

As Introduced

136th General Assembly

Regular Session

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H. B. No. 693

Representatives Click, Williams

**Cosponsors: Representatives Mullins, Hall, T., Claggett, Lear, Swearingen, Gross,
Salvo, King, John, Workman, Klopfenstein, Dean, Stephens**

To amend sections 2151.412, 2151.426, 3109.04,	1
3109.054, and 3129.01 and to enact sections	2
2151.032, 3129.10, 3129.11, 3129.12, 3129.13,	3
3129.14, 3129.15, 3129.21, 3129.211, 3129.22,	4
3129.23, 3129.24, 3129.25, 3129.26, 3129.30,	5
3129.301, 3129.35, 3129.351, and 4743.15 of the	6
Revised Code to enact the Affirming Families	7
First Act and protect the right to affirm a	8
minor child's sex.	9

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

Section 1. That sections 2151.412, 2151.426, 3109.04,	10
3109.054, and 3129.01 be amended and sections 2151.032, 3129.10,	11
3129.11, 3129.12, 3129.13, 3129.14, 3129.15, 3129.21, 3129.211,	12
3129.22, 3129.23, 3129.24, 3129.25, 3129.26, 3129.30, 3129.301,	13
3129.35, 3129.351, and 4743.15 of the Revised Code be enacted to	14
read as follows:	15

<u>Sec. 2151.032. (A) In no event shall recognizing or</u>	16
<u>affirming a child's sex be considered any of the following:</u>	17

<u>(1) Abuse, neglect, or risk thereof;</u>	18
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<u>(2) As contrary to the best interest of the child;</u>	19
<u>(3) As creating an unsafe environment for the child.</u>	20
<u>(B) Division (A) of this section applies in any</u>	21
<u>circumstance regarding the abuse or neglect, the best interest,</u>	22
<u>or the well-being of a child, including relevant provisions of</u>	23
<u>Chapter 2151., 2919., or 3109. of the Revised Code.</u>	24
<u>(C) "Affirming a child's sex" has the same meaning as in</u>	25
<u>section 3129.10 of the Revised Code.</u>	26
Sec. 2151.412. (A) Each public children services agency	27
and private child placing agency shall prepare and maintain a	28
case plan for any child to whom the agency is providing services	29
and to whom any of the following applies:	30
(1) The agency filed a complaint pursuant to section	31
2151.27 of the Revised Code alleging that the child is an	32
abused, neglected, or dependent child;	33
(2) The agency has temporary or permanent custody of the	34
child;	35
(3) The child is living at home subject to an order for	36
protective supervision;	37
(4) The child is in a planned permanent living	38
arrangement.	39
Except as provided by division (A) (2) of section 5103.153	40
of the Revised Code, a private child placing agency providing	41
services to a child who is the subject of a voluntary permanent	42
custody surrender agreement entered into under division (B) (4)	43
of section 5103.15 of the Revised Code is not required to	44
prepare and maintain a case plan for that child.	45

(B) Each public children services agency shall prepare and 46
maintain a case plan for any child for whom the agency is 47
providing in-home services pursuant to an alternative response. 48

(C) (1) The director of children and youth shall adopt 49
rules pursuant to Chapter 119. of the Revised Code setting forth 50
the content and format of case plans required by division (A) of 51
this section and establishing procedures for developing, 52
implementing, and changing the case plans. The rules shall at a 53
minimum comply with the requirements of Title IV-E of the 54
"Social Security Act," 42 U.S.C. 670, et seq. (1980). 55

(2) The director of children and youth shall adopt rules 56
pursuant to Chapter 119. of the Revised Code requiring public 57
children services agencies and private child placing agencies to 58
maintain case plans for children and their families who are 59
receiving services in their homes from the agencies and for whom 60
case plans are not required by division (A) of this section. The 61
rules for public children services agencies shall include the 62
requirements for case plans maintained for children and their 63
families who are receiving services in their homes from public 64
children services agencies pursuant to an alternative response. 65
The agencies shall maintain case plans as required by those 66
rules; however, the case plans shall not be subject to any other 67
provision of this section except as specifically required by the 68
rules. 69

(D) Each public children services agency and private child 70
placing agency that is required by division (A) of this section 71
to maintain a case plan shall file the case plan with the court 72
prior to the child's adjudicatory hearing but no later than 73
thirty days after the earlier of the date on which the complaint 74
in the case was filed or the child was first placed into shelter 75

care. If the agency does not have sufficient information prior 76
to the adjudicatory hearing to complete any part of the case 77
plan, the agency shall specify in the case plan the additional 78
information necessary to complete each part of the case plan and 79
the steps that will be taken to obtain that information. All 80
parts of the case plan shall be completed by the earlier of 81
thirty days after the adjudicatory hearing or the date of the 82
dispositional hearing for the child. 83

(E) Any agency that is required by division (A) of this 84
section to prepare a case plan shall attempt to obtain an 85
agreement among all parties, including, but not limited to, the 86
parents, guardian, or custodian of the child and the guardian ad 87
litem of the child regarding the content of the case plan. If 88
all parties agree to the content of the case plan and the court 89
approves it, the court shall journalize it as part of its 90
dispositional order. If the agency cannot obtain an agreement 91
upon the contents of the case plan or the court does not approve 92
it, the parties shall present evidence on the contents of the 93
case plan at the dispositional hearing. The court, based upon 94
the evidence presented at the dispositional hearing and the best 95
interest of the child, shall determine the contents of the case 96
plan and journalize it as part of the dispositional order for 97
the child. 98

(F) (1) All parties, including the parents, guardian, or 99
custodian of the child, are bound by the terms of the 100
journalized case plan. A party that fails to comply with the 101
terms of the journalized case plan may be held in contempt of 102
court. 103

(2) Any party may propose a change to a substantive part 104
of the case plan, including, but not limited to, the child's 105

placement and the visitation rights of any party. A party 106
proposing a change to the case plan shall file the proposed 107
change with the court and give notice of the proposed change in 108
writing before the end of the day after the day of filing it to 109
all parties and the child's guardian ad litem. All parties and 110
the guardian ad litem shall have seven days from the date the 111
notice is sent to object to and request a hearing on the 112
proposed change. 113

(a) If it receives a timely request for a hearing, the 114
court shall schedule a hearing pursuant to section 2151.417 of 115
the Revised Code to be held no later than thirty days after the 116
request is received by the court. The court shall give notice of 117
the date, time, and location of the hearing to all parties and 118
the guardian ad litem. The agency may implement the proposed 119
change after the hearing, if the court approves it. The agency 120
shall not implement the proposed change unless it is approved by 121
the court. 122

(b) If it does not receive a timely request for a hearing, 123
the court may approve the proposed change without a hearing. If 124
the court approves the proposed change without a hearing, it 125
shall journalize the case plan with the change not later than 126
fourteen days after the change is filed with the court. If the 127
court does not approve the proposed change to the case plan, it 128
shall schedule a hearing to be held pursuant to section 2151.417 129
of the Revised Code no later than thirty days after the 130
expiration of the fourteen-day time period and give notice of 131
the date, time, and location of the hearing to all parties and 132
the guardian ad litem of the child. If, despite the requirements 133
of division (F)(2) of this section, the court neither approves 134
and journalizes the proposed change nor conducts a hearing, the 135
agency may implement the proposed change not earlier than 136

fifteen days after it is submitted to the court. 137

(3) If an agency has reasonable cause to believe that a 138
child is suffering from illness or injury and is not receiving 139
proper care and that an appropriate change in the child's case 140
plan is necessary to prevent immediate or threatened physical or 141
emotional harm, to believe that a child is in immediate danger 142
from the child's surroundings and that an immediate change in 143
the child's case plan is necessary to prevent immediate or 144
threatened physical or emotional harm to the child, or to 145
believe that a parent, guardian, custodian, or other member of 146
the child's household has abused or neglected the child and that 147
the child is in danger of immediate or threatened physical or 148
emotional harm from that person unless the agency makes an 149
appropriate change in the child's case plan, it may implement 150
the change without prior agreement or a court hearing and, 151
before the end of the next day after the change is made, give 152
all parties, the guardian ad litem of the child, and the court 153
notice of the change. Before the end of the third day after 154
implementing the change in the case plan, the agency shall file 155
a statement of the change with the court and give notice of the 156
filing accompanied by a copy of the statement to all parties and 157
the guardian ad litem. All parties and the guardian ad litem 158
shall have ten days from the date the notice is sent to object 159
to and request a hearing on the change. 160

(a) If it receives a timely request for a hearing, the 161
court shall schedule a hearing pursuant to section 2151.417 of 162
the Revised Code to be held no later than thirty days after the 163
request is received by the court. The court shall give notice of 164
the date, time, and location of the hearing to all parties and 165
the guardian ad litem. The agency shall continue to administer 166
the case plan with the change after the hearing, if the court 167

approves the change. If the court does not approve the change, 168
the court shall make appropriate changes to the case plan and 169
shall journalize the case plan. 170

(b) If it does not receive a timely request for a hearing, 171
the court may approve the change without a hearing. If the court 172
approves the change without a hearing, it shall journalize the 173
case plan with the change within fourteen days after receipt of 174
the change. If the court does not approve the change to the case 175
plan, it shall schedule a hearing under section 2151.417 of the 176
Revised Code to be held no later than thirty days after the 177
expiration of the fourteen-day time period and give notice of 178
the date, time, and location of the hearing to all parties and 179
the guardian ad litem of the child. 180

(G) (1) All case plans for children in temporary custody 181
shall have the following general goals: 182

(a) Consistent with the best interest and special needs of 183
the child, to achieve a safe out-of-home placement in the least 184
restrictive, most family-like setting available and in close 185
proximity to the home from which the child was removed or the 186
home in which the child will be permanently placed; 187

(b) To eliminate with all due speed the need for the out- 188
of-home placement so that the child can safely return home. 189

(2) The director of children and youth shall adopt rules 190
pursuant to Chapter 119. of the Revised Code setting forth the 191
general goals of case plans for children subject to 192
dispositional orders for protective supervision, a planned 193
permanent living arrangement, or permanent custody. 194

(H) In the agency's development of a case plan and the 195
court's review of the case plan, the child's health and safety 196

shall be the paramount concern. The agency and the court shall 197
be guided by the following general priorities: 198

(1) A child who is residing with or can be placed with the 199
child's parents within a reasonable time should remain in their 200
legal custody even if an order of protective supervision is 201
required for a reasonable period of time; 202

(2) If both parents of the child have abandoned the child, 203
have relinquished custody of the child, have become incapable of 204
supporting or caring for the child even with reasonable 205
assistance, or have a detrimental effect on the health, safety, 206
and best interest of the child, the child should be placed in 207
the legal custody of a suitable member of the child's extended 208
family; 209

(3) If a child described in division (H) (2) of this 210
section has no suitable member of the child's extended family to 211
accept legal custody, the child should be placed in the legal 212
custody of a suitable nonrelative who shall be made a party to 213
the proceedings after being given legal custody of the child; 214

(4) If the child has no suitable member of the child's 215
extended family to accept legal custody of the child and no 216
suitable nonrelative is available to accept legal custody of the 217
child and, if the child temporarily cannot or should not be 218
placed with the child's parents, guardian, or custodian, the 219
child should be placed in the temporary custody of a public 220
children services agency or a private child placing agency; 221

(5) If the child cannot be placed with either of the 222
child's parents within a reasonable period of time or should not 223
be placed with either, if no suitable member of the child's 224
extended family or suitable nonrelative is available to accept 225

legal custody of the child, and if the agency has a reasonable 226
expectation of placing the child for adoption, the child should 227
be committed to the permanent custody of the public children 228
services agency or private child placing agency; 229

(6) If the child is to be placed for adoption or foster 230
care, the placement shall not be delayed or denied on the basis 231
of the child's or adoptive or foster family's race, color, or 232
national origin. 233

(I) The case plan for a child in temporary custody shall 234
include at a minimum the following requirements if the child is 235
or has been the victim of abuse or neglect or if the child 236
witnessed the commission in the child's household of abuse or 237
neglect against a sibling of the child, a parent of the child, 238
or any other person in the child's household: 239

(1) A requirement that the child's parents, guardian, or 240
custodian participate in mandatory counseling; 241

(2) A requirement that the child's parents, guardian, or 242
custodian participate in any supportive services that are 243
required by or provided pursuant to the child's case plan. 244

(J) (1) Prior to January 1, 2023, a case plan for a child 245
in temporary custody may include, as a supplement, a plan for 246
locating a permanent family placement. The supplement shall not 247
be considered part of the case plan for purposes of division (E) 248
of this section. 249

(2) On and after January 1, 2023, a case plan for a child 250
in temporary custody shall include a permanency plan for the 251
child unless it is documented that such a plan would not be in 252
the best interest of the child. The permanency plan shall 253
describe the services the agency shall provide to achieve 254

permanency for the child if reasonable efforts to return the 255
child to the child's home, or eliminate the continued removal 256
from that home, are unsuccessful. Those services shall be 257
provided concurrently with reasonable efforts to return the 258
child home or eliminate the child's continued removal from home. 259

(3) The director of children and youth, pursuant to 260
Chapter 119. of the Revised Code, shall adopt rules necessary to 261
carry out the purposes of division (J) of this section. 262

(K)(1) A public children services agency may request that 263
the superintendent of the bureau of criminal identification and 264
investigation conduct a criminal records check with respect to a 265
parent, guardian, custodian, prospective custodian, or 266
prospective placement whose actions result in a finding after 267
the filing of a complaint as described in division (A)(1) of 268
this section that a child is an abused, neglected, or dependent 269
child. The public children services agency shall request that 270
the superintendent obtain information from the federal bureau of 271
investigation as part of the criminal records check. 272

(2) At any time on or after the date that is ninety days 273
after September 10, 2012, a prosecuting attorney, or an 274
assistant prosecuting attorney appointed under section 309.06 of 275
the Revised Code, may request that the superintendent of the 276
bureau of criminal identification and investigation conduct a 277
criminal records check with respect to each parent, guardian, 278
custodian, prospective custodian, or prospective placement whose 279
actions resulted in a finding after the filing of a complaint 280
described in division (A)(1) of this section that a child is an 281
abused, neglected, or dependent child. Each prosecuting attorney 282
or assistant prosecuting attorney who makes such a request shall 283
request that the superintendent obtain information from the 284

federal bureau of investigation as part of the criminal records 285
check for each parent, guardian, custodian, prospective 286
custodian, or prospective placement who is a subject of the 287
request. 288

(3) A public children services agency, prosecuting 289
attorney, or assistant prosecuting attorney that requests a 290
criminal records check under division (K)(1) or (2) of this 291
section shall do both of the following: 292

(a) Provide to each parent, guardian, custodian, 293
prospective custodian, or prospective placement for whom a 294
criminal records check is requested a copy of the form 295
prescribed pursuant to division (C)(1) of section 109.572 of the 296
Revised Code and a standard fingerprint impression sheet 297
prescribed pursuant to division (C)(2) of that section and 298
obtain the completed form and impression sheet from the parent, 299
guardian, custodian, prospective custodian, or prospective 300
placement; 301

(b) Forward the completed form and impression sheet to the 302
superintendent of the bureau of criminal identification and 303
investigation. 304

(4) A parent, guardian, custodian, prospective custodian, 305
or prospective placement who is given a form and fingerprint 306
impression sheet under division (K)(3)(a) of this section and 307
who fails to complete the form or provide fingerprint 308
impressions may be held in contempt of court. 309

(L)(1) No case plan shall require a party to a case plan, 310
including the parent, guardian, or legal custodian of the child, 311
to consent to or facilitate social or medical, including 312
surgical, interventions counter to affirming a child's sex or to 313

restrict or prohibit a parent, guardian, or legal custodian from 314
affirming a child's sex. 315

(2) As used in division (L) of this section, "affirming a 316
child's sex" and "affirm a child's sex" have the same meanings 317
as in section 3129.10 of the Revised Code. 318

Sec. 2151.426. (A) (1) A children's advocacy center may be 319
established to serve a single county by execution of a 320
memorandum of understanding regarding the participation in the 321
operation of the center by any of the following entities in the 322
county to be served by the center: 323

(a) The public children services agency; 324

(b) Representatives of any county or municipal law 325
enforcement agencies serving the county that investigate any of 326
the types of abuse specified in the memorandum of understanding 327
creating the center as being within the center's jurisdiction; 328

(c) The prosecuting attorney of the county or a village 329
solicitor, city director of law, or similar chief legal officer 330
of a municipal corporation in the county who prosecutes any of 331
the types of abuse specified in the memorandum of understanding 332
creating the center as being within the center's jurisdiction in 333
the area to be served by the center; 334

(d) Any other entity considered appropriate by all of the 335
other entities executing the memorandum. 336

(2) A children's advocacy center may be established to 337
serve two or more contiguous counties if a memorandum of 338
understanding regarding the participation in the operation of 339
the center is executed by any of the entities described in 340
division (A) (1) of this section in each county to be served by 341
the center. 342

(3) Any memorandum of understanding executed under this 343
section may include a provision that specifies types of abuse of 344
a child, in addition to sexual abuse of a child, that are to be 345
within the jurisdiction of the children's advocacy center 346
created as a result of the execution of the memorandum. If a 347
memorandum of understanding executed under this section does not 348
include any provision of that nature, the children's advocacy 349
center created as a result of the execution of the memorandum 350
has jurisdiction only in relation to reports of alleged sexual 351
abuse of a child. 352

(B) Each entity that participates in the execution of a 353
memorandum of understanding under this section shall cooperate 354
in all of the following: 355

(1) Developing a multidisciplinary team pursuant to 356
section 2151.427 of the Revised Code to perform the functions 357
and activities and provide the services specified in the 358
interagency agreement entered into under section 2151.428 of the 359
Revised Code, regarding reports received under section 2151.421 360
of the Revised Code of alleged sexual abuse of a child and 361
reports of allegations of another type of abuse of a child that 362
is specified in the memorandum of understanding that creates the 363
center as being within the center's jurisdiction, and regarding 364
the children who are the subjects of the reports; 365

(2) Participating in the operation of the center in 366
~~compliance~~ a manner consistent with standards for full 367
membership established by the national children's alliance, 368
except for any qualifications or training that violates section 369
3129.26 of the Revised Code; 370

(3) Employing the center's staff. 371

(C) A center shall do both of the following:

(1) Operate in accordance with sections 2151.427 and 2151.428 of the Revised Code, the interagency agreement entered into under section 2151.428 of the Revised Code relative to the center, and consistent with the standards for full membership established by the national children's alliance, provided that compliance under this division does not violate sections 3129.10 to 3129.351 of the Revised Code;

(2) Register annually with the attorney general.

Sec. 3109.04. (A) In any divorce, legal separation, or annulment proceeding and in any proceeding pertaining to the allocation of parental rights and responsibilities for the care of a child, upon hearing the testimony of either or both parents and considering any mediation report filed pursuant to section 3109.052 of the Revised Code and in accordance with sections 3127.01 to 3127.53 of the Revised Code, the court shall allocate the parental rights and responsibilities for the care of the minor children of the marriage. Subject to division (D)(2) of this section, the court may allocate the parental rights and responsibilities for the care of the children in either of the following ways:

(1) If neither parent files a pleading or motion in accordance with division (G) of this section, if at least one parent files a pleading or motion under that division but no parent who filed a pleading or motion under that division also files a plan for shared parenting, or if at least one parent files both a pleading or motion and a shared parenting plan under that division but no plan for shared parenting is in the best interest of the children, the court, in a manner consistent with the best interest of the children, shall allocate the

parental rights and responsibilities for the care of the 402
children primarily to one of the parents, designate that parent 403
as the residential parent and the legal custodian of the child, 404
and divide between the parents the other rights and 405
responsibilities for the care of the children, including, but 406
not limited to, the responsibility to provide support for the 407
children and the right of the parent who is not the residential 408
parent to have continuing contact with the children. 409

(2) If at least one parent files a pleading or motion in 410
accordance with division (G) of this section and a plan for 411
shared parenting pursuant to that division and if a plan for 412
shared parenting is in the best interest of the children and is 413
approved by the court in accordance with division (D)(1) of this 414
section, the court may allocate the parental rights and 415
responsibilities for the care of the children to both parents 416
and issue a shared parenting order requiring the parents to 417
share all or some of the aspects of the physical and legal care 418
of the children in accordance with the approved plan for shared 419
parenting. If the court issues a shared parenting order under 420
this division and it is necessary for the purpose of receiving 421
public assistance, the court shall designate which one of the 422
parents' residences is to serve as the child's home. The child 423
support obligations of the parents under a shared parenting 424
order issued under this division shall be determined in 425
accordance with Chapters 3119., 3121., 3123., and 3125. of the 426
Revised Code. 427

(B)(1) When making the allocation of the parental rights 428
and responsibilities for the care of the children under this 429
section in an original proceeding or in any proceeding for 430
modification of a prior order of the court making the 431
allocation, the court shall take into account that which would 432

be in the best interest of the children. In determining the 433
child's best interest for purposes of making its allocation of 434
the parental rights and responsibilities for the care of the 435
child and for purposes of resolving any issues related to the 436
making of that allocation, the court, in its discretion, may 437
and, upon the request of either party, shall interview in 438
chambers any or all of the involved children regarding their 439
wishes and concerns with respect to the allocation. 440

(2) If the court interviews any child pursuant to division 441
(B) (1) of this section, all of the following apply: 442

(a) The court, in its discretion, may and, upon the motion 443
of either parent, shall appoint a guardian ad litem for the 444
child. 445

(b) The court first shall determine the reasoning ability 446
of the child. If the court determines that the child does not 447
have sufficient reasoning ability to express the child's wishes 448
and concern with respect to the allocation of parental rights 449
and responsibilities for the care of the child, it shall not 450
determine the child's wishes and concerns with respect to the 451
allocation. If the court determines that the child has 452
sufficient reasoning ability to express the child's wishes or 453
concerns with respect to the allocation, it then shall determine 454
whether, because of special circumstances, it would not be in 455
the best interest of the child to determine the child's wishes 456
and concerns with respect to the allocation. If the court 457
determines that, because of special circumstances, it would not 458
be in the best interest of the child to determine the child's 459
wishes and concerns with respect to the allocation, it shall not 460
determine the child's wishes and concerns with respect to the 461
allocation and shall enter its written findings of fact and 462

opinion in the journal. If the court determines that it would be 463
in the best interests of the child to determine the child's 464
wishes and concerns with respect to the allocation, it shall 465
proceed to make that determination. 466

(c) The interview shall be conducted in chambers, and no 467
person other than the child, the child's attorney, the judge, 468
any necessary court personnel, and, in the judge's discretion, 469
the attorney of each parent shall be permitted to be present in 470
the chambers during the interview. 471

(3) No person shall obtain or attempt to obtain from a 472
child a written or recorded statement or affidavit setting forth 473
the child's wishes and concerns regarding the allocation of 474
parental rights and responsibilities concerning the child. No 475
court, in determining the child's best interest for purposes of 476
making its allocation of the parental rights and 477
responsibilities for the care of the child or for purposes of 478
resolving any issues related to the making of that allocation, 479
shall accept or consider a written or recorded statement or 480
affidavit that purports to set forth the child's wishes and 481
concerns regarding those matters. 482

(C) Prior to trial, the court may cause an investigation 483
to be made as to the character, family relations, past conduct, 484
earning ability, and financial worth of each parent and may 485
order the parents and their minor children to submit to medical, 486
psychological, and psychiatric examinations. The report of the 487
investigation and examinations shall be made available to either 488
parent or the parent's counsel of record not less than five days 489
before trial, upon written request. The report shall be signed 490
by the investigator, and the investigator shall be subject to 491
cross-examination by either parent concerning the contents of 492

the report. The court may tax as costs all or any part of the 493
expenses for each investigation. 494

If the court determines that either parent previously has 495
been convicted of or pleaded guilty to any criminal offense 496
involving any act that resulted in a child being a neglected 497
child, that either parent previously has been determined to be 498
the perpetrator of the neglectful act that is the basis of an 499
adjudication that a child is a neglected child, or that there is 500
reason to believe that either parent has acted in a manner 501
resulting in a child being a neglected child, the court shall 502
consider that fact against naming that parent the residential 503
parent and against granting a shared parenting decree. When the 504
court allocates parental rights and responsibilities for the 505
care of children or determines whether to grant shared parenting 506
in any proceeding, it shall consider whether either parent or 507
any member of the household of either parent has been convicted 508
of or pleaded guilty to a violation of section 2919.25 of the 509
Revised Code or a sexually oriented offense involving a victim 510
who at the time of the commission of the offense was a member of 511
the family or household that is the subject of the proceeding, 512
has been convicted of or pleaded guilty to any sexually oriented 513
offense or other offense involving a victim who at the time of 514
the commission of the offense was a member of the family or 515
household that is the subject of the proceeding and caused 516
physical harm to the victim in the commission of the offense, or 517
has been determined to be the perpetrator of the abusive act 518
that is the basis of an adjudication that a child is an abused 519
child. If the court determines that either parent has been 520
convicted of or pleaded guilty to a violation of section 2919.25 521
of the Revised Code or a sexually oriented offense involving a 522
victim who at the time of the commission of the offense was a 523

member of the family or household that is the subject of the 524
proceeding, has been convicted of or pleaded guilty to any 525
sexually oriented offense or other offense involving a victim 526
who at the time of the commission of the offense was a member of 527
the family or household that is the subject of the proceeding 528
and caused physical harm to the victim in the commission of the 529
offense, or has been determined to be the perpetrator of the 530
abusive act that is the basis of an adjudication that a child is 531
an abused child, it may designate that parent as the residential 532
parent and may issue a shared parenting decree or order only if 533
it determines that it is in the best interest of the child to 534
name that parent the residential parent or to issue a shared 535
parenting decree or order and it makes specific written findings 536
of fact to support its determination. 537

(D) (1) (a) Upon the filing of a pleading or motion by 538
either parent or both parents, in accordance with division (G) 539
of this section, requesting shared parenting and the filing of a 540
shared parenting plan in accordance with that division, the 541
court shall comply with division (D) (1) (a) (i), (ii), or (iii) of 542
this section, whichever is applicable: 543

(i) If both parents jointly make the request in their 544
pleadings or jointly file the motion and also jointly file the 545
plan, the court shall review the parents' plan to determine if 546
it is in the best interest of the children. If the court 547
determines that the plan is in the best interest of the 548
children, the court shall approve it. If the court determines 549
that the plan or any part of the plan is not in the best 550
interest of the children, the court shall require the parents to 551
make appropriate changes to the plan to meet the court's 552
objections to it. If changes to the plan are made to meet the 553
court's objections, and if the new plan is in the best interest 554

of the children, the court shall approve the plan. If changes to 555
the plan are not made to meet the court's objections, or if the 556
parents attempt to make changes to the plan to meet the court's 557
objections, but the court determines that the new plan or any 558
part of the new plan still is not in the best interest of the 559
children, the court may reject the portion of the parents' 560
pleadings or deny their motion requesting shared parenting of 561
the children and proceed as if the request in the pleadings or 562
the motion had not been made. The court shall not approve a plan 563
under this division unless it determines that the plan is in the 564
best interest of the children. 565

(ii) If each parent makes a request in the parent's 566
pleadings or files a motion and each also files a separate plan, 567
the court shall review each plan filed to determine if either is 568
in the best interest of the children. If the court determines 569
that one of the filed plans is in the best interest of the 570
children, the court may approve the plan. If the court 571
determines that neither filed plan is in the best interest of 572
the children, the court may order each parent to submit 573
appropriate changes to the parent's plan or both of the filed 574
plans to meet the court's objections, or may select one of the 575
filed plans and order each parent to submit appropriate changes 576
to the selected plan to meet the court's objections. If changes 577
to the plan or plans are submitted to meet the court's 578
objections, and if any of the filed plans with the changes is in 579
the best interest of the children, the court may approve the 580
plan with the changes. If changes to the plan or plans are not 581
submitted to meet the court's objections, or if the parents 582
submit changes to the plan or plans to meet the court's 583
objections but the court determines that none of the filed plans 584
with the submitted changes is in the best interest of the 585

children, the court may reject the portion of the parents' 586
pleadings or deny their motions requesting shared parenting of 587
the children and proceed as if the requests in the pleadings or 588
the motions had not been made. If the court approves a plan 589
under this division, either as originally filed or with 590
submitted changes, or if the court rejects the portion of the 591
parents' pleadings or denies their motions requesting shared 592
parenting under this division and proceeds as if the requests in 593
the pleadings or the motions had not been made, the court shall 594
enter in the record of the case findings of fact and conclusions 595
of law as to the reasons for the approval or the rejection or 596
denial. Division (D)(1)(b) of this section applies in relation 597
to the approval or disapproval of a plan under this division. 598

(iii) If each parent makes a request in the parent's 599
pleadings or files a motion but only one parent files a plan, or 600
if only one parent makes a request in the parent's pleadings or 601
files a motion and also files a plan, the court in the best 602
interest of the children may order the other parent to file a 603
plan for shared parenting in accordance with division (G) of 604
this section. The court shall review each plan filed to 605
determine if any plan is in the best interest of the children. 606
If the court determines that one of the filed plans is in the 607
best interest of the children, the court may approve the plan. 608
If the court determines that no filed plan is in the best 609
interest of the children, the court may order each parent to 610
submit appropriate changes to the parent's plan or both of the 611
filed plans to meet the court's objections or may select one 612
filed plan and order each parent to submit appropriate changes 613
to the selected plan to meet the court's objections. If changes 614
to the plan or plans are submitted to meet the court's 615
objections, and if any of the filed plans with the changes is in 616

the best interest of the children, the court may approve the 617
plan with the changes. If changes to the plan or plans are not 618
submitted to meet the court's objections, or if the parents 619
submit changes to the plan or plans to meet the court's 620
objections but the court determines that none of the filed plans 621
with the submitted changes is in the best interest of the 622
children, the court may reject the portion of the parents' 623
pleadings or deny the parents' motion or reject the portion of 624
the parents' pleadings or deny their motions requesting shared 625
parenting of the children and proceed as if the request or 626
requests or the motion or motions had not been made. If the 627
court approves a plan under this division, either as originally 628
filed or with submitted changes, or if the court rejects the 629
portion of the pleadings or denies the motion or motions 630
requesting shared parenting under this division and proceeds as 631
if the request or requests or the motion or motions had not been 632
made, the court shall enter in the record of the case findings 633
of fact and conclusions of law as to the reasons for the 634
approval or the rejection or denial. Division (D) (1) (b) of this 635
section applies in relation to the approval or disapproval of a 636
plan under this division. 637

(b) The approval of a plan under division (D) (1) (a) (ii) or 638
(iii) of this section is discretionary with the court. The court 639
shall not approve more than one plan under either division and 640
shall not approve a plan under either division unless it 641
determines that the plan is in the best interest of the 642
children. If the court, under either division, does not 643
determine that any filed plan or any filed plan with submitted 644
changes is in the best interest of the children, the court shall 645
not approve any plan. 646

(c) Whenever possible, the court shall require that a 647

shared parenting plan approved under division (D) (1) (a) (i), 648
(ii), or (iii) of this section ensure the opportunity for both 649
parents to have frequent and continuing contact with the child, 650
unless frequent and continuing contact with any parent would not 651
be in the best interest of the child. 652

(d) If a court approves a shared parenting plan under 653
division (D) (1) (a) (i), (ii), or (iii) of this section, the 654
approved plan shall be incorporated into a final shared 655
parenting decree granting the parents the shared parenting of 656
the children. Any final shared parenting decree shall be issued 657
at the same time as and shall be appended to the final decree of 658
dissolution, divorce, annulment, or legal separation arising out 659
of the action out of which the question of the allocation of 660
parental rights and responsibilities for the care of the 661
children arose. 662

No provisional shared parenting decree shall be issued in 663
relation to any shared parenting plan approved under division 664
(D) (1) (a) (i), (ii), or (iii) of this section. A final shared 665
parenting decree issued under this division has immediate effect 666
as a final decree on the date of its issuance, subject to 667
modification or termination as authorized by this section. 668

(2) If the court finds, with respect to any child under 669
eighteen years of age, that it is in the best interest of the 670
child for neither parent to be designated the residential parent 671
and legal custodian of the child, it may commit the child to a 672
relative of the child or certify a copy of its findings, 673
together with as much of the record and the further information, 674
in narrative form or otherwise, that it considers necessary or 675
as the juvenile court requests, to the juvenile court for 676
further proceedings, and, upon the certification, the juvenile 677

court has exclusive jurisdiction.

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(E) (1) (a) The court shall not modify a prior decree allocating parental rights and responsibilities for the care of children unless it finds, based on facts that have arisen since the prior decree or that were unknown to the court at the time of the prior decree, that a change has occurred in the circumstances of the child, the child's residential parent, or either of the parents subject to a shared parenting decree, and that the modification is necessary to serve the best interest of the child. In applying these standards, the court shall retain the residential parent designated by the prior decree or the prior shared parenting decree, unless a modification is in the best interest of the child and one of the following applies:

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(i) The residential parent agrees to a change in the residential parent or both parents under a shared parenting decree agree to a change in the designation of residential parent.

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(ii) The child, with the consent of the residential parent or of both parents under a shared parenting decree, has been integrated into the family of the person seeking to become the residential parent.

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(iii) The harm likely to be caused by a change of environment is outweighed by the advantages of the change of environment to the child.

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(b) One or both of the parents under a prior decree allocating parental rights and responsibilities for the care of children that is not a shared parenting decree may file a motion requesting that the prior decree be modified to give both parents shared rights and responsibilities for the care of the

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children. The motion shall include both a request for 707
modification of the prior decree and a request for a shared 708
parenting order that complies with division (G) of this section. 709
Upon the filing of the motion, if the court determines that a 710
modification of the prior decree is authorized under division 711
(E) (1) (a) of this section, the court may modify the prior decree 712
to grant a shared parenting order, provided that the court shall 713
not modify the prior decree to grant a shared parenting order 714
unless the court complies with divisions (A) and (D) (1) of this 715
section and, in accordance with those divisions, approves the 716
submitted shared parenting plan and determines that shared 717
parenting would be in the best interest of the children. 718

(2) In addition to a modification authorized under 719
division (E) (1) of this section: 720

(a) Both parents under a shared parenting decree jointly 721
may modify the terms of the plan for shared parenting approved 722
by the court and incorporated by it into the shared parenting 723
decree. Modifications under this division may be made at any 724
time. The modifications to the plan shall be filed jointly by 725
both parents with the court, and the court shall include them in 726
the plan, unless they are not in the best interest of the 727
children. If the modifications are not in the best interests of 728
the children, the court, in its discretion, may reject the 729
modifications or make modifications to the proposed 730
modifications or the plan that are in the best interest of the 731
children. Modifications jointly submitted by both parents under 732
a shared parenting decree shall be effective, either as 733
originally filed or as modified by the court, upon their 734
inclusion by the court in the plan. Modifications to the plan 735
made by the court shall be effective upon their inclusion by the 736
court in the plan. 737

(b) The court may modify the terms of the plan for shared parenting approved by the court and incorporated by it into the shared parenting decree upon its own motion at any time if the court determines that the modifications are in the best interest of the children or upon the request of one or both of the parents under the decree. Modifications under this division may be made at any time. The court shall not make any modification to the plan under this division, unless the modification is in the best interest of the children.

(c) The court may terminate a prior final shared parenting decree that includes a shared parenting plan approved under division (D)(1)(a)(i) of this section upon the request of one or both of the parents or whenever it determines that shared parenting is not in the best interest of the children. The court may terminate a prior final shared parenting decree that includes a shared parenting plan approved under division (D)(1)(a)(ii) or (iii) of this section if it determines, upon its own motion or upon the request of one or both parents, that shared parenting is not in the best interest of the children. If modification of the terms of the plan for shared parenting approved by the court and incorporated by it into the final shared parenting decree is attempted under division (E)(2)(a) of this section and the court rejects the modifications, it may terminate the final shared parenting decree if it determines that shared parenting is not in the best interest of the children.

(d) Upon the termination of a prior final shared parenting decree under division (E)(2)(c) of this section, the court shall proceed and issue a modified decree for the allocation of parental rights and responsibilities for the care of the children under the standards applicable under divisions (A),

(B), and (C) of this section as if no decree for shared 769
parenting had been granted and as if no request for shared 770
parenting ever had been made. 771

(F) (1) In determining the best interest of a child 772
pursuant to this section, whether on an original decree 773
allocating parental rights and responsibilities for the care of 774
children or a modification of a decree allocating those rights 775
and responsibilities, the court shall consider all relevant 776
factors, including, but not limited to: 777

(a) The wishes of the child's parents regarding the 778
child's care; 779

(b) If the court has interviewed the child in chambers 780
pursuant to division (B) of this section regarding the child's 781
wishes and concerns as to the allocation of parental rights and 782
responsibilities concerning the child, the wishes and concerns 783
of the child, as expressed to the court; 784

(c) The child's interaction and interrelationship with the 785
child's parents, siblings, and any other person who may 786
significantly affect the child's best interest; 787

(d) The child's adjustment to the child's home, school, 788
and community; 789

(e) The mental and physical health of all persons involved 790
in the situation; 791

(f) The parent more likely to honor and facilitate court- 792
approved parenting time rights or visitation and companionship 793
rights; 794

(g) Whether either parent has failed to make all child 795
support payments, including all arrearages, that are required of 796

that parent pursuant to a child support order under which that 797
parent is an obligor; 798

(h) Whether either parent or any member of the household 799
of either parent previously has been convicted of or pleaded 800
guilty to any criminal offense involving any act that resulted 801
in a child being an abused child or a neglected child; whether 802
either parent, in a case in which a child has been adjudicated 803
an abused child or a neglected child, previously has been 804
determined to be the perpetrator of the abusive or neglectful 805
act that is the basis of an adjudication; whether either parent 806
or any member of the household of either parent previously has 807
been convicted of or pleaded guilty to a violation of section 808
2919.25 of the Revised Code or a sexually oriented offense 809
involving a victim who at the time of the commission of the 810
offense was a member of the family or household that is the 811
subject of the current proceeding; whether either parent or any 812
member of the household of either parent previously has been 813
convicted of or pleaded guilty to any offense involving a victim 814
who at the time of the commission of the offense was a member of 815
the family or household that is the subject of the current 816
proceeding and caused physical harm to the victim in the 817
commission of the offense; and whether there is reason to 818
believe that either parent has acted in a manner resulting in a 819
child being an abused child or a neglected child; 820

(i) Whether the residential parent or one of the parents 821
subject to a shared parenting decree has continuously and 822
willfully denied the other parent's right to parenting time in 823
accordance with an order of the court; 824

(j) Whether either parent has established a residence, or 825
is planning to establish a residence, outside this state. 826

(2) In determining whether shared parenting is in the best
interest of the children, the court shall consider all relevant
factors, including, but not limited to, the factors enumerated
in division (F) (1) of this section, the factors enumerated in
section 3119.23 of the Revised Code, and all of the following
factors:

(a) The ability of the parents to cooperate and make
decisions jointly, with respect to the children;

(b) The ability of each parent to encourage the sharing of
love, affection, and contact between the child and the other
parent;

(c) Any history of, or potential for, child abuse, spouse
abuse, other domestic violence, or parental kidnapping by either
parent;

(d) The geographic proximity of the parents to each other,
as the proximity relates to the practical considerations of
shared parenting;

(e) The recommendation of the guardian ad litem of the
child, if the child has a guardian ad litem.

(3) When allocating parental rights and responsibilities
for the care of children, the court shall not give preference to
a parent because of that parent's financial status or condition.

(4) When allocating parental rights and responsibilities
for the care of children, the court shall not consider a
parent's act of affirming a child's sex as contrary to the best
interest of the child.

(G) Either parent or both parents of any children may file
a pleading or motion with the court requesting the court to

grant both parents shared parental rights and responsibilities 855
for the care of the children in a proceeding held pursuant to 856
division (A) of this section. If a pleading or motion requesting 857
shared parenting is filed, the parent or parents filing the 858
pleading or motion also shall file with the court a plan for the 859
exercise of shared parenting by both parents. If each parent 860
files a pleading or motion requesting shared parenting but only 861
one parent files a plan or if only one parent files a pleading 862
or motion requesting shared parenting and also files a plan, the 863
other parent as ordered by the court shall file with the court a 864
plan for the exercise of shared parenting by both parents. The 865
plan for shared parenting shall be filed with the petition for 866
dissolution of marriage, if the question of parental rights and 867
responsibilities for the care of the children arises out of an 868
action for dissolution of marriage, or, in other cases, at a 869
time at least thirty days prior to the hearing on the issue of 870
the parental rights and responsibilities for the care of the 871
children. A plan for shared parenting shall include provisions 872
covering all factors that are relevant to the care of the 873
children, including, but not limited to, provisions covering 874
factors such as physical living arrangements, child support 875
obligations, provision for the children's medical and dental 876
care, school placement, and the parent with which the children 877
will be physically located during legal holidays, school 878
holidays, and other days of special importance. 879

(H) If an appeal is taken from a decision of a court that 880
grants or modifies a decree allocating parental rights and 881
responsibilities for the care of children, the court of appeals 882
shall give the case calendar priority and handle it 883
expeditiously. 884

(I) (1) Upon receipt of an order for active military 885

service in the uniformed services, a parent who is subject to an 886
order allocating parental rights and responsibilities or in 887
relation to whom an action to allocate parental rights and 888
responsibilities is pending and who is ordered for active 889
military service shall notify the other parent who is subject to 890
the order or in relation to whom the case is pending of the 891
order for active military service within three days of receiving 892
the military service order. 893

(2) On receipt of the notice described in division (I) (1) 894
of this section, either parent may apply to the court for a 895
hearing to expedite an allocation or modification proceeding so 896
that the court can issue an order before the parent's active 897
military service begins. The application shall include the date 898
on which the active military service begins. 899

The court shall schedule a hearing upon receipt of the 900
application and hold the hearing not later than thirty days 901
after receipt of the application, except that the court shall 902
give the case calendar priority and handle the case 903
expeditiously if exigent circumstances exist in the case. 904

The court shall not modify a prior decree allocating 905
parental rights and responsibilities unless the court determines 906
that there has been a change in circumstances of the child, the 907
child's residential parent, or either of the parents subject to 908
a shared parenting decree, and that modification is necessary to 909
serve the best interest of the child. The court shall not find 910
past, present, or possible future active military service in the 911
uniformed services to constitute a change in circumstances 912
justifying modification of a prior decree pursuant to division 913
(E) of this section. The court shall make specific written 914
findings of fact to support any modification under this 915

division. 916

(3) Nothing in division (I) of this section shall prevent 917
a court from issuing a temporary order allocating or modifying 918
parental rights and responsibilities for the duration of the 919
parent's active military service. A temporary order shall 920
specify whether the parent's active military service is the 921
basis of the order and shall provide for termination of the 922
temporary order and resumption of the prior order within ten 923
days after receipt of notice pursuant to division (I) (5) of this 924
section, unless the other parent demonstrates that resumption of 925
the prior order is not in the child's best interest. 926

(4) At the request of a parent who is ordered for active 927
military service in the uniformed services and who is a subject 928
of a proceeding pertaining to a temporary order for the 929
allocation or modification of parental rights and 930
responsibilities, the court shall permit the parent to 931
participate in the proceeding and present evidence by electronic 932
means, including communication by telephone, video, or internet 933
to the extent permitted by the rules of the supreme court of 934
Ohio. 935

(5) A parent who is ordered for active military service in 936
the uniformed services and who is a subject of a proceeding 937
pertaining to the allocation or modification of parental rights 938
and responsibilities shall provide written notice to the court, 939
child support enforcement agency, and the other parent of the 940
date of termination of the parent's active military service not 941
later than thirty days after the date on which the service ends. 942

(J) As used in this section: 943

(1) "Abused child" has the same meaning as in section 944

2151.031 of the Revised Code. 945

(2) "Active military service" means service by a member of 946
the uniformed services in compliance with military orders to 947
report for combat operations, contingency operations, 948
peacekeeping operations, a remote tour of duty, or other active 949
service for which the member is required to report unaccompanied 950
by any family member, including any period of illness, recovery 951
from injury, leave, or other lawful absence during that 952
operation, duty, or service. 953

(3) "Affirming a child's sex" has the same meaning as in 954
section 3129.10 of the Revised Code. 955

(4) "Neglected child" has the same meaning as in section 956
2151.03 of the Revised Code. 957

~~(4)~~(5) "Sexually oriented offense" has the same meaning as 958
in section 2950.01 of the Revised Code. 959

~~(5)~~(6) "Uniformed services" means the United States armed 960
forces, the army national guard, and the air national guard or 961
any reserve component thereof, or the commissioned corps of the 962
United States public health service. 963

(K) As used in the Revised Code, "shared parenting" means 964
that the parents share, in the manner set forth in the plan for 965
shared parenting that is approved by the court under division 966
(D) (1) and described in division (L) (6) of this section, all or 967
some of the aspects of physical and legal care of their 968
children. 969

(L) For purposes of the Revised Code: 970

(1) A parent who is granted the care, custody, and control 971
of a child under an order that was issued pursuant to this 972

section prior to April 11, 1991, and that does not provide for 973
shared parenting has "custody of the child" and "care, custody, 974
and control of the child" under the order, and is the 975
"residential parent," the "residential parent and legal 976
custodian," or the "custodial parent" of the child under the 977
order. 978

(2) A parent who primarily is allocated the parental 979
rights and responsibilities for the care of a child and who is 980
designated as the residential parent and legal custodian of the 981
child under an order that is issued pursuant to this section on 982
or after April 11, 1991, and that does not provide for shared 983
parenting has "custody of the child" and "care, custody, and 984
control of the child" under the order, and is the "residential 985
parent," the "residential parent and legal custodian," or the 986
"custodial parent" of the child under the order. 987

(3) A parent who is not granted custody of a child under 988
an order that was issued pursuant to this section prior to April 989
11, 1991, and that does not provide for shared parenting is the 990
"parent who is not the residential parent," the "parent who is 991
not the residential parent and legal custodian," or the 992
"noncustodial parent" of the child under the order. 993

(4) A parent who is not primarily allocated the parental 994
rights and responsibilities for the care of a child and who is 995
not designated as the residential parent and legal custodian of 996
the child under an order that is issued pursuant to this section 997
on or after April 11, 1991, and that does not provide for shared 998
parenting is the "parent who is not the residential parent," the 999
"parent who is not the residential parent and legal custodian," 1000
or the "noncustodial parent" of the child under the order. 1001

(5) Unless the context clearly requires otherwise, if an 1002

order is issued by a court pursuant to this section and the 1003
order provides for shared parenting of a child, both parents 1004
have "custody of the child" or "care, custody, and control of 1005
the child" under the order, to the extent and in the manner 1006
specified in the order. 1007

(6) Unless the context clearly requires otherwise and 1008
except as otherwise provided in the order, if an order is issued 1009
by a court pursuant to this section and the order provides for 1010
shared parenting of a child, each parent, regardless of where 1011
the child is physically located or with whom the child is 1012
residing at a particular point in time, as specified in the 1013
order, is the "residential parent," the "residential parent and 1014
legal custodian," or the "custodial parent" of the child. 1015

(7) Unless the context clearly requires otherwise and 1016
except as otherwise provided in the order, a designation in the 1017
order of a parent as the residential parent for the purpose of 1018
determining the school the child attends, as the custodial 1019
parent for purposes of claiming the child as a dependent 1020
pursuant to section 152(e) of the "Internal Revenue Code of 1021
1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended, or as the 1022
residential parent for purposes of receiving public assistance 1023
pursuant to division (A)(2) of this section, does not affect the 1024
designation pursuant to division (L)(6) of this section of each 1025
parent as the "residential parent," the "residential parent and 1026
legal custodian," or the "custodial parent" of the child. 1027

(M) The court shall require each parent of a child to file 1028
an affidavit attesting as to whether the parent, and the members 1029
of the parent's household, have been convicted of or pleaded 1030
guilty to any of the offenses identified in divisions (C) and 1031
(F)(1)(h) of this section. 1032

Sec. 3109.054. (A) When allocating parental rights and responsibilities or parenting time, no court shall deny or limit a parent's parental rights and responsibilities or parenting time based on the parent's decision to do any of the following:

~~(A)(1)~~ Refer to and raise the child in a manner consistent with the child's ~~biological sex~~ or affirm the child's sex;

~~(B)(2)~~ Decline to consent to the child receiving gender transition services as defined in section 3129.01 of the Revised Code;

~~(C)(3)~~ Decline to consent to the child receiving counseling or other mental health services for the purpose of affirming the child's perception of the child's gender or sex, if the child's perception is inconsistent with the child's ~~biological sex~~.

(B) "Affirm the child's sex" has the same meaning as in section 3129.10 of the Revised Code.

Sec. 3129.01. As used in ~~this chapter~~ sections 3129.01 to 3129.06 of the Revised Code:

(A) "Biological sex," "birth sex," and "sex" mean ~~the a person's biological indication of sex, either male and or female, including sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender as those terms are defined in section 3129.10 of the Revised Code.~~

(B) "Cross-sex hormone" means testosterone, estrogen, or progesterone given to a minor individual in an amount greater than would normally be produced endogenously in a healthy individual of the minor individual's age and sex.

(C) "Female" means, when referring to a natural person, 1062
anyone who naturally has, had, will have, or would have, but for 1063
a congenital anomaly or intentional or unintentional disruption, 1064
the reproductive system that at some point produces, transports, 1065
and utilizes eggs for fertilization. 1066

(D) "Gender reassignment surgery" means any surgery 1067
performed for the purpose of assisting an individual with gender 1068
transition that seeks to surgically alter or remove healthy 1069
physical or anatomical characteristics or features that are 1070
typical for the individual's biological sex, in order to instill 1071
or create physiological or anatomical characteristics that 1072
resemble a sex different from the individual's birth sex, 1073
including genital or non-genital gender reassignment surgery. 1074

~~(D)~~ (E) "Gender-related condition" means any condition 1075
where an individual feels an incongruence between the 1076
individual's gender identity and biological sex. "Gender-related 1077
condition" includes gender dysphoria. 1078

~~(E)~~ (F) "Gender transition" means the process in which an 1079
individual goes from identifying with and living as a gender 1080
that corresponds to his or her biological sex to identifying 1081
with and living as a gender different from his or her biological 1082
sex, including social, legal, or physical changes. 1083

~~(F)~~ (G) "Gender transition services" means any medical or 1084
surgical service (including physician services, inpatient and 1085
outpatient hospital services, or prescription drugs or hormones) 1086
provided for the purpose of assisting an individual with gender 1087
transition that seeks to alter or remove physical or anatomical 1088
characteristics or features that are typical for the 1089
individual's biological sex, or to instill or create 1090
physiological or anatomical characteristics that resemble a sex 1091

different from the individual's birth sex, including medical 1092
services that provide puberty blocking drugs, cross-sex 1093
hormones, or other mechanisms to promote the development of 1094
feminizing or masculinizing features in the opposite sex, or 1095
genital or non-genital gender reassignment surgery. 1096

~~(G)~~ (H) "Genital gender reassignment surgery" means surgery 1097
performed for the purpose of assisting an individual with gender 1098
transition and includes both of the following: 1099

(1) Surgeries that sterilize, such as castration, 1100
vasectomy, hysterectomy, oophorectomy, orchiectomy, and 1101
penectomy; 1102

(2) Surgeries that artificially construct tissue with the 1103
appearance of genitalia that differs from the individual's 1104
biological sex, such as metoidioplasty, phalloplasty, and 1105
vaginoplasty. 1106

~~(H)~~ (I) "Male" means, when referring to a natural person, 1107
anyone who naturally has, had, will have, or would have, but for 1108
a congenital anomaly or intentional or unintentional disruption, 1109
the reproductive system that at some point produces, transports, 1110
and utilizes sperm for fertilization. 1111

(J) "Mental health professional" means all of the 1112
following: 1113

(1) Either of the following advanced practice registered 1114
nurses who holds a current, valid license issued under Chapter 1115
4723. of the Revised Code that authorizes the practice of 1116
nursing as an advanced practice registered nurse: 1117

(a) A clinical nurse specialist who is certified as a 1118
psychiatric-mental health CNS by the American nurses 1119
credentialing center; 1120

(b) A certified nurse practitioner who is certified as a 1121
psychiatric-mental health NP by the American nurses 1122
credentialing center. 1123

(2) A physician specializing in psychiatry; 1124

(3) A psychologist, school psychologist, or independent 1125
school psychologist licensed under Chapter 4732. of the Revised 1126
Code or under rules adopted in accordance with sections 3301.07 1127
and 3319.22 of the Revised Code; 1128

(4) An independent social worker, social worker, licensed 1129
professional clinical counselor, licensed professional 1130
counselor, independent marriage and family therapist, or 1131
marriage and family therapist licensed under Chapter 4757. of 1132
the Revised Code. 1133

~~(I)~~ (K) "Minor individual" means an individual under 1134
eighteen years of age. 1135

~~(J)~~ (L) "Non-genital gender reassignment surgery" means 1136
surgery performed for the purpose of assisting an individual 1137
with gender transition such as augmentation mammoplasty, facial 1138
feminization surgery, liposuction, lipofilling, voice surgery, 1139
thyroid cartilage reduction, gluteal augmentation, pectoral 1140
implants, or other aesthetic procedures. 1141

~~(K)~~ (M) "Physician" means an individual authorized under 1142
Chapter 4731. of the Revised Code to practice medicine and 1143
surgery or osteopathic medicine and surgery. 1144

~~(L)~~ (N) "Puberty-blocking drugs" means Gonadotropin- 1145
releasing hormone analogs or other synthetic drugs used to stop 1146
luteinizing hormone and follicle stimulating hormone secretion, 1147
synthetic antiandrogen drugs used to block the androgen 1148
receptor, or any drug to delay or suppress normal puberty. 1149

Sec. 3129.10. As used in sections 3129.10 to 3129.351 of 1150
the Revised Code: 1151

(A) "Affirmation of a minor child's sex," "affirmed a 1152
minor child's sex," "affirming a minor child's sex," "affirm a 1153
minor child's sex," or "affirms a minor child's sex" means 1154
guiding, instructing, raising, or referring to, or intending to 1155
guide, instruct, raise, or refer to, a minor child in a manner 1156
consistent with the minor child's sex and making decisions for 1157
the purpose of protecting the minor child's bodily integrity, 1158
development, and emotional and mental health, including all of 1159
the following: 1160

(1) Using the minor child's legal name, referring to the 1161
minor child with pronouns consistent with the minor child's sex, 1162
or refraining from using a name or pronouns inconsistent with 1163
the minor child's sex; 1164

(2) Seeking out and consenting to any lawful mental health 1165
service for the minor child to assist the child in living 1166
consistent with the child's sex; 1167

(3) Declining to consent to any medical or surgical gender 1168
transition services, as defined in section 3129.01 of the 1169
Revised Code, for the minor child; 1170

(4) Declining to consent to any physical or mental health 1171
services for the minor child for the purpose of gender 1172
transition as defined in section 3129.01 of the Revised Code. 1173

(B) "Female," "male," and "sex" have the same meanings as 1174
in section 3129.01 of the Revised Code. 1175

(C) "Kinship caregiver" has the same meaning as in section 1176
5101.85 of the Revised Code. 1177

(D) "Minor child" means an individual who is under 1178
eighteen years of age. 1179

(E) "Parental alienation" means a mental and emotional 1180
state in which, without a valid reason, a minor child does both 1181
of the following: 1182

(1) Rejects a fit parent, guardian, or legal custodian; 1183

(2) Allies strongly with another parent or an individual 1184
or group of individuals who do not have legal custody or control 1185
over the minor, sometimes referred to as "chosen family." 1186

(F) "Political subdivision" means municipal corporations, 1187
townships, counties, school districts, and all other bodies 1188
corporate and politic responsible for governmental activities 1189
only in geographic areas smaller than that of the state. 1190
"Political subdivision" includes a county department of job and 1191
family services or public children services agency. 1192

(G) "Professional child welfare training" means 1193
educational and training services, materials, and curricula for 1194
employees, contractors, agents, or volunteers who work with at- 1195
risk or abused or neglected children and youth, including 1196
educational and training services, materials, and curricula 1197
designed for public children services agencies, private child 1198
placing agencies and any other foster care or adoption agencies, 1199
mental health professionals, school districts, courts, 1200
attorneys, and guardians ad litem. 1201

(H) "State" means the state of Ohio, including the general 1202
assembly, the supreme court, courts of appeals, the offices of 1203
all elected state officers, and all departments, boards, 1204
offices, commissions, agencies, institutions, and other 1205
political subdivisions or instrumentalities of the state of 1206

Ohio, including a state institution of higher education and any 1207
state employee, or any contractor, volunteer, or other person 1208
acting as an agent of the state. 1209

(I) "State agency" or "agency" means any organized agency, 1210
board, body, commission, department, institution, office, or 1211
other entity established by the laws of the state for the 1212
exercise of any function of state government, including any 1213
state employee, or any contractor, volunteer, or other person 1214
acting as an agent of the state. 1215

Sec. 3129.11. In accordance with section 2151.032 of the 1216
Revised Code, no public children services agency shall entertain 1217
or investigate a report of child abuse or child neglect under 1218
section 2151.421 of the Revised Code if the sole basis for the 1219
report is the affirmation of a minor child's sex by a parent, 1220
guardian, legal custodian, or kinship caregiver. If a report of 1221
child abuse or child neglect includes a claim that a parent, 1222
guardian, legal custodian, or kinship caregiver affirmed a minor 1223
child's sex in addition to other claims, the affirmation of a 1224
minor child's sex shall not serve as the basis for an 1225
investigation of a complaint of abuse or neglect under section 1226
2151.27 of the Revised Code or for the removal of the minor 1227
child from the parent, guardian, legal custodian, or kinship 1228
caregiver. 1229

Sec. 3129.12. In no event shall a parent, guardian, legal 1230
custodian, or kinship caregiver's act of affirming a minor 1231
child's sex serve as a basis for the state or a state agency to 1232
do any of the following: 1233

(A) Prevent the return of a minor child to the minor 1234
child's parent, guardian, legal custodian, or kinship caregiver, 1235
including in either of the following circumstances: 1236

(1) The parent, guardian, legal custodian, or kinship 1237
caregiver has sought or consented to inpatient or outpatient 1238
treatment for the minor child's self-harm or the risk or threat 1239
of self-harm. 1240

(2) The minor child, while in inpatient or outpatient 1241
treatment, has been referred to or treated in a manner 1242
inconsistent with the minor child's sex. 1243

(B) Limit the parent, guardian, or legal custodian's 1244
authority to make physical or mental health care decisions for, 1245
or have physical access to, a minor child receiving inpatient or 1246
outpatient treatment; 1247

(C) Limit or waive a parent, guardian, or legal 1248
custodian's right to be informed of and consent to or refuse a 1249
minor child's participation in any research or study. 1250

Sec. 3129.13. The state and any state agency shall not 1251
require a parent, guardian, legal custodian, or kinship 1252
caregiver to consent to or facilitate social or medical, 1253
including surgical, interventions counter to affirming a minor 1254
child's sex. 1255

Sec. 3129.14. (A) It is the public policy of this state 1256
that a parent has the fundamental right to make decisions 1257
concerning the upbringing, education, and care of the parent's 1258
minor child, including the right to affirm the minor child's 1259
sex. 1260

(B) The state and any state agency shall not do any of the 1261
following: 1262

(1) Take any adverse action against a parent, guardian, or 1263
legal custodian for affirming the sex of the parent, guardian, 1264
or legal custodian's minor child; 1265

(2) Require a parent, guardian, or legal custodian to 1266
deny, or to refrain from affirming, the sex of the parent, 1267
guardian, or legal custodian's minor child; 1268

(3) Impose any limitations on the right and authority of a 1269
parent, guardian, or legal custodian to make physical or mental 1270
health care decisions for, or have physical access to, the 1271
parent, guardian, or legal custodian's minor child; 1272

(4) Withhold any information concerning a minor child's 1273
mental, emotional, or physical health or well-being from the 1274
minor child's parent, guardian, or legal custodian, including 1275
information related to the child's claim or request to identify 1276
in a way that does not correspond to the child's sex; 1277

(5) Directly or indirectly encourage a minor child to 1278
withhold information concerning the minor child's mental, 1279
emotional, or physical health or well-being from the minor 1280
child's parent, guardian, or legal custodian, including 1281
information related to the child's claim or request to identify 1282
in a way that does not correspond to the child's sex; 1283

(6) Aid or abet a minor child to run away from a fit 1284
parent, guardian, legal custodian, or kinship caregiver; 1285

(7) Change a minor child's name or pronouns in the child's 1286
educational, medical, or state records without the permission of 1287
the minor child's parent, guardian, or legal custodian. 1288

Sec. 3129.15. The state and any state agency shall not do 1289
any of the following: 1290

(A) Take any adverse action against a prospective or 1291
current foster caregiver, adoptive parent, or kinship caregiver 1292
for affirming the sex of a minor child under the prospective or 1293
current care of the caregiver or adoptive parent; 1294

(B) Deny the placement of a minor child with a prospective 1295
or current foster caregiver, adoptive parent, or kinship 1296
caregiver, or remove a minor child from the custody or care of a 1297
foster caregiver, adoptive parent, or kinship caregiver, solely 1298
on the basis of the prospective or current caregiver or adoptive 1299
parent affirming a minor child's sex; 1300

(C) Require a prospective or current foster caregiver, 1301
adoptive parent, or kinship caregiver to deny, or to refrain 1302
from affirming, the sex of a minor child under the prospective 1303
or current care of the caregiver or adoptive parent. 1304

Sec. 3129.21. (A) The state, any political subdivision 1305
thereof, and any state agency shall not use any state funds or 1306
contract with any entity or conduct any educational or training 1307
program for any employees, contractors, agents, or volunteers of 1308
the state or any political subdivision thereof for training, 1309
educational materials, or curricula that characterize the act of 1310
affirming a minor child's sex as abuse, neglect, creating a risk 1311
of abuse or neglect, or creating an unsafe environment. 1312

(B) No employee, contractor, agent, or volunteer of the 1313
state, any political subdivision thereof, or any state agency 1314
acting in a supervisory capacity shall, while serving in an 1315
official capacity or using state funds, train any individual 1316
serving the state under the employee, contractor, agent, or 1317
volunteer's supervision to characterize the act of affirming a 1318
minor child's sex as abuse, neglect, creating a risk of abuse or 1319
neglect, or creating an unsafe environment. 1320

(C) No training of any employee, contractor, agent, or 1321
volunteer of the state, any political subdivision thereof, or 1322
any state agency, including a court appointed special advocate, 1323
guardian ad litem, foster caregiver, and adoptive parent, shall, 1324

while serving in a capacity representing the state or using 1325
state funds to carry out that service, characterize the act of 1326
affirming a minor child's sex as abuse, neglect, creating a risk 1327
of abuse or neglect, or creating an unsafe environment. 1328

Sec. 3129.211. Any entity that contracts with the state, 1329
any political subdivision thereof, or a state agency to provide 1330
professional child welfare training for employees, contractors, 1331
agents, or volunteers of the state, any political subdivision 1332
thereof, or a state agency shall provide the following 1333
certification as part of the contract: 1334

"[Entity name] certifies that the organization as well as 1335
its employees and contractors shall, during the term of this 1336
contract, while receiving state funds or carrying out duties as 1337
contracted by [the state, political subdivision, or state 1338
agency], provide no instruction, training, materials, or 1339
curricula to any employee, contractor, agent, or volunteer of 1340
the state or any political subdivision thereof stating or 1341
suggesting that: 1342

(1) The act of affirming a minor's sex constitutes abuse 1343
or neglect, creates a risk of abuse or neglect, or creates an 1344
unsafe environment; 1345

(2) Gender transition for a minor is a sound evidence- 1346
based treatment for gender dysphoria or that gender transition 1347
reduces the risk of suicide in minors struggling with gender 1348
dysphoria; 1349

(3) Psychological and mental health treatment that affirms 1350
a child's sex constitutes conversion therapy; or 1351

(4) Parents, guardians, legal custodians, and other adult 1352
caretakers of minors place children struggling with gender 1353

dysphoria at risk of self-harm if they affirm the child's sex." 1354

Sec. 3129.22. (A) The state, any political subdivision 1355
thereof, and any state agency shall not enter into any contract 1356
or use any state funds for any services, including for training, 1357
educational materials, or programming to minor children, that 1358
characterize the act of affirming a minor child's sex as abuse, 1359
neglect, creating a risk of abuse or neglect, or creating an 1360
unsafe environment. 1361

(B) A violation of this section by any individual or 1362
entity with whom the state or any political subdivision thereof 1363
has contracted shall result in loss of the contract and loss of 1364
eligibility for funding or future contracts. 1365

Sec. 3129.23. (A) No state regulatory entity may require 1366
as a condition of licensure or certification that any 1367
individual, organization, or agency that works with minor 1368
children refer to or treat a minor child in a manner that is 1369
inconsistent with the minor child's sex or deny care that 1370
affirms a minor child's sex. 1371

(B) A violation of this section shall result in the loss 1372
of the certification or licensure of the responsible individual. 1373

Sec. 3129.24. A parent, guardian, legal custodian, or 1374
kinship caregiver's act of affirming a minor child's sex shall 1375
not serve as a basis to withhold information or require the 1376
concealment of information about a minor child from the minor 1377
child's parent, guardian, legal custodian, or kinship caregiver 1378
in any policy or action implemented by the state or any 1379
political subdivision thereof, including any employee, 1380
contractor, agent, or volunteer of the state or political 1381
subdivision thereof. 1382

Sec. 3129.25. (A) No employee, contractor, agent, or 1383
volunteer of the state or any political subdivision thereof 1384
shall, in the course of the individual's actions or work 1385
involving minor children, be required to deny or not affirm a 1386
minor child's sex. 1387

(B) The state or any political subdivision thereof shall 1388
not engage in retaliatory action in relation to the act of 1389
affirming a minor child's sex by an employee, contractor, agent, 1390
or volunteer. 1391

Sec. 3129.26. The state, any political subdivision 1392
thereof, any state agency, or any employee, agent, contractor, 1393
or volunteer thereof, shall not do any of the following on 1394
behalf of the state or with state funds: 1395

(A) Solicit personal information or statements from a 1396
minor related to the minor child's perception of the minor 1397
child's sexual orientation or gender identity, without the 1398
express written permission of the minor child's parent, 1399
guardian, or legal custodian or a court order; 1400

(B) Establish or maintain a system of surveillance or 1401
monitoring of parents, guardians, legal custodians, and kinship 1402
caregivers on the basis of a parent, guardian, legal custodian, 1403
or kinship caregiver affirming a minor child's sex, including 1404
any database of parents, guardians, legal custodians, or kinship 1405
caregivers or other system that compiles and stores such 1406
information; 1407

(C) Establish or maintain a system of surveillance or 1408
monitoring of minor children on the basis of a minor child's 1409
perception of the minor child's sexual orientation or gender 1410
identity, including any database of minor children or other 1411

similar system that compiles and stores such information, with 1412
the exception of legal research settings if express written 1413
permission has been obtained from a minor child's parent, 1414
guardian, or legal custodian; 1415

(D) Require or solicit a minor child to submit to a 1416
survey, analysis, or evaluation that reveals information 1417
concerning the minor child's sex, behavior, attitudes, 1418
orientation, or perceived identity without the prior written 1419
consent of the minor child's parent, guardian, or legal 1420
custodian or a court order. 1421

Sec. 3129.30. The following certifications and reports 1422
shall be provided to the governor, the general assembly, and the 1423
attorney general and be made available in a publicly accessible 1424
document at the end of each fiscal year: 1425

(A) The director of children and youth shall certify 1426
compliance with sections 3129.14, 3129.15, and 3129.24 of the 1427
Revised Code. 1428

(B) The director of administrative services shall do both 1429
of the following: 1430

(1) Report any loss of contracts as a result of a 1431
violation of section 3129.22 of the Revised Code; 1432

(2) Certify compliance with section 3129.25 of the Revised 1433
Code. 1434

(C) Each state agency, court, state institution of higher 1435
education, county department of job and family services, and 1436
public children services agency that conducts educational or 1437
training programs related to working with minor children or 1438
oversees such training shall certify compliance with section 1439
3129.21 of the Revised Code. 1440

(D) Each board, commission, or agency created under or by 1441
virtue of Title XLVII of the Revised Code and such other boards, 1442
commissions, and agencies as the director of the legislative 1443
service commission determines are regulating occupations and 1444
professions shall certify that all certifications, 1445
accreditations, and licenses have complied with section 3129.23 1446
of the Revised Code. 1447

Sec. 3129.301. Each state agency that is required to 1448
provide certification under section 3129.30 of the Revised Code 1449
shall adopt rules under Chapter 119. of the Revised Code to 1450
implement the certification requirements, including mechanisms 1451
for establishing reporting requirements to the agency in order 1452
to fulfill the agency's requirements under section 3129.30 of 1453
the Revised Code. 1454

Sec. 3129.35. (A) A parent, guardian, legal custodian, or 1455
minor child or an employee, contractor, agent, or volunteer of 1456
the state or any political subdivision thereof may initiate a 1457
private cause of action against any employee, contractor, agent, 1458
or volunteer of the state, agency, institution, or entity that 1459
violates section 3129.11, 3129.12, 3129.13, 3129.14, 3129.15, 1460
3129.21, 3129.24, 3129.25, 3129.26, or 3129.30 of the Revised 1461
Code if the violation pertains to that individual. 1462

(B) The court may award damages and equitable relief as 1463
determined to be justified, as well as reasonable attorney's 1464
fees and court costs, to a parent, guardian, legal custodian, or 1465
minor child, or to an employee, contractor, agent, or volunteer 1466
of the state, agency, institution, or entity that prevails in an 1467
action under division (A) of this section. 1468

Sec. 3129.351. Notwithstanding any other provision of the 1469
Revised Code, the state and any political subdivision thereof 1470

waives its immunity from liability and consents to be sued, and 1471
have its liability determined, in any court of competent 1472
jurisdiction in accordance with the same rules of law otherwise 1473
applicable to suits between private parties in any private cause 1474
of action initiated under division (A) of section 3129.35 of the 1475
Revised Code. 1476

Sec. 4743.15. Each board, commission, or agency created 1477
under or by virtue of Title XLVII of the Revised Code and such 1478
other boards, commissions, and agencies as the director of the 1479
legislative service commission determines are regulating 1480
occupations and professions shall comply with section 3129.23 of 1481
the Revised Code. 1482

Section 2. That existing sections 2151.412, 2151.426, 1483
3109.04, 3109.054, and 3129.01 of the Revised Code are hereby 1484
repealed. 1485

Section 3. (A) It is the intent of the General Assembly to 1486
maintain the long-established constitutional rights of parents 1487
to raise, protect, and nurture their children, and to protect 1488
children, families, and those who work with them from the harms 1489
of wrongful determinations of abuse. 1490

(B) The General Assembly hereby finds and declares all of 1491
the following: 1492

Parents possess by law the fundamental right to raise 1493
their children and by nature and nurture the greatest love and 1494
knowledge of that child. 1495

The Fourteenth Amendment of the United States Constitution 1496
protects the right of parents to direct the care, upbringing, 1497
education, and welfare of their children. 1498

The Supreme Court of the United States has held that "the 1499

Due Process Clause does not permit a State to infringe on the 1500
fundamental right of parents to make childrearing decisions 1501
simply because a state judge believes a 'better' decision could 1502
be made." *Troxel v. Granville*, 530 U.S. 57, at 72-73 (plurality 1503
op.). 1504

The Supreme Court has recognized that a state's notion of 1505
what may be "thought to be in the children's best interest," 1506
without some "showing of unfitness" on the part of parents, 1507
offends the Due Process Clause of the Constitution. *Quilloin v.* 1508
Walcott, 434 U.S. 246, 255 (1978). 1509

The Supreme Court has held that "[t]he statist notion that 1510
governmental power should supersede parental authority in all 1511
cases because some parents abuse and neglect children is 1512
repugnant to American tradition. *Simply because the decision of* 1513
a parent is not agreeable to a child or because it involves 1514
risks does not automatically transfer the power to make that 1515
decision from the parents to some agency or officer of the 1516
state." *Parham v. J.R.*, 442 U.S. 584, 603 (1979). 1517

A parent's fundamental right to direct the care and 1518
upbringing of his or her child includes raising, treating, 1519
referring to, and caring for the child in a manner consistent 1520
with the child's sex. 1521

It is contrary to the best interests of children for the 1522
state to remove a child from fit and loving parents simply for 1523
raising the child in a manner consistent with the child's 1524
biological sex. 1525

State child protection systems have wrongfully removed 1526
children from the custody of fit and loving parents for 1527
refraining from social measures or from medical or surgical 1528

procedures that attempt to affirm a child's feelings of 1529
incongruence with the child's biological sex. 1530

Child gender transition is an experimental, high-risk 1531
process which can turn a physically healthy child into a 1532
lifelong medical patient. As established in multiple systematic 1533
evidence reviews, including a report published by the United 1534
States Department of Health and Human Services in 2025 entitled 1535
"Treatment for Pediatric Gender Dysphoria: Review of Evidence 1536
and Best Practices" and a report published in 2024 that was 1537
commissioned by National Health Service England and National 1538
Health Service Improvement entitled "Cass Review," child gender 1539
transition is not supported by evidenced-based medicine or 1540
science. 1541

The concept of a gender identity, often defined circularly 1542
as "an internal sense of gender," or an "authentic self" 1543
dissociated from biological reality is neither scientific nor 1544
evidence-based, but a dubious metaphysical premise grounded in 1545
tendentious gender ideology. 1546

No sound scientific evidence justifies pediatric gender 1547
transition, much less removal of a child by the state from the 1548
child's parents for the purpose of enforcing such a transition. 1549

Removing a child from the child's home and family creates 1550
trauma for the child and damages familial bonds. 1551

Except in cases of actual abuse, neglect, or endangerment, 1552
removing a child from the child's home exposes the child to 1553
greater risks in state care, including well-documented, vastly 1554
higher rates of lifelong harm from sexual assault, human 1555
trafficking, and drug use. 1556

A growing number of educational and professional 1557

institutions wrongly train personnel of legal and child 1558
protection systems to treat as abuse a parent's choice to 1559
refrain from social, medical, or surgical procedures that affirm 1560
a child's feelings of incongruence with the child's biological 1561
sex. 1562

A growing number of certification, licensing, and 1563
accreditation bodies for health care, legal, and social work 1564
professionals wrongly require adherence to the unquestioning and 1565
precipitous gender transition of children. 1566

A growing number of individuals and organizations working 1567
with children in legal, educational, and health care settings 1568
act in ways that alienate children from the children's parents 1569
and families, and from the children's parents' and families' 1570
sincerely held convictions and religious beliefs. 1571

Parental alienation is a well-documented cause of 1572
emotional distress and trauma in children, and is contrary to 1573
the best interest of the child. 1574

It is contrary to sound policy and to the best interest of 1575
a child under the custody of the state to bar individuals from 1576
fostering or adopting children solely on the grounds of moral 1577
convictions and religious beliefs concerning sexuality and 1578
biological sex. Thousands of such families have been barred by 1579
states from fostering or adopting children, thus depriving 1580
children in desperate need of safe and loving homes. 1581

Histories of trauma and abuse correlate strongly with 1582
dissociative beliefs. It is contrary to the best interest of a 1583
child victim in the custody of the state to limit foster care or 1584
adoptive placement to families who will reinforce a child's 1585
dissociation from the child's body. 1586

No child should be reduced to the child's feelings about 1587
the child's body, but should be supported in addressing 1588
confusion and distress in a manner that does not harm the child. 1589

Protecting a child's development, health, bodily 1590
integrity, and open future is of paramount importance and 1591
constitutes a legitimate state interest. 1592

Raising a girl as a girl or a boy as a boy is never abuse. 1593

Section 4. Sections 3129.10 to 3129.351 of the Revised 1594
Code, as enacted by this act, shall be known as the Affirming 1595
Families First Act. 1596