

S. B. No. 100  
As Introduced

\_\_\_\_\_ moved to amend as follows:

- In line 47, delete ", the" 1
- Delete line 48 2
- In line 49, delete "movement of an individual" and insert "that  
permits a person to remotely determine or track the position or movement  
of another person or another person's property" 3 4 5
- In line 50, delete "any device, the primary" 6
- Delete line 51 7
- In line 52, delete "transmission of electronic signals" and insert  
"an electronic or mechanical device that permits a person to remotely  
determine or track the position or movement of another person or another  
person's property" 8 9 10 11
- In line 56, after "consent" insert "or cause a tracking device or  
tracking application to track the position or movement of another person  
or another person's property without the other person's consent" 12 13 14
- In line 62, delete "(C)" and insert "(C) (1)" 15
- In line 67, delete "(1)" and insert "(a)" 16



In line 70, delete " <u>(2)</u> " and insert " <u>(b)</u> "	17
In line 75, delete " <u>(3)</u> " and insert " <u>(c)</u> "	18
After line 77, insert:	19
<u>"(2) Revocation of consent under this division is</u>	20
<u>effective upon the service of the petition or motion or an Ohio</u>	21
<u>protection order."</u>	22
In line 80, delete " <u>lawfully</u> "	23
In line 81, after " <u>property</u> " insert " <u>or causes a tracking device or</u>	24
<u>tracking application to track the position or movement of another person</u>	25
<u>or another person's property"</u>	26
In line 82, after " <u>investigation</u> " insert " <u>, or a probation officer,</u>	27
<u>parole officer, or employee of the department of rehabilitation and</u>	28
<u>correction, when engaged in the lawful performance of the officer's or</u>	29
<u>employee's official duties"</u>	30
In line 84, after " <u>installs</u> " insert " <u>or uses</u> "; delete " <u>on the</u> " and	31
insert " <u>to track the</u> "	32
In line 85, delete " <u>child's property</u> " and insert " <u>child</u> "	33
In line 96, after " <u>apart</u> " insert " <u>and neither parent has sole</u>	34
<u>custody of the child,"</u>	35
After line 98, insert:	36
<u>"(e) The parents or legal guardians of the child are</u>	37
<u>divorced, separated, or otherwise living apart, neither parent</u>	38
<u>has sole custody of the child, and either only one parent</u>	39
<u>consents to the installation of the tracking device or tracking</u>	40
<u>application or one parent revokes consent, if the consenting</u>	41
<u>parent only uses the tracking device or tracking application</u>	42

during that parent's parenting or custodial time and disables or 43  
removes the tracking device or application during the 44  
nonconsenting parent's parenting or custodial time." 45

In line 109, delete "(5)" and insert "(5)(a)"; after "investigator" 46  
insert "or other person licensed under section 4749.03 of the Revised 47  
Code," 48

In line 113, delete "provided that this" and insert "for the purpose 49  
of obtaining information with reference to any of the following: 50

(i) Criminal offenses committed, threatened, or suspected 51  
against the United States, a territory of the United States, a 52  
state, or any person or legal entity; 53

(ii) Locating an individual known to be a fugitive from 54  
justice; 55

(iii) Locating lost or stolen property or other assets 56  
that have been awarded by the court; 57

(iv) Investigating claims related to worker's 58  
compensation. 59

(b) This" 60

In line 119, delete ";" and insert "." 61

In line 133, after "vehicle" insert "." 62

(7) A person who installs a tracking device or application 63  
on property in which the person has an ownership or contractual 64  
interest, unless the person is the subject of a protective order 65  
and the property is likely to be used by the person who obtained 66  
the protective order; 67

(8) A person or business entity that installs a tracking 68  
device or tracking application on any fixed wing aircraft or 69

rotorcraft operated or managed by the person or business entity 70  
pursuant to 14 C.F.R. part 91 or part 135 to track the position 71  
or movement of the fixed wing aircraft or rotorcraft; 72

(9) A surety bail bond agent, or any employee or 73  
contractor of a surety bail bond agent, that installs a tracking 74  
device or tracking application on another person's property or 75  
causes a tracking device or tracking application to track the 76  
position or movement of another person or another person's 77  
property as part of the surety bail bond agent's, employee's, or 78  
contractor's official responsibilities or duties" 79

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 80

**Definitions and exceptions** 81

**R.C. 2903.216** 82

Modifies the definitions of "tracking application" and 83  
"tracking device." 84

Prohibits a person from knowingly causing a tracking 85  
device or tracking application to track the position or movement 86  
of another person or another person's property without the other 87  
person's consent. 88

Clarifies the exemption for a parent or legal guardian who 89  
installs or uses a tracking device or tracking application to 90  
track their minor child. 91

Clarifies the exemption where the parents or legal 92

guardians of the child are divorced, separated, or otherwise	93
living apart to require that neither parent has sole custody of	94
the child.	95
Clarifies the exemption where the parents or legal	96
guardians of the child are divorced, separated, or otherwise	97
living apart where only one parent consents to the tracking	98
device or application to require that the consenting parent	99
disable or remove any tracking device or application when it is	100
not the consenting parent's parenting or custodial time.	101
Adds the following persons who are exempt from the offense	102
of illegal use of a tracking device or application:	103
- A probation officer, parole officer, or employee of the	104
Department of Rehabilitation and Correction, when engaged in the	105
lawful performance of official duties.	106
- A person who installs a tracking device on property in	107
which the person has an ownership or contractual interest,	108
unless the person is the subject of a protective order and the	109
property is likely to be used by the person who obtained the	110
protective order.	111
- A person, or business entity, who installs a tracking	112
device or tracking application on any fixed wing aircraft or	113
rotorcraft that the person or business entity operates or	114
manages in accordance with 14 C.F.R. Part 91 or Part 135.	115
- A surety bail bond agent that installs a tracking device	116
or tracking application on another person's property as part of	117
the surety bail bond agent's official responsibilities or	118
duties.	119
- A private investigator or other person licensed under	120

the law regarding private investigators and security guards, for 121  
the purpose of obtaining certain information regarding the 122  
commission of criminal offenses. 123