

_____ moved to amend as follows:

1 In line 174083, after "or" insert ", except as provided in
2 division (C) of this section,"

3 In line 174090, after "or" insert ", except as provided in
4 division (C) of this section,"

5 After line 174186, insert:

6 "(C) (1) A person who is the defendant named in a dismissed
7 complaint, indictment, or information or against whom a no bill
8 is entered by a grand jury is not entitled to have records of
9 the case expunged under this section if the case involves any of
10 the following offenses:

11 (a) A violation of any section contained in Chapter 4506.,
12 4507., 4510., 4511., or 4549. of the Revised Code, or a
13 violation of a municipal ordinance that is substantially similar
14 to any section contained in any of those chapters;

15 (b) A felony offense of violence that is not a sexually
16 oriented offense;

17 (c) A sexually oriented offense when the offender is
18 subject to the requirements of Chapter 2950. of the Revised Code

19 or Chapter 2950. of the Revised Code as it existed prior to
20 January 1, 2008;

21 (d) An offense involving a victim who is less than thirteen
22 years of age, except for an offense under section 2919.21 of the
23 Revised Code;

24 (e) A felony of the first or second degree;

25 (f) A violation of section 2919.25 or 2919.27 of the
26 Revised Code or a violation of a municipal ordinance that is
27 substantially similar to either section;

28 (g) A violation that is a felony of the third degree if the
29 person has more than one prior conviction of any felony or, if
30 the person has exactly one prior conviction of a felony of the
31 third degree, the person has more prior convictions in total
32 than a third degree felony conviction and two misdemeanor
33 convictions.

34 (2) As used in division (C) of this section, "sexually
35 oriented offense" has the same meaning as in section 2950.01 of
36 the Revised Code."

37 The motion was _____ agreed to.

38

SYNOPSIS

39

Expungement of records in dismissed and no bill cases

40

R.C. 2953.33

41 Narrows the expungement of records in a dismissed case or
42 in a case for which a grand jury has entered a no bill so that a
43 person is not entitled to expungement of records in such a case
44 if the case involves any of the following offenses:

45 - A violation of the Commercial Driver's License Law or of
46 a municipal ordinance violation that is substantially similar to
47 that law.

48 - A felony offense of violence that is not a sexually
49 oriented offense.

50 - A sexually oriented offense when the offender is subject
51 to the requirements of R.C. Chapter 2950 or R.C. Chapter 2950 as
52 it existed prior to January 1, 2008 (SORN Law).

53 - An offense in circumstances in which the victim was less
54 than age 13, except for the offense of nonsupport of dependents
55 or the offense of contributing to the nonsupport of dependents
56 (under preexisting law, the victim of the offense is under age
57 16 and the offense is a first degree misdemeanor or a felony).

58 - A first or second degree felony.

59 - The offense of "domestic violence" or the offense of
60 "violating a protection order," or a municipal ordinance
61 violation that is substantially similar to either such offense.

62 - A third degree felony if the person has more than one
63 prior conviction of any felony or, if the person has exactly one
64 prior conviction of a third degree felony and the person has
65 more prior convictions in total than a third degree felony
66 conviction and two misdemeanor convictions.