

As Introduced

136th General Assembly

Regular Session

H. B. No. 693

2025-2026

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

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

(1) Abuse, neglect, or risk thereof; 18

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

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

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

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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
be guided by the following general priorities: 197
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(1) A child who is residing with or can be placed with the
child's parents within a reasonable time should remain in their
legal custody even if an order of protective supervision is
required for a reasonable period of time; 199
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(2) If both parents of the child have abandoned the child,
have relinquished custody of the child, have become incapable of
supporting or caring for the child even with reasonable
assistance, or have a detrimental effect on the health, safety,
and best interest of the child, the child should be placed in
the legal custody of a suitable member of the child's extended
family; 203
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(3) If a child described in division (H) (2) of this
section has no suitable member of the child's extended family to
accept legal custody, the child should be placed in the legal
custody of a suitable nonrelative who shall be made a party to
the proceedings after being given legal custody of the child; 210
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(4) If the child has no suitable member of the child's
extended family to accept legal custody of the child and no
suitable nonrelative is available to accept legal custody of the
child and, if the child temporarily cannot or should not be
placed with the child's parents, guardian, or custodian, the
child should be placed in the temporary custody of a public
children services agency or a private child placing agency; 215
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(5) If the child cannot be placed with either of the
child's parents within a reasonable period of time or should not
be placed with either, if no suitable member of the child's
extended family or suitable nonrelative is available to accept 222
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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
child to the child's home, or eliminate the continued removal
from that home, are unsuccessful. Those services shall be
provided concurrently with reasonable efforts to return the
child home or eliminate the child's continued removal from home.

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

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

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

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

<u>restrict or prohibit a parent, guardian, or legal custodian from affirming a child's sex.</u>	314
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<u>(2) As used in division (L) of this section, "affirming a child's sex" and "affirm a child's sex" have the same meanings as in section 3129.10 of the Revised Code.</u>	316
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Sec. 2151.426. (A) (1) A children's advocacy center may be established to serve a single county by execution of a memorandum of understanding regarding the participation in the operation of the center by any of the following entities in the county to be served by the center:	319
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(a) The public children services agency;	324
(b) Representatives of any county or municipal law enforcement agencies serving the county that investigate any of the types of abuse specified in the memorandum of understanding creating the center as being within the center's jurisdiction;	325
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(c) The prosecuting attorney of the county or a village solicitor, city director of law, or similar chief legal officer of a municipal corporation in the county who prosecutes any of the types of abuse specified in the memorandum of understanding creating the center as being within the center's jurisdiction in the area to be served by the center;	329
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(d) Any other entity considered appropriate by all of the other entities executing the memorandum.	335
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(2) A children's advocacy center may be established to serve two or more contiguous counties if a memorandum of understanding regarding the participation in the operation of the center is executed by any of the entities described in division (A) (1) of this section in each county to be served by the center.	337
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(3) Any memorandum of understanding executed under this
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section may include a provision that specifies types of abuse of
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a child, in addition to sexual abuse of a child, that are to be
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within the jurisdiction of the children's advocacy center
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created as a result of the execution of the memorandum. If a
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memorandum of understanding executed under this section does not
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include any provision of that nature, the children's advocacy
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center created as a result of the execution of the memorandum
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has jurisdiction only in relation to reports of alleged sexual
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abuse of a child. 352

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

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

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

(3) Employing the center's staff. 371

(C) A center shall do both of the following:	372
(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 <u>consistent with</u> the standards for full membership established by the national children's alliance, <u>provided that</u> <u>compliance under this division does not violate sections 3129.10</u> <u>to 3129.351 of the Revised Code;</u>	373 374 375 376 377 378 379
(2) Register annually with the attorney general.	380
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:	381 382 383 384 385 386 387 388 389 390 391 392
(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	393 394 395 396 397 398 399 400 401

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. 678

(E) (1) (a) The court shall not modify a prior decree 679
allocating parental rights and responsibilities for the care of 680
children unless it finds, based on facts that have arisen since 681
the prior decree or that were unknown to the court at the time 682
of the prior decree, that a change has occurred in the 683
circumstances of the child, the child's residential parent, or 684
either of the parents subject to a shared parenting decree, and 685
that the modification is necessary to serve the best interest of 686
the child. In applying these standards, the court shall retain 687
the residential parent designated by the prior decree or the 688
prior shared parenting decree, unless a modification is in the 689
best interest of the child and one of the following applies: 690

(i) The residential parent agrees to a change in the 691
residential parent or both parents under a shared parenting 692
decree agree to a change in the designation of residential 693
parent. 694

(ii) The child, with the consent of the residential parent 695
or of both parents under a shared parenting decree, has been 696
integrated into the family of the person seeking to become the 697
residential parent. 698

(iii) The harm likely to be caused by a change of 699
environment is outweighed by the advantages of the change of 700
environment to the child. 701

(b) One or both of the parents under a prior decree 702
allocating parental rights and responsibilities for the care of 703
children that is not a shared parenting decree may file a motion 704
requesting that the prior decree be modified to give both 705
parents shared rights and responsibilities for the care of the 706

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

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

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

(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. 738
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(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. 747
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(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), 764
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(B), and (C) of this section as if no decree for shared parenting had been granted and as if no request for shared parenting ever had been made.	769 770 771
(F) (1) In determining the best interest of a child pursuant to this section, whether on an original decree allocating parental rights and responsibilities for the care of children or a modification of a decree allocating those rights and responsibilities, the court shall consider all relevant factors, including, but not limited to:	772 773 774 775 776 777
(a) The wishes of the child's parents regarding the child's care;	778 779
(b) If the court has interviewed the child in chambers pursuant to division (B) of this section regarding the child's wishes and concerns as to the allocation of parental rights and responsibilities concerning the child, the wishes and concerns of the child, as expressed to the court;	780 781 782 783 784
(c) The child's interaction and interrelationship with the child's parents, siblings, and any other person who may significantly affect the child's best interest;	785 786 787
(d) The child's adjustment to the child's home, school, and community;	788 789
(e) The mental and physical health of all persons involved in the situation;	790 791
(f) The parent more likely to honor and facilitate court-approved parenting time rights or visitation and companionship rights;	792 793 794
(g) Whether either parent has failed to make all child support payments, including all arrearages, that are required of	795 796

that parent pursuant to a child support order under which that
parent is an obligor; 797
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(h) Whether either parent or any member of the household
of either parent previously has been convicted of or pleaded
guilty to any criminal offense involving any act that resulted
in a child being an abused child or a neglected child; whether
either parent, in a case in which a child has been adjudicated
an abused child or a neglected child, previously has been
determined to be the perpetrator of the abusive or neglectful
act that is the basis of an adjudication; whether either parent
or any member of the household of either parent previously has
been convicted of or pleaded guilty to a violation of section
2919.25 of the Revised Code or a sexually oriented offense
involving a victim who at the time of the commission of the
offense was a member of the family or household that is the
subject of the current proceeding; whether either parent or any
member of the household of either parent previously has been
convicted of or pleaded guilty to any offense involving a victim
who at the time of the commission of the offense was a member of
the family or household that is the subject of the current
proceeding and caused physical harm to the victim in the
commission of the offense; and whether there is reason to
believe that either parent has acted in a manner resulting in a
child being an abused child or a neglected child; 813
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(i) Whether the residential parent or one of the parents
subject to a shared parenting decree has continuously and
willfully denied the other parent's right to parenting time in
accordance with an order of the court; 821
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(j) Whether either parent has established a residence, or
is planning to establish a residence, outside this state. 825
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(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:	827 828 829 830 831 832
(a) The ability of the parents to cooperate and make decisions jointly, with respect to the children;	833 834
(b) The ability of each parent to encourage the sharing of love, affection, and contact between the child and the other parent;	835 836 837
(c) Any history of, or potential for, child abuse, spouse abuse, other domestic violence, or parental kidnapping by either parent;	838 839 840
(d) The geographic proximity of the parents to each other, as the proximity relates to the practical considerations of shared parenting;	841 842 843
(e) The recommendation of the guardian ad litem of the child, if the child has a guardian ad litem.	844 845
(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.	846 847 848
<u>(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.</u>	849 850 851 852
(G) Either parent or both parents of any children may file a pleading or motion with the court requesting the court to	853 854

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

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

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

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 a court from issuing a temporary order allocating or modifying parental rights and responsibilities for the duration of the parent's active military service. A temporary order shall specify whether the parent's active military service is the basis of the order and shall provide for termination of the temporary order and resumption of the prior order within ten days after receipt of notice pursuant to division (I)(5) of this section, unless the other parent demonstrates that resumption of the prior order is not in the child's best interest.	917 918 919 920 921 922 923 924 925 926
(4) At the request of a parent who is ordered for active military service in the uniformed services and who is a subject of a proceeding pertaining to a temporary order for the allocation or modification of parental rights and responsibilities, the court shall permit the parent to participate in the proceeding and present evidence by electronic means, including communication by telephone, video, or internet to the extent permitted by the rules of the supreme court of Ohio.	927 928 929 930 931 932 933 934 935
(5) A parent who is ordered for active military service in the uniformed services and who is a subject of a proceeding pertaining to the allocation or modification of parental rights and responsibilities shall provide written notice to the court, child support enforcement agency, and the other parent of the date of termination of the parent's active military service not later than thirty days after the date on which the service ends.	936 937 938 939 940 941 942
(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 the uniformed services in compliance with military orders to report for combat operations, contingency operations, peacekeeping operations, a remote tour of duty, or other active service for which the member is required to report unaccompanied by any family member, including any period of illness, recovery from injury, leave, or other lawful absence during that operation, duty, or service.	946 947 948 949 950 951 952 953
(3) <u>"Affirming a child's sex"</u> has the same meaning as in section 3129.10 of the Revised Code.	954 955
(4) <u>"Neglected child"</u> has the same meaning as in section 2151.03 of the Revised Code.	956 957
(4)(5) <u>"Sexually oriented offense"</u> has the same meaning as in section 2950.01 of the Revised Code.	958 959
(5)(6) <u>"Uniformed services"</u> means the United States armed forces, the army national guard, and the air national guard or any reserve component thereof, or the commissioned corps of the United States public health service.	960 961 962 963
(K) As used in the Revised Code, "shared parenting" means that the parents share, in the manner set forth in the plan for shared parenting that is approved by the court under division (D)(1) and described in division (L)(6) of this section, all or some of the aspects of physical and legal care of their children.	964 965 966 967 968 969
(L) For purposes of the Revised Code:	970
(1) A parent who is granted the care, custody, and control of a child under an order that was issued pursuant to this	971 972

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. <u>(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:</u>	1033
(A) <u>Refer to and raise the child in a manner consistent with the child's biological sex or affirm the child's sex;</u>	1034
(B) <u>Decline to consent to the child receiving gender transition services as defined in section 3129.01 of the Revised Code;</u>	1035
(C) <u>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.</u>	1036
(B) <u>"Affirm the child's sex" has the same meaning as in section 3129.10 of the Revised Code.</u>	1037
Sec. 3129.01. <u>As used in this chapter sections 3129.01 to 3129.06 of the Revised Code:</u>	1038
(A) <u>"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.</u>	1039
(B) <u>"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.</u>	1040
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(C) "Female" means, when referring to a natural person, anyone who naturally has, had, will have, or would have, but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization. 1062
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(D) "Gender reassignment surgery" means any surgery performed for the purpose of assisting an individual with gender transition that seeks to surgically alter or remove healthy physical or anatomical characteristics or features that are typical for the individual's biological sex, in order to instill or create physiological or anatomical characteristics that resemble a sex different from the individual's birth sex, including genital or non-genital gender reassignment surgery. 1067
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(D)(E) "Gender-related condition" means any condition where an individual feels an incongruence between the individual's gender identity and biological sex. "Gender-related condition" includes gender dysphoria. 1075
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(E)(F) "Gender transition" means the process in which an individual goes from identifying with and living as a gender that corresponds to his or her biological sex to identifying with and living as a gender different from his or her biological sex, including social, legal, or physical changes. 1079
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(F)(G) "Gender transition services" means any medical or surgical service (including physician services, inpatient and outpatient hospital services, or prescription drugs or hormones) provided for the purpose of assisting an individual with gender transition that seeks to alter or remove physical or anatomical characteristics or features that are typical for the individual's biological sex, or to instill or create physiological or anatomical characteristics that resemble a sex 1084
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different from the individual's birth sex, including medical services that provide puberty blocking drugs, cross-sex hormones, or other mechanisms to promote the development of feminizing or masculinizing features in the opposite sex, or genital or non-genital gender reassignment surgery.	1092 1093 1094 1095 1096
<u>(G)</u> <u>(H)</u> "Genital gender reassignment surgery" means surgery performed for the purpose of assisting an individual with gender transition and includes both of the following:	1097 1098 1099
(1) Surgeries that sterilize, such as castration, vasectomy, hysterectomy, oophorectomy, orchectomy, and penectomy;	1100 1101 1102
(2) Surgeries that artificially construct tissue with the appearance of genitalia that differs from the individual's biological sex, such as metoidiplasty, phalloplasty, and vaginoplasty.	1103 1104 1105 1106
<u>(H)</u> <u>(I)</u> "Male" means, when referring to a natural person, anyone who naturally has, had, will have, or would have, but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.	1107 1108 1109 1110 1111
<u>(J)</u> "Mental health professional" means all of the following:	1112 1113
(1) Either of the following advanced practice registered nurses who holds a current, valid license issued under Chapter 4723. of the Revised Code that authorizes the practice of nursing as an advanced practice registered nurse:	1114 1115 1116 1117
(a) A clinical nurse specialist who is certified as a psychiatric-mental health CNS by the American nurses credentialing center;	1118 1119 1120

(b) A certified nurse practitioner who is certified as a psychiatric-mental health NP by the American nurses credentialing center.	1121 1122 1123
(2) A physician specializing in psychiatry;	1124
(3) A psychologist, school psychologist, or independent school psychologist licensed under Chapter 4732. of the Revised Code or under rules adopted in accordance with sections 3301.07 and 3319.22 of the Revised Code;	1125 1126 1127 1128
(4) An independent social worker, social worker, licensed professional clinical counselor, licensed professional counselor, independent marriage and family therapist, or marriage and family therapist licensed under Chapter 4757. of the Revised Code.	1129 1130 1131 1132 1133
<u>(I)-(K)</u> "Minor individual" means an individual under eighteen years of age.	1134 1135
<u>(J)-(L)</u> "Non-genital gender reassignment surgery" means surgery performed for the purpose of assisting an individual with gender transition such as augmentation mammoplasty, facial feminization surgery, liposuction, lipofilling, voice surgery, thyroid cartilage reduction, gluteal augmentation, pectoral implants, or other aesthetic procedures.	1136 1137 1138 1139 1140 1141
<u>(K)-(M)</u> "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.	1142 1143 1144
<u>(L)-(N)</u> "Puberty-blocking drugs" means Gonadotropin-releasing hormone analogs or other synthetic drugs used to stop luteinizing hormone and follicle stimulating hormone secretion, synthetic antiandrogen drugs used to block the androgen receptor, or any drug to delay or suppress normal puberty.	1145 1146 1147 1148 1149

<u>Sec. 3129.10.</u> As used in sections 3129.10 to 3129.351 of the Revised Code:	1150
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(A) "Affirmation of a minor child's sex," "affirmed a minor child's sex," "affirming a minor child's sex," "affirm a minor child's sex," or "affirms a minor child's sex" means guiding, instructing, raising, or referring to, or intending to guide, instruct, raise, or refer to, a minor child in a manner consistent with the minor child's sex and making decisions for the purpose of protecting the minor child's bodily integrity, development, and emotional and mental health, including all of the following:	1152
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(1) Using the minor child's legal name, referring to the minor child with pronouns consistent with the minor child's sex, or refraining from using a name or pronouns inconsistent with the minor child's sex;	1161
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(2) Seeking out and consenting to any lawful mental health service for the minor child to assist the child in living consistent with the child's sex;	1165
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(3) Declining to consent to any medical or surgical gender transition services, as defined in section 3129.01 of the Revised Code, for the minor child;	1168
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(4) Declining to consent to any physical or mental health services for the minor child for the purpose of gender transition as defined in section 3129.01 of the Revised Code.	1171
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(B) "Female," "male," and "sex" have the same meanings as in section 3129.01 of the Revised Code.	1174
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(C) "Kinship caregiver" has the same meaning as in section 5101.85 of the Revised Code.	1176
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<u>(D) "Minor child"</u> means an individual who is under eighteen years of age.	1178 1179
<u>(E) "Parental alienation"</u> means a mental and emotional state in which, without a valid reason, a minor child does both of the following:	1180 1181 1182
<u>(1) Rejects a fit parent, guardian, or legal custodian;</u>	1183
<u>(2) Allies strongly with another parent or an individual or group of individuals who do not have legal custody or control over the minor, sometimes referred to as "chosen family."</u>	1184 1185 1186
<u>(F) "Political subdivision"</u> means municipal corporations, townships, counties, school districts, and all other bodies corporate and politic responsible for governmental activities only in geographic areas smaller than that of the state. "Political subdivision" includes a county department of job and family services or public children services agency.	1187 1188 1189 1190 1191 1192
<u>(G) "Professional child welfare training"</u> means educational and training services, materials, and curricula for employees, contractors, agents, or volunteers who work with at- risk or abused or neglected children and youth, including educational and training services, materials, and curricula designed for public children services agencies, private child placing agencies and any other foster care or adoption agencies, mental health professionals, school districts, courts, attorneys, and guardians ad litem.	1193 1194 1195 1196 1197 1198 1199 1200 1201
<u>(H) "State"</u> means the state of Ohio, including the general assembly, the supreme court, courts of appeals, the offices of all elected state officers, and all departments, boards, offices, commissions, agencies, institutions, and other political subdivisions or instrumentalities of the state of	1202 1203 1204 1205 1206

<u>Ohio, including a state institution of higher education and any state employee, or any contractor, volunteer, or other person acting as an agent of the state.</u>	1207
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<u>(I) "State agency" or "agency" means any organized agency, board, body, commission, department, institution, office, or other entity established by the laws of the state for the exercise of any function of state government, including any state employee, or any contractor, volunteer, or other person acting as an agent of the state.</u>	1210
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<u>Sec. 3129.11. In accordance with section 2151.032 of the Revised Code, no public children services agency shall entertain or investigate a report of child abuse or child neglect under section 2151.421 of the Revised Code if the sole basis for the report is the affirmation of a minor child's sex by a parent, guardian, legal custodian, or kinship caregiver. If a report of child abuse or child neglect includes a claim that a parent, guardian, legal custodian, or kinship caregiver affirmed a minor child's sex in addition to other claims, the affirmation of a minor child's sex shall not serve as the basis for an investigation of a complaint of abuse or neglect under section 2151.27 of the Revised Code or for the removal of the minor child from the parent, guardian, legal custodian, or kinship caregiver.</u>	1216
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<u>Sec. 3129.12. In no event shall a parent, guardian, legal custodian, or kinship caregiver's act of affirming a minor child's sex serve as a basis for the state or a state agency to do any of the following:</u>	1230
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<u>(A) Prevent the return of a minor child to the minor child's parent, guardian, legal custodian, or kinship caregiver, including in either of the following circumstances:</u>	1234
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<u>(1) The parent, guardian, legal custodian, or kinship caregiver has sought or consented to inpatient or outpatient treatment for the minor child's self-harm or the risk or threat of self-harm.</u>	1237
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<u>(2) The minor child, while in inpatient or outpatient treatment, has been referred to or treated in a manner inconsistent with the minor child's sex.</u>	1241
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<u>(B) Limit the parent, guardian, or legal custodian's authority to make physical or mental health care decisions for, or have physical access to, a minor child receiving inpatient or outpatient treatment;</u>	1244
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<u>(C) Limit or waive a parent, guardian, or legal custodian's right to be informed of and consent to or refuse a minor child's participation in any research or study.</u>	1248
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<u>Sec. 3129.13. The state and any state agency shall not require a parent, guardian, legal custodian, or kinship caregiver to consent to or facilitate social or medical, including surgical, interventions counter to affirming a minor child's sex.</u>	1251
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<u>Sec. 3129.14. (A) It is the public policy of this state that a parent has the fundamental right to make decisions concerning the upbringing, education, and care of the parent's minor child, including the right to affirm the minor child's sex.</u>	1256
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<u>(B) The state and any state agency shall not do any of the following:</u>	1261
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<u>(1) Take any adverse action against a parent, guardian, or legal custodian for affirming the sex of the parent, guardian, or legal custodian's minor child;</u>	1263
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<u>(2) Require a parent, guardian, or legal custodian to deny, or to refrain from affirming, the sex of the parent, guardian, or legal custodian's minor child;</u>	1266 1267 1268
<u>(3) Impose any limitations on the right and authority of a parent, guardian, or legal custodian to make physical or mental health care decisions for, or have physical access to, the parent, guardian, or legal custodian's minor child;</u>	1269 1270 1271 1272
<u>(4) Withhold any information concerning a minor child's mental, emotional, or physical health or well-being from the minor child's parent, guardian, or legal custodian, including information related to the child's claim or request to identify in a way that does not correspond to the child's sex;</u>	1273 1274 1275 1276 1277
<u>(5) Directly or indirectly encourage a minor child to withhold information concerning the minor child's mental, emotional, or physical health or well-being from the minor child's parent, guardian, or legal custodian, including information related to the child's claim or request to identify in a way that does not correspond to the child's sex;</u>	1278 1279 1280 1281 1282 1283
<u>(6) Aid or abet a minor child to run away from a fit parent, guardian, legal custodian, or kinship caregiver;</u>	1284 1285
<u>(7) Change a minor child's name or pronouns in the child's educational, medical, or state records without the permission of the minor child's parent, guardian, or legal custodian.</u>	1286 1287 1288
<u>Sec. 3129.15. The state and any state agency shall not do any of the following:</u>	1289 1290
<u>(A) Take any adverse action against a prospective or current foster caregiver, adoptive parent, or kinship caregiver for affirming the sex of a minor child under the prospective or current care of the caregiver or adoptive parent;</u>	1291 1292 1293 1294

<u>(B) Deny the placement of a minor child with a prospective or current foster caregiver, adoptive parent, or kinship caregiver, or remove a minor child from the custody or care of a foster caregiver, adoptive parent, or kinship caregiver, solely on the basis of the prospective or current caregiver or adoptive parent affirming a minor child's sex;</u>	1295 1296 1297 1298 1299 1300
<u>(C) Require a prospective or current foster caregiver, adoptive parent, or kinship caregiver to deny, or to refrain from affirming, the sex of a minor child under the prospective or current care of the caregiver or adoptive parent.</u>	1301 1302 1303 1304
<u>Sec. 3129.21. (A) The state, any political subdivision thereof, and any state agency shall not use any state funds or contract with any entity or conduct any educational or training program for any employees, contractors, agents, or volunteers of the state or any political subdivision thereof for training, educational materials, or curricula that characterize the act of affirming a minor child's sex as abuse, neglect, creating a risk of abuse or neglect, or creating an unsafe environment.</u>	1305 1306 1307 1308 1309 1310 1311 1312
<u>(B) No employee, contractor, agent, or volunteer of the state, any political subdivision thereof, or any state agency acting in a supervisory capacity shall, while serving in an official capacity or using state funds, train any individual serving the state under the employee, contractor, agent, or volunteer's supervision to characterize the act of affirming a minor child's sex as abuse, neglect, creating a risk of abuse or neglect, or creating an unsafe environment.</u>	1313 1314 1315 1316 1317 1318 1319 1320
<u>(C) No training of any employee, contractor, agent, or volunteer of the state, any political subdivision thereof, or any state agency, including a court appointed special advocate, guardian ad litem, foster caregiver, and adoptive parent, shall,</u>	1321 1322 1323 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

<u>dysphoria at risk of self-harm if they affirm the child's sex."</u>	1354
<u>Sec. 3129.22. (A) The state, any political subdivision</u>	1355
<u>thereof, and any state agency shall not enter into any contract</u>	1356
<u>or use any state funds for any services, including for training,</u>	1357
<u>educational materials, or programming to minor children, that</u>	1358
<u>characterize the act of affirming a minor child's sex as abuse,</u>	1359
<u>neglect, creating a risk of abuse or neglect, or creating an</u>	1360
<u>unsafe environment.</u>	1361
<u>(B) A violation of this section by any individual or</u>	1362
<u>entity with whom the state or any political subdivision thereof</u>	1363
<u>has contracted shall result in loss of the contract and loss of</u>	1364
<u>eligibility for funding or future contracts.</u>	1365
<u>Sec. 3129.23. (A) No state regulatory entity may require</u>	1366
<u>as a condition of licensure or certification that any</u>	1367
<u>individual, organization, or agency that works with minor</u>	1368
<u>children refer to or treat a minor child in a manner that is</u>	1369
<u>inconsistent with the minor child's sex or deny care that</u>	1370
<u>affirms a minor child's sex.</u>	1371
<u>(B) A violation of this section shall result in the loss</u>	1372
<u>of the certification or licensure of the responsible individual.</u>	1373
<u>Sec. 3129.24. A parent, guardian, legal custodian, or</u>	1374
<u>kinship caregiver's act of affirming a minor child's sex shall</u>	1375
<u>not serve as a basis to withhold information or require the</u>	1376
<u>concealment of information about a minor child from the minor</u>	1377
<u>child's parent, guardian, legal custodian, or kinship caregiver</u>	1378
<u>in any policy or action implemented by the state or any</u>	1379
<u>political subdivision thereof, including any employee,</u>	1380
<u>contractor, agent, or volunteer of the state or political</u>	1381
<u>subdivision thereof.</u>	1382

Sec. 3129.25. (A) <u>No employee, contractor, agent, or</u>	1383
<u>volunteer of the state or any political subdivision thereof</u>	1384
<u>shall, in the course of the individual's actions or work</u>	1385
<u>involving minor children, be required to deny or not affirm a</u>	1386
<u>minor child's sex.</u>	1387
(B) <u>The state or any political subdivision thereof shall</u>	1388
<u>not engage in retaliatory action in relation to the act of</u>	1389
<u>affirming a minor child's sex by an employee, contractor, agent,</u>	1390
<u>or volunteer.</u>	1391
Sec. 3129.26. <u>The state, any political subdivision</u>	1392
<u>thereof, any state agency, or any employee, agent, contractor,</u>	1393
<u>or volunteer thereof, shall not do any of the following on</u>	1394
<u>behalf of the state or with state funds:</u>	1395
(A) <u>Solicit personal information or statements from a</u>	1396
<u>minor related to the minor child's perception of the minor</u>	1397
<u>child's sexual orientation or gender identity, without the</u>	1398
<u>express written permission of the minor child's parent,</u>	1399
<u>guardian, or legal custodian or a court order;</u>	1400
(B) <u>Establish or maintain a system of surveillance or</u>	1401
<u>monitoring of parents, guardians, legal custodians, and kinship</u>	1402
<u>caregivers on the basis of a parent, guardian, legal custodian,</u>	1403
<u>or kinship caregiver affirming a minor child's sex, including</u>	1404
<u>any database of parents, guardians, legal custodians, or kinship</u>	1405
<u>caregivers or other system that compiles and stores such</u>	1406
<u>information;</u>	1407
(C) <u>Establish or maintain a system of surveillance or</u>	1408
<u>monitoring of minor children on the basis of a minor child's</u>	1409
<u>perception of the minor child's sexual orientation or gender</u>	1410
<u>identity, including any database of minor children or other</u>	1411

<u>similar system that compiles and stores such information, with</u>	1412
<u>the exception of legal research settings if express written</u>	1413
<u>permission has been obtained from a minor child's parent,</u>	1414
<u>guardian, or legal custodian;</u>	1415
<u>(D) Require or solicit a minor child to submit to a</u>	1416
<u>survey, analysis, or evaluation that reveals information</u>	1417
<u>concerning the minor child's sex, behavior, attitudes,</u>	1418
<u>orientation, or perceived identity without the prior written</u>	1419
<u>consent of the minor child's parent, guardian, or legal</u>	1420
<u>custodian or a court order.</u>	1421
<u>Sec. 3129.30. The following certifications and reports</u>	1422
<u>shall be provided to the governor, the general assembly, and the</u>	1423
<u>attorney general and be made available in a publicly accessible</u>	1424
<u>document at the end of each fiscal year:</u>	1425
<u>(A) The director of children and youth shall certify</u>	1426
<u>compliance with sections 3129.14, 3129.15, and 3129.24 of the</u>	1427
<u>Revised Code.</u>	1428
<u>(B) The director of administrative services shall do both</u>	1429
<u>of the following:</u>	1430
<u>(1) Report any loss of contracts as a result of a</u>	1431
<u>violation of section 3129.22 of the Revised Code;</u>	1432
<u>(2) Certify compliance with section 3129.25 of the Revised</u>	1433
<u>Code.</u>	1434
<u>(C) Each state agency, court, state institution of higher</u>	1435
<u>education, county department of job and family services, and</u>	1436
<u>public children services agency that conducts educational or</u>	1437
<u>training programs related to working with minor children or</u>	1438
<u>oversees such training shall certify compliance with section</u>	1439
<u>3129.21 of the Revised Code.</u>	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

<u>waives its immunity from liability and consents to be sued, and</u>	1471
<u>have its liability determined, in any court of competent</u>	1472
<u>jurisdiction in accordance with the same rules of law otherwise</u>	1473
<u>applicable to suits between private parties in any private cause</u>	1474
<u>of action initiated under division (A) of section 3129.35 of the</u>	1475
<u>Revised Code.</u>	1476
 <u>Sec. 4743.15. Each board, commission, or agency created</u>	1477
<u>under or by virtue of Title XLVII of the Revised Code and such</u>	1478
<u>other boards, commissions, and agencies as the director of the</u>	1479
<u>legislative service commission determines are regulating</u>	1480
<u>occupations and professions shall comply with section 3129.23 of</u>	1481
<u>the Revised Code.</u>	1482
 <u>Section 2. That existing sections 2151.412, 2151.426,</u>	1483
<u>3109.04, 3109.054, and 3129.01 of the Revised Code are hereby</u>	1484
<u>repealed.</u>	1485
 <u>Section 3. (A) It is the intent of the General Assembly to</u>	1486
<u>maintain the long-established constitutional rights of parents</u>	1487
<u>to raise, protect, and nurture their children, and to protect</u>	1488
<u>children, families, and those who work with them from the harms</u>	1489
<u>of wrongful determinations of abuse.</u>	1490
 <u>(B) The General Assembly hereby finds and declares all of</u>	1491
<u>the following:</u>	1492
 <u>Parents possess by law the fundamental right to raise</u>	1493
<u>their children and by nature and nurture the greatest love and</u>	1494
<u>knowledge of that child.</u>	1495
 <u>The Fourteenth Amendment of the United States Constitution</u>	1496
<u>protects the right of parents to direct the care, upbringing,</u>	1497
<u>education, and welfare of their children.</u>	1498
 <u>The Supreme Court of the United States has held that "the</u>	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 incongruence with the child's biological sex.	1529 1530
Child gender transition is an experimental, high-risk process which can turn a physically healthy child into a lifelong medical patient. As established in multiple systematic evidence reviews, including a report published by the United States Department of Health and Human Services in 2025 entitled "Treatment for Pediatric Gender Dysphoria: Review of Evidence and Best Practices" and a report published in 2024 that was commissioned by National Health Service England and National Health Service Improvement entitled "Cass Review," child gender transition is not supported by evidenced-based medicine or science.	1531 1532 1533 1534 1535 1536 1537 1538 1539 1540 1541
The concept of a gender identity, often defined circularly as "an internal sense of gender," or an "authentic self" dissociated from biological reality is neither scientific nor evidence-based, but a dubious metaphysical premise grounded in tendentious gender ideology.	1542 1543 1544 1545 1546
No sound scientific evidence justifies pediatric gender transition, much less removal of a child by the state from the child's parents for the purpose of enforcing such a transition.	1547 1548 1549
Removing a child from the child's home and family creates trauma for the child and damages familial bonds.	1550 1551
Except in cases of actual abuse, neglect, or endangerment, removing a child from the child's home exposes the child to greater risks in state care, including well-documented, vastly higher rates of lifelong harm from sexual assault, human trafficking, and drug use.	1552 1553 1554 1555 1556
A growing number of educational and professional	1557

institutions wrongly train personnel of legal and child protection systems to treat as abuse a parent's choice to refrain from social, medical, or surgical procedures that affirm a child's feelings of incongruence with the child's biological sex.	1558 1559 1560 1561 1562
A growing number of certification, licensing, and accreditation bodies for health care, legal, and social work professionals wrongly require adherence to the unquestioning and precipitous gender transition of children.	1563 1564 1565 1566
A growing number of individuals and organizations working with children in legal, educational, and health care settings act in ways that alienate children from the children's parents and families, and from the children's parents' and families' sincerely held convictions and religious beliefs.	1567 1568 1569 1570 1571
Parental alienation is a well-documented cause of emotional distress and trauma in children, and is contrary to the best interest of the child.	1572 1573 1574
It is contrary to sound policy and to the best interest of a child under the custody of the state to bar individuals from fostering or adopting children solely on the grounds of moral convictions and religious beliefs concerning sexuality and biological sex. Thousands of such families have been barred by states from fostering or adopting children, thus depriving children in desperate need of safe and loving homes.	1575 1576 1577 1578 1579 1580 1581
Histories of trauma and abuse correlate strongly with dissociative beliefs. It is contrary to the best interest of a child victim in the custody of the state to limit foster care or adoptive placement to families who will reinforce a child's dissociation from the child's body.	1582 1583 1584 1585 1586

No child should be reduced to the child's feelings about the child's body, but should be supported in addressing confusion and distress in a manner that does not harm the child.	1587
Protecting a child's development, health, bodily integrity, and open future is of paramount importance and constitutes a legitimate state interest.	1588
Raising a girl as a girl or a boy as a boy is never abuse.	1589
Section 4. Sections 3129.10 to 3129.351 of the Revised Code, as enacted by this act, shall be known as the Affirming Families First Act.	1590
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