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Representatives Lear, Lorenz

Cosponsors: Representatives Brennan, Johnson, Williams, Click, Robb Blasdel, Richardson, Dean, Abrams, LaRe, Miller, K., Abdullahi, Barhorst, Bird, Blackshear, Brent, Brewer, Brown, Callender, Carruthers, Claggett, Cross, Cutrona, Daniels, Dell'Aquila, Demetriou, Denson, Dobos, Edwards, Forhan, Fowler Arthur, Gross, Hall, Hillyer, Hoops, Jarrells, John, Jones, Kick, King, Lampton, Lipps, Liston, Loychik, Mathews, Miller, A., Miller, M., Mohamed, Patton, Pavliga, Peterson, Piccolantonio, Plummer, Ray, Rogers, Schmidt, Sims, Somani, Stein, Swearingen, Sweeney, Upchurch, White, Whitted, Young, T.

Senator Manning

A BILL

To amend sections 2137.15, 2905.11, 2929.12, and 1
2933.51 and to enact sections 2905.111 and 2
2933.523 of the Revised Code to enact Braden's 3
Law to prohibit sexual extortion and to require 4
service providers to comply with search warrants 5
and interception warrants for electronic 6
information. 7

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

Section 1. That sections 2137.15, 2905.11, 2929.12, and 8
2933.51 be amended and sections 2905.111 and 2933.523 of the 9
Revised Code be enacted to read as follows: 10

Sec. 2137.15. (A) Not later than sixty days after receipt 11
of the information required under sections 2137.06 to 2137.13 of 12

the Revised Code, a custodian shall comply with a request under 13
this chapter from a fiduciary or designated recipient to 14
disclose digital assets or terminate an account. If the 15
custodian fails to comply, the fiduciary or designated recipient 16
may apply to the court for an order directing compliance. If the 17
deceased user was less than eighteen years of age at the time of 18
death and the request under this chapter was initiated by a 19
parent or legal custodian or guardian at the time of the 20
deceased user's death, or the fiduciary of the estate of that 21
deceased user, the court shall determine and adjudicate the 22
application for a court order within thirty days after 23
submission. 24

(B) An order under division (A) of this section directing 25
compliance shall contain a finding that compliance is not in 26
violation of 18 U.S.C. 2702, as amended. 27

(C) A custodian may notify the user that a request for 28
disclosure or to terminate an account was made under this 29
chapter. 30

(D) A custodian may deny a request under this chapter from 31
a fiduciary or designated recipient for disclosure of digital 32
assets or to terminate an account if the custodian is aware of 33
any lawful access to the account following the receipt of the 34
fiduciary's request. 35

(E) Nothing in this chapter limits a custodian's ability 36
to obtain, or to require a guardian, agent, or designated 37
recipient requesting disclosure or termination under this 38
chapter to obtain, a court order that does all of the following: 39

(1) Specifies that an account belongs to the ward or 40
principal; 41

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

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

(F) A-If a court finds that a custodian failed to comply with a court order issued under division (A) of this section, the court shall impose a civil penalty on the custodian as follows:

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

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

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

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

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

Sec. 2905.11. (A) As used in this section and section

<u>2905.111 of the Revised Code:</u>	70
<u>(1) "Elderly person" and "disabled adult" have the same meanings as in section 2913.01 of the Revised Code.</u>	71 72
<u>(2) "Information service" and "telecommunications service" have the same meanings as in the "Telecommunications Act of 1996," 47 U.S.C. 153, as amended.</u>	73 74 75
<u>(3) "Interactive computer service" has the same meaning as in the "Telecommunications Act of 1996," 47 U.S.C. 230, as amended.</u>	76 77 78
<u>(4) "Nudity," "sexual activity," and "sexual excitement" have the same meanings as in section 2907.01 of the Revised Code.</u>	79 80 81
<u>(5) "Private images" means images of sexual activity, masturbation, sexual excitement, nudity, bestiality, extreme or bizarre violence, cruelty, or brutality, or human bodily functions of elimination.</u>	82 83 84 85
<u>(6) "Threat" includes a direct threat and a threat by innuendo.</u>	86 87
<u>(B) No person, with purpose to obtain any valuable thing or valuable benefit or to induce another to do an unlawful act, shall do any of the following:</u>	88 89 90
<u>(1) Threaten to commit any felony;</u>	91
<u>(2) Threaten to commit any offense of violence;</u>	92
<u>(3) Violate section 2903.21 or 2903.22 of the Revised Code;</u>	93 94
<u>(4) Utter or threaten any calumny against any person;</u>	95
<u>(5) Expose or threaten to expose any matter tending to</u>	96

subject any person to hatred, contempt, or ridicule, or to 97
damage any person's personal or business repute, or to impair 98
any person's credit. 99

~~(B)~~ (C) Whoever violates division (B) of this section is 100
guilty of extortion, a felony of the third degree. 101

~~(C) As used in this section, "threat" includes a direct 102~~
~~threat and a threat by innuendo~~ (D) No person, with purpose to do 103
any of the following, shall threaten to release, exhibit, or 104
distribute the private images of another: 105

(1) Compel or attempt to compel the other person, against 106
the other person's will, to perform any act or refrain from 107
performing any act; 108

(2) Induce the other person to commit an offense; 109

(3) Obtain additional private images from the other 110
person; 111

(4) Obtain anything of value from the other person. 112

(E) Whoever violates division (D) of this section is 113
guilty of sexual extortion. The penalty for the offense shall be 114
determined as follows: 115

(1) Except as otherwise provided in division (E) (2) or (3) 116
of this section, sexual extortion is a felony of the third 117
degree. 118

(2) Except as otherwise provided in division (E) (3) of 119
this section, if the offender previously has been convicted of 120
or pleaded guilty to a violation of division (D) of this section 121
or if the offense involves sexual extortion of a person under 122
the age of eighteen, an elderly person, or a disabled adult, 123
sexual extortion is a felony of the second degree. 124

(3) If the offender has previously been convicted of or 125
pleaded guilty to two or more violations of division (D) of this 126
section or if the offender has previously been convicted of or 127
pleaded guilty to an offense involving sexual extortion of a 128
person under the age of eighteen, an elderly person, or a 129
disabled adult and the offender knows or has reason to know that 130
the person is under the age of eighteen, an elderly person, or a 131
disabled adult, sexual extortion is a felony of the first 132
degree. 133

(F) A prosecution for a violation of division (D) of this 134
section does not preclude a prosecution of a violation of 135
division (B) of this section. One or more acts, a series of 136
acts, or a course of behavior that can be prosecuted under 137
division (D) of this section or division (B) of this section may 138
be prosecuted under division (D) of this section, division (B) 139
of this section, or both divisions. However, if an offender is 140
convicted of or pleads guilty to a violation of division (D) of 141
this section and also is convicted of or pleads guilty to a 142
violation of division (B) of this section based on the same 143
conduct involving the same victim that was the basis of the 144
violation of division (D) of this section, the two offenses are 145
allied offenses of similar import under section 2941.25 of the 146
Revised Code. 147

(G) (1) No person shall assert a cause of action in any 148
court of this state against any provider of an information 149
service, an interactive computer service, or a 150
telecommunications service, or against any agent, employee, or 151
officer of such provider, for any injury, death, or loss to 152
person or property that allegedly arises out of the provider's, 153
officer's, employee's, or agent's provision of information, 154
facilities, or assistance in accordance with the terms of a 155

court order that is issued in relation to the investigation or 156
prosecution of an alleged violation of division (D) of this 157
section. 158

(2) A provider of an information service, an interactive 159
computer service, or a telecommunications service, or any agent, 160
employee, or officer of such provider, is immune from any civil 161
or criminal liability for injury, death, or loss to person or 162
property that allegedly arises out of the provider's, officer's, 163
employee's, or agent's provision of information, facilities, or 164
assistance in accordance with the terms of a court order that is 165
issued in relation to the investigation or prosecution of an 166
alleged violation of division (D) of this section. 167

(H) (1) (a) A person shall not be considered to have 168
violated division (D) of this section solely for providing 169
access or connection to or from an electronic method of remotely 170
transferring information not under that person's control, 171
including having provided capabilities that are incidental to 172
providing access or connection to or from the electronic method 173
of remotely transferring the information and that do not include 174
the creation of the content of the material that is the subject 175
of the access or connection. 176

(b) Any person providing access or connection to or from 177
an electronic method of remotely transferring information not 178
under that person's control shall not be liable for any action 179
voluntarily taken in good faith to block the receipt or 180
transmission through its service of any information that the 181
person believes is, or will be, sent in violation of division 182
(D) of this section. 183

(2) Division (H) (1) of this section does not create an 184
affirmative duty for any person providing access or connection 185

to or from an electronic method of remotely transferring 186
information not under that person's control to block the receipt 187
or transmission through its service of any information that it 188
believes is, or will be sent, in violation of division (D) of 189
this section, except as otherwise provided by law. 190

(3) Division (H)(1) of this section does not apply to a 191
person who conspires with another person actively involved in 192
the creation or knowing distribution of material in violation of 193
division (D) of this section, or who knowingly advertises the 194
availability of material of that nature. 195

(4) (a) A provider or user of an interactive computer 196
service shall neither be treated as the publisher nor speaker of 197
any information provided by another information content 198
provider, nor shall such a person be held civilly or criminally 199
liable for the creation or development of information provided 200
by another information content provider. 201

(b) Nothing in division (H)(4)(a) of this section shall be 202
construed as protecting a person from liability to the extent 203
that the person developed or created any content in violation of 204
division (D) of this section. 205

Sec. 2905.111. Notwithstanding any provision of the 206
Revised Code to the contrary, no person shall be convicted of an 207
offense, and no child shall be adjudicated a delinquent child, 208
for disseminating private images of that person or child to 209
another person as a direct and proximate result of a violation 210
of division (D) of section 2905.11 of the Revised Code in which 211
the person or child was a victim. 212

Sec. 2929.12. (A) Unless otherwise required by section 213
2929.13 or 2929.14 of the Revised Code, a court that imposes a 214

sentence under this chapter upon an offender for a felony has 215
discretion to determine the most effective way to comply with 216
the purposes and principles of sentencing set forth in section 217
2929.11 of the Revised Code. In exercising that discretion, the 218
court shall consider the factors set forth in divisions (B) and 219
(C) of this section relating to the seriousness of the conduct, 220
the factors provided in divisions (D) and (E) of this section 221
relating to the likelihood of the offender's recidivism, and the 222
factors set forth in division (F) of this section pertaining to 223
the offender's service in the armed forces of the United States 224
and, in addition, may consider any other factors that are 225
relevant to achieving those purposes and principles of 226
sentencing. 227

(B) The sentencing court shall consider all of the 228
following that apply regarding the offender, the offense, or the 229
victim, and any other relevant factors, as indicating that the 230
offender's conduct is more serious than conduct normally 231
constituting the offense: 232

(1) The physical or mental injury suffered by the victim 233
of the offense due to the conduct of the offender was 234
exacerbated because of the physical or mental condition or age 235
of the victim. 236

(2) The victim of the offense suffered serious physical, 237
psychological, or economic harm, including serious physical harm 238
the victim caused to the victim's self, as a result of the 239
offense. 240

(3) The victim died by suicide as a result of the offense. 241

(4) The offender held a public office or position of trust 242
in the community, and the offense related to that office or 243

position.	244
(4) <u>(5)</u> The offender's occupation, elected office, or	245
profession obliged the offender to prevent the offense or bring	246
others committing it to justice.	247
(5) <u>(6)</u> The offender's professional reputation or	248
occupation, elected office, or profession was used to facilitate	249
the offense or is likely to influence the future conduct of	250
others.	251
(6) <u>(7)</u> The offender's relationship with the victim	252
facilitated the offense.	253
(7) <u>(8)</u> The offender committed the offense for hire or as a	254
part of an organized criminal activity.	255
(8) <u>(9)</u> In committing the offense, the offender was	256
motivated by prejudice based on race, ethnic background, gender,	257
sexual orientation, or religion.	258
(9) <u>(10)</u> If the offense is a violation of section 2919.25	259
or a violation of section 2903.11, 2903.12, or 2903.13 of the	260
Revised Code involving a person who was a family or household	261
member at the time of the violation, the offender committed the	262
offense in the vicinity of one or more children who are not	263
victims of the offense, and the offender or the victim of the	264
offense is a parent, guardian, custodian, or person in loco	265
parentis of one or more of those children.	266
(C) The sentencing court shall consider all of the	267
following that apply regarding the offender, the offense, or the	268
victim, and any other relevant factors, as indicating that the	269
offender's conduct is less serious than conduct normally	270
constituting the offense:	271

(1) The victim induced or facilitated the offense.	272
(2) In committing the offense, the offender acted under strong provocation.	273 274
(3) In committing the offense, the offender did not cause or expect to cause physical harm to any person or property.	275 276
(4) There are substantial grounds to mitigate the offender's conduct, although the grounds are not enough to constitute a defense.	277 278 279
(D) The sentencing court shall consider all of the following that apply regarding the offender, and any other relevant factors, as factors indicating that the offender is likely to commit future crimes:	280 281 282 283
(1) At the time of committing the offense, the offender was under release from confinement before trial or sentencing; was under a sanction imposed pursuant to section 2929.16, 2929.17, or 2929.18 of the Revised Code; was under post-release control pursuant to section 2967.28 or any other provision of the Revised Code for an earlier offense or had been unfavorably terminated from post-release control for a prior offense pursuant to division (B) of section 2967.16 or section 2929.141 of the Revised Code; was under transitional control in connection with a prior offense; or had absconded from the offender's approved community placement resulting in the offender's removal from the transitional control program under section 2967.26 of the Revised Code.	284 285 286 287 288 289 290 291 292 293 294 295 296
(2) The offender previously was adjudicated a delinquent child pursuant to Chapter 2151. of the Revised Code prior to January 1, 2002, or pursuant to Chapter 2152. of the Revised Code, or the offender has a history of criminal convictions.	297 298 299 300

(3) The offender has not been rehabilitated to a 301
satisfactory degree after previously being adjudicated a 302
delinquent child pursuant to Chapter 2151. of the Revised Code 303
prior to January 1, 2002, or pursuant to Chapter 2152. of the 304
Revised Code, or the offender has not responded favorably to 305
sanctions previously imposed for criminal convictions. 306

(4) The offender has demonstrated a pattern of drug or 307
alcohol abuse that is related to the offense, and the offender 308
refuses to acknowledge that the offender has demonstrated that 309
pattern, or the offender refuses treatment for the drug or 310
alcohol abuse. 311

(5) The offender shows no genuine remorse for the offense. 312

(E) The sentencing court shall consider all of the 313
following that apply regarding the offender, and any other 314
relevant factors, as factors indicating that the offender is not 315
likely to commit future crimes: 316

(1) Prior to committing the offense, the offender had not 317
been adjudicated a delinquent child. 318

(2) Prior to committing the offense, the offender had not 319
been convicted of or pleaded guilty to a criminal offense. 320

(3) Prior to committing the offense, the offender had led 321
a law-abiding life for a significant number of years. 322

(4) The offense was committed under circumstances not 323
likely to recur. 324

(5) The offender shows genuine remorse for the offense. 325

(F) The sentencing court shall consider the offender's 326
military service record and whether the offender has an 327
emotional, mental, or physical condition that is traceable to 328

the offender's service in the armed forces of the United States 329
and that was a contributing factor in the offender's commission 330
of the offense or offenses. 331

Sec. 2933.51. As used in sections 2933.51 to 2933.66 of 332
the Revised Code: 333

(A) "Wire communication" means an aural transfer that is 334
made in whole or in part through the use of facilities for the 335
transmission of communications by the aid of wires or similar 336
methods of connecting the point of origin of the communication 337
and the point of reception of the communication, including the 338
use of a method of connecting the point of origin and the point 339
of reception of the communication in a switching station, if the 340
facilities are furnished or operated by a person engaged in 341
providing or operating the facilities for the transmission of 342
communications. "Wire communication" includes an electronic 343
storage of a wire communication. 344

(B) "Oral communication" means an oral communication 345
uttered by a person exhibiting an expectation that the 346
communication is not subject to interception under circumstances 347
justifying that expectation. "Oral communication" does not 348
include an electronic communication. 349

(C) "Intercept" means the aural or other acquisition of 350
the contents of any wire, oral, or electronic communication 351
through the use of an interception device. 352

(D) "Interception device" means an electronic, mechanical, 353
or other device or apparatus that can be used to intercept a 354
wire, oral, or electronic communication. "Interception device" 355
does not mean any of the following: 356

(1) A telephone or telegraph instrument, equipment, or 357

facility, or any of its components, if the instrument,	358
equipment, facility, or component is any of the following:	359
(a) Furnished to the subscriber or user by a provider of	360
wire or electronic communication service in the ordinary course	361
of its business and being used by the subscriber or user in the	362
ordinary course of its business;	363
(b) Furnished by a subscriber or user for connection to	364
the facilities of a provider of wire or electronic communication	365
service and used in the ordinary course of that subscriber's or	366
user's business;	367
(c) Being used by a provider of wire or electronic	368
communication service in the ordinary course of its business or	369
by an investigative or law enforcement officer in the ordinary	370
course of the officer's duties that do not involve the	371
interception of wire, oral, or electronic communications.	372
(2) A hearing aid or similar device being used to correct	373
subnormal hearing to not better than normal.	374
(E) "Investigative officer" means any of the following:	375
(1) An officer of this state or a political subdivision of	376
this state, who is empowered by law to conduct investigations or	377
to make arrests for a designated offense;	378
(2) A person described in divisions (A) (11) (a) and (b) of	379
section 2901.01 of the Revised Code;	380
(3) An attorney authorized by law to prosecute or	381
participate in the prosecution of a designated offense;	382
(4) A secret service officer appointed pursuant to section	383
309.07 of the Revised Code;	384

(5) An officer of the United States, a state, or a political subdivision of a state who is authorized to conduct investigations pursuant to the "Electronic Communications Privacy Act of 1986," 100 Stat. 1848-1857, 18 U.S.C. 2510-2521 (1986), as amended.

(F) "Interception warrant" means a court order that authorizes the interception of wire, oral, or electronic communications and that is issued pursuant to sections 2933.53 to 2933.56 of the Revised Code.

(G) "Contents," when used with respect to a wire, oral, or electronic communication, includes any information concerning the substance, purport, or meaning of the communication.

(H) "Communications common carrier" means a person who is engaged as a common carrier for hire in intrastate, interstate, or foreign communications by wire, radio, or radio transmission of energy. "Communications common carrier" does not include, to the extent that the person is engaged in radio broadcasting, a person engaged in radio broadcasting.

(I) "Designated offense" means any of the following:

(1) A felony violation of section 1315.53, 1315.55, 2903.01, 2903.02, 2903.11, 2905.01, 2905.02, 2905.11, 2905.22, 2905.32, 2907.02, 2907.21, 2907.22, 2909.02, 2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2909.26, 2909.27, 2909.28, 2909.29, 2911.01, 2911.02, 2911.11, 2911.12, 2913.02, 2913.04, 2913.42, 2913.51, 2915.02, 2915.03, 2917.01, 2917.02, 2921.02, 2921.03, 2921.04, 2921.32, 2921.34, 2923.20, 2923.32, 2925.03, 2925.04, 2925.05, or 2925.06 or of division (B) of section 2915.05 or of division (E) or (G) of section 3772.99 of the Revised Code;

(2) A violation of section 2919.23 of the Revised Code

that, had it occurred prior to July 1, 1996, would have been a 414
violation of section 2905.04 of the Revised Code as it existed 415
prior to that date; 416

(3) A felony violation of section 2925.11 of the Revised 417
Code that is not a minor drug possession offense, as defined in 418
section 2925.01 of the Revised Code; 419

(4) Complicity in the commission of a felony violation of 420
a section listed in division (I) (1), (2), or (3) of this 421
section; 422

(5) An attempt to commit, or conspiracy in the commission 423
of, a felony violation of a section listed in division (I) (1), 424
(2), or (3) of this section, if the attempt or conspiracy is 425
punishable by a term of imprisonment of more than one year. 426

(J) "Aggrieved person" means a person who was a party to 427
an intercepted wire, oral, or electronic communication or a 428
person against whom the interception of the communication was 429
directed. 430

(K) "Person" means a person, as defined in section 1.59 of 431
the Revised Code, or a governmental officer, employee, or 432
entity. 433

(L) "Special need" means a showing that a licensed 434
physician, licensed practicing psychologist, attorney, 435
practicing cleric, journalist, or either spouse is personally 436
engaging in continuing criminal activity, was engaged in 437
continuing criminal activity over a period of time, or is 438
committing, has committed, or is about to commit, a designated 439
offense, or a showing that specified public facilities are being 440
regularly used by someone who is personally engaging in 441
continuing criminal activity, was engaged in continuing criminal 442

activity over a period of time, or is committing, has committed, 443
or is about to commit, a designated offense. 444

(M) "Journalist" means a person engaged in, connected 445
with, or employed by, any news media, including a newspaper, 446
magazine, press association, news agency, or wire service, a 447
radio or television station, or a similar media, for the purpose 448
of gathering, processing, transmitting, compiling, editing, or 449
disseminating news for the general public. 450

(N) "Electronic communication" means a transfer of a sign, 451
signal, writing, image, sound, datum, or intelligence of any 452
nature that is transmitted in whole or in part by a wire, radio, 453
electromagnetic, photoelectronic, or photo-optical system. 454

"Electronic communication" does not mean any of the following: 455

(1) A wire or oral communication; 456

(2) A communication made through a tone-only paging 457
device; 458

(3) A communication from an electronic or mechanical 459
tracking device that permits the tracking of the movement of a 460
person or object. 461

(O) "User" means a person or entity that uses an 462
electronic communication service and is duly authorized by the 463
provider of the service to engage in the use of the electronic 464
communication service. 465

(P) "Electronic communications system" means a wire, 466
radio, electromagnetic, photoelectronic, or photo-optical 467
facility for the transmission of electronic communications, and 468
a computer facility or related electronic equipment for the 469
electronic storage of electronic communications. 470

(Q) "Electronic communication service" means a service 471
that provides to users of the service the ability to send or 472
receive wire or electronic communications. 473

(R) "Readily accessible to the general public" means, with 474
respect to a radio communication, that the communication is none 475
of the following: 476

(1) Scrambled or encrypted; 477

(2) Transmitted using a modulation technique, the 478
essential parameters of which have been withheld from the public 479
with the intention of preserving the privacy of the 480
communication; 481

(3) Carried on a subcarrier or other signal subsidiary to 482
a radio transmission; 483

(4) Transmitted over a communications system provided by a 484
communications common carrier, unless the communication is a 485
tone-only paging system communication; 486

(5) Transmitted on a frequency allocated under part 25, 487
subpart D, E, or F of part 74, or part 94 of the Rules of the 488
Federal Communications Commission, as those provisions existed 489
on July 1, 1996, unless, in the case of a communication 490
transmitted on a frequency allocated under part 74 that is not 491
exclusively allocated to broadcast auxiliary services, the 492
communication is a two-way voice communication by radio. 493

(S) "Electronic storage" means a temporary, intermediate 494
storage of a wire or electronic communication that is incidental 495
to the electronic transmission of the communication, and a 496
storage of a wire or electronic communication by an electronic 497
communication service for the purpose of backup protection of 498
the communication. 499

(T) "Aural transfer" means a transfer containing the human voice at a point between and including the point of origin and the point of reception.

(U) "Pen register" means a device that records or decodes electronic impulses that identify the numbers dialed, pulsed, or otherwise transmitted on telephone lines to which the device is attached.

(V) "Trap and trace device" means a device that captures the incoming electronic or other impulses that identify the originating number of an instrument or device from which a wire communication or electronic communication was transmitted but that does not intercept the contents of the wire communication or electronic communication.

(W) "Judge of a court of common pleas" means a judge of that court who is elected or appointed as a judge of general jurisdiction or as a judge who exercises both general jurisdiction and probate, domestic relations, or juvenile jurisdiction. "Judge of a court of common pleas" does not mean a judge of that court who is elected or appointed specifically as a probate, domestic relations, or juvenile judge.

(X) "Electronic user data" means any data or records that are stored, collected, used, or safeguarded by a service or program that stores electronic data. This includes data stored on a computer, computer network, or computer system.

(Y) "Remote computing service" means the provision of computer storage or processing services to the public through an electronic communication service.

Sec. 2933.523. (A) A provider of an electronic communication service or a provider of remote computing service

operating in the state shall comply with any court-issued search 529
warrant or interception warrant issued for wire communications, 530
electronic communications, an electronic communications system, 531
or other electronic storage or data storage, regardless of 532
whether user data is held at a location within the state or at a 533
location in another state. 534

(B) A court may issue an order under this section on a 535
service provider that is a corporation or entity that is 536
incorporated or organized in this state, or a company or 537
business entity doing business in this state under a contract or 538
terms of a service agreement with a state resident. The service 539
provider shall produce all information sought, as required by 540
the court order. 541

Section 2. That existing sections 2137.15, 2905.11, 542
2929.12, and 2933.51 of the Revised Code are hereby repealed. 543

Section 3. Sections 2137.15, 2905.11, and 2905.111 of the 544
Revised Code as amended or enacted by this act shall be known as 545
Braden's Law. 546