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Sub. H. B. No. 289

Representatives Robb Blasdel, Swearingen

Cosponsors: Representatives Richardson, Schmidt, White, Brennan, Carruthers, Rogers, Abrams, Williams, Hillyer, LaRe, Daniels, Dell'Aquila, Dobos, Edwards, Ghanbari, Holmes, Jones, Mathews, Miller, A., Miller, J., Miller, K., Mohamed, Pavliga, Plummer, Santucci, Weinstein, Willis, Young, T.

Senators Manning, Cirino, Cutrona, Gavarone

A BILL

To amend sections 2930.02, 2950.01, 2950.04, 1
2950.042, 2950.05, 2950.07, and 2951.041 and to 2
repeal section 2930.071 of the Revised Code to 3
provide that if a Tier I or Tier II sex 4
offender/child-victim offender fails to comply 5
with duties under the SORN law, the period of 6
time that the offender has a duty to comply is 7
tolled during the time of the failure, to 8
require a sex offender/child-victim offender to 9
register a fixed residence address or provide a 10
detailed description of the places at which the 11
offender or delinquent child intends to stay 12
under the SORN Law, to require the Department of 13
Rehabilitation and Correction, under specified 14
circumstances, to notify the sheriff of a 15
receiving county when an offender who is 16
required to register as a sex offender will be 17
transported to that county upon release, and to 18
repeal procedures relating to a subpoena of 19
victims' records. 20

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

Section 1. That sections 2930.02, 2950.01, 2950.04, 21
2950.042, 2950.05, 2950.07, and 2951.041 of the Revised Code be 22
amended to read as follows: 23

Sec. 2930.02. (A) (1) Any of the following persons may, 24
subject to the prohibition on the unauthorized practice of law 25
under section 4705.07 of the Revised Code, exercise the rights 26
of a victim under this chapter as the victim's representative: 27

(a) Any person designated by the victim; 28

(b) A member of the victim's family or a victim advocate 29
designated as the victim's representative to exercise the rights 30
of a victim under this chapter as the victim's representative if 31
a victim is a minor or is incapacitated, incompetent, or 32
deceased, subject to division (D) of this section; 33

(c) If the case involves a violation of section 2903.01, 34
2903.02, 2903.03, 2903.04, 2903.041, 2903.05, or 2903.06 of the 35
Revised Code, a member of the deceased victim's family, a victim 36
advocate, or another person designated by one or more members of 37
the deceased victim's family. 38

(2) If a victim is incapacitated, incompetent, or 39
deceased, and no member of the victim's family or victim 40
advocate comes forward to act as a victim representative, a 41
court may appoint a victim advocate or other person the court 42
determines to be appropriate to act as a victim representative, 43
except that the court shall not appoint any person employed by 44
the prosecuting attorney to act as a victim representative 45
unless the prosecuting attorney consents to the appointment. 46

(B) If the prosecutor in the case or the court has a 47
reasonable basis to believe that the victim's representative is 48
not acting in the interests of the child victim, victim with a 49
developmental disability, or an incapacitated or incompetent 50
victim, the prosecutor shall file a motion with the court 51
setting forth the reasonable basis for that belief and the court 52
shall hold a hearing to determine whether the victim's 53
representative is acting in the interests of the victim. The 54
court shall make this determination by a preponderance of the 55
evidence. If the court finds that the victim's representative is 56
not acting in the interests of the victim, the court shall 57
appoint a victim advocate or other person the court determines 58
to be appropriate to act as a victim's representative instead of 59
the previously appointed victim's representative, except that 60
the court shall not appoint any person employed by the 61
prosecuting attorney to act as a victim representative unless 62
the prosecuting attorney consents to the appointment. 63

(C) If more than one person seeks to act as the victim's 64
representative for a particular victim, the court that has 65
jurisdiction over the criminal matter or the court in which the 66
criminal prosecution or delinquency proceeding is held shall 67
designate one of those persons as the victim's representative. 68
If a victim does not want to have anyone act as the victim's 69
representative, the court shall order that only the victim may 70
exercise the rights of a victim under this chapter. 71

(D) If pursuant to division (A) of this section a victim's 72
representative is to exercise the rights of a victim, the victim 73
shall notify law enforcement and the prosecutor, or, if it is a 74
delinquency proceeding and a prosecutor is not involved in the 75
case, shall notify the court that the victim's representative is 76
to act for the victim. When a victim has so notified law 77

enforcement and the prosecutor, or the court, all notices under 78
this chapter shall be sent to the victim and the victim's 79
representative, all rights under this chapter shall be granted 80
to the victim and the victim's representative, and all 81
references in this chapter to a victim, ~~except the references to~~ 82
~~a victim in section 2930.071 of the Revised Code,~~ shall be 83
interpreted as being references to the victim and the victim's 84
representative unless the victim informs the notifying authority 85
that the victim does not wish to receive the notices or exercise 86
the rights. 87

(E) A suspect, defendant, offender, alleged juvenile 88
offender, or delinquent child may not act as a victim's 89
representative relative to the criminal offense or delinquent 90
act involving the victim. 91

(F) In any post-conviction proceeding or in regards to any 92
post-conviction relief, if the prosecutor in the case or the 93
court has a reasonable basis to believe that the victim's 94
representative is not acting in the interests of the child 95
victim, victim with a developmental disability, or an 96
incapacitated or incompetent victim, the prosecutor shall file a 97
motion with the court setting forth the reasonable basis for 98
that belief and the court shall hold a hearing to determine 99
whether the victim's representative is acting in the interests 100
of the victim. The court shall make this determination by a 101
preponderance of the evidence. If the court finds that the 102
victim's representative is not acting in the interests of the 103
victim, the court shall appoint a court appointed special 104
advocate, a guardian ad litem, or a victim advocate to act as a 105
victim's representative instead of the previously appointed 106
victim's representative. 107

Sec. 2950.01. As used in this chapter, unless the context	108
clearly requires otherwise:	109
(A) "Sexually oriented offense" means any of the following	110
violations or offenses committed by a person, regardless of the	111
person's age:	112
(1) A violation of section 2907.02, 2907.03, 2907.05,	113
2907.06, 2907.07, 2907.08, 2907.21, 2907.22, 2907.32, 2907.321,	114
2907.322, or 2907.323 of the Revised Code;	115
(2) A violation of section 2907.04 of the Revised Code	116
when the offender is less than four years older than the other	117
person with whom the offender engaged in sexual conduct, the	118
other person did not consent to the sexual conduct, and the	119
offender previously has not been convicted of or pleaded guilty	120
to a violation of section 2907.02, 2907.03, or 2907.04 of the	121
Revised Code or a violation of former section 2907.12 of the	122
Revised Code;	123
(3) A violation of section 2907.04 of the Revised Code	124
when the offender is at least four years older than the other	125
person with whom the offender engaged in sexual conduct or when	126
the offender is less than four years older than the other person	127
with whom the offender engaged in sexual conduct and the	128
offender previously has been convicted of or pleaded guilty to a	129
violation of section 2907.02, 2907.03, or 2907.04 of the Revised	130
Code or a violation of former section 2907.12 of the Revised	131
Code;	132
(4) A violation of section 2903.01, 2903.02, or 2903.11 of	133
the Revised Code when the violation was committed with a sexual	134
motivation;	135
(5) A violation of division (A) of section 2903.04 of the	136

Revised Code when the offender committed or attempted to commit	137
the felony that is the basis of the violation with a sexual	138
motivation;	139
(6) A violation of division (A)(3) of section 2903.211 of	140
the Revised Code;	141
(7) A violation of division (A)(1), (2), (3), or (5) of	142
section 2905.01 of the Revised Code when the offense is	143
committed with a sexual motivation;	144
(8) A violation of division (A)(4) of section 2905.01 of	145
the Revised Code;	146
(9) A violation of division (B) of section 2905.01 of the	147
Revised Code when the victim of the offense is under eighteen	148
years of age and the offender is not a parent of the victim of	149
the offense;	150
(10) A violation of division (B) of section 2903.03, of	151
division (B) of section 2905.02, of division (B) of section	152
2905.03, of division (B) of section 2905.05, or of division (B)	153
(5) of section 2919.22 of the Revised Code;	154
(11) A violation of section 2905.32 of the Revised Code	155
when either of the following applies:	156
(a) The violation is a violation of division (A)(1) of	157
that section and the offender knowingly recruited, lured,	158
enticed, isolated, harbored, transported, provided, obtained, or	159
maintained, or knowingly attempted to recruit, lure, entice,	160
isolate, harbor, transport, provide, obtain, or maintain,	161
another person knowing that the person would be compelled to	162
engage in sexual activity for hire, engage in a performance that	163
was obscene, sexually oriented, or nudity oriented, or be a	164
model or participant in the production of material that was	165

obscene, sexually oriented, or nudity oriented. 166

(b) The violation is a violation of division (A)(2) of 167
that section and the offender knowingly recruited, lured, 168
enticed, isolated, harbored, transported, provided, obtained, or 169
maintained, or knowingly attempted to recruit, lure, entice, 170
isolate, harbor, transport, provide, obtain, or maintain a 171
person who is less than eighteen years of age or is a person 172
with a developmental disability whom the offender knows or has 173
reasonable cause to believe is a person with a developmental 174
disability for any purpose listed in divisions (A)(2)(a) to (c) 175
of that section. 176

(12) A violation of division (B)(4) of section 2907.09 of 177
the Revised Code if the sentencing court classifies the offender 178
as a tier I sex offender/child-victim offender relative to that 179
offense pursuant to division (D) of that section; 180

(13) A violation of any former law of this state, any 181
existing or former municipal ordinance or law of another state 182
or the United States, any existing or former law applicable in a 183
military court or in an Indian tribal court, or any existing or 184
former law of any nation other than the United States that is or 185
was substantially equivalent to any offense listed in division 186
(A)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), or 187
(12) of this section; 188

(14) Any attempt to commit, conspiracy to commit, or 189
complicity in committing any offense listed in division (A)(1), 190
(2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), or 191
(13) of this section. 192

(B)(1) "Sex offender" means, subject to division (B)(2) of 193
this section, a person who is convicted of, pleads guilty to, 194

has been convicted of, has pleaded guilty to, is adjudicated a 195
delinquent child for committing, or has been adjudicated a 196
delinquent child for committing any sexually oriented offense. 197

(2) "Sex offender" does not include a person who is 198
convicted of, pleads guilty to, has been convicted of, has 199
pleaded guilty to, is adjudicated a delinquent child for 200
committing, or has been adjudicated a delinquent child for 201
committing a sexually oriented offense if the offense involves 202
consensual sexual conduct or consensual sexual contact and 203
either of the following applies: 204

(a) The victim of the sexually oriented offense was 205
eighteen years of age or older and at the time of the sexually 206
oriented offense was not under the custodial authority of the 207
person who is convicted of, pleads guilty to, has been convicted 208
of, has pleaded guilty to, is adjudicated a delinquent child for 209
committing, or has been adjudicated a delinquent child for 210
committing the sexually oriented offense. 211

(b) The victim of the offense was thirteen years of age or 212
older, and the person who is convicted of, pleads guilty to, has 213
been convicted of, has pleaded guilty to, is adjudicated a 214
delinquent child for committing, or has been adjudicated a 215
delinquent child for committing the sexually oriented offense is 216
not more than four years older than the victim. 217

(C) "Child-victim oriented offense" means any of the 218
following violations or offenses committed by a person, 219
regardless of the person's age, when the victim is under 220
eighteen years of age and is not a child of the person who 221
commits the violation: 222

(1) A violation of division (A) (1), (2), (3), or (5) of 223

section 2905.01 of the Revised Code when the violation is not included in division (A) (7) of this section;	224 225
(2) A violation of division (A) of section 2905.02, division (A) of section 2905.03, or division (A) of section 2905.05 of the Revised Code;	226 227 228
(3) 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 (C) (1) or (2) of this section;	229 230 231 232 233 234 235
(4) Any attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (C) (1), (2), or (3) of this section.	236 237 238
(D) "Child-victim offender" means a person who is convicted of, pleads guilty to, has been convicted of, has pleaded guilty to, is adjudicated a delinquent child for committing, or has been adjudicated a delinquent child for committing any child-victim oriented offense.	239 240 241 242 243
(E) "Tier I sex offender/child-victim offender" means any of the following:	244 245
(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:	246 247 248
(a) A violation of section 2907.06, 2907.07, 2907.08, 2907.22, or 2907.32 of the Revised Code;	249 250
(b) A violation of section 2907.04 of the Revised Code	251

when the offender is less than four years older than the other 252
person with whom the offender engaged in sexual conduct, the 253
other person did not consent to the sexual conduct, and the 254
offender previously has not been convicted of or pleaded guilty 255
to a violation of section 2907.02, 2907.03, or 2907.04 of the 256
Revised Code or a violation of former section 2907.12 of the 257
Revised Code; 258

(c) A violation of division (A) (1), (2), (3), or (5) of 259
section 2907.05 of the Revised Code; 260

(d) A violation of division (A) (3) of section 2907.323 of 261
the Revised Code; 262

(e) A violation of division (A) (3) of section 2903.211, of 263
division (B) of section 2905.03, or of division (B) of section 264
2905.05 of the Revised Code; 265

(f) A violation of division (B) (4) of section 2907.09 of 266
the Revised Code if the sentencing court classifies the offender 267
as a tier I sex offender/child-victim offender relative to that 268
offense pursuant to division (D) of that section; 269

(g) A violation of any former law of this state, any 270
existing or former municipal ordinance or law of another state 271
or the United States, any existing or former law applicable in a 272
military court or in an Indian tribal court, or any existing or 273
former law of any nation other than the United States, that is 274
or was substantially equivalent to any offense listed in 275
division (E) (1) (a), (b), (c), (d), (e), or (f) of this section; 276

(h) Any attempt to commit, conspiracy to commit, or 277
complicity in committing any offense listed in division (E) (1) 278
(a), (b), (c), (d), (e), (f), or (g) of this section. 279

(2) A child-victim offender who is convicted of, pleads 280

guilty to, has been convicted of, or has pleaded guilty to a 281
child-victim oriented offense and who is not within either 282
category of child-victim offender described in division (F) (2) 283
or (G) (2) of this section. 284

(3) A sex offender who is adjudicated a delinquent child 285
for committing or has been adjudicated a delinquent child for 286
committing any sexually oriented offense and who a juvenile 287
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 288
of the Revised Code, classifies a tier I sex offender/child- 289
victim offender relative to the offense. 290

(4) A child-victim offender who is adjudicated a 291
delinquent child for committing or has been adjudicated a 292
delinquent child for committing any child-victim oriented 293
offense and who a juvenile court, pursuant to section 2152.82, 294
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 295
tier I sex offender/child-victim offender relative to the 296
offense. 297

(F) "Tier II sex offender/child-victim offender" means any 298
of the following: 299

(1) A sex offender who is convicted of, pleads guilty to, 300
has been convicted of, or has pleaded guilty to any of the 301
following sexually oriented offenses: 302

(a) A violation of section 2907.21, 2907.321, or 2907.322 303
of the Revised Code; 304

(b) A violation of section 2907.04 of the Revised Code 305
when the offender is at least four years older than the other 306
person with whom the offender engaged in sexual conduct, or when 307
the offender is less than four years older than the other person 308
with whom the offender engaged in sexual conduct and the 309

offender previously has been convicted of or pleaded guilty to a 310
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 311
Code or former section 2907.12 of the Revised Code; 312

(c) A violation of division (A) (4) of section 2907.05 or 313
of division (A) (1) or (2) of section 2907.323 of the Revised 314
Code; 315

(d) A violation of division (A) (1), (2), (3), or (5) of 316
section 2905.01 of the Revised Code when the offense is 317
committed with a sexual motivation; 318

(e) A violation of division (A) (4) of section 2905.01 of 319
the Revised Code when the victim of the offense is eighteen 320
years of age or older; 321

(f) A violation of division (B) of section 2905.02 or of 322
division (B) (5) of section 2919.22 of the Revised Code; 323

(g) A violation of section 2905.32 of the Revised Code 324
that is described in division (A) (11) (a) or (b) of this section; 325

(h) A violation of any former law of this state, any 326
existing or former municipal ordinance or law of another state 327
or the United States, any existing or former law applicable in a 328
military court or in an Indian tribal court, or any existing or 329
former law of any nation other than the United States that is or 330
was substantially equivalent to any offense listed in division 331
(F) (1) (a), (b), (c), (d), (e), (f), or (g) of this section; 332

(i) Any attempt to commit, conspiracy to commit, or 333
complicity in committing any offense listed in division (F) (1) 334
(a), (b), (c), (d), (e), (f), (g), or (h) of this section; 335

(j) Any sexually oriented offense that is committed after 336
the sex offender previously has been convicted of, pleaded 337

guilty to, or has been adjudicated a delinquent child for 338
committing any sexually oriented offense or child-victim 339
oriented offense for which the offender was classified a tier I 340
sex offender/child-victim offender. 341

(2) A child-victim offender who is convicted of, pleads 342
guilty to, has been convicted of, or has pleaded guilty to any 343
child-victim oriented offense when the child-victim oriented 344
offense is committed after the child-victim offender previously 345
has been convicted of, pleaded guilty to, or been adjudicated a 346
delinquent child for committing any sexually oriented offense or 347
child-victim oriented offense for which the offender was 348
classified a tier I sex offender/child-victim offender. 349

(3) A sex offender who is adjudicated a delinquent child 350
for committing or has been adjudicated a delinquent child for 351
committing any sexually oriented offense and who a juvenile 352
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 353
of the Revised Code, classifies a tier II sex offender/child- 354
victim offender relative to the offense. 355

(4) A child-victim offender who is adjudicated a 356
delinquent child for committing or has been adjudicated a 357
delinquent child for committing any child-victim oriented 358
offense and whom a juvenile court, pursuant to section 2152.82, 359
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 360
tier II sex offender/child-victim offender relative to the 361
current offense. 362

(5) A sex offender or child-victim offender who is not in 363
any category of tier II sex offender/child-victim offender set 364
forth in division (F)(1), (2), (3), or (4) of this section, who 365
prior to January 1, 2008, was adjudicated a delinquent child for 366
committing a sexually oriented offense or child-victim oriented 367

offense, and who prior to that date was determined to be a 368
habitual sex offender or determined to be a habitual child- 369
victim offender, unless either of the following applies: 370

(a) The sex offender or child-victim offender is 371
reclassified pursuant to section 2950.031 or 2950.032 of the 372
Revised Code as a tier I sex offender/child-victim offender or a 373
tier III sex offender/child-victim offender relative to the 374
offense. 375

(b) A juvenile court, pursuant to section 2152.82, 376
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies the 377
child a tier I sex offender/child-victim offender or a tier III 378
sex offender/child-victim offender relative to the offense. 379

(G) "Tier III sex offender/child-victim offender" means 380
any of the following: 381

(1) A sex offender who is convicted of, pleads guilty to, 382
has been convicted of, or has pleaded guilty to any of the 383
following sexually oriented offenses: 384

(a) A violation of section 2907.02 or 2907.03 of the 385
Revised Code; 386

(b) A violation of division (B) of section 2907.05 of the 387
Revised Code; 388

(c) A violation of section 2903.01, 2903.02, or 2903.11 of 389
the Revised Code when the violation was committed with a sexual 390
motivation; 391

(d) A violation of division (A) of section 2903.04 of the 392
Revised Code when the offender committed or attempted to commit 393
the felony that is the basis of the violation with a sexual 394
motivation; 395

(e) A violation of division (A)(4) of section 2905.01 of 396
the Revised Code when the victim of the offense is under 397
eighteen years of age; 398

(f) A violation of division (B) of section 2905.01 of the 399
Revised Code when the victim of the offense is under eighteen 400
years of age and the offender is not a parent of the victim of 401
the offense; 402

(g) A violation of division (B) of section 2903.03 of the 403
Revised Code; 404

(h) A violation of any former law of this state, any 405
existing or former municipal ordinance or law of another state 406
or the United States, any existing or former law applicable in a 407
military court or in an Indian tribal court, or any existing or 408
former law of any nation other than the United States that is or 409
was substantially equivalent to any offense listed in division 410
(G)(1)(a), (b), (c), (d), (e), (f), or (g) of this section; 411

(i) Any attempt to commit, conspiracy to commit, or 412
complicity in committing any offense listed in division (G)(1) 413
(a), (b), (c), (d), (e), (f), (g), or (h) of this section; 414

(j) Any sexually oriented offense that is committed after 415
the sex offender previously has been convicted of, pleaded 416
guilty to, or been adjudicated a delinquent child for committing 417
any sexually oriented offense or child-victim oriented offense 418
for which the offender was classified a tier II sex 419
offender/child-victim offender or a tier III sex offender/child- 420
victim offender. 421

(2) A child-victim offender who is convicted of, pleads 422
guilty to, has been convicted of, or has pleaded guilty to any 423
child-victim oriented offense when the child-victim oriented 424

offense is committed after the child-victim offender previously 425
has been convicted of, pleaded guilty to, or been adjudicated a 426
delinquent child for committing any sexually oriented offense or 427
child-victim oriented offense for which the offender was 428
classified a tier II sex offender/child-victim offender or a 429
tier III sex offender/child-victim offender. 430

(3) A sex offender who is adjudicated a delinquent child 431
for committing or has been adjudicated a delinquent child for 432
committing any sexually oriented offense and who a juvenile 433
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 434
of the Revised Code, classifies a tier III sex offender/child- 435
victim offender relative to the offense. 436

(4) A child-victim offender who is adjudicated a 437
delinquent child for committing or has been adjudicated a 438
delinquent child for committing any child-victim oriented 439
offense and whom a juvenile court, pursuant to section 2152.82, 440
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 441
tier III sex offender/child-victim offender relative to the 442
current offense. 443

(5) A sex offender or child-victim offender who is not in 444
any category of tier III sex offender/child-victim offender set 445
forth in division (G)(1), (2), (3), or (4) of this section, who 446
prior to January 1, 2008, was convicted of or pleaded guilty to 447
a sexually oriented offense or child-victim oriented offense or 448
was adjudicated a delinquent child for committing a sexually 449
oriented offense or child-victim oriented offense and classified 450
a juvenile offender registrant, and who prior to that date was 451
adjudicated a sexual predator or adjudicated a child-victim 452
predator, unless either of the following applies: 453

(a) The sex offender or child-victim offender is 454

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 II sex offender/child-victim offender relative to the offense.

(b) The sex offender or child-victim offender is a delinquent child, and 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 II sex offender/child-victim offender relative to the offense.

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

(7) A sex offender or child-victim offender who is convicted of, pleads guilty to, was convicted of, pleaded guilty to, is adjudicated a delinquent child for committing, or was adjudicated a delinquent child for committing a sexually oriented offense or child-victim offense 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 if both of the following apply:

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

(b) Subsequent to the conviction, plea of guilty, or 485
adjudication in the other jurisdiction, the offender or 486
delinquent child resides, has temporary domicile, attends school 487
or an institution of higher education, is employed, or intends 488
to reside in this state in any manner and for any period of time 489
that subjects the offender or delinquent child to a duty to 490
register or provide notice of intent to reside under section 491
2950.04 or 2950.041 of the Revised Code. 492

(H) "Confinement" includes, but is not limited to, a 493
community residential sanction imposed pursuant to section 494
2929.16 or 2929.26 of the Revised Code. 495

(I) "Prosecutor" has the same meaning as in section 496
2935.01 of the Revised Code. 497

(J) "Supervised release" means a release of an offender 498
from a prison term, a term of imprisonment, or another type of 499
confinement that satisfies either of the following conditions: 500

(1) The release is on parole, a conditional pardon, under 501
a community control sanction, under transitional control, or 502
under a post-release control sanction, and it requires the 503
person to report to or be supervised by a parole officer, 504
probation officer, field officer, or another type of supervising 505
officer. 506

(2) The release is any type of release that is not 507
described in division (J)(1) of this section and that requires 508
the person to report to or be supervised by a probation officer, 509
a parole officer, a field officer, or another type of 510
supervising officer. 511

(K) "Sexually violent predator specification," "sexually 512
violent predator," "sexually violent offense," "sexual 513

motivation specification," "designated homicide, assault, or kidnapping offense," and "violent sex offense" have the same meanings as in section 2971.01 of the Revised Code.

(L) "Post-release control sanction" and "transitional 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,	544
division (B) of section 2907.05 of the Revised Code, or section	545
2907.03 of the Revised Code if the victim of the violation was	546
less than twelve years of age;	547
(b) A violation of section 2903.01, 2903.02, or 2905.01 of	548
the Revised Code that was committed with a purpose to gratify	549
the sexual needs or desires of the child;	550
(c) A violation of division (B) of section 2903.03 of the	551
Revised Code.	552
(2) The person was fourteen, fifteen, sixteen, or	553
seventeen years of age at the time of committing the act.	554
(3) A juvenile court judge, pursuant to an order issued	555
under section 2152.86 of the Revised Code, classifies the person	556
a juvenile offender registrant, specifies the person has a duty	557
to comply with sections 2950.04, 2950.05, and 2950.06 of the	558
Revised Code, and classifies the person a public registry-	559
qualified juvenile offender registrant, and the classification	560
of the person as a public registry-qualified juvenile offender	561
registrant has not been terminated pursuant to division (D) of	562
section 2152.86 of the Revised Code.	563
(O) "Secure facility" means any facility that is designed	564
and operated to ensure that all of its entrances and exits are	565
locked and under the exclusive control of its staff and to	566
ensure that, because of that exclusive control, no person who is	567
institutionalized or confined in the facility may leave the	568
facility without permission or supervision.	569
(P) "Out-of-state juvenile offender registrant" means a	570
person who is adjudicated a delinquent child in a court in	571
another state, in a federal court, military court, or Indian	572

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 2950.04 or 2950.041 of the Revised Code to register in this state and the duty to otherwise comply with that applicable section and sections 2950.05 and 2950.06 of the Revised Code. "Out-of-state juvenile offender registrant" includes a person who prior to January 1, 2008, was an "out-of-state 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 an "out-of-state juvenile sex offender registrant" under the former definition of that former term.

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

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

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

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

(U) "Residential unit" means a dwelling unit for 603
residential use and occupancy, and includes the structure or 604
part of a structure that is used as a home, residence, or 605
sleeping place by one person who maintains a household or two or 606
more persons who maintain a common household. "Residential unit" 607
does not include a halfway house or a community-based 608
correctional facility. 609

(V) "Multi-unit building" means a building in which is 610
located more than twelve residential units that have entry doors 611
that open directly into the unit from a hallway that is shared 612
with one or more other units. A residential unit is not 613
considered located in a multi-unit building if the unit does not 614
have an entry door that opens directly into the unit from a 615
hallway that is shared with one or more other units or if the 616
unit is in a building that is not a multi-unit building as 617
described in this division. 618

(W) "Community control sanction" has the same meaning as 619
in section 2929.01 of the Revised Code. 620

(X) "Halfway house" and "community-based correctional 621
facility" have the same meanings as in section 2929.01 of the 622
Revised Code. 623

(Y) A person is in a "restricted offender category" if 624
both of the following apply with respect to the person: 625

(1) The person has been convicted of, is convicted of, has 626
pleaded guilty to, or pleads guilty to a sexually oriented 627
offense where the victim was under the age of eighteen or a 628
child-victim oriented offense. 629

(2) With respect to the offense described in division (Y) 630
(1) of this section, one of the following applies: 631

(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 the Revised Code.

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

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

(AA) "Fixed residence address" means a permanent residential address. "Fixed residence address" does not include a temporary address, including a place or places that a homeless person stays or intends to stay, unless that place is a shelter that intends to allow the homeless person to stay for thirty or more consecutive days.

(BB) "Homeless" has the same meaning as in 42 U.S.C. 11302.

Sec. 2950.04. (A) (1) (a) Immediately after a sentencing hearing is held on or after January 1, 2008, for an offender who is convicted of or pleads guilty to a sexually oriented offense and is sentenced to a prison term, a term of imprisonment, or any other type of confinement and before the offender is

transferred to the custody of the department of rehabilitation 661
and correction or to the official in charge of the jail, 662
workhouse, state correctional institution, or other institution 663
where the offender will be confined, the offender shall register 664
personally with the sheriff, or the sheriff's designee, of the 665
county in which the offender was convicted of or pleaded guilty 666
to the sexually oriented offense. 667

(b) Immediately after a dispositional hearing is held on 668
or after January 1, 2008, for a child who is adjudicated a 669
delinquent child for committing a sexually oriented offense, is 670
classified a juvenile offender registrant based on that 671
adjudication, and is committed to the custody of the department 672
of youth services or to a secure facility that is not operated 673
by the department and before the child is transferred to the 674
custody of the department of youth services or the secure 675
facility to which the delinquent child is committed, the 676
delinquent child shall register personally with the sheriff, or 677
the sheriff's designee, of the county in which the delinquent 678
child was classified a juvenile offender registrant based on 679
that sexually oriented offense. 680

(c) A law enforcement officer shall be present at the 681
sentencing hearing or dispositional hearing described in 682
division (A) (1) (a) or (b) of this section to immediately 683
transport the offender or delinquent child who is the subject of 684
the hearing to the sheriff, or the sheriff's designee, of the 685
county in which the offender or delinquent child is convicted, 686
pleads guilty, or is adjudicated a delinquent child. 687

(d) After an offender who has registered pursuant to 688
division (A) (1) (a) of this section is released from a prison 689
term, a term of imprisonment, or any other type of confinement, 690

the offender shall register as provided in division (A) (2) of 691
this section. After a delinquent child who has registered 692
pursuant to division (A) (1) (b) of this section is released from 693
the custody of the department of youth services or from a secure 694
facility that is not operated by the department, the delinquent 695
child shall register as provided in division (A) (3) of this 696
section. 697

(2) Regardless of when the sexually oriented offense was 698
committed, each offender who is convicted of, pleads guilty to, 699
has been convicted of, or has pleaded guilty to a sexually 700
oriented offense shall comply with the following registration 701
requirements described in divisions (A) (2) (a), (b), (c), (d), 702
and (e) of this section: 703

(a) The offender shall register personally with the 704
sheriff, or the sheriff's designee, of the county within three 705
days of the offender's coming into a county in which the 706
offender resides or temporarily is domiciled for more than three 707
days. 708

(b) The offender shall register personally with the 709
sheriff, or the sheriff's designee, of the county immediately 710
upon coming into a county in which the offender attends a school 711
or institution of higher education on a full-time or part-time 712
basis regardless of whether the offender resides or has a 713
temporary domicile in this state or another state. 714

(c) The offender shall register personally with the 715
sheriff, or the sheriff's designee, of the county in which the 716
offender is employed if the offender resides or has a temporary 717
domicile in this state and has been employed in that county for 718
more than three days or for an aggregate period of fourteen or 719
more days in that calendar year. 720

(d) The offender shall register personally with the sheriff, or the sheriff's designee, of the county in which the offender then is employed if the offender does not reside or have a temporary domicile in this state and has been employed at any location or locations in this state more than three days or for an aggregate period of fourteen or more days in that calendar year.

(e) The offender shall register with the sheriff, or the sheriff's designee, or other appropriate person of the other state immediately upon entering into any state other than this state in which the offender attends a school or institution of higher education on a full-time or part-time basis or upon being employed in any state other than this state for more than three days or for an aggregate period of fourteen or more days in that calendar year regardless of whether the offender resides or has a temporary domicile in this state, the other state, or a different state.

(3) (a) Each child who is adjudicated a delinquent child for committing a sexually oriented offense and who is classified a juvenile offender registrant based on that adjudication shall register personally with the sheriff, or the sheriff's designee, of the county within three days of the delinquent child's coming into a county in which the delinquent child resides or temporarily is domiciled for more than three days.

(b) In addition to the registration duty imposed under division (A) (3) (a) of this section, each public registry-qualified juvenile offender registrant shall comply with the following additional registration requirements:

(i) The public registry-qualified juvenile offender registrant shall register personally with the sheriff, or the

sheriff's designee, of the county immediately upon coming into a 751
county in which the registrant attends a school or institution 752
of higher education on a full-time or part-time basis regardless 753
of whether the registrant resides or has a temporary domicile in 754
this state or another state. 755

(ii) The public registry-qualified juvenile offender 756
registrant shall register personally with the sheriff, or the 757
sheriff's designee, of the county in which the registrant is 758
employed if the registrant resides or has a temporary domicile 759
in this state and has been employed in that county for more than 760
three days or for an aggregate period of fourteen or more days 761
in that calendar year. 762

(iii) The public registry-qualified juvenile offender 763
registrant shall register personally with the sheriff, or the 764
sheriff's designee, of the county in which the registrant then 765
is employed if the registrant does not reside or have a 766
temporary domicile in this state and has been employed at any 767
location or locations in this state more than three days or for 768
an aggregate period of fourteen or more days in that calendar 769
year. 770

(iv) The public registry-qualified juvenile offender 771
registrant shall register with the sheriff, or the sheriff's 772
designee, or other appropriate person of the other state 773
immediately upon entering into any state other than this state 774
in which the registrant attends a school or institution of 775
higher education on a full-time or part-time basis or upon being 776
employed in any state other than this state for more than three 777
days or for an aggregate period of fourteen or more days in that 778
calendar year regardless of whether the registrant resides or 779
has a temporary domicile in this state, the other state, or a 780

different state. 781

(c) If the delinquent child is committed for the sexually 782
oriented offense to the department of youth services or to a 783
secure facility that is not operated by the department, this 784
duty begins when the delinquent child is discharged or released 785
in any manner from custody in a department of youth services 786
secure facility or from the secure facility that is not operated 787
by the department if pursuant to the discharge or release the 788
delinquent child is not committed to any other secure facility 789
of the department or any other secure facility. 790

(4) Regardless of when the sexually oriented offense was 791
committed, —each person who is convicted, pleads guilty, or is 792
adjudicated a delinquent child in a court in another state, in a 793
federal court, military court, or Indian tribal court, or in a 794
court in any nation other than the United States for committing 795
a sexually oriented offense shall comply with the following 796
registration requirements if, at the time the offender or 797
delinquent child moves to and resides in this state or 798
temporarily is domiciled in this state for more than three days, 799
the offender or public registry-qualified juvenile offender 800
registrant enters this state to attend a school or institution 801
of higher education, or the offender or public registry- 802
qualified juvenile offender registrant is employed in this state 803
for more than the specified period of time, the offender or 804
delinquent child has a duty to register as a sex offender or 805
child-victim offender under the law of that other jurisdiction 806
as a result of the conviction, guilty plea, or adjudication: 807

(a) Each offender and delinquent child shall register 808
personally with the sheriff, or the sheriff's designee, of the 809
county within three days of the offender's or delinquent child's 810

coming into the county in which the offender or delinquent child 811
resides or temporarily is domiciled for more than three days. 812

(b) Each offender or public registry-qualified juvenile 813
offender registrant shall register personally with the sheriff, 814
or the sheriff's designee, of the county immediately upon coming 815
into a county in which the offender or public registry-qualified 816
juvenile offender registrant attends a school or institution of 817
higher education on a full-time or part-time basis regardless of 818
whether the offender or public registry-qualified juvenile 819
offender registrant resides or has a temporary domicile in this 820
state or another state. 821

(c) Each offender or public registry-qualified juvenile 822
offender registrant shall register personally with the sheriff, 823
or the sheriff's designee, of the county in which the offender 824
or public registry-qualified juvenile offender registrant is 825
employed if the offender resides or has a temporary domicile in 826
this state and has been employed in that county for more than 827
three days or for an aggregate period of fourteen days or more 828
in that calendar year. 829

(d) Each offender or public registry-qualified juvenile 830
offender registrant shall register personally with the sheriff, 831
or the sheriff's designee, of the county in which the offender 832
or public registry-qualified juvenile offender registrant then 833
is employed if the offender or public registry-qualified 834
juvenile offender registrant does not reside or have a temporary 835
domicile in this state and has been employed at any location or 836
locations in this state for more than three days or for an 837
aggregate period of fourteen or more days in that calendar year. 838

(5) An offender or a delinquent child who is a public 839
registry-qualified juvenile offender registrant is not required 840

to register under division (A) (2), (3), or (4) of this section 841
if a court issues an order terminating the offender's or 842
delinquent child's duty to comply with sections 2950.04, 843
2950.041, 2950.05, and 2950.06 of the Revised Code pursuant to 844
section 2950.15 of the Revised Code. A delinquent child who is a 845
juvenile offender registrant but is not a public registry- 846
qualified juvenile offender registrant is not required to 847
register under any of those divisions if a juvenile court issues 848
an order declassifying the delinquent child as a juvenile 849
offender registrant pursuant to section 2152.84 or 2152.85 of 850
the Revised Code. 851

(B) An offender or delinquent child who is required by 852
division (A) of this section to register in this state 853
personally shall obtain from the sheriff or from a designee of 854
the sheriff a registration form that conforms to division (C) of 855
this section, shall complete and sign the form, and shall return 856
the completed form together with the offender's or delinquent 857
child's photograph, copies of travel and immigration documents, 858
and any other required material to the sheriff or the designee. 859
The sheriff or designee shall sign the form and indicate on the 860
form the date on which it is so returned. The registration 861
required under this division is complete when the offender or 862
delinquent child returns the form, containing the requisite 863
information, photograph, other required material, signatures, 864
and date, to the sheriff or designee. 865

(C) The registration form to be used under divisions (A) 866
and (B) of this section shall include or contain all of the 867
following for the offender or delinquent child who is 868
registering: 869

(1) The offender's or delinquent child's name and any 870

aliases used by the offender or delinquent child; 871

(2) The offender's or delinquent child's social security 872
number and date of birth, including any alternate social 873
security numbers or dates of birth that the offender or 874
delinquent child has used or uses; 875

(3) Regarding an offender or delinquent child who is 876
registering under a duty imposed under division (A) (1) of this 877
section, a statement that the offender is serving a prison term, 878
term of imprisonment, or any other type of confinement or a 879
statement that the delinquent child is in the custody of the 880
department of youth services or is confined in a secure facility 881
that is not operated by the department; 882

(4) Regarding an offender or delinquent child who is 883
registering under a duty imposed under division (A) (2), (3), or 884
(4) of this section as a result of the offender or delinquent 885
child residing in this state or temporarily being domiciled in 886
this state for more than three days, the following: 887

(a) The current fixed residence address of the offender or 888
delinquent child who is registering, ~~the~~. If a residence 889
address is not to a fixed residence address, the offender or 890
delinquent child shall include in the registration a detailed 891
description of the place or places at which the offender or 892
delinquent child intends to stay for the following thirty days. 893
Until the offender or delinquent child has a fixed residence 894
address, the offender or delinquent child is subject to the 895
change of address requirements in section 2950.05 of the Revised 896
Code; 897

(b) The name and address of the offender's or delinquent 898
child's employer if the offender or delinquent child is employed 899

at the time of registration or if the offender or delinquent 900
child knows at the time of registration that the offender or 901
delinquent child will be commencing employment with that 902
employer subsequent to registration,~~any;~~ 903

(c) Any other employment information, such as the general 904
area where the offender or delinquent child is employed, if the 905
offender or delinquent child is employed in many locations,~~and~~ 906
~~the;~~ 907

(d) The name and address of the offender's or public 908
registry-qualified juvenile offender registrant's school or 909
institution of higher education if the offender or public 910
registry-qualified juvenile offender registrant attends one at 911
the time of registration or if the offender or public registry- 912
qualified juvenile offender registrant knows at the time of 913
registration that the offender or public registry-qualified 914
juvenile offender registrant will be commencing attendance at 915
that school or institution subsequent to registration; 916

(5) Regarding an offender or public registry-qualified 917
juvenile offender registrant who is registering under a duty 918
imposed under division (A) (2), (3), or (4) of this section as a 919
result of the offender or public registry-qualified juvenile 920
offender registrant attending a school or institution of higher 921
education in this state on a full-time or part-time basis or 922
being employed in this state or in a particular county in this 923
state, whichever is applicable, for more than three days or for 924
an aggregate of fourteen or more days in any calendar year, the 925
name and current address of the school, institution of higher 926
education, or place of employment of the offender or public 927
registry-qualified juvenile offender registrant who is 928
registering, including any other employment information, such as 929

the general area where the offender or public registry-qualified 930
juvenile offender registrant is employed, if the offender or 931
public registry-qualified juvenile offender registrant is 932
employed in many locations; 933

(6) The identification license plate number of each 934
vehicle the offender or delinquent child owns, of each vehicle 935
registered in the offender's or delinquent child's name, of each 936
vehicle the offender or delinquent child operates as a part of 937
employment, and of each other vehicle that is regularly 938
available to be operated by the offender or delinquent child; a 939
description of where each vehicle is habitually parked, stored, 940
docked, or otherwise kept; and, if required by the bureau of 941
criminal identification and investigation, a photograph of each 942
of those vehicles; 943

(7) If the offender or delinquent child has a driver's or 944
commercial driver's license or permit issued by this state or 945
any other state or a state identification card issued under 946
section 4507.50 or 4507.51 of the Revised Code or a comparable 947
identification card issued by another state, the driver's 948
license number, commercial driver's license number, or state 949
identification card number; 950

(8) If the offender or delinquent child was convicted of, 951
pleaded guilty to, or was adjudicated a delinquent child for 952
committing the sexually oriented offense resulting in the 953
registration duty in a court in another state, in a federal 954
court, military court, or Indian tribal court, or in a court in 955
any nation other than the United States, a DNA specimen, as 956
defined in section 109.573 of the Revised Code, from the 957
offender or delinquent child, a citation for, and the name of, 958
the sexually oriented offense resulting in the registration 959

duty, and a certified copy of a document that describes the text 960
of that sexually oriented offense; 961

(9) A description of each professional and occupational 962
license, permit, or registration, including those licenses, 963
permits, and registrations issued under Title XLVII of the 964
Revised Code, held by the offender or delinquent child; 965

(10) Any email addresses, internet identifiers, or 966
telephone numbers registered to or used by the offender or 967
delinquent child; 968

(11) Any other information required by the bureau of 969
criminal identification and investigation. 970

(D) After an offender or delinquent child registers with a 971
sheriff, or the sheriff's designee, pursuant to this section, 972
the sheriff, or the sheriff's designee, shall forward the 973
signed, written registration form, photograph, and other 974
material to the bureau of criminal identification and 975
investigation in accordance with the forwarding procedures 976
adopted pursuant to section 2950.13 of the Revised Code. If an 977
offender registers a school, institution of higher education, or 978
place of employment address, or provides a school or institution 979
of higher education address under division (C)(4) of this 980
section, the sheriff also shall provide notice to the law 981
enforcement agency with jurisdiction over the premises of the 982
school, institution of higher education, or place of employment 983
of the offender's name and that the offender has registered that 984
address as a place at which the offender attends school or an 985
institution of higher education or at which the offender is 986
employed. The bureau shall include the information and materials 987
forwarded to it under this division in the state registry of sex 988
offenders and child-victim offenders established and maintained 989

under section 2950.13 of the Revised Code. 990

(E) No person who is required to register pursuant to 991
divisions (A) and (B) of this section, and no person who is 992
required to send a notice of intent to reside pursuant to 993
division (G) of this section, shall fail to register or send the 994
notice of intent as required in accordance with those divisions 995
or that division. 996

(F) An offender or delinquent child who is required to 997
register pursuant to divisions (A) and (B) of this section shall 998
register pursuant to this section for the period of time 999
specified in section 2950.07 of the Revised Code, with the duty 1000
commencing on the date specified in division (A) of that 1001
section. 1002

(G) If an offender or delinquent child who is required by 1003
division (A) of this section to register is a tier III sex 1004
offender/child-victim offender, the offender or delinquent child 1005
also shall send the sheriff, or the sheriff's designee, of the 1006
county in which the offender or delinquent child intends to 1007
reside written notice of the offender's or delinquent child's 1008
intent to reside in the county. The offender or delinquent child 1009
shall send the notice of intent to reside at least twenty days 1010
prior to the date the offender or delinquent child begins to 1011
reside in the county. The notice of intent to reside shall 1012
contain the following information: 1013

(1) The offender's or delinquent child's name; 1014

(2) The fixed residence address or fixed residence 1015
addresses at which the offender or delinquent child intends to 1016
reside. If a residence address change is not to a fixed 1017
residence address, the offender or delinquent child shall 1018

include in the notice a detailed description of the place or 1019
places at which the offender or delinquent child intends to stay 1020
for the following thirty days. Until the offender or delinquent 1021
child has a fixed residence address, the offender or delinquent 1022
child is subject to the change of address requirements in in 1023
section 2950.05 of the Revised Code; 1024

(3) The sexually oriented offense of which the offender 1025
was convicted, to which the offender pleaded guilty, or for 1026
which the child was adjudicated a delinquent child. 1027

(H) If, immediately prior to January 1, 2008, an offender 1028
or delinquent child who was convicted of, pleaded guilty to, or 1029
was adjudicated a delinquent child for committing a sexually 1030
oriented offense or a child-victim oriented offense as those 1031
terms were defined in section 2950.01 of the Revised Code prior 1032
to January 1, 2008, was required by division (A) of this section 1033
or section 2950.041 of the Revised Code to register and if, on 1034
or after January 1, 2008, that offense is a sexually oriented 1035
offense as that term is defined in section 2950.01 of the 1036
Revised Code on and after January 1, 2008, the duty to register 1037
that is imposed pursuant to this section on and after January 1, 1038
2008, shall be considered, for purposes of section 2950.07 of 1039
the Revised Code and for all other purposes, to be a 1040
continuation of the duty imposed upon the offender or delinquent 1041
child prior to January 1, 2008, under this section or section 1042
2950.041 of the Revised Code. 1043

Sec. 2950.042. (A) By January 1, 2008, the department of 1044
rehabilitation and correction, the adult parole authority, and 1045
the department of youth services shall adopt rules to require 1046
parole officers to verify within three days of an offender's or 1047
delinquent child's release that the offender or delinquent child 1048

has registered as provided in divisions (A) (2) and (3) of 1049
section 2950.04 of the Revised Code or in divisions (A) (2) and 1050
(3) of section 2950.041 of the Revised Code, whichever is 1051
applicable. 1052

(B) The department of rehabilitation and correction shall 1053
provide notice of an offender's impending release as soon as 1054
practicable to the sheriff of the county in which the offender 1055
is to be released if all of the following apply: 1056

(1) The offender is under the supervision of the adult 1057
parole authority. 1058

(2) The offender has a duty to register imposed pursuant 1059
to section 2950.04 or 2950.041 of the Revised Code. 1060

(3) The offender had been placed into a halfway house in a 1061
county that was not the county in which the offender was 1062
originally confined or the county of the offender's residence. 1063

(4) The offender will be returned to the county in which 1064
the offender had been originally confined or the county of the 1065
offender's residence upon release. 1066

(5) The offender does not have a fixed residence address. 1067

(6) The sheriff of the county in which the offender is to 1068
be released has opted in to notification for qualifying 1069
releases. 1070

(C) The department of rehabilitation and correction shall 1071
adopt rules pursuant to Chapter 119. of the Revised Code that 1072
specify how a sheriff may opt in to notification under division 1073
(B) of this section for qualifying releases and how the 1074
department will provide each sheriff with information about 1075
requesting such a notice. 1076

Sec. 2950.05. (A) If an offender or delinquent child is 1077
required to register pursuant to division (A) (2), (3), or (4) of 1078
section 2950.04 or 2950.041 of the Revised Code, the delinquent 1079
child if not a public registry-qualified juvenile offender 1080
registrant shall provide written notice of any change of 1081
residence address, and the offender and public registry- 1082
qualified juvenile offender registrant shall provide notice of 1083
any change of residence, school, institution of higher 1084
education, or place of employment address, to the sheriff with 1085
whom the offender or delinquent child most recently registered 1086
the address under division (A) (2), (3), or (4) of section 1087
2950.04 or 2950.041 of the Revised Code or under division (B) of 1088
this section. A written notice of a change of school, 1089
institution of higher education, or place of employment address 1090
also shall include the name of the new school, institution of 1091
higher education, or place of employment. ~~The-Except as~~ 1092
otherwise specified in this division, the delinquent child if 1093
not a public registry-qualified juvenile offender registrant 1094
shall provide the written notice at least twenty days prior to 1095
changing the residence address, and the offender and public 1096
registry-qualified juvenile offender registrant shall provide 1097
the written notice at least twenty days prior to changing the 1098
address of the residence, school, or institution of higher 1099
education and not later than three days after changing the 1100
address of the place of employment. They shall provide the 1101
written notices during the period they are required to register. 1102
If a residence address change is not to a fixed residence 1103
address, the offender or delinquent child shall include in that 1104
notice a detailed description of the place or places at which 1105
the offender or delinquent child intends to stay ~~and, not for~~ 1106
the next thirty days. Until the offender or delinquent child has 1107
a fixed residence address, every thirty days the offender or 1108

delinquent child shall include in that notice a detailed 1109
description of the place or places at which the offender or 1110
delinquent child intends to stay for the following thirty days. 1111
Not later than the end of the first business day immediately 1112
following the day on which the person obtains a fixed residence 1113
address, the offender or delinquent child shall provide that 1114
sheriff written notice of that fixed residence address. If a 1115
person whose residence address change is not to a fixed 1116
residence address describes in a notice under this division the 1117
place or places at which the person intends to stay, for 1118
purposes of divisions (C) to (I) of this section, sections 1119
2950.06 to 2950.13 of the Revised Code, and sections 311.171 and 1120
2919.24 of the Revised Code, the place or places so described in 1121
the notice shall be considered the person's residence address 1122
and registered residence address until the person provides the 1123
written notice of a fixed residence address as described in this 1124
division. 1125

(B) ~~If~~ Except as otherwise provided in this division, if 1126
an offender or public registry-qualified juvenile offender 1127
registrant is required to provide notice of a residence, school, 1128
institution of higher education, or place of employment address 1129
change under division (A) of this section, or a delinquent child 1130
who is not a public registry-qualified juvenile offender 1131
registrant is required to provide notice of a residence address 1132
change under that division, the offender or delinquent child, at 1133
least twenty days prior to changing the residence, school, or 1134
institution of higher education address and not later than three 1135
days after changing the place of employment address, as 1136
applicable, also shall register the new address in the manner, 1137
and using the form, described in divisions (B) and (C) of 1138
section 2950.04 or 2950.041 of the Revised Code, whichever is 1139

applicable, with the sheriff of the county in which the 1140
offender's or delinquent child's new address is located, subject 1141
to division (C) of this section. If a residence address change 1142
is not to a fixed residence address, the offender or delinquent 1143
child shall include in the registration a detailed description 1144
of the place or places at which the offender or delinquent child 1145
intends to stay ~~and, not for the next thirty days.~~ Until the 1146
offender or delinquent child has a fixed residence address, 1147
every thirty days the offender or delinquent child shall include 1148
in that written notice a detailed description of the place or 1149
places at which the offender or delinquent child intends to stay 1150
for the following thirty days. Not later than the end of the 1151
first business day immediately following the day on which the 1152
person obtains a fixed residence address, the offender or 1153
delinquent child shall register with that sheriff that fixed 1154
residence address. If a person whose residence address change is 1155
not to a fixed residence address describes in a registration 1156
under this division the place or places at which the person 1157
intends to stay, for purposes of divisions (C) to (I) of this 1158
section, sections 2950.06 to 2950.13 of the Revised Code, and 1159
sections 311.171 and 2919.24 of the Revised Code, the place or 1160
places so described in the registration shall be considered the 1161
person's residence address and registered residence address, 1162
until the person registers a fixed residence address as 1163
described in this division. 1164

(C) Divisions (A) and (B) of this section apply to a 1165
person who is required to register pursuant to division (A) (2), 1166
(3), or (4) of section 2950.04 or 2950.041 of the Revised Code 1167
regardless of whether the new residence, school, institution of 1168
higher education, or place of employment address is in this 1169
state or in another state. If the new address is in another 1170

state, the person shall register with the appropriate law 1171
enforcement officials in that state in the manner required under 1172
the law of that state and within the earlier of the period of 1173
time required under the law of that state or at least seven days 1174
prior to changing the address. 1175

(D) If an offender or delinquent child who is a public 1176
registry-qualified juvenile offender registrant is required to 1177
register pursuant to division (A) (2), (3), or (4) of section 1178
2950.04 or 2950.041 of the Revised Code, the offender or public 1179
registry-qualified juvenile offender registrant shall provide 1180
written notice, within three days of the change, of any change 1181
in vehicle information, email addresses, internet identifiers, 1182
or telephone numbers registered to or used by the offender or 1183
registrant to the sheriff with whom the offender or registrant 1184
has most recently registered under division (A) (2), (3), or (4) 1185
of section 2950.04 or 2950.041 of the Revised Code. 1186

(E) (1) Upon receiving from an offender or delinquent child 1187
pursuant to division (A) of this section notice of a change of 1188
the offender's or public registry-qualified juvenile offender 1189
registrant's residence, school, institution of higher education, 1190
or place of employment address or the residence address of a 1191
delinquent child who is not a public registry-qualified juvenile 1192
offender registrant, a sheriff promptly shall forward the new 1193
address to the bureau of criminal identification and 1194
investigation in accordance with the forwarding procedures 1195
adopted pursuant to section 2950.13 of the Revised Code if the 1196
new address is in another state or, if the new address is 1197
located in another county in this state, to the sheriff of that 1198
county. Upon receiving from an offender or public registry- 1199
qualified juvenile offender registrant notice of vehicle and 1200
identifier changes pursuant to division (D) of this section, a 1201

sheriff promptly shall forward the new information to the bureau 1202
of criminal identification and investigation in accordance with 1203
the forwarding procedures adopted pursuant to section 2950.13 of 1204
the Revised Code. The bureau shall include all information 1205
forwarded to it under this division in the state registry of sex 1206
offenders and child-victim offenders established and maintained 1207
under section 2950.13 of the Revised Code and shall forward 1208
notice of the offender's or delinquent child's new residence, 1209
school, institution of higher education, or place of employment 1210
address, as applicable, to the appropriate officials in the 1211
other state. 1212

(2) When an offender or public registry-qualified juvenile 1213
offender registrant registers a new residence, school, 1214
institution of higher education, or place of employment address 1215
or a delinquent child who is not a public registry-qualified 1216
juvenile offender registrant registers a new residence address 1217
pursuant to division (B) of this section, the sheriff with whom 1218
the offender or delinquent child registers and the bureau of 1219
criminal identification and investigation shall comply with 1220
division (D) of section 2950.04 or 2950.041 of the Revised Code, 1221
whichever is applicable. 1222

(F) (1) No person who is required to notify a sheriff of a 1223
change of address pursuant to division (A) of this section or a 1224
change in vehicle information or identifiers pursuant to 1225
division (D) of this section shall fail to notify the 1226
appropriate sheriff in accordance with that division. 1227

(2) No person who is required to register a new residence, 1228
school, institution of higher education, or place of employment 1229
address with a sheriff or with an official of another state 1230
pursuant to divisions (B) and (C) of this section shall fail to 1231

register with the appropriate sheriff or official of the other 1232
state in accordance with those divisions. 1233

(G) (1) It is an affirmative defense to a charge of a 1234
violation of division (F) (1) of this section that it was 1235
impossible for the person to provide the written notice to the 1236
sheriff as required under division (A) of this section because 1237
of a lack of knowledge, on the date specified for the provision 1238
of the written notice, of a residence, school, institution of 1239
higher education, or place of employment address change, and 1240
that the person provided notice of the residence, school, 1241
institution of higher education, or place of employment address 1242
change to the sheriff specified in division (A) of this section 1243
as soon as possible, but not later than the end of the first 1244
business day, after learning of the address change by doing 1245
either of the following: 1246

(a) The person provided notice of the address change to 1247
the sheriff specified in division (A) of this section by 1248
telephone immediately upon learning of the address change or, if 1249
the person did not have reasonable access to a telephone at that 1250
time, as soon as possible, but not later than the end of the 1251
first business day, after learning of the address change and 1252
having reasonable access to a telephone, and the person, as soon 1253
as possible, but not later than the end of the first business 1254
day, after providing notice of the address change to the sheriff 1255
by telephone, provided written notice of the address change to 1256
that sheriff. 1257

(b) The person, as soon as possible, but not later than 1258
the end of the first business day, after learning of the address 1259
change, provided written notice of the address change to the 1260
sheriff specified in division (A) of this section. 1261

(2) It is an affirmative defense to a charge of a 1262
violation of division (F) (2) of this section that it was 1263
impossible for the person to register the new address with the 1264
sheriff or the official of the other state as required under 1265
division (B) or (C) of this section because of a lack of 1266
knowledge, on the date specified for the registration of the new 1267
address, of a residence, school, institution of higher 1268
education, or place of employment address change, and that the 1269
person registered the new residence, school, institution of 1270
higher education, or place of employment address with the 1271
sheriff or the official of the other state specified in division 1272
(B) or (C) of this section as soon as possible, but not later 1273
than the end of the first business day, after learning of the 1274
address change by doing either of the following: 1275

(a) The person provided notice of the new address to the 1276
sheriff or official specified in division (B) or (C) of this 1277
section by telephone immediately upon learning of the new 1278
address or, if the person did not have reasonable access to a 1279
telephone at that time, as soon as possible, but not later than 1280
the end of the first business day, after learning of the new 1281
address and having reasonable access to a telephone, and the 1282
person, as soon as possible, but not later than the end of the 1283
first business day, after providing notice of the new address to 1284
the sheriff or official by telephone, registered the new address 1285
with that sheriff or official in accordance with division (B) or 1286
(C) of this section. 1287

(b) The person, as soon as possible, but not later than 1288
the end of the first business day, after learning of the new 1289
address, registered the new address with the sheriff or official 1290
specified in division (B) or (C) of this section, in accordance 1291
with that division. 1292

(H) An offender or delinquent child who is required to 1293
comply with divisions (A), (B), and (C) of this section shall do 1294
so for the period of time specified in section 2950.07 of the 1295
Revised Code. 1296

(I) As used in this section, and in all other sections of 1297
the Revised Code that refer to the duties imposed on an offender 1298
or delinquent child under this section relative to a change in 1299
the offender's or delinquent child's residence, school, 1300
institution of higher education, or place of employment address, 1301
"change in address" includes any circumstance in which the old 1302
address for the person in question no longer is accurate, 1303
regardless of whether the person in question has a new address. 1304

Sec. 2950.07. (A) The duty of an offender who is convicted 1305
of, pleads guilty to, has been convicted of, or has pleaded 1306
guilty to a sexually oriented offense or a child-victim oriented 1307
offense and the duty of a delinquent child who is or has been 1308
adjudicated a delinquent child for committing a sexually 1309
oriented offense or a child-victim oriented offense and is 1310
classified a juvenile offender registrant or who is an out-of- 1311
state juvenile offender registrant to comply with sections 1312
2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code 1313
commences on whichever of the following dates is applicable: 1314

(1) If the offender's duty to register is imposed pursuant 1315
to division (A) (1) (a) of section 2950.04 or division (A) (1) (a) 1316
of section 2950.041 of the Revised Code, the offender's duty to 1317
comply with those sections commences immediately after the entry 1318
of the judgment of conviction. 1319

(2) If the delinquent child's duty to register is imposed 1320
pursuant to division (A) (1) (b) of section 2950.04 or division 1321
(A) (1) (b) of section 2950.041 of the Revised Code, the 1322

delinquent child's duty to comply with those sections commences 1323
immediately after the order of disposition. 1324

(3) If the offender's duty to register is imposed pursuant 1325
to division (A) (2) of section 2950.04 or division (A) (2) of 1326
section 2950.041 of the Revised Code, subject to division (A) (7) 1327
of this section, the offender's duty to comply with those 1328
sections commences on the date of the offender's release from a 1329
prison term, a term of imprisonment, or any other type of 1330
confinement, or if the offender is not sentenced to a prison 1331
term, a term of imprisonment, or any other type of confinement, 1332
on the date of the entry of the judgment of conviction of the 1333
sexually oriented offense or child-victim oriented offense. 1334

(4) If the offender's or delinquent child's duty to 1335
register is imposed pursuant to division (A) (4) of section 1336
2950.04 or division (A) (4) of section 2950.041 of the Revised 1337
Code, the offender's duty to comply with those sections 1338
commences regarding residence addresses on the date that the 1339
offender begins to reside or becomes temporarily domiciled in 1340
this state, the offender's duty regarding addresses of schools, 1341
institutions of higher education, and places of employment 1342
commences on the date the offender begins attending any school 1343
or institution of higher education in this state on a full-time 1344
or part-time basis or becomes employed in this state, and the 1345
delinquent child's duty commences on the date the delinquent 1346
child begins to reside or becomes temporarily domiciled in this 1347
state. 1348

(5) If the delinquent child's duty to register is imposed 1349
pursuant to division (A) (3) of section 2950.04 or division (A) 1350
(3) of section 2950.041 of the Revised Code, if the delinquent 1351
child's classification as a juvenile offender registrant is made 1352

at the time of the child's disposition for that sexually 1353
oriented offense or child-victim oriented offense, whichever is 1354
applicable, and if the delinquent child is committed for the 1355
sexually oriented offense or child-victim oriented offense to 1356
the department of youth services or to a secure facility that is 1357
not operated by the department, the delinquent child's duty to 1358
comply with those sections commences on the date of the 1359
delinquent child's discharge or release from custody in the 1360
department of youth services secure facility or from the secure 1361
facility not operated by the department as described in that 1362
division. 1363

(6) If the delinquent child's duty to register is imposed 1364
pursuant to division (A) (3) of section 2950.04 or division (A) 1365
(3) of section 2950.041 of the Revised Code and if either the 1366
delinquent child's classification as a juvenile offender 1367
registrant is made at the time of the child's disposition for 1368
that sexually oriented offense or child-victim oriented offense, 1369
whichever is applicable, and the delinquent child is not 1370
committed for the sexually oriented offense or child-victim 1371
oriented offense to the department of youth services or to a 1372
secure facility that is not operated by the department or the 1373
child's classification as a juvenile offender registrant is made 1374
pursuant to section 2152.83 or division (A) (2) of section 1375
2152.86 of the Revised Code, subject to divisions (A) (7) of this 1376
section, the delinquent child's duty to comply with those 1377
sections commences on the date of entry of the court's order 1378
that classifies the delinquent child a juvenile offender 1379
registrant. 1380

(7) If the offender's or delinquent child's duty to 1381
register is imposed pursuant to division (A) (2), (3), or (4) of 1382
section 2950.04 or section 2950.041 of the Revised Code and if 1383

the offender or delinquent child prior to January 1, 2008, has 1384
registered a residence, school, institution of higher education, 1385
or place of employment address pursuant to section 2950.04, 1386
2950.041, or 2950.05 of the Revised Code as they existed prior 1387
to that date, the offender or delinquent child initially shall 1388
register in accordance with section 2950.04 or 2950.041 of the 1389
Revised Code, whichever is applicable, as it exists on and after 1390
January 1, 2008, not later than the earlier of the dates 1391
specified in divisions (A) (7) (a) and (b) of this section. The 1392
offender's or delinquent child's duty to comply thereafter with 1393
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 1394
Code as they exist on and after January 1, 2008, commences on 1395
the date of that initial registration. The offender or 1396
delinquent child initially shall register under section 2950.04 1397
or 2950.041 of the Revised Code as it exists on and after 1398
January 1, 2008, not later than the earlier of the following: 1399

(a) The date that is six months after the date on which 1400
the offender or delinquent child received a registered letter 1401
from the attorney general under division (A) (2) or (B) of 1402
section 2950.031 of the Revised Code; 1403

(b) The earlier of the date on which the offender or 1404
delinquent child would be required to verify a previously 1405
registered address under section 2950.06 of the Revised Code as 1406
it exists on and after January 1, 2008, or, if the offender or 1407
delinquent child has changed a previously registered address, 1408
the date on which the offender or delinquent child would be 1409
required to register a new residence, school, institution of 1410
higher education, or place of employment address under section 1411
2950.05 of the Revised Code as it exists on and after January 1, 1412
2008. 1413

(8) If the offender's or delinquent child's duty to register was imposed pursuant to section 2950.04 or 2950.041 of the Revised Code as they existed prior to January 1, 2008, the offender's or delinquent child's duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code as they exist on and after January 1, 2008, is a continuation of the offender's or delinquent child's former duty to register imposed prior to January 1, 2008, under section 2950.04 or 2950.041 of the Revised Code and shall be considered for all purposes as having commenced on the date that the offender's duty under that section commenced.

(B) The duty of an offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to a sexually oriented offense or a child-victim oriented offense and the duty of a delinquent child who is or has been adjudicated a delinquent child for committing a sexually oriented offense or a child-victim oriented offense and is classified a juvenile offender registrant or who is an out-of-state juvenile offender registrant to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code continues, after the date of commencement, for whichever of the following periods is applicable:

(1) Except as otherwise provided in this division, if the person is an offender who is a tier III sex offender/child-victim offender relative to the sexually oriented offense or child-victim oriented offense, if the person is a delinquent child who is a tier III sex offender/child-victim offender relative to the sexually oriented offense or child-victim oriented offense, or if the person is a delinquent child who is a public registry-qualified juvenile offender registrant relative to the sexually oriented offense, the offender's or

delinquent child's duty to comply with those sections continues 1445
until the offender's or delinquent child's death. Regarding a 1446
delinquent child who is a tier III sex offender/child-victim 1447
offender relative to the offense but is not a public registry- 1448
qualified juvenile offender registrant relative to the offense, 1449
if the judge who made the disposition for the delinquent child 1450
or that judge's successor in office subsequently enters a 1451
determination pursuant to section 2152.84 or 2152.85 of the 1452
Revised Code that the delinquent child no longer is a tier III 1453
sex offender/child-victim offender, the delinquent child's duty 1454
to comply with those sections continues for the period of time 1455
that is applicable to the delinquent child under division (B) (2) 1456
or (3) of this section, based on the reclassification of the 1457
child pursuant to section 2152.84 or ~~2152.85~~ 2152.85 of the 1458
Revised Code as a tier I sex offender/child-victim offender or a 1459
tier II sex offender/child-victim offender. In no case shall the 1460
lifetime duty to comply that is imposed under this division on 1461
an offender who is a tier III sex offender/child-victim offender 1462
be removed or terminated. A delinquent child who is a public 1463
registry-qualified juvenile offender registrant may have the 1464
lifetime duty to register terminated only pursuant to section 1465
2950.15 of the Revised Code. 1466

~~(2) If~~ (2) (a) Except as otherwise provided in division (B) 1467
(2) (b) of this section, if the person is an offender who is a 1468
tier II sex offender/child-victim offender relative to the 1469
sexually oriented offense or child-victim oriented offense, the 1470
offender's duty to comply with those sections continues for 1471
twenty-five years. Except as otherwise provided in this 1472
division, if the person is a delinquent child who is a tier II 1473
sex offender/child-victim offender relative to the sexually 1474
oriented offense or child-victim oriented offense, the 1475

delinquent child's duty to comply with those sections continues 1476
for twenty years. Regarding a delinquent child who is a tier II 1477
sex offender/child-victim offender relative to the offense but 1478
is not a public registry-qualified juvenile offender registrant 1479
relative to the offense, if the judge who made the disposition 1480
for the delinquent child or that judge's successor in office 1481
subsequently enters a determination pursuant to section 2152.84 1482
or 2152.85 of the Revised Code that the delinquent child no 1483
longer is a tier II sex offender/child-victim offender but 1484
remains a juvenile offender registrant, the delinquent child's 1485
duty to comply with those sections continues for the period of 1486
time that is applicable to the delinquent child under division 1487
(B) (3) of this section, based on the reclassification of the 1488
child pursuant to section 2152.84 or 2152.85 of the Revised Code 1489
as a tier I sex offender/child-victim offender. 1490

(b) If the person is an offender who is a tier II sex 1491
offender/child-victim offender relative to the sexually oriented 1492
offense or child-victim oriented offense or the person is a 1493
delinquent child who is a tier II sex offender/child-victim 1494
offender relative to the sexually oriented offense or child- 1495
victim oriented offense and if the offender or delinquent child 1496
violates section 2950.04, 2950.041, 2950.05, or 2950.06 of the 1497
Revised Code, the period of time that the offender or delinquent 1498
child has a duty to comply with those sections as described in 1499
division (B) (2) (a) of this section is tolled for the amount of 1500
time the offender or delinquent child is in violation of any of 1501
those sections. The period of time that the offender or 1502
delinquent child has a duty to comply with those sections as 1503
described in division (B) (2) (a) of this section resumes once the 1504
offender or delinquent child is no longer in violation of any of 1505
those sections. 1506

~~(3)~~ (3) (a) Except as otherwise provided in this division 1507
and division (B) (3) (b) of this section, if the person is an 1508
offender who is a tier I sex offender/child-victim offender 1509
relative to the sexually oriented offense or child-victim 1510
oriented offense, the offender's duty to comply with those 1511
sections continues for fifteen years. Except as otherwise 1512
provided in this division, if the person is a delinquent child 1513
who is a tier I sex offender/child-victim offender relative to 1514
the sexually oriented offense or child-victim oriented offense, 1515
the delinquent child's duty to comply with those sections 1516
continues for ten years. Regarding a delinquent child who is a 1517
juvenile offender registrant and a tier I sex offender/child- 1518
victim offender but is not a public registry-qualified juvenile 1519
offender registrant, if the judge who made the disposition for 1520
the delinquent child or that judge's successor in office 1521
subsequently enters a determination pursuant to section 2152.84 1522
or 2152.85 of the Revised Code that the delinquent child no 1523
longer is to be classified a juvenile offender registrant, the 1524
delinquent child's duty to comply with those sections terminates 1525
upon the court's entry of the determination. A person who is an 1526
offender who is a tier I sex offender/child-victim offender may 1527
have the fifteen-year duty to register terminated only pursuant 1528
to section 2950.15 of the Revised Code. 1529

(b) If the person is an offender who is a tier I sex 1530
offender/child-victim offender relative to the sexually oriented 1531
offense or child-victim oriented offense or the person is a 1532
delinquent child who is a tier I sex offender/child-victim 1533
offender relative to the sexually oriented offense or child- 1534
victim oriented offense and if the offender or delinquent child 1535
violates section 2950.04, 2950.041, 2950.05, or 2950.06 of the 1536
Revised Code, the period of time that the offender or delinquent 1537

child has a duty to comply with those sections as described in 1538
division (B) (3) (a) of this section is tolled for the amount of 1539
time the offender or delinquent child is in violation of any of 1540
those sections. The period of time that the offender or 1541
delinquent child has a duty to comply with those sections as 1542
described in division (B) (3) (a) of this section resumes once the 1543
offender or delinquent child is no longer in violation of any of 1544
those sections. 1545

(C) (1) If an offender has been convicted of or pleaded 1546
guilty to a sexually oriented offense and the offender 1547
subsequently is convicted of or pleads guilty to another 1548
sexually oriented offense or a child-victim oriented offense, if 1549
an offender has been convicted of or pleaded guilty to a child- 1550
victim oriented offense and the offender subsequently is 1551
convicted of or pleads guilty to another child-victim oriented 1552
offense or a sexually oriented offense, if a delinquent child 1553
has been adjudicated a delinquent child for committing a 1554
sexually oriented offense and is classified a juvenile offender 1555
registrant or is an out-of-state juvenile offender registrant 1556
and the child subsequently is adjudicated a delinquent child for 1557
committing another sexually oriented offense or a child-victim 1558
oriented offense and is classified a juvenile offender 1559
registrant relative to that offense or subsequently is convicted 1560
of or pleads guilty to another sexually oriented offense or a 1561
child-victim oriented offense, or if a delinquent child has been 1562
adjudicated a delinquent child for committing a child-victim 1563
oriented offense and is classified a juvenile offender 1564
registrant or is an out-of-state juvenile offender registrant 1565
and the child subsequently is adjudicated a delinquent child for 1566
committing another child-victim oriented offense or a sexually 1567
oriented offense and is classified a juvenile offender 1568

registrant relative to that offense or subsequently is convicted 1569
of or pleads guilty to another child-victim oriented offense or 1570
a sexually oriented offense, the period of time for which the 1571
offender or delinquent child must comply with the sections 1572
specified in division (A) of this section shall be separately 1573
calculated pursuant to divisions (A)(1) to (8) and (B)(1) to (3) 1574
of this section for each of the sexually oriented offenses and 1575
child-victim oriented offenses, and the offender or delinquent 1576
child shall comply with each separately calculated period of 1577
time independently. 1578

If a delinquent child has been adjudicated a delinquent 1579
child for committing a sexually oriented offense or a child- 1580
victim oriented offense, is classified a juvenile offender 1581
registrant or is an out-of-state juvenile offender registrant 1582
relative to that offense, and, after attaining eighteen years of 1583
age, subsequently is convicted of or pleads guilty to another 1584
sexually oriented offense or child-victim oriented offense, the 1585
subsequent conviction or guilty plea does not limit, affect, or 1586
supersede the duties imposed upon the delinquent child under 1587
this chapter relative to the delinquent child's classification 1588
as a juvenile offender registrant or as an out-of-state juvenile 1589
offender registrant, and the delinquent child shall comply with 1590
both those duties and the duties imposed under this chapter 1591
relative to the subsequent conviction or guilty plea. 1592

(2) If a delinquent child has been adjudicated a 1593
delinquent child for committing a sexually oriented offense or a 1594
child-victim oriented offense and is classified a juvenile 1595
offender registrant relative to the offense and if the juvenile 1596
judge or the judge's successor in office subsequently 1597
reclassifies the offense tier in which the child is classified 1598
pursuant to section 2152.84 or 2152.85 of the Revised Code, the 1599

judge's subsequent determination to reclassify the child does 1600
not affect the date of commencement of the delinquent child's 1601
duty to comply with sections 2950.04, 2950.041, 2950.05, and 1602
2950.06 of the Revised Code as determined under division (A) of 1603
this section. The child's duty to comply with those sections 1604
after the reclassification is a continuation of the child's duty 1605
to comply with the sections that was in effect prior to the 1606
reclassification, and the duty shall continue for the period of 1607
time specified in division (B) (1), (2), or (3) of this section, 1608
whichever is applicable. 1609

If, prior to January 1, 2008, an offender had a duty to 1610
comply with the sections specified in division (A) of this 1611
section as a result of a conviction of or plea of guilty to a 1612
sexually oriented offense or child-victim oriented offense as 1613
those terms were defined in section 2950.01 of the Revised Code 1614
prior to January 1, 2008, or a delinquent child had a duty to 1615
comply with those sections as a result of an adjudication as a 1616
delinquent child for committing one of those offenses as they 1617
were defined prior to January 1, 2008, the period of time 1618
specified in division (B) (1), (2), or (3) of this section on and 1619
after January 1, 2008, for which a person must comply with 1620
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 1621
Code applies to the person, automatically replaces the period of 1622
time for which the person had to comply with those sections 1623
prior to January 1, 2008, and is a continuation of the person's 1624
duty to comply with the sections that was in effect prior to the 1625
reclassification. If, prior to January 1, 2008, an offender or a 1626
delinquent child had a duty to comply with the sections 1627
specified in division (A) of this section, the offender's or 1628
delinquent child's classification as a tier I sex 1629
offender/child-victim offender, a tier II sex offender/child- 1630

victim offender, or a tier III sex offender/child-victim 1631
offender for purposes of that period of time shall be determined 1632
as specified in section 2950.031 or 2950.032 of the Revised 1633
Code, as applicable. 1634

(D) The duty of an offender or delinquent child to 1635
register under this chapter is tolled for any period during 1636
which the offender or delinquent child is returned to 1637
confinement in a secure facility for any reason or imprisoned 1638
for an offense when the confinement in a secure facility or 1639
imprisonment occurs subsequent to the date determined pursuant 1640
to division (A) of this section. The offender's or delinquent 1641
child's duty to register under this chapter resumes upon the 1642
offender's or delinquent child's release from confinement in a 1643
secure facility or imprisonment. 1644

(E) An offender or delinquent child who has been or is 1645
convicted, has pleaded or pleads guilty, or has been or is 1646
adjudicated a delinquent child, in a court in another state, in 1647
a federal court, military court, or Indian tribal court, or in a 1648
court of any nation other than the United States for committing 1649
a sexually oriented offense or a child-victim oriented offense 1650
may apply to the sheriff of the county in which the offender or 1651
delinquent child resides or temporarily is domiciled, or in 1652
which the offender attends a school or institution of higher 1653
education or is employed, for credit against the duty to 1654
register for the time that the offender or delinquent child has 1655
complied with the sex offender or child-victim offender 1656
registration requirements of another jurisdiction. The sheriff 1657
shall grant the offender or delinquent child credit against the 1658
duty to register for time for which the offender or delinquent 1659
child provides adequate proof that the offender or delinquent 1660
child has complied with the sex offender or child-victim 1661

offender registration requirements of another jurisdiction. If 1662
the offender or delinquent child disagrees with the 1663
determination of the sheriff, the offender or delinquent child 1664
may appeal the determination to the court of common pleas of the 1665
county in which the offender or delinquent child resides or is 1666
temporarily domiciled, or in which the offender attends a school 1667
or institution of higher education or is employed. 1668

Sec. 2951.041. (A) (1) If an offender is charged with a 1669
criminal offense, including but not limited to a violation of 1670
section 2913.02, 2913.03, 2913.11, 2913.21, 2913.31, or 2919.21 1671
of the Revised Code, and the court has reason to believe that 1672
drug or alcohol usage by the offender was a factor leading to 1673
the criminal offense with which the offender is charged or that, 1674
at the time of committing that offense, the offender had a 1675
mental illness, was a person with an intellectual disability, or 1676
was a victim of a violation of section 2905.32 or 2907.21 of the 1677
Revised Code and that the mental illness, status as a person 1678
with an intellectual disability, or fact that the offender was a 1679
victim of a violation of section 2905.32 or 2907.21 of the 1680
Revised Code was a factor leading to the offender's criminal 1681
behavior, the court may accept, prior to the entry of a guilty 1682
plea, the offender's request for intervention in lieu of 1683
conviction. The request shall include a statement from the 1684
offender as to whether the offender is alleging that drug or 1685
alcohol usage by the offender was a factor leading to the 1686
criminal offense with which the offender is charged or is 1687
alleging that, at the time of committing that offense, the 1688
offender had a mental illness, was a person with an intellectual 1689
disability, or was a victim of a violation of section 2905.32 or 1690
2907.21 of the Revised Code and that the mental illness, status 1691
as a person with an intellectual disability, or fact that the 1692

offender was a victim of a violation of section 2905.32 or 1693
2907.21 of the Revised Code was a factor leading to the criminal 1694
offense with which the offender is charged. The request also 1695
shall include a waiver of the defendant's right to a speedy 1696
trial, the preliminary hearing, the time period within which the 1697
grand jury may consider an indictment against the offender, and 1698
arraignment, unless the hearing, indictment, or arraignment has 1699
already occurred. Unless an offender alleges that drug or 1700
alcohol usage by the offender was a factor leading to the 1701
criminal offense with which the offender is charged, the court 1702
may reject an offender's request without a hearing. If the court 1703
elects to consider an offender's request or the offender alleges 1704
that drug or alcohol usage by the offender was a factor leading 1705
to the criminal offense with which the offender is charged, the 1706
court shall conduct a hearing to determine whether the offender 1707
is eligible under this section for intervention in lieu of 1708
conviction and shall stay all criminal proceedings pending the 1709
outcome of the hearing. If the court schedules a hearing, the 1710
court shall order an assessment of the offender for the purpose 1711
of determining the offender's program eligibility for 1712
intervention in lieu of conviction and recommending an 1713
appropriate intervention plan. 1714

If the offender alleges that drug or alcohol usage by the 1715
offender was a factor leading to the criminal offense with which 1716
the offender is charged, the court may order that the offender 1717
be assessed by a community addiction services provider or a 1718
properly credentialed professional for the purpose of 1719
determining the offender's program eligibility for intervention 1720
in lieu of conviction and recommending an appropriate 1721
intervention plan. The community addiction services provider or 1722
the properly credentialed professional shall provide a written 1723

assessment of the offender to the court. 1724

(2) The victim notification provisions of division (E) of 1725
section 2930.06 of the Revised Code apply in relation to any 1726
hearing held under division (A)(1) of this section. 1727

(B) An offender is eligible for intervention in lieu of 1728
conviction if the court finds all of the following: 1729

(1) The offender previously has not been convicted of or 1730
pleaded guilty to any felony offense of violence. 1731

(2) The offense is not a felony of the first, second, or 1732
third degree, is not an offense of violence, is not a felony sex 1733
offense, is not a violation of division (A)(1) or (2) of section 1734
2903.06 of the Revised Code, is not a violation of division (A) 1735
(1) of section 2903.08 of the Revised Code, is not a violation 1736
of division (A) of section 4511.19 of the Revised Code or a 1737
municipal ordinance that is substantially similar to that 1738
division, and is not an offense for which a sentencing court is 1739
required to impose a mandatory prison term. 1740

(3) The offender is not charged with a violation of 1741
section 2925.02, 2925.04, or 2925.06 of the Revised Code, is not 1742
charged with a violation of section 2925.03 of the Revised Code 1743
that is a felony of the first, second, third, or fourth degree, 1744
and is not charged with a violation of section 2925.11 of the 1745
Revised Code that is a felony of the first or second degree. 1746

(4) If an offender alleges that drug or alcohol usage by 1747
the offender was a factor leading to the criminal offense with 1748
which the offender is charged, the court has ordered that the 1749
offender be assessed by a community addiction services provider 1750
or a properly credentialed professional for the purpose of 1751
determining the offender's program eligibility for intervention 1752

in lieu of conviction and recommending an appropriate 1753
intervention plan, the offender has been assessed by a community 1754
addiction services provider of that nature or a properly 1755
credentialed professional in accordance with the court's order, 1756
and the community addiction services provider or properly 1757
credentialed professional has filed the written assessment of 1758
the offender with the court. 1759

(5) If an offender alleges that, at the time of committing 1760
the criminal offense with which the offender is charged, the 1761
offender had a mental illness, was a person with an intellectual 1762
disability, or was a victim of a violation of section 2905.32 or 1763
2907.21 of the Revised Code and that the mental illness, status 1764
as a person with an intellectual disability, or fact that the 1765
offender was a victim of a violation of section 2905.32 or 1766
2907.21 of the Revised Code was a factor leading to that 1767
offense, the offender has been assessed by a psychiatrist, 1768
psychologist, independent social worker, licensed professional 1769
clinical counselor, or independent marriage and family therapist 1770
for the purpose of determining the offender's program 1771
eligibility for intervention in lieu of conviction and 1772
recommending an appropriate intervention plan. 1773

(6) The offender's drug usage, alcohol usage, mental 1774
illness, or intellectual disability, or the fact that the 1775
offender was a victim of a violation of section 2905.32 or 1776
2907.21 of the Revised Code, whichever is applicable, was a 1777
factor leading to the criminal offense with which the offender 1778
is charged, intervention in lieu of conviction would demean 1779
the seriousness of the offense, and intervention would 1780
substantially reduce the likelihood of any future criminal 1781
activity. 1782

(7) The alleged victim of the offense was not sixty-five 1783
years of age or older, permanently and totally disabled, under 1784
thirteen years of age, or a peace officer engaged in the 1785
officer's official duties at the time of the alleged offense. 1786

(8) If the offender is charged with a violation of section 1787
2925.24 of the Revised Code, the alleged violation did not 1788
result in physical harm to any person. 1789

(9) The offender is willing to comply with all terms and 1790
conditions imposed by the court pursuant to division (D) of this 1791
section. 1792

(10) The offender is not charged with an offense that 1793
would result in the offender being disqualified under Chapter 1794
4506. of the Revised Code from operating a commercial motor 1795
vehicle or would subject the offender to any other sanction 1796
under that chapter. 1797

(C) At the conclusion of a hearing held pursuant to 1798
division (A) of this section, the court shall determine whether 1799
the offender will be granted intervention in lieu of conviction. 1800
In making this determination, the court shall presume that 1801
intervention in lieu of conviction is appropriate. If the court 1802
finds under this division and division (B) of this section that 1803
the offender is eligible for intervention in lieu of conviction, 1804
the court shall grant the offender's request unless the court 1805
finds specific reasons to believe that the candidate's 1806
participation in intervention in lieu of conviction would be 1807
inappropriate. 1808

If the court denies an eligible offender's request for 1809
intervention in lieu of conviction, the court shall state the 1810
reasons for the denial, with particularity, in a written entry. 1811

If the court grants the offender's request, the court 1812
shall accept the offender's plea of guilty and waiver of the 1813
defendant's right to a speedy trial, the preliminary hearing, 1814
the time period within which the grand jury may consider an 1815
indictment against the offender, and arraignment, unless the 1816
hearing, indictment, or arraignment has already occurred. In 1817
addition, the court then may stay all criminal proceedings and 1818
order the offender to comply with all terms and conditions 1819
imposed by the court pursuant to division (D) of this section. 1820
If the court finds that the offender is not eligible or does not 1821
grant the offender's request, the criminal proceedings against 1822
the offender shall proceed as if the offender's request for 1823
intervention in lieu of conviction had not been made. 1824

(D) If the court grants an offender's request for 1825
intervention in lieu of conviction, all of the following apply: 1826

(1) The court shall place the offender under the general 1827
control and supervision of one of the following, as if the 1828
offender was subject to a community control sanction imposed 1829
under section 2929.15, 2929.18, or 2929.25 of the Revised Code: 1830

(a) The county probation department, the adult parole 1831
authority, or another appropriate local probation or court 1832
services agency, if one exists; 1833

(b) If the court grants the request for intervention in 1834
lieu of conviction during the period commencing on ~~the effective~~ 1835
~~date of this amendment~~ April 4, 2023, and ending ~~two years after~~ 1836
~~that effective date~~ on October 15, 2025, a community-based 1837
correctional facility. 1838

(2) The court shall establish an intervention plan for the 1839
offender. 1840

(3) The terms and conditions of the intervention plan 1841
required under division (D)(2) of this section shall require the 1842
offender, for at least one year, but not more than five years, 1843
from the date on which the court grants the order of 1844
intervention in lieu of conviction, to abstain from the use of 1845
illegal drugs and alcohol, to participate in treatment and 1846
recovery support services, and to submit to regular random 1847
testing for drug and alcohol use and may include any other 1848
treatment terms and conditions, or terms and conditions similar 1849
to community control sanctions, which may include community 1850
service or restitution, that are ordered by the court. 1851

(E) If the court grants an offender's request for 1852
intervention in lieu of conviction and the court finds that the 1853
offender has successfully completed the intervention plan for 1854
the offender, including the requirement that the offender 1855
abstain from using illegal drugs and alcohol for a period of at 1856
least one year, but not more than five years, from the date on 1857
which the court granted the order of intervention in lieu of 1858
conviction, the requirement that the offender participate in 1859
treatment and recovery support services, and all other terms and 1860
conditions ordered by the court, the court shall dismiss the 1861
proceedings against the offender. Successful completion of the 1862
intervention plan and period of abstinence under this section 1863
shall be without adjudication of guilt and is not a criminal 1864
conviction for purposes of any disqualification or disability 1865
imposed by law and upon conviction of a crime, and the court may 1866
order the sealing or expungement of records related to the 1867
offense in question, as a dismissal of the charges, in the 1868
manner provided in sections 2953.31, 2953.33, 2953.37, and 1869
2953.521 of the Revised Code and divisions (H), (K), and (L) of 1870
section 2953.34 of the Revised Code. 1871

(F) If the court grants an offender's request for intervention in lieu of conviction and the offender fails to comply with any term or condition imposed as part of the intervention plan for the offender, the supervising authority for the offender promptly shall advise the court of this failure, and the court shall hold a hearing to determine whether the offender failed to comply with any term or condition imposed as part of the plan. If the court determines that the offender has failed to comply with any of those terms and conditions, it may continue the offender on intervention in lieu of conviction, continue the offender on intervention in lieu of conviction with additional terms, conditions, and sanctions, or enter a finding of guilty and impose an appropriate sanction under Chapter 2929. of the Revised Code. If the court sentences the offender to a prison term, the court, after consulting with the department of rehabilitation and correction regarding the availability of services, may order continued court-supervised activity and treatment of the offender during the prison term and, upon consideration of reports received from the department concerning the offender's progress in the program of activity and treatment, may consider judicial release under section 2929.20 of the Revised Code.

(G) As used in this section: 1894

(1) "Community addiction services provider" has the same meaning as in section 5119.01 of the Revised Code. 1895
1896

(2) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code. 1897
1898

(3) "Intervention in lieu of conviction" means any court-supervised activity that complies with this section. 1899
1900

(4) "Intellectual disability" has the same meaning as in section 5123.01 of the Revised Code. 1901
1902

(5) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 1903
1904

(6) "Mental illness" and "psychiatrist" have the same meanings as in section 5122.01 of the Revised Code. 1905
1906

(7) "Psychologist" has the same meaning as in section 4732.01 of the Revised Code. 1907
1908

(8) "Felony sex offense" means a violation of a section contained in Chapter 2907. of the Revised Code that is a felony. 1909
1910

Section 2. That existing sections 2930.02, 2950.01, 2950.04, 2950.042, 2950.05, 2950.07, and 2951.041 of the Revised Code are hereby repealed. 1911
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Section 3. That section 2930.071 of the Revised Code is hereby repealed. 1914
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Section 4. Section 2951.041 of the Revised Code is presented in this act as a composite of the section as amended by both H.B. 343 and S.B. 288 of the 134th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act. 1916
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