

**As Reported by the House Children and Human Services Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Sub. H. B. No. 532**

**Representative Miller, K.**

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To amend sections 2151.27, 2151.31, 2151.419, 1  
2152.72, 3109.58, and 3109.68 of the Revised 2  
Code to require a public children services 3  
agency to take immediate custody of specified 4  
children who cannot be released to a parent, 5  
guardian, or custodian. 6

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

**Section 1.** That sections 2151.27, 2151.31, 2151.419, 7  
2152.72, 3109.58, and 3109.68 of the Revised Code be amended to 8  
read as follows: 9

**Sec. 2151.27.** (A) (1) Subject to division (A) (2) of this 10  
section, any person having knowledge of a child who appears to 11  
have violated section 2151.87 of the Revised Code or to be a 12  
juvenile traffic offender or to be an unruly, abused, neglected, 13  
or dependent child may file a sworn complaint with respect to 14  
that child in the juvenile court of the county in which the 15  
child has a residence or legal settlement or in which the 16  
violation, unruliness, abuse, neglect, or dependency allegedly 17  
occurred. If an alleged abused, neglected, or dependent child is 18  
taken into custody pursuant to division ~~(D)~~(E) of section 19  
2151.31 of the Revised Code or is taken into custody pursuant to 20  
division (A) of section 2151.31 of the Revised Code without the 21

filing of a complaint and placed into shelter care pursuant to 22  
division (C) of that section, a sworn complaint shall be filed 23  
with respect to the child before the end of the next day after 24  
the day on which the child was taken into custody. The sworn 25  
complaint may be upon information and belief, and, in addition 26  
to the allegation that the child committed the violation or is 27  
an unruly, abused, neglected, or dependent child, the complaint 28  
shall allege the particular facts upon which the allegation that 29  
the child committed the violation or is an unruly, abused, 30  
neglected, or dependent child is based. 31

(2) Any person having knowledge of a child who appears to 32  
be an unruly child for being an habitual truant may file a sworn 33  
complaint with respect to that child and the parent, guardian, 34  
or other person having care of the child in the juvenile court 35  
of the county in which the child has a residence or legal 36  
settlement or in which the child is supposed to attend public 37  
school. The sworn complaint may be upon information and belief 38  
and shall contain the following allegations: 39

(a) That the child is an unruly child for being an 40  
habitual truant and, in addition, the particular facts upon 41  
which that allegation is based; 42

(b) That the parent, guardian, or other person having care 43  
of the child has failed to cause the child's attendance at 44  
school in violation of section 3321.38 of the Revised Code and, 45  
in addition, the particular facts upon which that allegation is 46  
based. 47

(B) If a child, before arriving at the age of eighteen 48  
years, allegedly commits an act for which the child may be 49  
adjudicated an unruly child and if the specific complaint 50  
alleging the act is not filed or a hearing on that specific 51

complaint is not held until after the child arrives at the age 52  
of eighteen years, the court has jurisdiction to hear and 53  
dispose of the complaint as if the complaint were filed and the 54  
hearing held before the child arrived at the age of eighteen 55  
years. 56

(C) If the complainant in a case in which a child is 57  
alleged to be an abused, neglected, or dependent child desires 58  
permanent custody of the child or children, temporary custody of 59  
the child or children, whether as the preferred or an 60  
alternative disposition, or the placement of the child in a 61  
planned permanent living arrangement, the complaint shall 62  
contain a prayer specifically requesting permanent custody, 63  
temporary custody, or the placement of the child in a planned 64  
permanent living arrangement. 65

(D) Any person with standing under applicable law may file 66  
a complaint for the determination of any other matter over which 67  
the juvenile court is given jurisdiction by section 2151.23 of 68  
the Revised Code. The complaint shall be filed in the county in 69  
which the child who is the subject of the complaint is found or 70  
was last known to be found. 71

(E) A public children services agency, acting pursuant to 72  
a complaint or an action on a complaint filed under this 73  
section, is not subject to the requirements of section 3127.23 74  
of the Revised Code. 75

(F) Upon the filing of a complaint alleging that a child 76  
is an unruly child, the court may hold the complaint in abeyance 77  
pending the child's successful completion of actions that 78  
constitute a method to divert the child from the juvenile court 79  
system. The method may be adopted by a county pursuant to 80  
divisions (D) and (E) of section 121.37 of the Revised Code or 81

it may be another method that the court considers satisfactory. 82  
If the child completes the actions to the court's satisfaction, 83  
the court may dismiss the complaint. If the child fails to 84  
complete the actions to the court's satisfaction, the court may 85  
consider the complaint. 86

(G) Upon the filing of a complaint that a child is an 87  
unruly child that is based solely on a child being an habitual 88  
truant, the court shall consider an alternative to adjudication, 89  
including actions that constitute a method to divert the child 90  
from the juvenile court system, using the Rules of Juvenile 91  
Procedure, or by any other means if such an alternative is 92  
available to the court and the child has not already 93  
participated or failed to complete one of the available 94  
alternatives. The court shall consider the complaint only as a 95  
matter of last resort. 96

(H) If a complaint that a child is an unruly child based 97  
on the child being an habitual truant proceeds to consideration 98  
by the court, the prosecution shall bear the burden of proving 99  
beyond a reasonable doubt the following: 100

(1) That the child is of compulsory school age, as defined 101  
in section 3321.01 of the Revised Code; 102

(2) That the child was absent without legitimate excuse 103  
for absence from the public school the child was supposed to 104  
attend for thirty or more consecutive hours, forty-two or more 105  
hours in one school month, or seventy-two or more hours in a 106  
school year. 107

The child may assert as an affirmative defense the fact 108  
that the child did participate in, or made satisfactory progress 109  
on, any interventions or other alternatives to adjudication as 110

described in section 3321.191 of the Revised Code.	111
<b>Sec. 2151.31.</b> (A) A child may be taken into custody in any	112
of the following ways:	113
(1) Pursuant to an order of the court under this chapter	114
or pursuant to an order of the court upon a motion filed	115
pursuant to division (B) of section 2930.05 of the Revised Code;	116
(2) Pursuant to the laws of arrest;	117
(3) By a law enforcement officer or duly authorized	118
officer of the court when any of the following conditions are	119
present:	120
(a) There are reasonable grounds to believe that the child	121
is suffering from illness or injury and is not receiving proper	122
care, as described in section 2151.03 of the Revised Code, and	123
the child's removal is necessary to prevent immediate or	124
threatened physical or emotional harm;	125
(b) There are reasonable grounds to believe that the child	126
is in immediate danger from the child's surroundings and that	127
the child's removal is necessary to prevent immediate or	128
threatened physical or emotional harm;	129
(c) There are reasonable grounds to believe that a parent,	130
guardian, custodian, or other household member of the child's	131
household has abused or neglected another child in the household	132
and to believe that the child is in danger of immediate or	133
threatened physical or emotional harm from that person.	134
(4) By an enforcement official, as defined in section	135
4109.01 of the Revised Code, under the circumstances set forth	136
in section 4109.08 of the Revised Code;	137
(5) By a law enforcement officer or duly authorized	138

officer of the court when there are reasonable grounds to 139  
believe that the child has run away from the child's parents, 140  
guardian, or other custodian; 141

(6) By a law enforcement officer or duly authorized 142  
officer of the court when any of the following apply: 143

(a) There are reasonable grounds to believe that the 144  
conduct, conditions, or surroundings of the child are 145  
endangering the health, welfare, or safety of the child. 146

(b) A complaint has been filed with respect to the child 147  
under section 2151.27 or 2152.021 of the Revised Code or the 148  
child has been indicted under division (A) of section 2152.13 of 149  
the Revised Code or charged by information as described in that 150  
section and there are reasonable grounds to believe that the 151  
child may abscond or be removed from the jurisdiction of the 152  
court. 153

(c) The child is required to appear in court and there are 154  
reasonable grounds to believe that the child will not be brought 155  
before the court when required. 156

(d) There are reasonable grounds to believe that the child 157  
committed a delinquent act and that taking the child into 158  
custody is necessary to protect the public interest and safety. 159

(B) (1) The taking of a child into custody is not and shall 160  
not be deemed an arrest except for the purpose of determining 161  
its validity under the constitution of this state or of the 162  
United States. 163

(2) Except as provided in division (C) of section 2151.311 164  
of the Revised Code, a child taken into custody shall not be 165  
held in any state correctional institution, county, multicounty, 166  
or municipal jail or workhouse, or any other place where any 167

adult convicted of crime, under arrest, or charged with crime is 168  
held. 169

(C) (1) Except as provided in division (C) (2) of this 170  
section, a child taken into custody shall not be confined in a 171  
place of juvenile detention or placed in shelter care prior to 172  
the implementation of the court's final order of disposition, 173  
unless detention or shelter care is required to protect the 174  
child from immediate or threatened physical or emotional harm, 175  
because the child is a danger or threat to one or more other 176  
persons and is charged with violating a section of the Revised 177  
Code that may be violated by an adult, because the child may 178  
abscond or be removed from the jurisdiction of the court, 179  
because the child has no parents, guardian, or custodian or 180  
other person able to provide supervision and care for the child 181  
and return the child to the court when required, or because an 182  
order for placement of the child in detention or shelter care 183  
has been made by the court pursuant to this chapter. 184

(2) A child alleged to be a delinquent child who is taken 185  
into custody may be confined in a place of juvenile detention 186  
prior to the implementation of the court's final order of 187  
disposition if the confinement is authorized under section 188  
2152.04 of the Revised Code or if the child is alleged to be a 189  
serious youthful offender under section 2152.13 of the Revised 190  
Code and is not released on bond. 191

~~(D)~~ (D) (1) If a child is taken into custody under this 192  
section and the child cannot be released to a parent, guardian, 193  
or custodian, the court officer or law enforcement officer shall 194  
immediately notify the public children services agency of the 195  
county in which the child is taken into custody, unless the 196  
child is taken into custody under one of the following 197

<u>circumstances:</u>	198
<u>(a) Pursuant to an order of the court upon a motion filed</u>	199
<u>pursuant to division (B) of section 2930.05 of the Revised Code;</u>	200
<u>(b) Pursuant to the laws of arrest;</u>	201
<u>(c) The circumstances set forth in section 4109.08 of the</u>	202
<u>Revised Code;</u>	203
<u>(d) When a complaint has been filed with respect to the</u>	204
<u>child under section 2152.021 of the Revised Code or the child</u>	205
<u>has been indicted under division (A) of section 2152.13 of the</u>	206
<u>Revised Code or charged by information as described in that</u>	207
<u>section and there are reasonable grounds to believe that the</u>	208
<u>child may abscond or be removed from the jurisdiction of the</u>	209
<u>court;</u>	210
<u>(e) When there are reasonable grounds to believe that the</u>	211
<u>child committed a delinquent act and that taking the child into</u>	212
<u>custody is necessary to protect the public interest and safety.</u>	213
<u>(2) Upon receiving notice under division (D)(1) of this</u>	214
<u>section, the public children services agency shall take</u>	215
<u>immediate temporary emergency care of the child. If the child is</u>	216
<u>taken into temporary emergency care in a county other than the</u>	217
<u>county in which the child resides, the public children services</u>	218
<u>agency shall provide temporary emergency care of the child until</u>	219
<u>the child is able to be released to an appropriate caregiver or</u>	220
<u>to the public children services agency of the county in which</u>	221
<u>the child resides.</u>	222
<u>(E) Upon receipt of notice from a person that the person</u>	223
<u>intends to take an alleged abused, neglected, or dependent child</u>	224
<u>into custody pursuant to division (A) (3) of this section, a</u>	225
<u>juvenile judge or a designated referee may grant by telephone an</u>	226

ex parte emergency order authorizing the taking of the child 227  
into custody if there is probable cause to believe that any of 228  
the conditions set forth in divisions (A) (3) (a) to (c) of this 229  
section are present. The judge or referee shall journalize any 230  
ex parte emergency order issued pursuant to this division. If an 231  
order is issued pursuant to this division and the child is taken 232  
into custody pursuant to the order, a sworn complaint shall be 233  
filed with respect to the child before the end of the next 234  
business day after the day on which the child is taken into 235  
custody and a hearing shall be held pursuant to division ~~(E)~~(F) 236  
of this section and the Juvenile Rules. A juvenile judge or 237  
referee shall not grant an emergency order by telephone pursuant 238  
to this division until after the judge or referee determines 239  
that reasonable efforts have been made to notify the parents, 240  
guardian, or custodian of the child that the child may be placed 241  
into shelter care and of the reasons for placing the child into 242  
shelter care, except that, if the requirement for notification 243  
would jeopardize the physical or emotional safety of the child 244  
or result in the child being removed from the court's 245  
jurisdiction, the judge or referee may issue the order for 246  
taking the child into custody and placing the child into shelter 247  
care prior to giving notice to the parents, guardian, or 248  
custodian of the child. 249

~~(E)~~(F) If a judge or referee pursuant to division ~~(D)~~(E) 250  
of this section issues an ex parte emergency order for taking a 251  
child into custody, the court shall hold a hearing to determine 252  
whether there is probable cause for the emergency order. The 253  
hearing shall be held before the end of the next business day 254  
after the day on which the emergency order is issued, except 255  
that it shall not be held later than seventy-two hours after the 256  
emergency order is issued. 257

If the court determines at the hearing that there is not 258  
probable cause for the issuance of the emergency order issued 259  
pursuant to division ~~(D)~~(E) of this section, it shall order the 260  
child released to the custody of the child's parents, guardian, 261  
or custodian. If the court determines at the hearing that there 262  
is probable cause for the issuance of the emergency order issued 263  
pursuant to division ~~(D)~~(E) of this section, the court shall do 264  
all of the following: 265

(1) Ensure that a complaint is filed or has been filed; 266

(2) Comply with section 2151.419 of the Revised Code; 267

(3) Hold a hearing pursuant to section 2151.314 of the 268  
Revised Code to determine if the child should remain in shelter 269  
care. 270

~~(F)~~(G) If the court determines at the hearing held 271  
pursuant to division ~~(E)~~(F) of this section that there is 272  
probable cause to believe that the child is an abused child, as 273  
defined in division (A) of section 2151.031 of the Revised Code, 274  
the court may do any of the following: 275

(1) Upon the motion of any party, the guardian ad litem, 276  
the prosecuting attorney, or an employee of the public children 277  
services agency, or its own motion, issue reasonable protective 278  
orders with respect to the interviewing or deposition of the 279  
child; 280

(2) Order that the child's testimony be videotaped for 281  
preservation of the testimony for possible use in any other 282  
proceedings in the case; 283

(3) Set any additional conditions with respect to the 284  
child or the case involving the child that are in the best 285  
interest of the child. 286

~~(G)~~(H) This section is not intended, and shall not be 287  
construed, to prevent any person from taking a child into 288  
custody, if taking the child into custody is necessary in an 289  
emergency to prevent the physical injury, emotional harm, or 290  
neglect of the child. 291

**Sec. 2151.419.** (A) (1) Except as provided in division (A) 292  
(2) of this section, at any hearing held pursuant to section 293  
2151.28, division ~~(E)~~(F) of section 2151.31, or section 294  
2151.314, 2151.33, or 2151.353 of the Revised Code at which the 295  
court removes a child from the child's home or continues the 296  
removal of a child from the child's home, the court shall 297  
determine whether the public children services agency or private 298  
child placing agency that filed the complaint in the case, 299  
removed the child from home, has custody of the child, or will 300  
be given custody of the child has made reasonable efforts to 301  
prevent the removal of the child from the child's home, to 302  
eliminate the continued removal of the child from the child's 303  
home, or to make it possible for the child to return safely 304  
home. The agency shall have the burden of proving that it has 305  
made those reasonable efforts. If the agency removed the child 306  
from home during an emergency in which the child could not 307  
safely remain at home and the agency did not have prior contact 308  
with the child, the court is not prohibited, solely because the 309  
agency did not make reasonable efforts during the emergency to 310  
prevent the removal of the child, from determining that the 311  
agency made those reasonable efforts. In determining whether 312  
reasonable efforts were made, the child's health and safety 313  
shall be paramount. 314

(2) If any of the following apply, the court shall make a 315  
determination that the agency is not required to make reasonable 316  
efforts to prevent the removal of the child from the child's 317

home, eliminate the continued removal of the child from the 318  
child's home, and return the child to the child's home: 319

(a) The parent from whom the child was removed has been 320  
convicted of or pleaded guilty to one of the following: 321

(i) An offense under section 2903.01, 2903.02, or 2903.03 322  
of the Revised Code or under an existing or former law of this 323  
state, any other state, or the United States that is 324  
substantially equivalent to an offense described in those 325  
sections and the victim of the offense was a sibling of the 326  
child or the victim was another child who lived in the parent's 327  
household at the time of the offense; 328

(ii) An offense under section 2903.11, 2903.12, or 2903.13 329  
of the Revised Code or under an existing or former law of this 330  
state, any other state, or the United States that is 331  
substantially equivalent to an offense described in those 332  
sections and the victim of the offense is the child, a sibling 333  
of the child, or another child who lived in the parent's 334  
household at the time of the offense; 335

(iii) An offense under division (B) (2) of section 2919.22 336  
of the Revised Code or under an existing or former law of this 337  
state, any other state, or the United States that is 338  
substantially equivalent to the offense described in that 339  
section and the child, a sibling of the child, or another child 340  
who lived in the parent's household at the time of the offense 341  
is the victim of the offense; 342

(iv) An offense under section 2907.02, 2907.03, 2907.04, 343  
2907.05, or 2907.06 of the Revised Code or under an existing or 344  
former law of this state, any other state, or the United States 345  
that is substantially equivalent to an offense described in 346

those sections and the victim of the offense is the child, a 347  
sibling of the child, or another child who lived in the parent's 348  
household at the time of the offense; 349

(v) An offense under section 2905.32, 2907.21, or 2907.22 350  
of the Revised Code or under an existing or former law of this 351  
state, any other state, or the United States that is 352  
substantially equivalent to the offense described in those 353  
sections and the victim of the offense is the child, a sibling 354  
of the child, or another child who lived in the parent's 355  
household at the time of the offense; 356

(vi) A conspiracy or attempt to commit, or complicity in 357  
committing, an offense described in division (A) (2) (a) (i), (iv), 358  
or (v) of this section. 359

(b) The parent from whom the child was removed has 360  
repeatedly withheld medical treatment or food from the child 361  
when the parent has the means to provide the treatment or food. 362  
If the parent has withheld medical treatment in order to treat 363  
the physical or mental illness or defect of the child by 364  
spiritual means through prayer alone, in accordance with the 365  
tenets of a recognized religious body, the court or agency shall 366  
comply with the requirements of division (A) (1) of this section. 367

(c) The parent from whom the child was removed has placed 368  
the child at substantial risk of harm two or more times due to 369  
alcohol or drug abuse and has rejected treatment two or more 370  
times or refused to participate in further treatment two or more 371  
times after a case plan issued pursuant to section 2151.412 of 372  
the Revised Code requiring treatment of the parent was 373  
journalized as part of a dispositional order issued with respect 374  
to the child or an order was issued by any other court requiring 375  
such treatment of the parent. 376

(d) The parent from whom the child was removed has 377  
abandoned the child. 378

(e) The parent from whom the child was removed has had 379  
parental rights involuntarily terminated with respect to a 380  
sibling of the child pursuant to section 2151.353, 2151.414, or 381  
2151.415 of the Revised Code or under an existing or former law 382  
of this state, any other state, or the United States that is 383  
substantially equivalent to those sections. 384

(3) At any hearing in which the court determines whether 385  
to return a child to the child's home, the court may issue an 386  
order that returns the child in situations in which the 387  
conditions described in divisions (A)(2)(a) to (e) of this 388  
section are present. 389

(B)(1) A court that is required to make a determination as 390  
described in division (A)(1) or (2) of this section shall issue 391  
written findings of fact setting forth the reasons supporting 392  
its determination. If the court makes a written determination 393  
under division (A)(1) of this section, it shall briefly describe 394  
in the findings of fact the relevant services provided by the 395  
agency to the family of the child and why those services did not 396  
prevent the removal of the child from the child's home or enable 397  
the child to return safely home. 398

(2) If a court issues an order that returns the child to 399  
the child's home in situations in which division (A)(2)(a), (b), 400  
(c), (d), or (e) of this section applies, the court shall issue 401  
written findings of fact setting forth the reasons supporting 402  
its determination. 403

(C) If the court makes a determination pursuant to 404  
division (A)(2) of this section, the court shall conduct a 405

review hearing pursuant to section 2151.417 of the Revised Code 406  
to approve a permanency plan with respect to the child, unless 407  
the court issues an order returning the child home pursuant to 408  
division (A) (3) of this section. The hearing to approve the 409  
permanency plan may be held immediately following the court's 410  
determination pursuant to division (A) (2) of this section and 411  
shall be held no later than thirty days following that 412  
determination. 413

**Sec. 2152.72.** (A) This section applies only to a child who 414  
is or previously has been adjudicated a delinquent child for an 415  
act to which any of the following applies: 416

(1) The act is a violation of section 2903.01, 2903.02, 417  
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2907.02, 2907.03, 418  
or 2907.05 of the Revised Code. 419

(2) The act is a violation of section 2923.01 of the 420  
Revised Code and involved an attempt to commit aggravated murder 421  
or murder. 422

(3) The act would be a felony if committed by an adult, 423  
and the court determined that the child, if an adult, would be 424  
guilty of a specification found in section 2941.141, 2941.144, 425  
or 2941.145 of the Revised Code or in another section of the 426  
Revised Code that relates to the possession or use of a firearm 427  
during the commission of the act for which the child was 428  
adjudicated a delinquent child. 429

(4) The act would be an offense of violence that is a 430  
felony if committed by an adult, and the court determined that 431  
the child, if an adult, would be guilty of a specification found 432  
in section 2941.1411 of the Revised Code or in another section 433  
of the Revised Code that relates to the wearing or carrying of 434

body armor during the commission of the act for which the child 435  
was adjudicated a delinquent child. 436

(B) (1) Except as provided in division (E) of this section, 437  
a public children services agency, private child placing agency, 438  
private noncustodial agency, or court, the department of youth 439  
services, or another private or government entity shall not 440  
place a child in a certified foster home or for adoption until 441  
it provides the foster caregivers or prospective adoptive 442  
parents with all of the following: 443

(a) A written report describing the child's social 444  
history; 445

(b) A written report describing all the acts committed by 446  
the child the entity knows of that resulted in the child being 447  
adjudicated a delinquent child and the disposition made by the 448  
court, unless the records pertaining to the acts have been 449  
sealed pursuant to section 2151.356 of the Revised Code; 450

(c) A written report describing any other violent act 451  
committed by the child of which the entity is aware; 452

(d) The substantial and material conclusions and 453  
recommendations of any psychiatric or psychological examination 454  
conducted on the child or, if no psychological or psychiatric 455  
examination of the child is available, the substantial and 456  
material conclusions and recommendations of an examination to 457  
detect mental and emotional disorders conducted in compliance 458  
with the requirements of Chapter 4757. of the Revised Code by an 459  
independent social worker, social worker, licensed professional 460  
clinical counselor, licensed professional counselor, independent 461  
marriage and family therapist, or marriage and family therapist 462  
licensed under that chapter. The entity shall not provide any 463

part of a psychological, psychiatric, or mental and emotional 464  
disorder examination to the foster caregivers or prospective 465  
adoptive parents other than the substantial and material 466  
conclusions. 467

(2) Notwithstanding sections 2151.356 to 2151.358 of the 468  
Revised Code, if records of an adjudication that a child is a 469  
delinquent child have been sealed pursuant to those sections and 470  
an entity knows the records have been sealed, the entity shall 471  
provide the foster caregivers or prospective adoptive parents a 472  
written statement that the records of a prior adjudication have 473  
been sealed. 474

(C) (1) The entity that places the child in a certified 475  
foster home or for adoption shall conduct a psychological 476  
examination of the child unless either of the following applies: 477

(a) An entity is not required to conduct the examination 478  
if an examination was conducted no more than one year prior to 479  
the child's placement, and division (C) (1) (b) of this section 480  
does not apply. 481

(b) An entity is not required to conduct the examination 482  
if a foster caregiver seeks to adopt the foster caregiver's 483  
foster child, and an examination was conducted no more than two 484  
years prior to the date the foster caregiver seeks to adopt the 485  
child. 486

(2) No later than sixty days after placing the child, the 487  
entity shall provide the foster caregiver or prospective 488  
adoptive parents a written report detailing the substantial and 489  
material conclusions and recommendations of the examination 490  
conducted pursuant to this division. 491

(D) (1) Except as provided in divisions (D) (2) and (3) of 492

this section, the expenses of conducting the examinations and 493  
preparing the reports and assessment required by division (B) or 494  
(C) of this section shall be paid by the entity that places the 495  
child in the certified foster home or for adoption. 496

(2) When a juvenile court grants temporary or permanent 497  
custody of a child pursuant to any section of the Revised Code, 498  
including section 2151.33, 2151.353, 2151.354, or 2152.19 of the 499  
Revised Code, to a public children services agency or private 500  
child placing agency, the court shall provide the agency the 501  
information described in division (B) of this section, pay the 502  
expenses of preparing that information, and, if a new 503  
examination is required to be conducted, pay the expenses of 504  
conducting the examination described in division (C) of this 505  
section. On receipt of the information described in division (B) 506  
of this section, the agency shall provide to the court written 507  
acknowledgment that the agency received the information. The 508  
court shall keep the acknowledgment and provide a copy to the 509  
agency. On the motion of the agency, the court may terminate the 510  
order granting temporary or permanent custody of the child to 511  
that agency, if the court does not provide the information 512  
described in division (B) of this section. 513

(3) If one of the following entities is placing a child in 514  
a certified foster home or for adoption with the assistance of 515  
or by contracting with a public children services agency, 516  
private child placing agency, or a private noncustodial agency, 517  
the entity shall provide the agency with the information 518  
described in division (B) of this section, pay the expenses of 519  
preparing that information, and, if a new examination is 520  
required to be conducted, pay the expenses of conducting the 521  
examination described in division (C) of this section: 522

(a) The department of youth services if the placement is 523  
pursuant to any section of the Revised Code including section 524  
2152.22, 5139.06, 5139.07, 5139.38, or 5139.39 of the Revised 525  
Code; 526

(b) A juvenile court with temporary or permanent custody 527  
of a child pursuant to section 2151.354 or 2152.19 of the 528  
Revised Code; 529

(c) A public children services agency or private child 530  
placing agency with temporary or permanent custody of the child. 531

The agency receiving the information described in division 532  
(B) of this section shall provide the entity described in 533  
divisions (D) (3) (a) to (c) of this section that sent the 534  
information written acknowledgment that the agency received the 535  
information and provided it to the foster caregivers or 536  
prospective adoptive parents. The entity shall keep the 537  
acknowledgment and provide a copy to the agency. An entity that 538  
places a child in a certified foster home or for adoption with 539  
the assistance of or by contracting with an agency remains 540  
responsible to provide the information described in division (B) 541  
of this section to the foster caregivers or prospective adoptive 542  
parents unless the entity receives written acknowledgment that 543  
the agency provided the information. 544

(E) If a child is placed in a certified foster home as a 545  
result of an emergency removal of the child from home pursuant 546  
to division ~~(D)~~ (E) of section 2151.31 of the Revised Code, an 547  
emergency change in the child's case plan pursuant to division 548  
(F) (3) of section 2151.412 of the Revised Code, or an emergency 549  
placement by the department of youth services pursuant to this 550  
chapter or Chapter 5139. of the Revised Code, the entity that 551  
places the child in the certified foster home shall provide the 552

information described in division (B) of this section no later than ninety-six hours after the child is placed in the certified foster home.

(F) On receipt of the information described in divisions (B) and (C) of this section, the foster caregiver or prospective adoptive parents shall provide to the entity that places the child in the foster caregiver's or prospective adoptive parents' home a written acknowledgment that the foster caregiver or prospective adoptive parents received the information. The entity shall keep the acknowledgment and provide a copy to the foster caregiver or prospective adoptive parents.

(G) No person employed by an entity subject to this section and made responsible by that entity for the child's placement in a certified foster home or for adoption shall fail to provide the foster caregivers or prospective adoptive parents with the information required by divisions (B) and (C) of this section.

(H) It is not a violation of any duty of confidentiality provided for in the Revised Code or a code of professional responsibility for a person or government entity to provide the substantial and material conclusions and recommendations of a psychiatric or psychological examination, or an examination to detect mental and emotional disorders, in accordance with division (B)(1)(d) or (C) of this section.

(I) As used in this section:

(1) "Body armor" has the same meaning as in section 2941.1411 of the Revised Code.

(2) "Firearm" has the same meaning as in section 2923.11 of the Revised Code.

<b>Sec. 3109.58.</b> (A) As used in this section, "temporary custody," "permanent custody," and "planned permanent living arrangement" have the same meanings as in section 2151.011 of the Revised Code.	582 583 584 585
(B) A power of attorney created pursuant to section 3109.52 of the Revised Code may not be executed with respect to a child while any of the following proceedings are pending regarding the child:	586 587 588 589
(1) A proceeding for the appointment of a guardian for, or the adoption of, the child;	590 591
(2) A juvenile proceeding in which one of the following applies:	592 593
(a) The temporary, permanent, or legal custody of the child or the placement of the child in a planned permanent living arrangement has been requested.	594 595 596
(b) The child is the subject of an ex parte emergency custody order issued under division <del>(D)</del> (E) of section 2151.31 of the Revised Code, and no hearing has yet been held regarding the child under division (A) of section 2151.314 of the Revised Code.	597 598 599 600 601
(c) The child is the subject of a temporary custody order issued under section 2151.33 of the Revised Code.	602 603
(3) A proceeding for divorce, dissolution, legal separation, annulment, or allocation of parental rights and responsibilities regarding the child.	604 605 606
<b>Sec. 3109.68.</b> (A) As used in this section, "temporary custody," "permanent custody," and "planned permanent living arrangement" have the same meanings as in section 2151.011 of	607 608 609

the Revised Code. 610

(B) A caretaker authorization affidavit may not be 611  
executed with respect to a child while any of the following 612  
proceedings are pending regarding the child: 613

(1) A proceeding for the appointment of a guardian for, or 614  
the adoption of, the child; 615

(2) A juvenile proceeding in which one of the following 616  
applies: 617

(a) The temporary, permanent, or legal custody of the 618  
child or the placement of the child in a planned permanent 619  
living arrangement has been requested. 620

(b) The child is the subject of an ex parte emergency 621  
custody order issued under division ~~(D)~~(E) of section 2151.31 of 622  
the Revised Code, and no hearing has yet been held regarding the 623  
child under division (A) of section 2151.314 of the Revised 624  
Code. 625

(c) The child is the subject of a temporary custody order 626  
issued under section 2151.33 of the Revised Code. 627

(3) A proceeding for divorce, dissolution, legal 628  
separation, annulment, or allocation of parental rights and 629  
responsibilities regarding the child. 630

**Section 2.** That existing sections 2151.27, 2151.31, 631  
2151.419, 2152.72, 3109.58, and 3109.68 of the Revised Code are 632  
hereby repealed. 633