of offense committed in another 2613  
jurisdiction, the offender is guilty of a felony of the first 2614  
degree. 2615

(ii) If the most serious sexually oriented offense or 2616  
child-victim oriented offense that was the basis of the 2617  
registration, notice of intent to reside, change of address 2618  
notification, or address verification requirement that was 2619  
violated under the prohibition is a felony of the first, second, 2620  
or third degree if committed by an adult or a comparable 2621  
category of offense committed in another jurisdiction, the 2622  
offender is guilty of a felony of the same degree as the most 2623  
serious sexually oriented offense or child-victim oriented 2624  
offense that was the basis of the registration, notice of intent 2625  
to reside, change of address, or address verification 2626  
requirement that was violated under the prohibition, or, if the 2627  
most serious sexually oriented offense or child-victim oriented 2628  
offense that was the basis of the registration, notice of intent 2629  
to reside, change of address, or address verification 2630  
requirement that was violated under the prohibition is a 2631  
comparable category of offense committed in another 2632  
jurisdiction, the offender is guilty of a felony of the same 2633  
degree as that offense committed in the other jurisdiction would 2634

constitute if committed in this state. 2635

(iii) If the most serious sexually oriented offense or 2636  
child-victim oriented offense that was the basis of the 2637  
registration, notice of intent to reside, change of address 2638  
notification, or address verification requirement that was 2639  
violated under the prohibition is a felony of the fourth or 2640  
fifth degree if committed by an adult or a comparable category 2641  
of offense committed in another jurisdiction, the offender is 2642  
guilty of a felony of the third degree. 2643

(iv) If the most serious sexually oriented offense or 2644  
child-victim oriented offense that was the basis of the 2645  
registration, notice of intent to reside, change of address 2646  
notification, or address verification requirement that was 2647  
violated under the prohibition is a misdemeanor if committed by 2648  
an adult or a comparable category of offense committed in 2649  
another jurisdiction, the offender is guilty of a felony of the 2650  
fourth degree. 2651

(2) (a) In addition to any penalty or sanction imposed 2652  
under division (A) (1) of this section or any other provision of 2653  
law for a violation of a prohibition in section 2950.04, 2654  
2950.041, 2950.05, or 2950.06 of the Revised Code, if the 2655  
offender or delinquent child is subject to a community control 2656  
sanction, is on parole, is subject to one or more post-release 2657  
control sanctions, or is subject to any other type of supervised 2658  
release at the time of the violation, the violation shall 2659  
constitute a violation of the terms and conditions of the 2660  
community control sanction, parole, post-release control 2661  
sanction, or other type of supervised release. 2662

(b) In addition to any penalty or sanction imposed under 2663  
division (A) (1) (b) (i), (ii), or (iii) of this section or any 2664

other provision of law for a violation of a prohibition in 2665  
section 2950.04, 2950.041, 2950.05, or 2950.06 of the Revised 2666  
Code, if the offender previously has been convicted of or 2667  
pleaded guilty to, or previously has been adjudicated a 2668  
delinquent child for committing, a violation of a prohibition in 2669  
section 2950.04, 2950.041, 2950.05, or 2950.06 of the Revised 2670  
Code when the most serious sexually oriented offense or child- 2671  
victim oriented offense that was the basis of the requirement 2672  
that was violated under the prohibition is a felony if committed 2673  
by an adult or a comparable category of offense committed in 2674  
another jurisdiction, the court imposing a sentence upon the 2675  
offender shall impose a definite prison term of no less than 2676  
three years. The definite prison term imposed under this 2677  
section, subject to divisions (C) to (I) of section 2967.19 of 2678  
the Revised Code, shall not be reduced to less than three years 2679  
pursuant to any provision of Chapter 2967. or any other 2680  
provision of the Revised Code. 2681

(3) As used in division (A)(1) of this section, 2682  
"comparable category of offense committed in another 2683  
jurisdiction" means a sexually oriented offense or child-victim 2684  
oriented offense that was the basis of the registration, notice 2685  
of intent to reside, change of address notification, or address 2686  
verification requirement that was violated, that is a violation 2687  
of an existing or former law of another state or the United 2688  
States, an existing or former law applicable in a military court 2689  
or in an Indian tribal court, or an existing or former law of 2690  
any nation other than the United States, and that, if it had 2691  
been committed in this state, would constitute or would have 2692  
constituted aggravated murder or murder for purposes of division 2693  
(A)(1)(a)(i) of this section, a felony of the first, second, 2694  
third, or fourth degree for purposes of division (A)(1)(a)(ii) 2695

of this section, a felony of the fifth degree or a misdemeanor 2696  
for purposes of division (A) (1) (a) (iii) of this section, 2697  
aggravated murder or murder for purposes of division (A) (1) (b) 2698  
(i) of this section, a felony of the first, second, or third 2699  
degree for purposes of division (A) (1) (b) (ii) of this section, a 2700  
felony of the fourth or fifth degree for purposes of division 2701  
(A) (1) (b) (iii) of this section, or a misdemeanor for purposes of 2702  
division (A) (1) (b) (iv) of this section. 2703

(B) If a person violates a prohibition in section 2950.04, 2704  
2950.041, 2950.05, or 2950.06 of the Revised Code that applies 2705  
to the person as a result of the person being adjudicated a 2706  
delinquent child and being classified a juvenile offender 2707  
registrant or an out-of-state juvenile offender registrant, both 2708  
of the following apply: 2709

(1) If the violation occurs while the person is under 2710  
eighteen years of age, the person is subject to proceedings 2711  
under Chapter 2152. of the Revised Code based on the violation. 2712

(2) If the violation occurs while the person is eighteen 2713  
years of age or older, the person is subject to criminal 2714  
prosecution based on the violation. 2715

(C) Whoever violates division (C) of section 2950.13 of 2716  
the Revised Code is guilty of a misdemeanor of the first degree. 2717

(D) Whoever violates division (A) (2) of section 2950.035 2718  
of the Revised Code shall be punished as follows: 2719

(1) Except as otherwise provided in division (D) (2) or (3) 2720  
of this section, the offender is guilty of a misdemeanor of the 2721  
first degree. 2722

(2) If the offender once previously has been convicted of 2723  
or pleaded guilty to a violation of division (A) (2) of section 2724

2950.035 of the Revised Code, the offender is guilty of a felony 2725  
of the third degree. 2726

(3) If the offender two or more times previously has been 2727  
convicted of or pleaded guilty to a violation of division (A)(2) 2728  
of section 2950.035 of the Revised Code, the offender is guilty 2729  
of a felony of the first degree. 2730

**Sec. 2951.02.** ~~(A)~~ (A)(1) During the period of a misdemeanor 2731  
offender's community control sanction or during the period of a 2732  
felony offender's nonresidential sanction, authorized probation 2733  
officers who are engaged within the scope of their supervisory 2734  
duties or responsibilities may search, with or without a 2735  
warrant, the person of the offender, the place of residence of 2736  
the offender, and a motor vehicle, another item of tangible or 2737  
intangible personal property, or other real property in which 2738  
the offender has a right, title, or interest or for which the 2739  
offender has the express or implied permission of a person with 2740  
a right, title, or interest to use, occupy, or possess if ~~the~~ 2741  
any of the following apply: 2742

(a) The probation officers have reasonable grounds to 2743  
believe that the offender is not abiding by the law or otherwise 2744  
is not complying with the conditions of the misdemeanor 2745  
offender's community control sanction or the conditions of the 2746  
felony offender's nonresidential sanction. ~~If~~ 2747

(b) The court requires the offender's consent to searches 2748  
as part of the terms and conditions of community control, and 2749  
the offender agreed to those terms and conditions. 2750

(c) The offender otherwise provides consent for the 2751  
search. 2752

(2) If a felony offender who is sentenced to a 2753

nonresidential sanction is under the general control and 2754  
supervision of the adult parole authority, as described in 2755  
division (A) (2) (a) of section 2929.15 of the Revised Code, adult 2756  
parole authority field officers with supervisory 2757  
responsibilities over the felony offender shall have the same 2758  
search authority relative to the felony offender during the 2759  
period of the sanction that is described under ~~this~~ division (A) 2760  
(1) of this section for probation officers. ~~The court that~~ 2761  
~~places the~~ 2762

(3) If a misdemeanor offender is placed under a community 2763  
control sanction pursuant to section 2929.25 of the Revised Code 2764  
or ~~that sentences the~~ if a felony offender is sentenced to a 2765  
nonresidential sanction pursuant to section 2929.17 of the 2766  
Revised Code, the court that places the misdemeanor offender 2767  
under the sanction or sentences the felony offender to the 2768  
sanction shall provide the offender with a written notice that 2769  
informs the offender that authorized probation officers or adult 2770  
parole authority field officers with supervisory 2771  
responsibilities over the offender who are engaged within the 2772  
scope of their supervisory duties or responsibilities may 2773  
conduct ~~those~~ the types of searches described in divisions (A) 2774  
(1) and (2) of this section during the period of community 2775  
control sanction or the nonresidential sanction if ~~they~~ any of 2776  
the following apply: 2777

(a) The officers have reasonable grounds to believe that 2778  
the offender is not abiding by the law or otherwise is not 2779  
complying with the conditions of the offender's community 2780  
control sanction or nonresidential sanction. 2781

(b) The court requires the offender's consent to searches 2782  
as part of the terms and conditions of community control, and 2783

the offender agreed to those terms and conditions. 2784

(c) The offender otherwise provides consent for the 2785  
search. 2786

(B) If an offender is convicted of or pleads guilty to a 2787  
misdemeanor, the court may require the offender, as a condition 2788  
of the offender's sentence of a community control sanction, to 2789  
perform supervised community service work in accordance with 2790  
this division. If an offender is convicted of or pleads guilty 2791  
to a felony, the court, pursuant to sections 2929.15 and 2929.17 2792  
of the Revised Code, may impose a sanction that requires the 2793  
offender to perform supervised community service work in 2794  
accordance with this division. The supervised community service 2795  
work shall be under the authority of health districts, park 2796  
districts, counties, municipal corporations, townships, other 2797  
political subdivisions of the state, or agencies of the state or 2798  
any of its political subdivisions, or under the authority of 2799  
charitable organizations that render services to the community 2800  
or its citizens, in accordance with this division. The court may 2801  
require an offender who is ordered to perform the work to pay to 2802  
it a reasonable fee to cover the costs of the offender's 2803  
participation in the work, including, but not limited to, the 2804  
costs of procuring a policy or policies of liability insurance 2805  
to cover the period during which the offender will perform the 2806  
work. 2807

A court may permit any offender convicted of a felony or a 2808  
misdemeanor to satisfy the payment of a fine imposed for the 2809  
offense pursuant to section 2929.18 or 2929.28 of the Revised 2810  
Code by performing supervised community service work as 2811  
described in this division if the offender requests an 2812  
opportunity to satisfy the payment by this means and if the 2813



court determines that the offender is financially unable to pay 2814  
the fine. 2815

After imposing a term of community service, the court may 2816  
modify the sentence to authorize a reasonable contribution to 2817  
the appropriate general fund as provided in division (B) of 2818  
section 2929.27 of the Revised Code. 2819

The supervised community service work that may be imposed 2820  
under this division shall be subject to the following 2821  
limitations: 2822

(1) The court shall fix the period of the work and, if 2823  
necessary, shall distribute it over weekends or over other 2824  
appropriate times that will allow the offender to continue at 2825  
the offender's occupation or to care for the offender's family. 2826  
The period of the work as fixed by the court shall not exceed in 2827  
the aggregate the number of hours of community service imposed 2828  
by the court pursuant to section 2929.17 or 2929.27 of the 2829  
Revised Code. 2830

(2) An agency, political subdivision, or charitable 2831  
organization must agree to accept the offender for the work 2832  
before the court requires the offender to perform the work for 2833  
the entity. A court shall not require an offender to perform 2834  
supervised community service work for an agency, political 2835  
subdivision, or charitable organization at a location that is an 2836  
unreasonable distance from the offender's residence or domicile, 2837  
unless the offender is provided with transportation to the 2838  
location where the work is to be performed. 2839

(3) A court may enter into an agreement with a county 2840  
department of job and family services for the management, 2841  
placement, and supervision of offenders eligible for community 2842

service work in work activities, developmental activities, and 2843  
alternative work activities under sections 5107.40 to 5107.69 of 2844  
the Revised Code. If a court and a county department of job and 2845  
family services have entered into an agreement of that nature, 2846  
the clerk of that court is authorized to pay directly to the 2847  
county department all or a portion of the fees collected by the 2848  
court pursuant to this division in accordance with the terms of 2849  
its agreement. 2850

(4) Community service work that a court requires under 2851  
this division shall be supervised by an official of the agency, 2852  
political subdivision, or charitable organization for which the 2853  
work is performed or by a person designated by the agency, 2854  
political subdivision, or charitable organization. The official 2855  
or designated person shall be qualified for the supervision by 2856  
education, training, or experience, and periodically shall 2857  
report, in writing, to the court and to the offender's probation 2858  
officer concerning the conduct of the offender in performing the 2859  
work. 2860

(5) The total of any period of supervised community 2861  
service work imposed on an offender under division (B) of this 2862  
section plus the period of all other sanctions imposed pursuant 2863  
to sections 2929.15, 2929.16, 2929.17, and 2929.18 of the 2864  
Revised Code for a felony, or pursuant to sections 2929.25, 2865  
2929.26, 2929.27, and 2929.28 of the Revised Code for a 2866  
misdemeanor, shall not exceed five years. 2867

(C) (1) If an offender is convicted of a violation of 2868  
section 4511.19 of the Revised Code or a substantially similar 2869  
municipal ordinance, the court may require, as a condition of a 2870  
community control sanction, that the offender operate only a 2871  
motor vehicle equipped with an ignition interlock device that is 2872

certified pursuant to section 4510.43 of the Revised Code. 2873

(2) If a court requires an offender, as a condition of a 2874  
community control sanction pursuant to division (C)(1) of this 2875  
section, to operate only a motor vehicle equipped with an 2876  
ignition interlock device that is certified pursuant to section 2877  
4510.43 of the Revised Code, the offender immediately shall 2878  
surrender the offender's driver's or commercial driver's license 2879  
or permit to the court. Upon the receipt of the offender's 2880  
license or permit, the court shall issue an order authorizing 2881  
the offender to operate a motor vehicle equipped with a 2882  
certified ignition interlock device and deliver the offender's 2883  
license or permit to the registrar of motor vehicles. The court 2884  
also shall give the offender a copy of its order for purposes of 2885  
obtaining a restricted license. 2886

(3) An offender shall present to the registrar or to a 2887  
deputy registrar the copy of the order issued under division (C) 2888  
of this section and a certificate affirming the installation of 2889  
an ignition interlock device that is in a form established by 2890  
the director of public safety and that is signed by the person 2891  
who installed the device. Upon presentation of the order and 2892  
certificate, the registrar or deputy registrar shall issue a 2893  
restricted license to the offender, unless the offender's 2894  
driver's license or commercial driver's license or permit is 2895  
suspended under any other provision of law and limited driving 2896  
privileges have not been granted with regard to that suspension. 2897  
The restricted license shall be identical to the surrendered 2898  
license, except that it shall have printed on its face a 2899  
statement that the offender is prohibited from operating a motor 2900  
vehicle that is not equipped with an ignition interlock device 2901  
that is certified pursuant to section 4510.43 of the Revised 2902  
Code. The registrar shall deliver the offender's surrendered 2903

license or permit to the court upon receipt of a court order 2904  
requiring it to do so, or reissue the offender's license or 2905  
permit under section 4510.52 of the Revised Code if the 2906  
registrar destroyed the offender's license or permit under that 2907  
section. The offender shall surrender the restricted license to 2908  
the court upon receipt of the offender's surrendered license or 2909  
permit. 2910

(4) If an offender violates a requirement of the court 2911  
imposed under division (C)(1) of this section, the court may 2912  
impose a class seven suspension of the offender's driver's or 2913  
commercial driver's license or permit or nonresident operating 2914  
privilege from the range specified in division (A)(7) of section 2915  
4510.02 of the Revised Code. On a second or subsequent 2916  
violation, the court may impose a class four suspension of the 2917  
offender's driver's or commercial driver's license or permit or 2918  
nonresident operating privilege from the range specified in 2919  
division (A)(4) of section 4510.02 of the Revised Code. 2920

**Sec. 2967.131.** (A) In addition to any other terms and 2921  
conditions of a conditional pardon or parole, of transitional 2922  
control, or of another form of authorized release from 2923  
confinement in a state correctional institution that is granted 2924  
to an individual and that involves the placement of the 2925  
individual under the supervision of the adult parole authority, 2926  
and in addition to any other sanctions of post-release control 2927  
of a felon imposed under section 2967.28 of the Revised Code, 2928  
the authority or, in the case of a conditional pardon, the 2929  
governor shall include in the terms and conditions of the 2930  
conditional pardon, parole, transitional control, or other form 2931  
of authorized release or shall include as conditions of the 2932  
post-release control the conditions that the individual or felon 2933  
not leave the state without permission of the court or the 2934

individual's or felon's parole or probation officer and that the 2935  
individual or felon abide by the law during the period of the 2936  
individual's or felon's conditional pardon, parole, transitional 2937  
control, other form of authorized release, or post-release 2938  
control. 2939

(B) (1) The department of rehabilitation and correction, as 2940  
a condition of parole or post-release control, may require that 2941  
the individual or felon shall not ingest or be injected with a 2942  
drug of abuse and shall submit to random drug testing as 2943  
provided in divisions (B) (2), (3), and (4) of this section and 2944  
that the results of the drug test indicate that the individual 2945  
or felon did not ingest or was not injected with a drug of 2946  
abuse. 2947

(2) If the adult parole authority has general control and 2948  
supervision of an individual or felon who is required to submit 2949  
to random drug testing as a condition of parole or post-release 2950  
control under division (B) (1) of this section, the authority may 2951  
cause the individual or felon to submit to random drug testing 2952  
performed by a laboratory or entity that has entered into a 2953  
contract with any of the governmental entities or officers 2954  
authorized to enter into a contract with that laboratory or 2955  
entity under section 341.26, 753.33, or 5120.63 of the Revised 2956  
Code. 2957

(3) If no laboratory or entity described in division (B) 2958  
(2) of this section has entered into a contract as specified in 2959  
that division, the adult parole authority shall cause the 2960  
individual or felon to submit to random drug testing performed 2961  
by a reputable public laboratory to determine whether the 2962  
individual or felon who is the subject of the drug test ingested 2963  
or was injected with a drug of abuse. 2964

(4) If a laboratory or entity has entered into a contract 2965  
with a governmental entity or officer as specified in division 2966  
(B) (2) of this section, the laboratory or entity shall perform 2967  
the random drug testing under division (B) (2) of this section in 2968  
accordance with the applicable standards that are included in 2969  
the terms of that contract. A public laboratory shall perform 2970  
the random drug tests under division (B) (3) of this section in 2971  
accordance with the standards set forth in the policies and 2972  
procedures established by the department of rehabilitation and 2973  
correction pursuant to section 5120.63 of the Revised Code. An 2974  
individual or felon who is required under division (B) (1) of 2975  
this section to submit to random drug testing as a condition of 2976  
parole or post-release control and whose test results indicate 2977  
that the individual or felon ingested or was injected with a 2978  
drug of abuse shall pay the fee for the drug test if the adult 2979  
parole authority requires payment of a fee. A laboratory or 2980  
entity that performs the random drug testing on a parolee or 2981  
releasee under division (B) (2) or (3) of this section shall 2982  
transmit the results of the drug test to the adult parole 2983  
authority. 2984

~~(C)~~ (C) (1) During the period of a conditional pardon or 2985  
parole, of transitional control, or of another form of 2986  
authorized release from confinement in a state correctional 2987  
institution that is granted to an individual and that involves 2988  
the placement of the individual under the supervision of the 2989  
adult parole authority, and during a period of post-release 2990  
control of a felon imposed under section 2967.28 of the Revised 2991  
Code, authorized field officers of the authority who are engaged 2992  
within the scope of their supervisory duties or responsibilities 2993  
may search, with or without a warrant, the person of the 2994  
individual or felon, the place of residence of the individual or 2995

felon, and a motor vehicle, another item of tangible or 2996  
intangible personal property, or other real property in which 2997  
the individual or felon has a right, title, or interest or for 2998  
which the individual or felon has the express or implied 2999  
permission of a person with a right, title, or interest to use, 3000  
occupy, or possess, if ~~the~~ any of the following apply: 3001

(a) The field officers have reasonable grounds to believe 3002  
that the individual or felon has left the state, is not abiding 3003  
by the law, or otherwise is not complying with the terms and 3004  
conditions of the individual's or felon's conditional pardon, 3005  
parole, transitional control, other form of authorized release, 3006  
or post-release control. ~~The~~ 3007

(b) The adult parole authority requires the individual's 3008  
or felon's consent to searches as part of the terms and 3009  
conditions of the conditional pardon or parole, of the 3010  
transitional control, or of the other form of authorized release 3011  
from confinement in a state correctional institution that is 3012  
granted to a person and that involves the placement of the 3013  
person under the supervision of the adult parole authority, and 3014  
the individual or felon agreed to those terms and conditions. 3015

(c) The individual or felon otherwise provides consent for 3016  
the search. 3017

(2) The adult parole authority shall provide each 3018  
individual who is granted a conditional pardon or parole, 3019  
transitional control, or another form of authorized release from 3020  
confinement in a state correctional institution and each felon 3021  
who is under post-release control with a written notice that 3022  
informs the individual or felon that authorized field officers 3023  
of the authority who are engaged within the scope of their 3024  
supervisory duties or responsibilities may conduct ~~those~~ the 3025

types of searches described in division (C)(1) of this section 3026  
during the period of the conditional pardon, parole, 3027  
transitional control, other form of authorized release, or post- 3028  
release control if ~~they~~ any of the following apply: 3029

(a) The field officers have reasonable grounds to believe 3030  
that the individual or felon has left the state, is not abiding 3031  
by the law, or otherwise is not complying with the terms and 3032  
conditions of the individual's or felon's conditional pardon, 3033  
parole, transitional control, other form of authorized release, 3034  
or post-release control. 3035

(b) The adult parole authority requires the individual's 3036  
or felon's consent to searches as part of the terms and 3037  
conditions of the conditional pardon or parole, of transitional 3038  
control, or of the other form of authorized release from 3039  
confinement in a state correctional institution that is granted 3040  
to a person and that involves the placement of the person under 3041  
the supervision of the adult parole authority, and the 3042  
individual or felon agreed to those terms and conditions. 3043

(c) The individual or felon otherwise provides consent for 3044  
the search. 3045

**Sec. 3761.16.** (A) As used in this section, "mob" has the 3046  
same meaning as in section 3761.01 of the Revised Code. 3047

(B) The chief administrative officer of a political 3048  
subdivision with police powers, when engaged in suppressing a 3049  
riot or a mob or when there is a clear and present danger of a 3050  
riot or a mob, may cordon off any area or areas threatened by 3051  
the riot or the mob and prohibit persons from entering the 3052  
cordoned off area or areas except when carrying on necessary and 3053  
legitimate pursuits and may prohibit the sale, offering for 3054



sale, dispensing, or transportation of ~~firearms or other~~ 3055  
~~dangerous weapons, ammunition, dynamite,~~ or other dangerous 3056  
explosives in, to, or from the cordoned off areas. 3057

(C) The chief administrative officer of a political 3058  
subdivision with police powers, when engaged in suppressing a 3059  
riot or a mob or when there is a clear and present danger of a 3060  
riot or a mob, may cordon off any area or areas threatened by 3061  
the riot or the mob and prohibit persons from entering the 3062  
cordoned off area or areas except when carrying on necessary and 3063  
legitimate pursuits and may not prohibit the otherwise legal 3064  
sale, offering for sale, dispensing, or transportation of 3065  
firearms, other dangerous weapons, or ammunition by a person in 3066  
a cordoned off area under either of the following circumstances: 3067

(1) The cordoned off area encompasses the person's 3068  
residence or business, or the person is accompanied by another 3069  
person who resides or owns a business in the cordoned off area. 3070

(2) The cordoned off area encompasses the person's place 3071  
of employment. 3072

(D) Divisions (C) (1) and (2) of this section do not apply 3073  
to prisons or jails. 3074

**Sec. 5502.411. (A) As used in this section:** 3075

(1) "Ammunition" has the same meaning as in section 3076  
2305.401 of the Revised Code. 3077

(2) "Concealed handgun license," "deadly weapon," 3078  
"firearm," and "valid concealed handgun license" have the same 3079  
meanings as in section 2923.11 of the Revised Code. 3080

(3) "Licensee" has the same meaning as in section 2923.124 3081  
of the Revised Code. 3082

(B) The transport, storage, sale, transfer, commerce in, import and export of, distribution, repair, maintenance, and manufacture of deadly weapons or firearms, ammunition, and accessories and components related to deadly weapons or firearms, shooting ranges, and other goods and services directly related to lawful deadly weapon or firearm possession, use, storage, repair, maintenance, sale, transfer, and training in the use of deadly weapons or firearms, are declared to be life-sustaining "essential" businesses and services for the purposes of safety and security in times of declared emergency or any other statutorily authorized response to any disaster, war, act of terrorism, riot, civil disorder, public health crisis, public nuisance, or emergency of whatever kind or nature. 3083  
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(C) Except as provided in this section, no state agency, political subdivision, elected or appointed official or employee of this state or any political subdivision, or agent of this state or of any political subdivision, board, commission, bureau, or other public body established by law may, under any governmental authority or color of law exercised as part of any statutorily authorized response to any disaster, war, act of terrorism, riot, civil disorder, public health crisis, public nuisance, or emergency of whatever kind or nature, do any of the following: 3096  
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(1) Prohibit, regulate, or curtail the otherwise lawful possession, carrying, display, sale, transportation, transfer, defensive use, or other lawful use of any of the following: 3106  
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(a) Any firearm, including any component or accessory of a firearm; 3109  
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(b) Any ammunition, including any component or accessory of ammunition; 3111  
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<u>(c) Any ammunition-reloading equipment, component, or</u>	3113
<u>supplies;</u>	3114
<u>(d) Any deadly weapon, including any component or</u>	3115
<u>accessory of a deadly weapon.</u>	3116
<u>(2) Require registration of deadly weapon or firearm</u>	3117
<u>owners, of any firearms, including any component or accessory of</u>	3118
<u>a firearm, of any ammunition, including any component or</u>	3119
<u>accessory of ammunition, or of any deadly weapon, including any</u>	3120
<u>component or accessory of a deadly weapon;</u>	3121
<u>(3) Seize, commandeer, or confiscate in any manner, any of</u>	3122
<u>the following items that are possessed, carried, displayed,</u>	3123
<u>sold, transferred, transported, stored, or used in connection</u>	3124
<u>with otherwise lawful conduct:</u>	3125
<u>(a) Any firearm, including any component or accessory of a</u>	3126
<u>firearm;</u>	3127
<u>(b) Any ammunition, including any component or accessory</u>	3128
<u>of ammunition;</u>	3129
<u>(c) Any ammunition-reloading equipment, component, or</u>	3130
<u>supplies;</u>	3131
<u>(d) Any deadly weapon, including any component or</u>	3132
<u>accessory of a deadly weapon.</u>	3133
<u>(4) Suspend or revoke a valid concealed handgun license,</u>	3134
<u>except as expressly authorized in Chapter 2923. of the Revised</u>	3135
<u>Code;</u>	3136
<u>(5) Refuse to accept or process an application for a</u>	3137
<u>concealed handgun license or for renewal of a concealed handgun</u>	3138
<u>license, provided the application for the license has been</u>	3139
<u>properly completed and submitted in accordance with section</u>	3140

2923.125 or 2923.1213 of the Revised Code and the application 3141  
for the renewal has been properly completed and submitted in 3142  
accordance with section 2923.125 of the Revised Code; 3143

(6) Prohibit, suspend, or limit the business operations of 3144  
any entity engaged in the lawful selling or servicing of any 3145  
firearms or ammunition, including any components or accessories 3146  
of firearms or ammunition, any ammunition-reloading equipment, 3147  
component, or supplies, or any deadly weapons, including any 3148  
component or accessory of deadly weapons; 3149

(7) Prohibit, suspend, or limit the business operations of 3150  
any legally established indoor or outdoor shooting range, 3151  
whether located on state lands or on land other than state 3152  
lands, or of any entity engaged in providing deadly weapon or 3153  
firearms safety, deadly weapon or firearms training, firearms 3154  
license qualification or requalification, firearms safety 3155  
instructor courses, or any similar class, course, or program; 3156

(8) Place restrictions or quantity limitations on any 3157  
entity regarding the lawful sale or servicing of any of the 3158  
following: 3159

(a) Any firearm, including any component or accessory of a 3160  
firearm; 3161

(b) Any ammunition, including any component or accessory 3162  
of ammunition; 3163

(c) Any ammunition-reloading equipment, component, or 3164  
supplies; 3165

(d) Any deadly weapon, including any component or 3166  
accessory of a deadly weapon. 3167

(9) Suspend, restrict, or prohibit otherwise lawful 3168

hunting, fishing, or trapping activities or business entities 3169  
conducting or directly facilitating lawful hunting, trapping, or 3170  
fishing activities, whether conducted on state lands and waters 3171  
or on land and waters other than state lands and waters. 3172

(D) (1) If a concealed handgun license has been issued to a 3173  
licensee under either section 2923.125 or 2923.1213 of the 3174  
Revised Code, if the governor issues an executive order 3175  
declaring an emergency, and if the date that the valid and 3176  
existing license would or is scheduled to expire falls within 3177  
the period of emergency declared by the governor's executive 3178  
order or the thirty days immediately preceding the date of that 3179  
declaration, then, notwithstanding the date of scheduled 3180  
expiration, the license is automatically extended throughout the 3181  
duration of the period of the emergency plus an additional 3182  
ninety days. If, during the period of the emergency or during 3183  
the additional ninety days, a licensee issued a license under 3184  
section 2923.125 of the Revised Code submits an application for 3185  
renewal of the license or schedules an appointment with the 3186  
issuing authority or another authority authorized to renew the 3187  
license, the license is further automatically extended until the 3188  
renewal application is accepted and fully processed. 3189

(2) If division (D) (1) of this section applies with 3190  
respect to a concealed handgun license, during the extension 3191  
period described in that division that is applicable to that 3192  
license, all of the following apply: 3193

(a) The license shall be valid for all purposes under the 3194  
laws of this state and the person to whom the license was issued 3195  
shall be considered for all purposes under the laws of this 3196  
state to be the holder of a valid license to carry a concealed 3197  
handgun, and the license shall be valid for all purposes under 3198

<u>section 2923.128 of the Revised Code;</u>	3199
<u>(b) The license remains subject to the operation of</u>	3200
<u>section 2923.128 of the Revised Code during the extended period</u>	3201
<u>of the license and at any other time;</u>	3202
<u>(c) Except for the date of scheduled expiration, all other</u>	3203
<u>conditions and restrictions otherwise applicable to the license</u>	3204
<u>and the license holder continue to apply during the extended</u>	3205
<u>period of the license and at any other time.</u>	3206
<u>(E) Notwithstanding any inconsistent provision of law,</u>	3207
<u>including sections 5502.30 and 5502.35 of the Revised Code:</u>	3208
<u>(1) A person, group, or entity adversely affected by any</u>	3209
<u>manner of law, ordinance, rule, regulation, resolution,</u>	3210
<u>practice, or other action enacted or enforced in violation of</u>	3211
<u>this section may file an action for damages, injunctive relief,</u>	3212
<u>declaratory relief, or other appropriate redress in the court of</u>	3213
<u>common pleas of the county in which the aggrieved person resides</u>	3214
<u>or the group or entity is located, or in which the violation</u>	3215
<u>occurred, unless the action is for damages and filed against any</u>	3216
<u>state agency, any elected or appointed official or employee of</u>	3217
<u>the state, or any other agent of the state.</u>	3218
<u>(2) In an action brought under authority of division (E)</u>	3219
<u>(1) of this section:</u>	3220
<u>(a) A person, group, or entity adversely affected by any</u>	3221
<u>manner of law, ordinance, rule, regulation, resolution,</u>	3222
<u>practice, or other action enacted or enforced by any political</u>	3223
<u>subdivision, any elected or appointed official or employee of a</u>	3224
<u>political subdivision, or any agent of any political</u>	3225
<u>subdivision, bureau, or other public body established by law in</u>	3226
<u>conflict with this section may bring a civil action against the</u>	3227

political subdivision, elected or appointed official or employee 3228  
of the political subdivision, or agent of the political 3229  
subdivision, bureau, or other public body seeking damages, 3230  
declaratory relief, injunctive relief, or a combination of those 3231  
remedies. Any damages awarded shall be awarded against, and paid 3232  
by, the political subdivision, or the bureau, or other public 3233  
body. In addition to any actual damages awarded against the 3234  
agency, the political subdivision, or the board, commission, 3235  
bureau, or other public body and any other relief provided with 3236  
respect to such an action, the court shall award reasonable 3237  
expenses to any person, group, or entity that brings the action, 3238  
to be paid by the political subdivision, bureau, or other public 3239  
body, if either of the following applies: 3240

(i) The person, group, or entity prevails in a challenge 3241  
to the law, ordinance, rule, regulation, resolution, practice, 3242  
or action as being in conflict with this section. 3243

(ii) The law, ordinance, rule, regulation, resolution, 3244  
practice, or action or the manner of its enforcement is repealed 3245  
or rescinded after the civil action was filed but prior to a 3246  
final court determination of the action. 3247

(b) In addition to any other remedy available at law or in 3248  
equity, a person, group, or entity aggrieved by the seizure or 3249  
confiscation, in violation of this section, of one or more items 3250  
listed in division (C)(3) of this section may apply to the court 3251  
of common pleas of the county in which the item or items were 3252  
seized or confiscated for the immediate return of the item or 3253  
items, unless the action is for damages and filed against any 3254  
state agency, any elected or appointed official or employee of 3255  
the state, or any other agent of the state. Except as otherwise 3256  
provided in division (E)(2)(a) of this section, upon receipt of 3257

the application and a determination by the court that the 3258  
seizure or confiscation of the item or items was in violation of 3259  
this section, the court shall order the immediate return of the 3260  
item or items by the seizing or confiscating state agency, 3261  
political subdivision, board, commission, bureau, or other 3262  
public body and that entity's employed officials. If a court 3263  
orders the return of the seized or confiscated item or items 3264  
under this division and the item or items are not returned in 3265  
accordance with the order, the aggrieved party may claim 3266  
reasonable costs and attorney fees for the loss and, the cost of 3267  
reclaiming the item or items, or the cost of any damages to the 3268  
item or items. 3269

(3) Any claim filed against any state agency, any elected 3270  
or appointed official or employee of the state, or any other 3271  
agent of the state for damages shall be filed with the court of 3272  
claims. 3273

(4) Nothing in this section shall be interpreted to mean 3274  
the state intends to waive its right to federal immunity under 3275  
the eleventh amendment of the United States Constitution. 3276

(F) The provisions contained in the amendments to section 3277  
3761.16 of the Revised Code and the enactment of this section by 3278  
S.B. 16 of the 134th general assembly are severable, as provided 3279  
in section 1.50 of the Revised Code. In particular, it is the 3280  
intent of the general assembly that any invalidity or potential 3281  
invalidity of a provision contained in those amendments or this 3282  
section is not to impair the immediate and continuing 3283  
enforceability of the remaining provisions. 3284

**Sec. 5502.522.** (A) There is hereby created the statewide 3285  
emergency alert program to aid in the identification and 3286  
location of any individual who has a mental impairment, has 3287



autism spectrum disorder or another developmental disability, or 3288  
is sixty-five years of age or older, who is or is believed to be 3289  
a temporary or permanent resident of this state, is at a 3290  
location that cannot be determined by an individual familiar 3291  
with the missing individual, and is incapable of returning to 3292  
the missing individual's residence without assistance, and whose 3293  
disappearance, as determined by a law enforcement agency, poses 3294  
a credible threat of immediate danger of serious bodily harm or 3295  
death to the missing individual. The program shall be a 3296  
coordinated effort among the governor's office, the department 3297  
of public safety, the attorney general, law enforcement 3298  
agencies, the state's public and commercial television and radio 3299  
broadcasters, and others as determined necessary by the 3300  
governor. No name shall be given to the program created under 3301  
this division that conflicts with any alert code standards that 3302  
are required by federal law and that govern the naming of 3303  
emergency alert programs. 3304

(B) The statewide emergency alert program shall not be 3305  
implemented unless all of the following activation criteria are 3306  
met: 3307

(1) The local investigating law enforcement agency 3308  
confirms that the individual is missing. 3309

(2) The individual ~~is~~ meets at least one of the following 3310  
criteria: 3311

(a) Is sixty-five years of age or older ~~or has;~~ 3312

(b) Has a mental impairment; 3313

(c) Has either autism spectrum disorder or another 3314  
developmental disability. 3315

(3) The disappearance of the individual poses a credible 3316

threat of immediate danger of serious bodily harm or death to 3317  
the individual. 3318

(4) There is sufficient descriptive information about the 3319  
individual and the circumstances surrounding the individual's 3320  
disappearance to indicate that activation of the alert will help 3321  
locate the individual. 3322

(C) Nothing in division (B) of this section prevents the 3323  
activation of a local or regional emergency alert program that 3324  
may impose different criteria for the activation of a local or 3325  
regional plan. 3326

(D) Any radio broadcast station, television broadcast 3327  
station, or cable system participating in the statewide 3328  
emergency alert program or in any local or regional emergency 3329  
alert program, and any director, officer, employee, or agent of 3330  
any station or system participating in either type of alert 3331  
program, shall not be liable to any person for damages for any 3332  
loss allegedly caused by or resulting from the station's or 3333  
system's broadcast or cablecast of, or failure to broadcast or 3334  
cablecast, any information pursuant to the statewide emergency 3335  
alert program or the local or regional emergency alert program. 3336

(E) A local investigating law enforcement agency shall not 3337  
be required to notify the statewide emergency alert program that 3338  
the law enforcement agency has received information that meets 3339  
the activation criteria set forth in division (B) of this 3340  
section during the first twenty-four hours after the law 3341  
enforcement agency receives the information. 3342

(F) Nothing in this section shall be construed to 3343  
authorize the use of the federal emergency alert system unless 3344  
otherwise authorized by federal law. 3345

(G) As used in this section:	3346
(1) <u>"Autism spectrum disorder" has the same meaning as in section 1751.84 of the Revised Code.</u>	3347 3348
<u>(2) "Cable system" has the same meaning as in section 2913.04 of the Revised Code.</u>	3349 3350
<del>(2)</del> <u>(3) "Developmental disability" has the same meaning as in section 5123.01 of the Revised Code.</u>	3351 3352
<u>(4) "Law enforcement agency" includes, but is not limited to, a county sheriff's office, the office of a village marshal, a police department of a municipal corporation, a police force of a regional transit authority, a police force of a metropolitan housing authority, the state highway patrol, a state university law enforcement agency, the office of a township police constable, and the police department of a township or joint police district.</u>	3353 3354 3355 3356 3357 3358 3359 3360
<del>(3)</del> <u>(5) "Mental impairment" means a substantial disorder of thought, mood, perception, orientation, or memory that grossly impairs judgment, behavior, or ability to live independently or provide self-care as certified by a licensed physician, psychiatrist, or psychologist.</u>	3361 3362 3363 3364 3365
<b>Section 2.</b> That existing sections 109.71, 109.73, 109.75, 109.79, 109.801, 307.93, 309.10, 2152.75, 2901.10, 2901.13, 2903.13, 2903.22, 2907.01, 2907.07, 2907.08, 2950.01, 2950.99, 2951.02, 2967.131, 3761.16, and 5502.522 of the Revised Code are hereby repealed.	3366 3367 3368 3369 3370
<b>Section 3.</b> That section 309.16 of the Revised Code is hereby repealed.	3371 3372
<b>Section 4.</b> The General Assembly, applying the principle	3373

stated in division (B) of section 1.52 of the Revised Code that 3374  
amendments are to be harmonized if reasonably capable of 3375  
simultaneous operation, finds that the following sections, 3376  
presented in this act as composites of the sections as amended 3377  
by the acts indicated, are the resulting versions of the 3378  
sections in effect prior to the effective date of the sections 3379  
as presented in this act: 3380

Section 109.71 of the Revised Code as amended by H.B. 49, 3381  
H.B. 79, and S.B. 229, all of the 132nd General Assembly. 3382

Section 109.73 of the Revised Code as amended by both H.B. 3383  
24 and S.B. 68 of the 133rd General Assembly. 3384