As Introduced

136th General Assembly
Regular Session **H. B. No. 677**
2025-2026

Representatives Synenberg, Abrams

To amend section 2919.23 and to enact sections 2929.45, 4927.25, 4927.26, 4927.27, 4927.28, 4927.29, and 5502.55 of the Revised Code to modify the law governing interference with custody, to require wireless service providers to provide call location information to law enforcement in certain emergency situations, and to create an endangered missing child alert.

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

Section 1. That section 2919.23 be amended and sections 2929.45, 4927.25, 4927.26, 4927.27, 4927.28, 4927.29, and 5502.55 of the Revised Code be enacted to read as follows:

Sec. 2919.23. (A) No person, knowing the person is without privilege to do so or being reckless in that regard, shall entice, take, keep, or harbor a person identified in division (A)(1), (2), or (3) of this section from the parent, guardian, or custodian of the person identified in division (A)(1), (2), or (3) of this section:

(1) A child under the age of eighteen, or a child with a mental or physical disability under the age of twenty-one;

(2) A person committed by law to an institution for

delinquent, unruly, neglected, abused, or dependent children;

(3) A person committed by law to an institution for persons with mental illnesses or an institution for persons with intellectual disabilities.

(B) No person shall aid, abet, induce, cause, or encourage a child or a ward of the juvenile court who has been committed to the custody of any person, department, or public or private institution to leave the custody of that person, department, or institution without legal consent.

(C) It is an affirmative defense to a charge of enticing or taking under division (A)(1) of this section, that the actor reasonably believed that the actor's conduct was necessary to preserve the child's health or safety. It is an affirmative defense to a charge of keeping or harboring under division (A) of this section, that the actor in good faith gave notice to law enforcement or judicial authorities within a reasonable time after the child or committed person came under the actor's shelter, protection, or influence.

(D)(1) Whoever violates this section is guilty of interference with custody.

~~(2)~~ (2)(a) Except as otherwise provided in ~~this~~ division (D)(2)(b) or (c) of this section, a violation of division (A)(1) of this section is a misdemeanor of the first degree. ~~If~~

(b) If the child who is the subject of a violation of division (A)(1) of this section is removed from the state or if the offender previously has been convicted of an offense under this section, ~~a violation of division (A)(1) of this section is a felony of the fifth degree. If the child who is the subject of a violation of division (A)(1) of this section suffers physical~~

~~harm as a result of the violation,~~ a violation of division (A)(1) of this section is a felony of the fourth degree.

(c) If the child who is the subject of a violation of division (A)(1) of this section is removed from the United States, a violation of division (A)(1) of this section is a felony of the third degree.

(3) A violation of division (A)(2) or (3) of this section is a misdemeanor of the third degree.

(4) A violation of division (B) of this section is a misdemeanor of the first degree. Each day of violation of division (B) of this section is a separate offense.

Sec. 2929.45. (A) As used in this section, "local law enforcement agency" means the police department of a municipal corporation in which an offense occurred or, if the offense did not occur in a municipal corporation, the sheriff of the county in which the offense occurred.

(B) If the court issues a warrant for the arrest of a person for a violation of section 2919.23 of the Revised Code, the court shall notify the local law enforcement agency of the warrant. The local law enforcement agency shall enter the warrant into the national crime information center computer and the law enforcement automated data system with a national pickup radius.

Sec. 4927.25. As used in sections 4927.25 to 4927.29 of the Revised Code:

(A) "Call location information" means real-time, precision location requests from a wireless service device, commonly referred to as "pings," and will typically reflect a latitude and longitude along with a certainty factor.

(B) "Emergency" means an occurrence or event that poses an imminent threat to the health or life of a human.

(C) "Law enforcement agency" means an organization or unit made up of law enforcement officers, as such officers are defined in section 2901.01 of the Revised Code.

(D) "Peace officer" has the same meaning as in section 2921.51 of the Revised Code.

(E) "Public safety answering point" has the same meaning as in section 128.01 of the Revised Code.

Sec. 4927.26. On request, a wireless service provider shall provide call location information to a law enforcement agency, a peace officer, or a public safety answering point on behalf of a law enforcement agency, concerning a user of a wireless service device in the following circumstances:

(A) In an emergency situation to enable the peace officer or law enforcement agency to respond to a call for emergency service by a subscriber, customer, or user of wireless service; or

(B) In an emergency situation that involves danger of death or serious physical injury to any person, where disclosure of communications relating to the emergency is required without delay; provided that, in either circumstance, the wireless service provider believes, in good faith, that an emergency situation exists requiring disclosure without delay of communications relating to the emergency.

Sec. 4927.27. Notwithstanding any other provision of law, a wireless service provider may establish protocols for the voluntary disclosure of call location information.

Sec. 4927.28. (A) The bureau of criminal investigation shall obtain contact information from all wireless service providers authorized to do business in the state to facilitate a request from a law enforcement agency, a peace officer, or a public safety answering point on behalf of a law enforcement agency, for call location information pursuant to section 4927.26 of the Revised Code.

(B) The bureau shall disseminate the contact information described in division (A) of this section to each public safety answering point in the state.

Sec. 4927.29. No cause of action shall arise in any court of this state against a wireless service provider, or its officers, employees, agents, or other persons, for providing any information, facilities, or assistance to a law enforcement agency, a peace officer, or a public safety answering point on behalf of a law enforcement agency, in accordance with sections 4927.25 to 4927.28 of the Revised Code.

Sec. 5502.55. (A) As used in this section:

(1) "Cable system" has the same meaning as in section 2913.04 of the Revised Code.

(2) "Law enforcement agency" includes, but is not limited to, a county sheriff's office, the office of a village marshal, a police department of a municipal corporation, a police force of a regional transit authority, a police force of a metropolitan housing authority, the state highway patrol, a state university law enforcement agency, the office of a township police constable, and the police department of a township or joint police district.

(B)(1) The statewide endangered missing child emergency

alert program is created to aid in the identification and location of endangered missing children who are under eighteen years of age and who, as determined by a law enforcement agency, are at a high risk for serious bodily harm or death.

(2) The program shall be a coordinated effort among the governor's office, the department of public safety, the attorney general, law enforcement agencies, the state's public and commercial television and radio broadcasters, and others as deemed necessary by the governor.

(3) The state highway patrol and the bureau of criminal identification and investigation may cooperate to ensure that both of the following occur:

(a) An endangered missing child that meets the activation criteria in division (C) of this section is entered into the law enforcement automated data system as a missing person.

(b) Upon entering the endangered missing child into the law enforcement automated data system, the law enforcement automated data system shall automatically notify law enforcement agencies and the bureau of criminal identification and investigation that the endangered missing child is a missing person.

(C) The statewide endangered missing child emergency alert program shall not be implemented unless all of the following activation criteria are met:

(1) The local investigating law enforcement agency confirms that the disappearance of the endangered missing child has occurred.

(2) The local investigating law enforcement agency determines that the endangered missing child is under eighteen

years of age.

(3) The local investigating law enforcement agency determines that the disappearance poses a high risk for serious bodily harm or death to the endangered missing child.

(4) There is sufficient descriptive information about the endangered missing child and the circumstances surrounding the disappearance to indicate that activation of the alert will help locate the endangered missing child.

(D) Nothing in division (C) of this section prevents the activation of a local or regional emergency alert program that may impose different criteria for the activation of a local or regional plan.

(E) Any radio broadcast station, television broadcast station, or cable system participating in the statewide endangered missing child emergency alert program, and a director, officer, employee, or agent of a station or system participating in the program, is immune from liability for damages for any loss allegedly caused by or resulting from the station's or system's broadcast or cablecast of, or failure to broadcast or cablecast, any information pursuant to the statewide endangered missing child emergency alert program.

(F) No person shall knowingly make a false report that a child is missing and that leads to the implementation of the statewide endangered missing child emergency alert program created under this section or that leads to the implementation of a local or regional emergency alert program. Whoever violates this division is guilty of a felony of the fourth degree.

Section 2. That existing section 2919.23 of the Revised Code is hereby repealed.