

H. B. No. 168

As Introduced

_____ moved to amend as follows:

In line 24, after "purpose" insert "other than that described in
division (A) (1) of this section" 1 2

In line 37, strike through "division (A)"; strike through "of" 3

In line 38, strike through "," and insert "._" 4

(1) A violation of division (A) (2) of this section is" 5

In line 44, strike through "criminal child enticement" and insert "a
violation of division (A) (2) of this section" 6 7

After line 45, insert: 8

"(2) A violation of division (A) (1) of this section is a
felony of the fifth degree. If the offender previously has been
convicted of a violation of this section, section 2907.02 or
2907.03 or former section 2907.12 of the Revised Code, or
section 2905.01 or 2907.05 of the Revised Code when the victim
of that prior offense was under seventeen years of age at the
time of the offense, a violation of division (A) (1) of this
section is a felony of the fourth degree. If the offender" 9 10 11 12 13 14 15 16



previously has been convicted of two violations of this section, 17
section 2907.02 or 2907.03 or former section 2907.12 of the 18
Revised Code, or section 2905.01 or 2907.05 of the Revised Code 19
when the victim of that prior offense was under seventeen years 20
of age at the time of the offense, a violation of division (A) 21
(1) of this section is a felony of the third degree." 22

Delete lines 66 through 605 23

After line 605, insert: 24

"Sec. 2950.01. As used in this chapter, unless the 25
context clearly requires otherwise: 26

(A) "Sexually oriented offense" means any of the following 27
violations or offenses committed by a person, regardless of the 28
person's age: 29

(1) A violation of section 2907.02, 2907.03, 2907.05, 30
2907.06, 2907.07, 2907.08, 2907.21, 2907.22, 2907.32, 2907.321, 31
2907.322, or 2907.323 of the Revised Code; 32

(2) A violation of section 2907.04 of the Revised Code 33
when the offender is less than four years older than the other 34
person with whom the offender engaged in sexual conduct, the 35
other person did not consent to the sexual conduct, and the 36
offender previously has not been convicted of or pleaded guilty 37
to a violation of section 2907.02, 2907.03, or 2907.04 of the 38
Revised Code or a violation of former section 2907.12 of the 39
Revised Code; 40

(3) A violation of section 2907.04 of the Revised Code 41
when the offender is at least four years older than the other 42
person with whom the offender engaged in sexual conduct or when 43
the offender is less than four years older than the other person 44

with whom the offender engaged in sexual conduct and the 45
offender previously has been convicted of or pleaded guilty to a 46
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 47
Code or a violation of former section 2907.12 of the Revised 48
Code; 49

(4) A violation of section 2903.01, 2903.02, or 2903.11 of 50
the Revised Code when the violation was committed with a sexual 51
motivation; 52

(5) A violation of division (A) of section 2903.04 of the 53
Revised Code when the offender committed or attempted to commit 54
the felony that is the basis of the violation with a sexual 55
motivation; 56

(6) A violation of division (A) (3) of section 2903.211 of 57
the Revised Code; 58

(7) A violation of division (A) (1), (2), (3), or (5) of 59
section 2905.01 of the Revised Code when the offense is 60
committed with a sexual motivation; 61

(8) A violation of division (A) (4) of section 2905.01 of 62
the Revised Code; 63

(9) A violation of division (B) of section 2905.01 of the 64
Revised Code when the victim of the offense is under eighteen 65
years of age and the offender is not a parent of the victim of 66
the offense; 67

(10) A violation of division (B) of section 2903.03, of 68
division (B) of section 2905.02, of division (B) of section 69
2905.03, of division ~~(B)~~ (A) (1) of section 2905.05, or of 70
division (B) (5) of section 2919.22 of the Revised Code; 71

(11) A violation of section 2905.32 of the Revised Code 72

when either of the following applies: 73

(a) The violation is a violation of division (A) (1) of 74
that section and the offender knowingly recruited, lured, 75
enticed, isolated, harbored, transported, provided, obtained, or 76
maintained, or knowingly attempted to recruit, lure, entice, 77
isolate, harbor, transport, provide, obtain, or maintain, 78
another person knowing that the person would be compelled to 79
engage in sexual activity for hire, engage in a performance that 80
was obscene, sexually oriented, or nudity oriented, or be a 81
model or participant in the production of material that was 82
obscene, sexually oriented, or nudity oriented. 83

(b) The violation is a violation of division (A) (2) of 84
that section and the offender knowingly recruited, lured, 85
enticed, isolated, harbored, transported, provided, obtained, or 86
maintained, or knowingly attempted to recruit, lure, entice, 87
isolate, harbor, transport, provide, obtain, or maintain a 88
person who is less than eighteen years of age or is a person 89
with a developmental disability whom the offender knows or has 90
reasonable cause to believe is a person with a developmental 91
disability for any purpose listed in divisions (A) (2) (a) to (c) 92
of that section. 93

(12) A violation of division (B) (4) of section 2907.09 of 94
the Revised Code if the sentencing court classifies the offender 95
as a tier I sex offender/child-victim offender relative to that 96
offense pursuant to division (D) of that section; 97

(13) A violation of any former law of this state, any 98
existing or former municipal ordinance or law of another state 99
or the United States, any existing or former law applicable in a 100
military court or in an Indian tribal court, or any existing or 101
former law of any nation other than the United States that is or 102

was substantially equivalent to any offense listed in division 103
(A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), or 104
(12) of this section; 105

(14) Any attempt to commit, conspiracy to commit, or 106
complicity in committing any offense listed in division (A) (1), 107
(2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), or 108
(13) of this section. 109

(B) (1) "Sex offender" means, subject to division (B) (2) of 110
this section, a person who is convicted of, pleads guilty to, 111
has been convicted of, has pleaded guilty to, is adjudicated a 112
delinquent child for committing, or has been adjudicated a 113
delinquent child for committing any sexually oriented offense. 114

(2) "Sex offender" does not include a person who is 115
convicted of, pleads guilty to, has been convicted of, has 116
pleaded guilty to, is adjudicated a delinquent child for 117
committing, or has been adjudicated a delinquent child for 118
committing a sexually oriented offense if the offense involves 119
consensual sexual conduct or consensual sexual contact and 120
either of the following applies: 121

(a) The victim of the sexually oriented offense was 122
eighteen years of age or older and at the time of the sexually 123
oriented offense was not under the custodial authority of the 124
person who is convicted of, pleads guilty to, has been convicted 125
of, has pleaded guilty to, is adjudicated a delinquent child for 126
committing, or has been adjudicated a delinquent child for 127
committing the sexually oriented offense. 128

(b) The victim of the offense was thirteen years of age or 129
older, and the person who is convicted of, pleads guilty to, has 130
been convicted of, has pleaded guilty to, is adjudicated a 131

delinquent child for committing, or has been adjudicated a 132
delinquent child for committing the sexually oriented offense is 133
not more than four years older than the victim. 134

(C) "Child-victim oriented offense" means any of the 135
following violations or offenses committed by a person, 136
regardless of the person's age, when the victim is under 137
eighteen years of age and is not a child of the person who 138
commits the violation: 139

(1) A violation of division (A) (1), (2), (3), or (5) of 140
section 2905.01 of the Revised Code when the violation is not 141
included in division (A) (7) of this section; 142

(2) A violation of division (A) of section 2905.02, 143
division (A) of section 2905.03, or division ~~(A)~~ (A) (2) of 144
section 2905.05 of the Revised Code; 145

(3) A violation of any former law of this state, any 146
existing or former municipal ordinance or law of another state 147
or the United States, any existing or former law applicable in a 148
military court or in an Indian tribal court, or any existing or 149
former law of any nation other than the United States that is or 150
was substantially equivalent to any offense listed in division 151
(C) (1) or (2) of this section; 152

(4) Any attempt to commit, conspiracy to commit, or 153
complicity in committing any offense listed in division (C) (1), 154
(2), or (3) of this section. 155

(D) "Child-victim offender" means a person who is 156
convicted of, pleads guilty to, has been convicted of, has 157
pleaded guilty to, is adjudicated a delinquent child for 158
committing, or has been adjudicated a delinquent child for 159
committing any child-victim oriented offense. 160

(E) "Tier I sex offender/child-victim offender" means any 161
of the following: 162

(1) A sex offender who is convicted of, pleads guilty to, 163
has been convicted of, or has pleaded guilty to any of the 164
following sexually oriented offenses: 165

(a) A violation of section 2907.06, 2907.07, 2907.08, 166
2907.22, or 2907.32 of the Revised Code; 167

(b) A violation of section 2907.04 of the Revised Code 168
when the offender is less than four years older than the other 169
person with whom the offender engaged in sexual conduct, the 170
other person did not consent to the sexual conduct, and the 171
offender previously has not been convicted of or pleaded guilty 172
to a violation of section 2907.02, 2907.03, or 2907.04 of the 173
Revised Code or a violation of former section 2907.12 of the 174
Revised Code; 175

(c) A violation of division (A) (1), (2), (3), or (5) of 176
section 2907.05 of the Revised Code; 177

(d) A violation of division (A) (3) of section 2907.323 of 178
the Revised Code; 179

(e) A violation of division (A) (3) of section 2903.211, of 180
division (B) of section 2905.03, or of division ~~(B)~~ (A) (1) of 181
section 2905.05 of the Revised Code; 182

(f) A violation of division (B) (4) of section 2907.09 of 183
the Revised Code if the sentencing court classifies the offender 184
as a tier I sex offender/child-victim offender relative to that 185
offense pursuant to division (D) of that section; 186

(g) A violation of any former law of this state, any 187
existing or former municipal ordinance or law of another state 188

or the United States, any existing or former law applicable in a 189
military court or in an Indian tribal court, or any existing or 190
former law of any nation other than the United States, that is 191
or was substantially equivalent to any offense listed in 192
division (E)(1)(a), (b), (c), (d), (e), or (f) of this section; 193

(h) Any attempt to commit, conspiracy to commit, or 194
complicity in committing any offense listed in division (E)(1) 195
(a), (b), (c), (d), (e), (f), or (g) of this section. 196

(2) A child-victim offender who is convicted of, pleads 197
guilty to, has been convicted of, or has pleaded guilty to a 198
child-victim oriented offense and who is not within either 199
category of child-victim offender described in division (F)(2) 200
or (G)(2) of this section. 201

(3) A sex offender who is adjudicated a delinquent child 202
for committing or has been adjudicated a delinquent child for 203
committing any sexually oriented offense and who a juvenile 204
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 205
of the Revised Code, classifies a tier I sex offender/child- 206
victim offender relative to the offense. 207

(4) A child-victim offender who is adjudicated a 208
delinquent child for committing or has been adjudicated a 209
delinquent child for committing any child-victim oriented 210
offense and who a juvenile court, pursuant to section 2152.82, 211
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 212
tier I sex offender/child-victim offender relative to the 213
offense. 214

(F) "Tier II sex offender/child-victim offender" means any 215
of the following: 216

(1) A sex offender who is convicted of, pleads guilty to, 217

has been convicted of, or has pleaded guilty to any of the	218
following sexually oriented offenses:	219
(a) A violation of section 2907.21, 2907.321, or 2907.322	220
of the Revised Code;	221
(b) A violation of section 2907.04 of the Revised Code	222
when the offender is at least four years older than the other	223
person with whom the offender engaged in sexual conduct, or when	224
the offender is less than four years older than the other person	225
with whom the offender engaged in sexual conduct and the	226
offender previously has been convicted of or pleaded guilty to a	227
violation of section 2907.02, 2907.03, or 2907.04 of the Revised	228
Code or former section 2907.12 of the Revised Code;	229
(c) A violation of section 2907.03 of the Revised Code if	230
the sexual activity involved is sexual contact;	231
(d) A violation of division (A) (4) of section 2907.05 or	232
of division (A) (1) or (2) of section 2907.323 of the Revised	233
Code;	234
(e) A violation of division (A) (1), (2), (3), or (5) of	235
section 2905.01 of the Revised Code when the offense is	236
committed with a sexual motivation;	237
(f) A violation of division (A) (4) of section 2905.01 of	238
the Revised Code when the victim of the offense is eighteen	239
years of age or older;	240
(g) A violation of division (B) of section 2905.02 or of	241
division (B) (5) of section 2919.22 of the Revised Code;	242
(h) A violation of section 2905.32 of the Revised Code	243
that is described in division (A) (11) (a) or (b) of this section;	244
(i) A violation of any former law of this state, any	245

existing or former municipal ordinance or law of another state 246
or the United States, any existing or former law applicable in a 247
military court or in an Indian tribal court, or any existing or 248
former law of any nation other than the United States that is or 249
was substantially equivalent to any offense listed in division 250
(F) (1) (a), (b), (c), (d), (e), (f), (g), or (h) of this section; 251

(j) Any attempt to commit, conspiracy to commit, or 252
complicity in committing any offense listed in division (F) (1) 253
(a), (b), (c), (d), (e), (f), (g), (h), or (i) of this section; 254

(k) Any sexually oriented offense that is committed after 255
the sex offender previously has been convicted of, pleaded 256
guilty to, or has been adjudicated a delinquent child for 257
committing any sexually oriented offense or child-victim 258
oriented offense for which the offender was classified a tier I 259
sex offender/child-victim offender. 260

(2) A child-victim offender who is convicted of, pleads 261
guilty to, has been convicted of, or has pleaded guilty to any 262
child-victim oriented offense when the child-victim oriented 263
offense is committed after the child-victim offender previously 264
has been convicted of, pleaded guilty to, or been adjudicated a 265
delinquent child for committing any sexually oriented offense or 266
child-victim oriented offense for which the offender was 267
classified a tier I sex offender/child-victim offender. 268

(3) A sex offender who is adjudicated a delinquent child 269
for committing or has been adjudicated a delinquent child for 270
committing any sexually oriented offense and who a juvenile 271
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 272
of the Revised Code, classifies a tier II sex offender/child- 273
victim offender relative to the offense. 274

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

(5) A sex offender or child-victim offender who is not in
any category of tier II sex offender/child-victim offender set
forth in division (F)(1), (2), (3), or (4) of this section, who
prior to January 1, 2008, was adjudicated a delinquent child for
committing a sexually oriented offense or child-victim oriented
offense, and who prior to that date was determined to be a
habitual sex offender or determined to be a habitual child-
victim offender, unless either of the following applies:

(a) The sex offender or child-victim offender is
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 III sex offender/child-victim offender relative to the
offense.

(b) 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 III
sex offender/child-victim offender relative to the offense.

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

(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:

(a) A violation of section 2907.02 of the Revised Code or	304
a violation of section 2907.03 of the Revised Code if the sexual	305
activity involved is sexual conduct;	306
(b) A violation of division (B) of section 2907.05 of the	307
Revised Code;	308
(c) A violation of section 2903.01, 2903.02, or 2903.11 of	309
the Revised Code when the violation was committed with a sexual	310
motivation;	311
(d) A violation of division (A) of section 2903.04 of the	312
Revised Code when the offender committed or attempted to commit	313
the felony that is the basis of the violation with a sexual	314
motivation;	315
(e) A violation of division (A) (4) of section 2905.01 of	316
the Revised Code when the victim of the offense is under	317
eighteen years of age;	318
(f) A violation of division (B) of section 2905.01 of the	319
Revised Code when the victim of the offense is under eighteen	320
years of age and the offender is not a parent of the victim of	321
the offense;	322
(g) A violation of division (B) of section 2903.03 of the	323
Revised Code;	324
(h) A violation of any former law of this state, any	325
existing or former municipal ordinance or law of another state	326
or the United States, any existing or former law applicable in a	327
military court or in an Indian tribal court, or any existing or	328
former law of any nation other than the United States that is or	329
was substantially equivalent to any offense listed in division	330
(G) (1) (a), (b), (c), (d), (e), (f), or (g) of this section;	331

(i) Any attempt to commit, conspiracy to commit, or 332
 complicity in committing any offense listed in division (G) (1) 333
 (a), (b), (c), (d), (e), (f), (g), or (h) of this section; 334

(j) Any sexually oriented offense that is committed after 335
 the sex offender previously has been convicted of, pleaded 336
 guilty to, or been adjudicated a delinquent child for committing 337
 any sexually oriented offense or child-victim oriented offense 338
 for which the offender was classified a tier II sex 339
 offender/child-victim offender or a tier III sex offender/child- 340
 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 II sex offender/child-victim offender or a 349
 tier III sex offender/child-victim offender. 350

(3) A sex offender who is adjudicated a delinquent child 351
 for committing or has been adjudicated a delinquent child for 352
 committing any sexually oriented offense and who a juvenile 353
 court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 354
 of the Revised Code, classifies a tier III sex offender/child- 355
 victim offender relative to the offense. 356

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

tier III sex offender/child-victim offender relative to the 362
current offense. 363

(5) A sex offender or child-victim offender who is not in 364
any category of tier III sex offender/child-victim offender set 365
forth in division (G)(1), (2), (3), or (4) of this section, who 366
prior to January 1, 2008, was convicted of or pleaded guilty to 367
a sexually oriented offense or child-victim oriented offense or 368
was adjudicated a delinquent child for committing a sexually 369
oriented offense or child-victim oriented offense and classified 370
a juvenile offender registrant, and who prior to that date was 371
adjudicated a sexual predator or adjudicated a child-victim 372
predator, unless either of the following applies: 373

(a) The sex offender or child-victim offender is 374
reclassified pursuant to section 2950.031 or 2950.032 of the 375
Revised Code as a tier I sex offender/child-victim offender or a 376
tier II sex offender/child-victim offender relative to the 377
offense. 378

(b) The sex offender or child-victim offender is a 379
delinquent child, and a juvenile court, pursuant to section 380
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, 381
classifies the child a tier I sex offender/child-victim offender 382
or a tier II sex offender/child-victim offender relative to the 383
offense. 384

(6) A sex offender who is convicted of, pleads guilty to, 385
was convicted of, or pleaded guilty to a sexually oriented 386
offense, if the sexually oriented offense and the circumstances 387
in which it was committed are such that division (F) of section 388
2971.03 of the Revised Code automatically classifies the 389
offender as a tier III sex offender/child-victim offender; 390

(7) A sex offender or child-victim offender who is 391
convicted of, pleads guilty to, was convicted of, pleaded guilty 392
to, is adjudicated a delinquent child for committing, or was 393
adjudicated a delinquent child for committing a sexually 394
oriented offense or child-victim offense in another state, in a 395
federal court, military court, or Indian tribal court, or in a 396
court in any nation other than the United States if both of the 397
following apply: 398

(a) Under the law of the jurisdiction in which the 399
offender was convicted or pleaded guilty or the delinquent child 400
was adjudicated, the offender or delinquent child is in a 401
category substantially equivalent to a category of tier III sex 402
offender/child-victim offender described in division (G) (1), 403
(2), (3), (4), (5), or (6) of this section. 404

(b) Subsequent to the conviction, plea of guilty, or 405
adjudication in the other jurisdiction, the offender or 406
delinquent child resides, has temporary domicile, attends school 407
or an institution of higher education, is employed, or intends 408
to reside in this state in any manner and for any period of time 409
that subjects the offender or delinquent child to a duty to 410
register or provide notice of intent to reside under section 411
2950.04 or 2950.041 of the Revised Code. 412

(H) "Confinement" includes, but is not limited to, a 413
community residential sanction imposed pursuant to section 414
2929.16 or 2929.26 of the Revised Code. 415

(I) "Prosecutor" has the same meaning as in section 416
2935.01 of the Revised Code. 417

(J) "Supervised release" means a release of an offender 418
from a prison term, a term of imprisonment, or another type of 419

confinement that satisfies either of the following conditions: 420

(1) The release is on parole, a conditional pardon, under 421
a community control sanction, under transitional control, or 422
under a post-release control sanction, and it requires the 423
person to report to or be supervised by a parole officer, 424
probation officer, field officer, or another type of supervising 425
officer. 426

(2) The release is any type of release that is not 427
described in division (J) (1) of this section and that requires 428
the person to report to or be supervised by a probation officer, 429
a parole officer, a field officer, or another type of 430
supervising officer. 431

(K) "Sexually violent predator specification," "sexually 432
violent predator," "sexually violent offense," "sexual 433
motivation specification," "designated homicide, assault, or 434
kidnapping offense," and "violent sex offense" have the same 435
meanings as in section 2971.01 of the Revised Code. 436

(L) "Post-release control sanction" and "transitional 437
control" have the same meanings as in section 2967.01 of the 438
Revised Code. 439

(M) "Juvenile offender registrant" means a person who is 440
adjudicated a delinquent child for committing on or after 441
January 1, 2002, a sexually oriented offense or a child-victim 442
oriented offense, who is fourteen years of age or older at the 443
time of committing the offense, and who a juvenile court judge, 444
pursuant to an order issued under section 2152.82, 2152.83, 445
2152.84, 2152.85, or 2152.86 of the Revised Code, classifies a 446
juvenile offender registrant and specifies has a duty to comply 447
with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 448

Revised Code. "Juvenile offender registrant" includes a person 449
who prior to January 1, 2008, was a "juvenile offender 450
registrant" under the definition of the term in existence prior 451
to January 1, 2008, and a person who prior to July 31, 2003, was 452
a "juvenile sex offender registrant" under the former definition 453
of that former term. 454

(N) "Public registry-qualified juvenile offender 455
registrant" means a person who is adjudicated a delinquent child 456
and on whom a juvenile court has imposed a serious youthful 457
offender dispositional sentence under section 2152.13 of the 458
Revised Code before, on, or after January 1, 2008, and to whom 459
all of the following apply: 460

(1) The person is adjudicated a delinquent child for 461
committing, attempting to commit, conspiring to commit, or 462
complicity in committing one of the following acts: 463

(a) A violation of section 2907.02 of the Revised Code, 464
division (B) of section 2907.05 of the Revised Code, or section 465
2907.03 of the Revised Code if the victim of the violation was 466
less than twelve years of age; 467

(b) A violation of section 2903.01, 2903.02, or 2905.01 of 468
the Revised Code that was committed with a purpose to gratify 469
the sexual needs or desires of the child; 470

(c) A violation of division (B) of section 2903.03 of the 471
Revised Code. 472

(2) The person was fourteen, fifteen, sixteen, or 473
seventeen years of age at the time of committing the act. 474

(3) A juvenile court judge, pursuant to an order issued 475
under section 2152.86 of the Revised Code, classifies the person 476

a juvenile offender registrant, specifies the person has a duty
to comply with sections 2950.04, 2950.05, and 2950.06 of the
Revised Code, and classifies the person a public registry-
qualified juvenile offender registrant, and the classification
of the person as a public registry-qualified juvenile offender
registrant has not been terminated pursuant to division (D) of
section 2152.86 of the Revised Code.

(O) "Secure facility" means any facility that is designed
and operated to ensure that all of its entrances and exits are
locked and under the exclusive control of its staff and to
ensure that, because of that exclusive control, no person who is
institutionalized or confined in the facility may leave the
facility without permission or supervision.

(P) "Out-of-state juvenile offender registrant" means a
person who is adjudicated a delinquent child in a court 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 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 507
the juvenile court judge confers duties pursuant to division (A) 508
(15) of section 2151.23 of the Revised Code. 509

(R) "Adjudicated a delinquent child for committing a 510
sexually oriented offense" includes a child who receives a 511
serious youthful offender dispositional sentence under section 512
2152.13 of the Revised Code for committing a sexually oriented 513
offense. 514

(S) "School" and "school premises" have the same meanings 515
as in section 2925.01 of the Revised Code. 516

(T) "Residential premises" means the building in which a 517
residential unit is located and the grounds upon which that 518
building stands, extending to the perimeter of the property. 519
"Residential premises" includes any type of structure in which a 520
residential unit is located, including, but not limited to, 521
multi-unit buildings and mobile and manufactured homes. 522

(U) "Residential unit" means a dwelling unit for 523
residential use and occupancy, and includes the structure or 524
part of a structure that is used as a home, residence, or 525
sleeping place by one person who maintains a household or two or 526
more persons who maintain a common household. "Residential unit" 527
does not include a halfway house or a community-based 528
correctional facility. 529

(V) "Multi-unit building" means a building in which is 530
located more than twelve residential units that have entry doors 531
that open directly into the unit from a hallway that is shared 532
with one or more other units. A residential unit is not 533
considered located in a multi-unit building if the unit does not 534
have an entry door that opens directly into the unit from a 535

hallway that is shared with one or more other units or if the 536
unit is in a building that is not a multi-unit building as 537
described in this division. 538

(W) "Community control sanction" has the same meaning as 539
in section 2929.01 of the Revised Code. 540

(X) "Halfway house" and "community-based correctional 541
facility" have the same meanings as in section 2929.01 of the 542
Revised Code. 543

(Y) A person is in a "restricted offender category" if 544
both of the following apply with respect to the person: 545

(1) The person has been convicted of, is convicted of, has 546
pleaded guilty to, or pleads guilty to a sexually oriented 547
offense where the victim was under the age of eighteen or a 548
child-victim oriented offense. 549

(2) With respect to the offense described in division (Y) 550
(1) of this section, one of the following applies: 551

(a) With respect to that offense, the person is a tier II 552
sex offender/child-victim offender or is a tier III sex 553
offender/child-victim offender who is subject to the duties 554
imposed by sections 2950.04, 2950.041, 2950.05, and 2950.06 of 555
the Revised Code. 556

(b) With respect to that offense if it was committed prior 557
to January 1, 2008, under the version of Chapter 2950. of the 558
Revised Code in effect prior to January 1, 2008, the person was 559
adjudicated a sexual predator, was adjudicated a child-victim 560
predator, was classified a habitual sex offender, or was 561
classified a habitual child-victim sex offender. 562

(Z) "Adjudicated a sexual predator," "adjudicated a child- 563

victim predator," "habitual sex offender," and "habitual child- 564
victim offender" have the meanings of those terms that applied 565
to them under Chapter 2950. of the Revised Code prior to January 566
1, 2008. 567

(AA) "Fixed residence address" means a permanent 568
residential address. "Fixed residence address" does not include 569
a temporary address, including a place or places that a homeless 570
person stays or intends to stay, unless that place is a shelter 571
that intends to allow the homeless person to stay for thirty or 572
more consecutive days. 573

(BB) "Homeless" has the same meaning as in 42 U.S.C. 574
11302." 575

After line 607, insert: 576

"Section 3. Section 2950.01 of the Revised Code is 577
presented in this act as a composite of the section as amended 578
by both H.B. 289 and S.B. 109 of the 135th General Assembly. The 579
General Assembly, applying the principle stated in division (B) 580
of section 1.52 of the Revised Code that amendments are to be 581
harmonized if reasonably capable of simultaneous operation, 582
finds that the composite is the resulting version of the section 583
in effect prior to the effective date of the section as 584
presented in this act." 585

The motion was _____ agreed to.

SYNOPSIS 586

Criminal child enticement 587

R.C. 2905.05	588
Increases the penalty for criminal child enticement with a sexual motivation from a first degree misdemeanor to a fifth degree felony.	589 590 591
Increases the penalty for criminal child enticement with a sexual motivation from a fifth degree felony to a fourth degree felony if the offender previously has been convicted of criminal child enticement, rape or sexual battery or the former offense of felonious sexual penetration, or kidnapping or gross sexual imposition when the victim of that prior offense was under 17 at the time of the offense, and to a third degree felony if the offender has two prior such convictions.	592 593 594 595 596 597 598 599
Clarifies the conduct that would allow an offender to be charged with criminal child enticement not involving a sexual motivation by specifying that the person must act with an unlawful purpose other than sexual motivation.	600 601 602 603
Child-victim oriented offense	604
R.C. 2950.01	605
For purposes of Ohio's SORN Law, includes criminal child enticement with an unlawful purpose other than a sexual motivation in the definition of "child-victim oriented offense."	606 607 608