

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 531**

**Representatives Lear, Lorenz**

**Cosponsors: Representatives Brennan, Johnson, Williams, Click, Robb Blasdel,  
Richardson, Dean**

---

**A BILL**

To amend sections 2137.15, 2743.51, 2743.56, 1  
2743.60, 2743.71, and 2905.11 and to enact 2  
section 2905.111 of the Revised Code to enact 3  
Braden's Law to prohibit sexual extortion and 4  
aggravated sexual extortion and to allow family 5  
of certain victims of aggravated sexual 6  
extortion to receive compensation from the crime 7  
victims compensation fund. 8

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

**Section 1.** That sections 2137.15, 2743.51, 2743.56, 9  
2743.60, 2743.71, and 2905.11 be amended and section 2905.111 of 10  
the Revised Code be enacted to read as follows: 11

**Sec. 2137.15.** (A) Not later than sixty days after receipt 12  
of the information required under sections 2137.06 to 2137.13 of 13  
the Revised Code, a custodian shall comply with a request under 14  
this chapter from a fiduciary or designated recipient to 15  
disclose digital assets or terminate an account. If the 16  
custodian fails to comply, the fiduciary or designated recipient 17  
may apply to the court for an order directing compliance. If the 18

deceased user was less than eighteen years of age at the time of 19  
death and the request under this chapter was initiated by a 20  
parent or legal guardian of that deceased user, the court shall 21  
determine and adjudicate the application for a court order 22  
within thirty days after submission. 23

(B) An order under division (A) of this section directing 24  
compliance shall contain a finding that compliance is not in 25  
violation of 18 U.S.C. 2702, as amended. 26

(C) A custodian may notify the user that a request for 27  
disclosure or to terminate an account was made under this 28  
chapter. 29

(D) A custodian may deny a request under this chapter from 30  
a fiduciary or designated recipient for disclosure of digital 31  
assets or to terminate an account if the custodian is aware of 32  
any lawful access to the account following the receipt of the 33  
fiduciary's request. 34

(E) Nothing in this chapter limits a custodian's ability 35  
to obtain, or to require a guardian, agent, or designated 36  
recipient requesting disclosure or termination under this 37  
chapter to obtain, a court order that does all of the following: 38

(1) Specifies that an account belongs to the ward or 39  
principal; 40

(2) Specifies that there is sufficient consent from the 41  
ward or principal to support the requested disclosure; and 42

(3) Contains a finding required by law other than this 43  
chapter. 44

(F) ~~A~~ If a court finds that a custodian failed to comply 45  
with a court order issued under division (A) of this section, 46

the court shall impose a civil penalty on the custodian as 47  
follows: 48

(1) Up to one thousand dollars for each of the first sixty 49  
days the operator failed to comply with the order; 50

(2) In addition to the civil penalty required by division 51  
(F) (1) of this section, up to five thousand dollars for each 52  
subsequent day the operator failed to comply with the order, 53  
commencing with the sixty-first day and ending with the 54  
ninetieth day; 55

(3) In addition to the civil penalties required by 56  
divisions (F) (1) and (2) of this section, up to ten thousand 57  
dollars for each subsequent day the operator failed to comply 58  
with the order, commencing with the ninety-first day. 59

(G) Any civil penalty that is imposed under division (F) 60  
of this section shall be deposited into the consumer protection 61  
enforcement fund created under section 1345.51 of the Revised 62  
Code. 63

(H) Except as otherwise provided under division (F) of 64  
this section, a custodian and its officers, employees, and 65  
agents are immune from liability for an act or omission done in 66  
good faith in compliance with this chapter. 67

**Sec. 2743.51.** As used in sections 2743.51 to 2743.72 of 68  
the Revised Code: 69

(A) "Claimant" means both of the following categories of 70  
persons: 71

(1) Any of the following persons who claim an award of 72  
reparations under sections 2743.51 to 2743.72 of the Revised 73  
Code: 74

(a) A victim who was one of the following at the time of the criminally injurious conduct:	75 76
(i) A resident of the United States;	77
(ii) A resident of a foreign country the laws of which permit residents of this state to recover compensation as victims of offenses committed in that country.	78 79 80
(b) A dependent of a deceased victim who is described in division (A) (1) (a) of this section;	81 82
(c) A third person, other than a collateral source, who legally assumes or voluntarily pays the obligations of a victim, or of a dependent of a victim, who is described in division (A) (1) (a) of this section, which obligations are incurred as a result of the criminally injurious conduct that is the subject of the claim and may include, but are not limited to, medical or burial expenses;	83 84 85 86 87 88 89
(d) A person who is authorized to act on behalf of any person who is described in division (A) (1) (a), (b), or (c) of this section;	90 91 92
(e) The estate of a deceased victim who is described in division (A) (1) (a) of this section.	93 94
(2) Any of the following persons who claim an award of reparations under sections 2743.51 to 2743.72 of the Revised Code:	95 96 97
(a) A victim who had a permanent place of residence within this state at the time of the criminally injurious conduct and who, at the time of the criminally injurious conduct, complied with any one of the following:	98 99 100 101
(i) Had a permanent place of employment in this state;	102

(ii) Was a member of the regular armed forces of the United States or of the United States coast guard or was a full-time member of the Ohio organized militia or of the United States army reserve, naval reserve, or air force reserve;	103 104 105 106
(iii) Was retired and receiving social security or any other retirement income;	107 108
(iv) Was sixty years of age or older;	109
(v) Was temporarily in another state for the purpose of receiving medical treatment;	110 111
(vi) Was temporarily in another state for the purpose of performing employment-related duties required by an employer located within this state as an express condition of employment or employee benefits;	112 113 114 115
(vii) Was temporarily in another state for the purpose of receiving occupational, vocational, or other job-related training or instruction required by an employer located within this state as an express condition of employment or employee benefits;	116 117 118 119 120
(viii) Was a full-time student at an academic institution, college, or university located in another state;	121 122
(ix) Had not departed the geographical boundaries of this state for a period exceeding thirty days or with the intention of becoming a citizen of another state or establishing a permanent place of residence in another state.	123 124 125 126
(b) A dependent of a deceased victim who is described in division (A) (2) (a) of this section;	127 128
(c) A third person, other than a collateral source, who legally assumes or voluntarily pays the obligations of a victim,	129 130

or of a dependent of a victim, who is described in division (A)	131
(2) (a) of this section, which obligations are incurred as a	132
result of the criminally injurious conduct that is the subject	133
of the claim and may include, but are not limited to, medical or	134
burial expenses;	135
(d) A person who is authorized to act on behalf of any	136
person who is described in division (A) (2) (a), (b), or (c) of	137
this section;	138
(e) The estate of a deceased victim who is described in	139
division (A) (2) (a) of this section.	140
(B) "Collateral source" means a source of benefits or	141
advantages for economic loss otherwise reparable that the victim	142
or claimant has received, or that is readily available to the	143
victim or claimant, from any of the following sources:	144
(1) The offender;	145
(2) The government of the United States or any of its	146
agencies, a state or any of its political subdivisions, or an	147
instrumentality of two or more states, unless the law providing	148
for the benefits or advantages makes them excess or secondary to	149
benefits under sections 2743.51 to 2743.72 of the Revised Code;	150
(3) Social security, medicare, and medicaid;	151
(4) State-required, temporary, nonoccupational disability	152
insurance;	153
(5) Workers' compensation;	154
(6) Wage continuation programs of any employer;	155
(7) Proceeds of a contract of insurance payable to the	156
victim for loss that the victim sustained because of the	157

criminally injurious conduct;	158
(8) A contract providing prepaid hospital and other health care services, or benefits for disability;	159 160
(9) That portion of the proceeds of all contracts of insurance payable to the claimant on account of the death of the victim that exceeds fifty thousand dollars;	161 162 163
(10) Any compensation recovered or recoverable under the laws of another state, district, territory, or foreign country because the victim was the victim of an offense committed in that state, district, territory, or country.	164 165 166 167
"Collateral source" does not include any money, or the monetary value of any property, that is subject to sections 2969.01 to 2969.06 of the Revised Code or that is received as a benefit from the Ohio public safety officers death benefit fund created by section 742.62 of the Revised Code.	168 169 170 171 172
(C) "Criminally injurious conduct" means one of the following:	173 174
(1) For the purposes of any person described in division (A) (1) of this section, any conduct that occurs or is attempted in this state; poses a substantial threat of personal injury or death; and is punishable by fine, imprisonment, or death, or would be so punishable but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state. Criminally injurious conduct does not include conduct arising out of the ownership, maintenance, or use of a motor vehicle, except when any of the following applies:	175 176 177 178 179 180 181 182 183 184
(a) The person engaging in the conduct intended to cause personal injury or death;	185 186

(b) The person engaging in the conduct was using the 187  
vehicle to flee immediately after committing a felony or an act 188  
that would constitute a felony but for the fact that the person 189  
engaging in the conduct lacked the capacity to commit the felony 190  
under the laws of this state; 191

(c) The person engaging in the conduct was using the 192  
vehicle in a manner that constitutes an OVI violation; 193

(d) The conduct occurred on or after July 25, 1990, and 194  
the person engaging in the conduct was using the vehicle in a 195  
manner that constitutes a violation of section 2903.08 of the 196  
Revised Code; 197

(e) The person engaging in the conduct acted in a manner 198  
that caused serious physical harm to a person and that 199  
constituted a violation of section 4549.02 or 4549.021 of the 200  
Revised Code. 201

(2) For the purposes of any person described in division 202  
(A) (2) of this section, any conduct that occurs or is attempted 203  
in another state, district, territory, or foreign country; poses 204  
a substantial threat of personal injury or death; and is 205  
punishable by fine, imprisonment, or death, or would be so 206  
punishable but for the fact that the person engaging in the 207  
conduct lacked capacity to commit the crime under the laws of 208  
the state, district, territory, or foreign country in which the 209  
conduct occurred or was attempted. Criminally injurious conduct 210  
does not include conduct arising out of the ownership, 211  
maintenance, or use of a motor vehicle, except when any of the 212  
following applies: 213

(a) The person engaging in the conduct intended to cause 214  
personal injury or death; 215



(b) The person engaging in the conduct was using the vehicle to flee immediately after committing a felony or an act that would constitute a felony but for the fact that the person engaging in the conduct lacked the capacity to commit the felony under the laws of the state, district, territory, or foreign country in which the conduct occurred or was attempted;

(c) The person engaging in the conduct was using the vehicle in a manner that constitutes an OVI violation;

(d) The conduct occurred on or after July 25, 1990, the person engaging in the conduct was using the vehicle in a manner that constitutes a violation of any law of the state, district, territory, or foreign country in which the conduct occurred, and that law is substantially similar to a violation of section 2903.08 of the Revised Code;

(e) The person engaging in the conduct acted in a manner that caused serious physical harm to a person and that constituted a violation of any law of the state, district, territory, or foreign country in which the conduct occurred, and that law is substantially similar to section 4549.02 or 4549.021 of the Revised Code.

(3) For the purposes of any person described in division (A) (1) or (2) of this section, ~~terrorism~~ either of the following:

(a) Terrorism that occurs within or outside the territorial jurisdiction of the United States;

(b) Aggravated sexual extortion within or outside the territorial jurisdiction of the United States that results in the death of a person who was the target of the activity.

(D) "Dependent" means an individual wholly or partially

dependent upon the victim for care and support, and includes a 245  
child of the victim born after the victim's death. 246

(E) "Economic loss" means economic detriment consisting 247  
only of allowable expense, work loss, funeral expense, 248  
unemployment benefits loss, replacement services loss, cost of 249  
crime scene cleanup, and cost of evidence replacement. If 250  
criminally injurious conduct causes death, economic loss 251  
includes a dependent's economic loss and a dependent's 252  
replacement services loss. Noneconomic detriment is not economic 253  
loss; however, economic loss may be caused by pain and suffering 254  
or physical impairment. 255

(F) (1) For a victim described in division (L) (1) of this 256  
section, "allowable expense" means reasonable charges incurred 257  
for reasonably needed products, services, and accommodations, 258  
including those for medical care, rehabilitation, rehabilitative 259  
occupational training, and other remedial treatment and care and 260  
including replacement costs for hearing aids; dentures, 261  
retainers, and other dental appliances; canes, walkers, and 262  
other mobility tools; and eyeglasses and other corrective 263  
lenses. It does not include that portion of a charge for a room 264  
in a hospital, clinic, convalescent home, nursing home, or any 265  
other institution engaged in providing nursing care and related 266  
services in excess of a reasonable and customary charge for 267  
semiprivate accommodations, unless accommodations other than 268  
semiprivate accommodations are medically required. 269

(2) For a victim described in division (L) (2) of this 270  
section, "allowable expense" means reasonable charges incurred 271  
for psychiatric care or counseling reasonably needed as a result 272  
of the criminally injurious conduct. No other type of expense is 273  
compensable under section 2743.51 to 2743.72 of the Revised Code 274

for a victim of that type. 275

(3) For a victim described in division (L)(3) of this 276  
section, "allowable expense" means work loss and reasonable 277  
charges incurred for psychiatric care or counseling reasonably 278  
needed as a result of the criminally injurious conduct. No other 279  
type of expense is compensable under sections 2743.51 to 2743.72 280  
of the Revised Code for a victim of that type. 281

(4) A family member of a victim who died as a proximate 282  
result of criminally injurious conduct may be reimbursed as an 283  
allowable expense through the victim's application for wages 284  
lost and travel expenses incurred in order to attend criminal 285  
justice proceedings arising from the criminally injurious 286  
conduct. The cumulative allowable expense for wages lost and 287  
travel expenses incurred by a family member to attend criminal 288  
justice proceedings shall not exceed five hundred dollars for 289  
each family member of the victim and two thousand dollars in the 290  
aggregate for all family members of the victim. 291

(5) For a victim described in division (L)(1) of this 292  
section, "allowable expense" includes both of the following: 293

(a) Reasonable expenses and fees necessary to obtain a 294  
guardian's bond pursuant to section 2109.04 of the Revised Code 295  
when the bond is required to pay an award to a fiduciary on 296  
behalf of a minor or other incompetent; 297

(b) Attorney's fees not exceeding one thousand dollars, at 298  
a rate not exceeding one hundred dollars per hour, incurred to 299  
successfully obtain a restraining order, custody order, or other 300  
order to physically separate a victim from an offender. 301  
Attorney's fees for the services described in this division may 302  
include an amount for reasonable travel time incurred to attend 303

court hearings, not exceeding three hours' round-trip for each 304  
court hearing, assessed at a rate not exceeding thirty dollars 305  
per hour. 306

(G) "Work loss" means loss of income from work that the 307  
injured person would have performed if the person had not been 308  
injured and expenses reasonably incurred by the person to obtain 309  
services in lieu of those the person would have performed for 310  
income, reduced by any income from substitute work actually 311  
performed by the person, or by income the person would have 312  
earned in available appropriate substitute work that the person 313  
was capable of performing but unreasonably failed to undertake. 314

(H) "Replacement services loss" means expenses reasonably 315  
incurred in obtaining ordinary and necessary services in lieu of 316  
those the injured person would have performed, not for income, 317  
but for the benefit of the person's self or family, if the 318  
person had not been injured. 319

(I) "Dependent's economic loss" means loss after a 320  
victim's death of contributions of things of economic value to 321  
the victim's dependents, not including services they would have 322  
received from the victim if the victim had not suffered the 323  
fatal injury, less expenses of the dependents avoided by reason 324  
of the victim's death. If a minor child of a victim is adopted 325  
after the victim's death, the minor child continues after the 326  
adoption to incur a dependent's economic loss as a result of the 327  
victim's death. If the surviving spouse of a victim remarries, 328  
the surviving spouse continues after the remarriage to incur a 329  
dependent's economic loss as a result of the victim's death. 330

(J) "Dependent's replacement services loss" means loss 331  
reasonably incurred by dependents after a victim's death in 332  
obtaining ordinary and necessary services in lieu of those the 333

victim would have performed for their benefit if the victim had 334  
not suffered the fatal injury, less expenses of the dependents 335  
avoided by reason of the victim's death and not subtracted in 336  
calculating the dependent's economic loss. If a minor child of a 337  
victim is adopted after the victim's death, the minor child 338  
continues after the adoption to incur a dependent's replacement 339  
services loss as a result of the victim's death. If the 340  
surviving spouse of a victim remarries, the surviving spouse 341  
continues after the remarriage to incur a dependent's 342  
replacement services loss as a result of the victim's death. 343

(K) "Noneconomic detriment" means pain, suffering, 344  
inconvenience, physical impairment, or other nonpecuniary 345  
damage. 346

(L) "Victim" means one of the following: 347

(1) A person who suffers personal injury or death as a 348  
result of any of the following: 349

(a) Criminally injurious conduct; 350

(b) The good faith effort of any person to prevent 351  
criminally injurious conduct; 352

(c) The good faith effort of any person to apprehend a 353  
person suspected of engaging in criminally injurious conduct. 354

(2) A person who is an immediate family member of a victim 355  
of criminally injurious conduct that consists of a homicide, a 356  
sexual assault, domestic violence, aggravated sexual extortion, 357  
or a severe and permanently incapacitating injury resulting in 358  
paraplegia or a similar life-altering condition, who requires 359  
psychiatric care or counseling as a result of the criminally 360  
injurious conduct; 361

(3) A person who suffers trauma so severe that it impedes 362  
or prohibits a person from participating in normal daily 363  
activities and who is either of the following: 364

(a) A family member of a victim of criminally injurious 365  
conduct that consists of a homicide or aggravated sexual 366  
extortion, or a family member of a victim who, as a result of 367  
criminally injurious conduct, has sustained a severe and 368  
permanently incapacitating injury resulting in paraplegia or a 369  
similar life-altering condition, and who can demonstrate either 370  
of the following by a preponderance of the evidence: 371

(i) The person witnessed the criminally injurious conduct. 372

(ii) The person arrived at the crime scene in its 373  
immediate aftermath. 374

(b) An immediate family member who is a caretaker of a 375  
dependent victim of criminally injurious conduct that consists 376  
of a sexual assault. 377

(M) "Contributory misconduct" means any conduct of the 378  
claimant or of the victim through whom the claimant claims an 379  
award of reparations that is unlawful or intentionally tortious 380  
and to which all of the following apply: 381

(1) The conduct occurred at the time of the criminally 382  
injurious conduct that is the basis of the claim. 383

(2) The conduct itself caused or posed a substantial and 384  
imminent threat of causing serious physical harm or death to 385  
another. 386

(3) The conduct instigated or proximately caused the 387  
criminally injurious conduct that is the basis of the claim. 388

(N) (1) "Funeral expense" means any reasonable charges that 389

are not in excess of seven thousand five hundred dollars per 390  
funeral and that are incurred for expenses directly related to a 391  
victim's funeral, cremation, or burial and any wages lost or 392  
travel expenses incurred by a family member of a victim in order 393  
to attend the victim's funeral, cremation, or burial. 394

(2) An award for funeral expenses shall be applied first 395  
to expenses directly related to the victim's funeral, cremation, 396  
or burial. An award for wages lost or travel expenses incurred 397  
by a family member of the victim shall not exceed five hundred 398  
dollars for each family member and shall not exceed in the 399  
aggregate the difference between seven thousand five hundred 400  
dollars and expenses that are reimbursed by the program and that 401  
are directly related to the victim's funeral, cremation, or 402  
burial. 403

(O) "Unemployment benefits loss" means a loss of 404  
unemployment benefits pursuant to Chapter 4141. of the Revised 405  
Code when the loss arises solely from the inability of a victim 406  
to meet the able to work, available for suitable work, or the 407  
actively seeking suitable work requirements of division (A) (4) 408  
(a) of section 4141.29 of the Revised Code. 409

(P) "OVI violation" means any of the following: 410

(1) A violation of section 4511.19 of the Revised Code, of 411  
any municipal ordinance prohibiting the operation of a vehicle 412  
while under the influence of alcohol, a drug of abuse, or a 413  
combination of them, or of any municipal ordinance prohibiting 414  
the operation of a vehicle with a prohibited concentration of 415  
alcohol, a controlled substance, or a metabolite of a controlled 416  
substance in the whole blood, blood serum or plasma, breath, or 417  
urine; 418

(2) A violation of division (A)(1) of section 2903.06 of the Revised Code; 419  
420

(3) A violation of division (A)(2), (3), or (4) of section 2903.06 of the Revised Code or of a municipal ordinance substantially similar to any of those divisions, if the offender was under the influence of alcohol, a drug of abuse, or a combination of them, at the time of the commission of the offense; 421  
422  
423  
424  
425  
426

(4) For purposes of any person described in division (A)(2) of this section, a violation of any law of the state, district, territory, or foreign country in which the criminally injurious conduct occurred, if that law is substantially similar to a violation described in division (P)(1) or (2) of this section or if that law is substantially similar to a violation described in division (P)(3) of this section and the offender was under the influence of alcohol, a drug of abuse, or a combination of them, at the time of the commission of the offense. 427  
428  
429  
430  
431  
432  
433  
434  
435  
436

(Q) "Pendency of the claim" for an original reparations application or supplemental reparations application means the period of time from the date the criminally injurious conduct upon which the application is based occurred until the date a final decision, order, or judgment concerning that original reparations application or supplemental reparations application is issued. 437  
438  
439  
440  
441  
442  
443

(R) "Terrorism" means any activity to which all of the following apply: 444  
445

(1) The activity involves a violent act or an act that is dangerous to human life. 446  
447



(2) The act described in division (R)(1) of this section 448  
is committed within the territorial jurisdiction of the United 449  
States and is a violation of the criminal laws of the United 450  
States, this state, or any other state or the act described in 451  
division (R)(1) of this section is committed outside the 452  
territorial jurisdiction of the United States and would be a 453  
violation of the criminal laws of the United States, this state, 454  
or any other state if committed within the territorial 455  
jurisdiction of the United States. 456

(3) The activity appears to be intended to do any of the 457  
following: 458

(a) Intimidate or coerce a civilian population; 459

(b) Influence the policy of any government by intimidation 460  
or coercion; 461

(c) Affect the conduct of any government by assassination 462  
or kidnapping. 463

(4) The activity occurs primarily outside the territorial 464  
jurisdiction of the United States or transcends the national 465  
boundaries of the United States in terms of the means by which 466  
the activity is accomplished, the person or persons that the 467  
activity appears intended to intimidate or coerce, or the area 468  
or locale in which the perpetrator or perpetrators of the 469  
activity operate or seek asylum. 470

(S) "Transcends the national boundaries of the United 471  
States" means occurring outside the territorial jurisdiction of 472  
the United States in addition to occurring within the 473  
territorial jurisdiction of the United States. 474

(T) "Aggravated sexual extortion" means any activity to 475  
which both of the following apply: 476

(1) The activity involves the release, exhibition, distribution, or threatened release, exhibition, or distribution of the private images of another person for any of the following purposes: 477  
478  
479  
480

(a) To compel or attempt to compel another person, against that person's will, to perform any act or refrain from performing any act; 481  
482  
483

(b) To induce the other person to commit a criminal offense; 484  
485

(c) To obtain additional private images from the other person; 486  
487

(d) To obtain anything of value from the other person. 488

(2) The target of the activity was eighteen years of age or younger at the time of the activity. 489  
490

(U) "Cost of crime scene cleanup" means any of the following: 491  
492

(1) The replacement cost for items of clothing removed from a victim in order to make an assessment of possible physical harm or to treat physical harm; 493  
494  
495

(2) Reasonable and necessary costs of cleaning the scene and repairing, for the purpose of personal security, property damaged at the scene where the criminally injurious conduct occurred, not to exceed seven hundred fifty dollars in the aggregate per claim. 496  
497  
498  
499  
500

~~(U)~~(V) "Cost of evidence replacement" means costs for replacement of property confiscated for evidentiary purposes related to the criminally injurious conduct, not to exceed seven hundred fifty dollars in the aggregate per claim. 501  
502  
503  
504

~~(V)~~ (W) "Provider" means any person who provides a victim 505  
or claimant with a product, service, or accommodations that are 506  
an allowable expense or a funeral expense. 507

~~(W)~~ (X) "Immediate family member" means an individual who 508  
resided in the same permanent household as a victim or target of 509  
aggravated sexual extortion at the time of the criminally 510  
injurious conduct and who is related to the victim by affinity 511  
or consanguinity. 512

~~(X)~~ (Y) "Family member" means an individual who is related 513  
to a victim or to a target of aggravated sexual extortion by 514  
affinity or consanguinity. 515

**Sec. 2743.56.** (A) A claim for an award of reparations 516  
shall be commenced by filing an application for an award of 517  
reparations with the attorney general. The application may be 518  
filed by mail. If the application is filed by mail, the post- 519  
marked date of the application shall be considered the filing 520  
date of the application. The application shall be in a form 521  
prescribed by the attorney general and shall include a release 522  
authorizing the attorney general and the court of claims to 523  
obtain any report, document, or information that relates to the 524  
determination of the claim for an award of reparations that is 525  
requested in the application. 526

(B) All applications for an award of reparations may be 527  
filed at any time within three years after the occurrence of the 528  
criminally injurious conduct, except as provided in divisions 529  
(A) (2) (b) to ~~(d)~~ (e) of section 2743.60 of the Revised Code. 530

**Sec. 2743.60.** (A) (1) The attorney general or the court of 531  
claims shall not make or order an award of reparations to a 532  
claimant if the criminally injurious conduct upon which the 533

claimant bases a claim never was reported to a law enforcement officer or agency. 534  
535

(2) (a) Except as provided in division (A) (2) (b), (c), ~~or~~ 536  
(d), or (e) of this section, the attorney general or court of 537  
claims shall not make or order an award of reparations to a 538  
claimant if the claim is based on criminally injurious conduct 539  
that occurred more than three years before the claim was filed 540  
or if the claim was denied under the law as it existed prior to 541  
~~the effective date of this amendment~~ March 2, 2022. 542

(b) If the claimant was under twenty-one years of age at 543  
the time of the criminally injurious conduct, the claim is not 544  
barred under division (A) (2) (a) of this section until after the 545  
claimant's twenty-fourth birthday. 546

(c) If the claim is based on criminally injurious conduct 547  
that occurred prior to ~~the effective date of this section~~ March 548  
2, 2022, and was denied under the law as it existed prior to ~~the~~ 549  
~~effective date of this amendment~~ March 2, 2022, the claim is not 550  
barred under division (A) (2) (a) of this section and the claimant 551  
is eligible to reapply for relief under this section until more 552  
than three years have passed since the criminally injurious 553  
conduct that gave rise to the claim. 554

(d) If the claim is based on criminally injurious conduct 555  
that occurred prior to the effective date of this amendment and 556  
was denied under the law as it existed prior to the effective 557  
date of this amendment, the claim is not barred under division 558  
(A) (2) (a) of this section and the claimant is eligible to 559  
reapply for relief under this section until more than five years 560  
have passed since the criminally injurious conduct that gave 561  
rise to the claim. 562

(e) Notwithstanding divisions (A) (2) (a), (b), and (c) of 563  
this section, the attorney general is permitted to make an award 564  
of reparations at any time for good cause shown. 565

(B) (1) The attorney general or the court of claims shall 566  
not make or order an award of reparations to a claimant if any 567  
of the following apply: 568

(a) The claimant is the offender or an accomplice of the 569  
offender who committed the criminally injurious conduct, or the 570  
award would unjustly benefit the offender or accomplice. 571

(b) Except as provided in division (B) (2) of this section, 572  
both of the following apply: 573

(i) The victim was a passenger in a motor vehicle and knew 574  
or reasonably should have known that the driver was under the 575  
influence of alcohol, a drug of abuse, or both. 576

(ii) The claimant is seeking compensation for injuries 577  
proximately caused by the driver described in division (B) (1) (b) 578  
(i) of this section being under the influence of alcohol, a drug 579  
of abuse, or both. 580

(c) Both of the following apply: 581

(i) The victim was under the influence of alcohol, a drug 582  
of abuse, or both and was a passenger in a motor vehicle and, if 583  
sober, should have reasonably known that the driver was under 584  
the influence of alcohol, a drug of abuse, or both. 585

(ii) The claimant is seeking compensation for injuries 586  
proximately caused by the driver described in division (B) (1) (b) 587  
(i) of this section being under the influence of alcohol, a drug 588  
of abuse, or both. 589

(2) Division (B) (1) (b) of this section does not apply if 590

on the date of the occurrence of the criminally injurious 591  
conduct, the victim was under sixteen years of age or was at 592  
least sixteen years of age but less than eighteen years of age 593  
and was riding with a parent, guardian, or care-provider. 594

(C) The attorney general or the court of claims, upon a 595  
finding that the claimant or victim has not fully cooperated 596  
with appropriate law enforcement agencies, may deny a claim or 597  
reconsider and reduce an award of reparations. 598

(D) The attorney general or the court of claims shall 599  
reduce an award of reparations or deny a claim for an award of 600  
reparations that is otherwise payable to a claimant to the 601  
extent that the economic loss upon which the claim is based is 602  
recouped from other persons, including collateral sources. If an 603  
award is reduced or a claim is denied because of the expected 604  
recoupment of all or part of the economic loss of the claimant 605  
from a collateral source, the amount of the award or the denial 606  
of the claim shall be conditioned upon the claimant's economic 607  
loss being recouped by the collateral source. If the award or 608  
denial is conditioned upon the recoupment of the claimant's 609  
economic loss from a collateral source and it is determined that 610  
the claimant did not unreasonably fail to present a timely claim 611  
to the collateral source and will not receive all or part of the 612  
expected recoupment, the claim may be reopened and an award may 613  
be made in an amount equal to the amount of expected recoupment 614  
that it is determined the claimant will not receive from the 615  
collateral source. 616

If the claimant recoups all or part of the economic loss 617  
upon which the claim is based from any other person or entity, 618  
including a collateral source, the attorney general may recover 619  
pursuant to section 2743.72 of the Revised Code the part of the 620

award that represents the economic loss for which the claimant 621  
received the recoupment from the other person or entity. 622

(E) (1) Except as otherwise provided in division (E) (2) of 623  
this section, in determining whether to make an award of 624  
reparations pursuant to this section, the attorney general or 625  
the court of claims shall consider whether there was 626  
contributory misconduct by the victim or the claimant. The 627  
attorney general or the court of claims shall reduce an award of 628  
reparations or deny a claim for an award of reparations to the 629  
extent it is determined to be reasonable because of the 630  
contributory misconduct of the claimant or the victim. 631

(2) Notwithstanding division (E) (1) of this section, in 632  
determining whether to make an award of reparations pursuant to 633  
this section, if the criminally injurious conduct upon which the 634  
claim is based resulted in a victim's death, the attorney 635  
general and the court of claims shall not consider whether there 636  
was contributory misconduct by the deceased victim. The attorney 637  
general or the court of claims shall not reduce an award of 638  
reparations or deny a claim for an award of reparations based on 639  
contributory misconduct of a deceased victim. 640

(F) The attorney general or the court of claims shall not 641  
make an award of reparations to a claimant if the criminally 642  
injurious conduct that caused the injury or death that is the 643  
subject of the claim occurred to a victim who was an adult and 644  
while the victim, after being convicted of or pleading guilty to 645  
an offense, was serving a sentence of imprisonment in any 646  
detention facility, as defined in section 2921.01 of the Revised 647  
Code. 648

(G) If a claimant unreasonably fails to present a claim 649  
timely to a source of benefits or advantages that would have 650

been a collateral source and that would have reimbursed the 651  
claimant for all or a portion of a particular expense, the 652  
attorney general or the court of claims may reduce an award of 653  
reparations or deny a claim for an award of reparations to the 654  
extent that it is reasonable to do so. 655

(H) Reparations payable to a victim described in division 656  
(L) (1) of section 2743.51 of the Revised Code and to all other 657  
claimants sustaining economic loss because of injury to or the 658  
death of that victim shall not exceed fifty thousand dollars in 659  
the aggregate. Reparations payable to a victim described in 660  
division (L) (2) of section 2743.51 of the Revised Code shall not 661  
exceed five thousand dollars. Reparations payable to a victim 662  
described in division (L) (3) of section 2743.51 of the Revised 663  
Code shall not exceed fifteen thousand dollars. If the attorney 664  
general or the court of claims reduces an award under division 665  
(E) of this section, the maximum aggregate amount of reparations 666  
payable under this division shall be reduced proportionately to 667  
the reduction under division (E) of this section. 668

(I) Reparations otherwise payable to a victim under this 669  
section shall not be payable to the victim during any period 670  
that the victim is incarcerated. 671

(J) Nothing in this section shall be construed to prohibit 672  
an award to a claimant whose claim is based on the claimant's 673  
being a victim of a violation of section 2905.32 of the Revised 674  
Code or a victim of aggravated sexual extortion, if the claimant 675  
was less than eighteen years of age when the criminally 676  
injurious conduct occurred. 677

**Sec. 2743.71.** (A) Any law enforcement agency that 678  
investigates, and any prosecuting attorney, city director of 679  
law, village solicitor, or similar prosecuting authority who 680



prosecutes, an offense committed in this state shall, upon first 681  
contact with the victim, as defined in division (L) (1) of 682  
section 2743.51 of the Revised Code, or the victim's family or 683  
dependents, give the victim or the victim's family or dependents 684  
a copy of an information card or other printed material provided 685  
by the attorney general pursuant to division (B) of this section 686  
and explain, upon request, the information on the card or 687  
material to the victim or the victim's family or dependents. 688

(B) The attorney general shall have printed, and shall 689  
provide to law enforcement agencies, prosecuting attorneys, city 690  
directors of law, village solicitors, and similar prosecuting 691  
authorities, cards or other materials that contain information 692  
explaining awards of reparations. The information on the cards 693  
or other materials shall include, but shall not be limited to, 694  
the following statements: 695

(1) Awards of reparations are limited to losses that are 696  
caused by physical injury resulting from criminally injurious 697  
conduct; 698

(2) Reparations applications may be filed at any time 699  
within three years after the occurrence of the criminally 700  
injurious conduct, except as provided in divisions (A) (2) (b) to 701  
~~(d)~~ (e) of section 2743.60 of the Revised Code; 702

(3) An attorney who represents an applicant for an award 703  
of reparations cannot charge the applicant for the services 704  
rendered in relation to that representation but is required to 705  
apply to the attorney general for payment for the 706  
representation; 707

(4) Applications for awards of reparations may be obtained 708  
from the attorney general, law enforcement agencies, and victim 709

assistance agencies and are to be filed with the attorney 710  
general. 711

(C) The attorney general may order that a reasonable 712  
amount of money be paid out of the reparations fund, subject to 713  
the limitation imposed by division (D) of this section, for use 714  
by the attorney general to publicize the availability of awards 715  
of reparations. 716

(D) During any fiscal year, the total expenditure for the 717  
printing and providing of information cards or other materials 718  
pursuant to division (B) of this section and for the publicizing 719  
of the availability of awards of reparations pursuant to 720  
division (C) of this section shall not exceed two per cent of 721  
the total of all court costs deposited, in accordance with 722  
section 2743.70 of the Revised Code, in the reparations fund 723  
during the immediately preceding fiscal year. 724

(E) The information cards or other materials provided 725  
pursuant to division (B) of this section may be provided with 726  
the compilation prepared pursuant to division (A) of section 727  
109.42 of the Revised Code. 728

**Sec. 2905.11.** (A) As used in this section and section 729  
2905.111 of the Revised Code: 730

(1) "Elderly person" and "disabled adult" have the same 731  
meanings as in section 2913.01 of the Revised Code. 732

(2) "Information service" and "telecommunications service" 733  
have the same meanings as in the "Telecommunications Act of 734  
1996," 47 U.S.C. 153, as amended. 735

(3) "Interactive computer service" has the same meaning as 736  
in the "Telecommunications Act of 1996," 47 U.S.C. 230, as 737  
amended. 738

(4) "Nudity," "sexual activity," and "sexual excitement" 739  
have the same meanings as in section 2907.01 of the Revised 740  
Code. 741

(5) "Private images" means images of sexual activity, 742  
masturbation, sexual excitement, nudity, bestiality, extreme or 743  
bizarre violence, cruelty, or brutality, or human bodily 744  
functions of elimination. 745

(6) "Threat" includes a direct threat and a threat by 746  
innuendo. 747

(B) No person, with purpose to obtain any valuable thing 748  
or valuable benefit or to induce another to do an unlawful act, 749  
shall do any of the following: 750

(1) Threaten to commit any felony; 751

(2) Threaten to commit any offense of violence; 752

(3) Violate section 2903.21 or 2903.22 of the Revised 753  
Code; 754

(4) Utter or threaten any calumny against any person; 755

(5) Expose or threaten to expose any matter tending to 756  
subject any person to hatred, contempt, or ridicule, or to 757  
damage any person's personal or business repute, or to impair 758  
any person's credit. 759

~~(B)~~ (C) Whoever violates division (B) of this section is 760  
guilty of extortion, a felony of the third degree. 761

~~(C) As used in this section, "threat" includes a direct~~ 762  
~~threat and a threat by innuendo~~ (D) No person, with purpose to do 763  
any of the following, shall threaten to release, exhibit, or 764  
distribute the private images of another: 765

(1) Compel or attempt to compel the other person, against 766  
the other person's will, to perform any act or refrain from 767  
performing any act; 768

(2) Induce the other person to commit an offense; 769

(3) Obtain additional private images from the other 770  
person; 771

(4) Obtain anything of value from the other person. 772

(E) Whoever violates division (D) of this section is 773  
guilty of one of the following: 774

(1) Except as provided in division (E) (2) of this section, 775  
whoever violates division (D) of this section is guilty of 776  
sexual extortion. The penalty for the offense shall be 777  
determined as follows: 778

(a) Except as otherwise provided in division (E) (1) (b) or 779  
(c) of this section, sexual extortion is a felony of the third 780  
degree. 781

(b) Except as otherwise provided in division (E) (1) (c) of 782  
this section, if the offender previously has been convicted of 783  
or pleaded guilty to a violation of division (D) of this 784  
section, sexual extortion is a felony of the second degree. 785

(c) If the offender has previously been convicted of or 786  
pleaded guilty to two or more violations of division (D) of this 787  
section or if the offense involves sexual extortion of a person 788  
under the age of eighteen, an elderly person, or a disabled 789  
adult, sexual extortion is a felony of the first degree. 790

(2) Whoever violates division (D) of this section in a 791  
manner that causes great bodily harm to a victim or causes the 792  
victim's death is guilty of aggravated sexual extortion. The 793

penalty for the offense shall be determined as follows: 794

(a) Except as otherwise provided in division (E) (2) (b) or 795  
(c) of this section, aggravated sexual extortion is a felony of 796  
the third degree and, in addition to any other prison term 797  
imposed for the offense, the court may impose an additional 798  
prison term of up to ten years. 799

(b) Except as provided in division (E) (2) (c) of this 800  
section, if the offender has previously been convicted of or 801  
pleaded guilty to a violation of division (D) of this section, 802  
aggravated sexual extortion is a felony of the second degree 803  
and, in addition to any other prison term imposed for the 804  
offense, the court may impose an additional prison term of up to 805  
ten years. 806

(c) If the offender has previously been convicted of or 807  
pleaded guilty to two or more violations of division (D) of this 808  
section or if the offense involves sexual extortion of a person 809  
under the age of eighteen, an elderly person, or a disabled 810  
adult, aggravated sexual extortion is a felony of the first 811  
degree and, in addition to any other prison term imposed for the 812  
offense, the court may impose an additional prison term of up to 813  
ten years. 814

(F) (1) No person shall assert a cause of action in any 815  
court of this state against any provider of an information 816  
service, an interactive computer service, or a 817  
telecommunications service, or against any agent, employee, or 818  
officer of such provider, for any injury, death, or loss to 819  
person or property that allegedly arises out of the provider's, 820  
officer's, employee's, or agent's provision of information, 821  
facilities, or assistance in accordance with the terms of a 822  
court order that is issued in relation to the investigation or 823

prosecution of an alleged violation of division (D) of this 824  
section. 825

(2) A provider of an information service, an interactive 826  
computer service, or a telecommunications service, or any agent, 827  
employee, or officer of such provider, is immune from any civil 828  
or criminal liability for injury, death, or loss to person or 829  
property that allegedly arises out of the provider's, officer's, 830  
employee's, or agent's provision of information, facilities, or 831  
assistance in accordance with the terms of a court order that is 832  
issued in relation to the investigation or prosecution of an 833  
alleged violation of division (D) of this section. 834

(G) (1) (a) A person shall not be considered to have 835  
violated division (D) of this section solely for providing 836  
access or connection to or from an electronic method of remotely 837  
transferring information not under that person's control, 838  
including having provided capabilities that are incidental to 839  
providing access or connection to or from the electronic method 840  
of remotely transferring the information and that do not include 841  
the creation of the content of the material that is the subject 842  
of the access or connection. 843

(b) Any person providing access or connection to or from 844  
an electronic method of remotely transferring information not 845  
under that person's control shall not be liable for any action 846  
voluntarily taken in good faith to block the receipt or 847  
transmission through its service of any information that the 848  
person believes is, or will be, sent in violation of division 849  
(D) of this section. 850

(2) Division (G) (1) of this section does not create an 851  
affirmative duty for any person providing access or connection 852  
to or from an electronic method of remotely transferring 853

information not under that person's control to block the receipt 854  
or transmission through its service of any information that it 855  
believes is, or will be sent, in violation of division (D) of 856  
this section, except as otherwise provided by law. 857

(3) Division (G)(1) of this section does not apply to a 858  
person who conspires with another person actively involved in 859  
the creation or knowing distribution of material in violation of 860  
division (D) of this section, or who knowingly advertises the 861  
availability of material of that nature. 862

(4)(a) A provider or user of an interactive computer 863  
service shall neither be treated as the publisher nor speaker of 864  
any information provided by another information content 865  
provider, nor shall such a person be held civilly or criminally 866  
liable for the creation or development of information provided 867  
by another information content provider. 868

(b) Nothing in division (G)(4)(a) of this section shall be 869  
construed as protecting a person from liability to the extent 870  
that the person developed or created any content in violation of 871  
division (D) of this section. 872

**Sec. 2905.111.** Notwithstanding any provision of the 873  
Revised Code to the contrary, no person shall be convicted of an 874  
offense, and no child shall be adjudicated a delinquent child, 875  
for disseminating private images of that person or child to 876  
another person as a direct and proximate result of a violation 877  
of division (D) of section 2905.11 of the Revised Code in which 878  
the person or child was a victim. 879

**Section 2.** That existing sections 2137.15, 2743.51, 880  
2743.56, 2743.60, 2743.71, and 2905.11 of the Revised Code are 881  
hereby repealed. 882

**Section 3.** This act shall be known as Braden's Law.

883