

**As Reported by the Senate Judiciary Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**S. B. No. 341**

**Senators DeMora, Blessing**

**Cosponsors: Senators Lang, Antonio, Craig, Liston, Smith, Weinstein, Manning**

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To amend sections 2151.23, 2151.233, 2151.352, 1  
3101.01, 3101.05, and 3109.011 and to repeal 2  
sections 3101.02, 3101.04, 3101.041, and 3  
3101.042 of the Revised Code to repeal law that 4  
authorizes a person who is seventeen years of 5  
age to marry. 6

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

**Section 1.** That sections 2151.23, 2151.233, 2151.352, 7  
3101.01, 3101.05, and 3109.011 of the Revised Code be amended to 8  
read as follows: 9

**Sec. 2151.23.** (A) The juvenile court has exclusive 10  
original jurisdiction under the Revised Code as follows: 11

(1) Concerning any child who on or about the date 12  
specified in the complaint, indictment, or information is 13  
alleged to have violated section 2151.87 of the Revised Code or 14  
an order issued under that section or to be a juvenile traffic 15  
offender or a delinquent, unruly, abused, neglected, or 16  
dependent child and, based on and in relation to the allegation 17  
pertaining to the child, concerning the parent, guardian, or 18  
other person having care of a child who is alleged to be an 19

unruly child for being an habitual truant or who is alleged to 20  
be a delinquent child for violating a court order regarding the 21  
child's prior adjudication as an unruly child for being an 22  
habitual truant; 23

(2) Subject to divisions (G), (I), (K), and (V) of section 24  
2301.03 of the Revised Code, to determine the custody of any 25  
child not a ward of another court of this state; 26

(3) To hear and determine any application for a writ of 27  
habeas corpus involving the custody of a child; 28

(4) To exercise the powers and jurisdiction given the 29  
probate division of the court of common pleas in Chapter 5122. 30  
of the Revised Code, if the court has probable cause to believe 31  
that a child otherwise within the jurisdiction of the court is a 32  
person with a mental illness subject to court order, as defined 33  
in section 5122.01 of the Revised Code; 34

(5) To hear and determine all criminal cases charging 35  
adults with the violation of any section of this chapter; 36

(6) To hear and determine all criminal cases in which an 37  
adult is charged with a violation of division (C) of section 38  
2919.21, division (B)(1) of section 2919.22, section 2919.222, 39  
division (B) of section 2919.23, or section 2919.24 of the 40  
Revised Code, provided the charge is not included in an 41  
indictment that also charges the alleged adult offender with the 42  
commission of a felony arising out of the same actions that are 43  
the basis of the alleged violation of division (C) of section 44  
2919.21, division (B)(1) of section 2919.22, section 2919.222, 45  
division (B) of section 2919.23, or section 2919.24 of the 46  
Revised Code; 47

(7) Under the interstate compact on juveniles in section 48

2151.56 of the Revised Code;	49
(8) Concerning any child who is to be taken into custody pursuant to section 2151.31 of the Revised Code, upon being notified of the intent to take the child into custody and the reasons for taking the child into custody;	50 51 52 53
(9) To hear and determine requests for the extension of temporary custody agreements, and requests for court approval of permanent custody agreements, that are filed pursuant to section 5103.15 of the Revised Code;	54 55 56 57
<del>(10) To hear and determine applications for consent to marry pursuant to section 3101.04 of the Revised Code;</del>	58 59
<del>(11)</del> Subject to divisions (G), (I), (K), and (V) of section 2301.03 of the Revised Code, to hear and determine a request for an order for the support of any child if the request is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, or an action for support brought under Chapter 3115. of the Revised Code;	60 61 62 63 64 65 66 67
<del>(12)</del> <u>(11)</u> Concerning an action commenced under section 121.38 of the Revised Code;	68 69
<del>(13)</del> <u>(12)</u> To hear and determine violations of section 3321.38 of the Revised Code;	70 71
<del>(14)</del> <u>(13)</u> To exercise jurisdiction and authority over the parent, guardian, or other person having care of a child alleged to be a delinquent child, unruly child, or juvenile traffic offender, based on and in relation to the allegation pertaining to the child;	72 73 74 75 76

<del>(15)</del> <u>(14)</u> To conduct the hearings, and to make the	77
determinations, adjudications, and orders authorized or required	78
under sections 2152.82 to 2152.86 and Chapter 2950. of the	79
Revised Code regarding a child who has been adjudicated a	80
delinquent child and to refer the duties conferred upon the	81
juvenile court judge under sections 2152.82 to 2152.86 and	82
Chapter 2950. of the Revised Code to magistrates appointed by	83
the juvenile court judge in accordance with Juvenile Rule 40;	84
<del>(16)</del> <u>(15)</u> To hear and determine a petition for a protection	85
order against a child under section 2151.34 or 3113.31 of the	86
Revised Code and to enforce a protection order issued or a	87
consent agreement approved under either section against a child	88
until a date certain but not later than the date the child	89
attains nineteen years of age;	90
<del>(17)</del> <u>(16)</u> Concerning emancipated young adults under	91
sections 2151.45 to 2151.455 of the Revised Code;	92
<del>(18)</del> <u>(17)</u> To hear and determine a request for a court order	93
to examine and interview a child who may be an abused,	94
neglected, or dependent child under section 2151.25 of the	95
Revised Code.	96
(B) Except as provided in divisions (G), (I), and (P) of	97
section 2301.03 of the Revised Code, the juvenile court has	98
original jurisdiction under the Revised Code:	99
(1) To hear and determine all cases of misdemeanors	100
charging adults with any act or omission with respect to any	101
child, which act or omission is a violation of any state law or	102
any municipal ordinance;	103
(2) To determine the paternity of any child alleged to	104
have been born out of wedlock pursuant to sections 3111.01 to	105

3111.18 of the Revised Code;	106
(3) Under the uniform interstate family support act in	107
Chapter 3115. of the Revised Code;	108
(4) To hear and determine an application for an order for	109
the support of any child, if the child is not a ward of another	110
court of this state;	111
(5) To hear and determine an action commenced under	112
section 3111.28 of the Revised Code;	113
(6) To hear and determine a motion filed under section	114
3119.961 of the Revised Code;	115
(7) To receive filings under section 3109.74 of the	116
Revised Code, and to hear and determine actions arising under	117
sections 3109.51 to 3109.80 of the Revised Code.	118
(8) To enforce an order for the return of a child made	119
under the Hague Convention on the Civil Aspects of International	120
Child Abduction pursuant to section 3127.32 of the Revised Code;	121
(9) To grant any relief normally available under the laws	122
of this state to enforce a child custody determination made by a	123
court of another state and registered in accordance with section	124
3127.35 of the Revised Code.	125
(C) The juvenile court, except as to juvenile courts that	126
are a separate division of the court of common pleas or a	127
separate and independent juvenile court, has jurisdiction to	128
hear, determine, and make a record of any action for divorce or	129
legal separation that involves the custody or care of children	130
and that is filed in the court of common pleas and certified by	131
the court of common pleas with all the papers filed in the	132
action to the juvenile court for trial, provided that no	133

certification of that nature shall be made to any juvenile court 134  
unless the consent of the juvenile judge first is obtained. 135  
After a certification of that nature is made and consent is 136  
obtained, the juvenile court shall proceed as if the action 137  
originally had been begun in that court, except as to awards for 138  
spousal support or support due and unpaid at the time of 139  
certification, over which the juvenile court has no 140  
jurisdiction. 141

(D) The juvenile court, except as provided in division (I) 142  
of section 2301.03 of the Revised Code, has jurisdiction to hear 143  
and determine all matters as to custody and support of children 144  
duly certified by the court of common pleas to the juvenile 145  
court after a divorce decree has been granted, including 146  
jurisdiction to modify the judgment and decree of the court of 147  
common pleas as the same relate to the custody and support of 148  
children. 149

(E) The juvenile court, except as provided in division (I) 150  
of section 2301.03 of the Revised Code, has jurisdiction to hear 151  
and determine the case of any child certified to the court by 152  
any court of competent jurisdiction if the child comes within 153  
the jurisdiction of the juvenile court as defined by this 154  
section. 155

(F) (1) The juvenile court shall exercise its jurisdiction 156  
in child custody matters in accordance with sections 3109.04 and 157  
3127.01 to 3127.53 of the Revised Code and, as applicable, 158  
sections 5103.20 to 5103.22 or 5103.23 to 5103.237 of the 159  
Revised Code. 160

(2) The juvenile court shall exercise its jurisdiction in 161  
child support matters in accordance with section 3109.05 of the 162  
Revised Code. 163

(G) Any juvenile court that makes or modifies an order for child support shall comply with Chapters 3119., 3121., 3123., and 3125. of the Revised Code. If any person required to pay child support under an order made by a juvenile court on or after April 15, 1985, or modified on or after December 1, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt.

(H) If a child who is charged with an act that would be an offense if committed by an adult was fourteen years of age or older and under eighteen years of age at the time of the alleged act and if the case is transferred for criminal prosecution pursuant to section 2152.12 of the Revised Code, except as provided in section 2152.121 of the Revised Code, the juvenile court does not have jurisdiction to hear or determine the case subsequent to the transfer. The court to which the case is transferred for criminal prosecution pursuant to that section has jurisdiction subsequent to the transfer to hear and determine the case in the same manner as if the case originally had been commenced in that court, subject to section 2152.121 of the Revised Code, including, but not limited to, jurisdiction to accept a plea of guilty or another plea authorized by Criminal Rule 11 or another section of the Revised Code and jurisdiction to accept a verdict and to enter a judgment of conviction pursuant to the Rules of Criminal Procedure against the child for the commission of the offense that was the basis of the transfer of the case for criminal prosecution, whether the

conviction is for the same degree or a lesser degree of the 195  
offense charged, for the commission of a lesser-included 196  
offense, or for the commission of another offense that is 197  
different from the offense charged. Section 2152.022 of the 198  
Revised Code applies with respect to the transfer of a case for 199  
criminal prosecution as described in this division and the 200  
determination of jurisdiction after the transfer and, as 201  
described in division (B) of that section, the juvenile court 202  
retains jurisdiction over charges included in the complaint or 203  
complaints containing the allegation that is the basis of the 204  
transfer that are not transferred. 205

(I) If a person under eighteen years of age allegedly 206  
commits an act that would be a felony if committed by an adult 207  
and if the person is not taken into custody or apprehended for 208  
that act until after the person attains twenty-one years of age, 209  
the juvenile court does not have jurisdiction to hear or 210  
determine any portion of the case charging the person with 211  
committing that act. In those circumstances, divisions (A) and 212  
(B) of section 2152.12 of the Revised Code do not apply 213  
regarding the act, and the case charging the person with 214  
committing the act shall be a criminal prosecution commenced and 215  
heard in the appropriate court having jurisdiction of the 216  
offense as if the person had been eighteen years of age or older 217  
when the person committed the act. All proceedings pertaining to 218  
the act shall be within the jurisdiction of the court having 219  
jurisdiction of the offense, and that court has all the 220  
authority and duties in the case that it has in other criminal 221  
cases in that court. 222

(J) In exercising its exclusive original jurisdiction 223  
under division (A) (16) of this section with respect to any 224  
proceedings brought under section 2151.34 or 3113.31 of the 225

Revised Code in which the respondent is a child, the juvenile 226  
court retains all dispositional powers consistent with existing 227  
rules of juvenile procedure and may also exercise its discretion 228  
to adjudicate proceedings as provided in sections 2151.34 and 229  
3113.31 of the Revised Code, including the issuance of 230  
protection orders or the approval of consent agreements under 231  
those sections. 232

**Sec. 2151.233.** (A) Except as provided in division (B) of 233  
this section, the juvenile court shall not exercise jurisdiction 234  
under division (A) (2), ~~(A) (11)~~ (A) (10), or (B) (4) of section 235  
2151.23 of the Revised Code or section 2151.231 of the Revised 236  
Code and the domestic relations court shall have jurisdiction to 237  
determine custody or support regarding a child if any of the 238  
following apply: 239

(1) The child's parents are married to each other. 240

(2) The child's parents were married to each other but no 241  
longer are married to each other and there is an existing order 242  
for custody or support regarding the child or another child of 243  
the same parents over which the juvenile court does not have 244  
jurisdiction. 245

(3) The determination is ancillary to the parents' pending 246  
or prior action for divorce, dissolution of marriage, annulment, 247  
or legal separation. 248

(B) Division (A) of this section does not apply to any 249  
case or proceeding brought under Chapter 3115. of the Revised 250  
Code, or to any case or proceeding initiated or originating 251  
outside of this state. 252

(C) This section shall apply to all cases and proceedings 253  
initiated on or after March 22, 2019. 254

(D) As used in this section and sections 2151.234 to 255  
2151.236 of the Revised Code, "domestic relations court" means 256  
the division of a court of common pleas that has domestic 257  
relations jurisdiction. 258

**Sec. 2151.352.** A child, the child's parents or custodian, 259  
or any other person in loco parentis of the child is entitled to 260  
representation by legal counsel at all stages of the proceedings 261  
under this chapter or Chapter 2152. of the Revised Code. If, as 262  
an indigent person, a party is unable to employ counsel, the 263  
party is entitled to have counsel provided for the person 264  
pursuant to Chapter 120. of the Revised Code except in civil 265  
matters in which the juvenile court is exercising jurisdiction 266  
pursuant to division (A) (2), (3), (9), (10), (11), or (12), ~~or~~ 267  
~~(13)~~; (B) (2), (3), (4), (5), or (6); (C); (D); or (F) (1) or (2) 268  
of section 2151.23 of the Revised Code. If a party appears 269  
without counsel, the court shall ascertain whether the party 270  
knows of the party's right to counsel and of the party's right 271  
to be provided with counsel if the party is an indigent person. 272  
The court may continue the case to enable a party to obtain 273  
counsel, to be represented by the county public defender or the 274  
joint county public defender, or to be appointed counsel upon 275  
request pursuant to Chapter 120. of the Revised Code. Counsel 276  
must be provided for a child not represented by the child's 277  
parent, guardian, or custodian. If the interests of two or more 278  
such parties conflict, separate counsel shall be provided for 279  
each of them. 280

Section 2935.14 of the Revised Code applies to any child 281  
taken into custody. The parents, custodian, or guardian of such 282  
child, and any attorney at law representing them or the child, 283  
shall be entitled to visit such child at any reasonable time, be 284  
present at any hearing involving the child, and be given 285

reasonable notice of such hearing. 286

Any report or part thereof concerning such child, which is 287  
used in the hearing and is pertinent thereto, shall for good 288  
cause shown be made available to any attorney at law 289  
representing such child and to any attorney at law representing 290  
the parents, custodian, or guardian of such child, upon written 291  
request prior to any hearing involving such child. 292

**Sec. 3101.01.** (A) ~~Except as provided in section 3101.02 of~~ 293  
~~the Revised Code, only~~ Only male persons of the age of eighteen 294  
years, and only female persons of the age of eighteen years, not 295  
nearer of kin than second cousins, and not having a husband or 296  
wife living, may be joined in marriage. A marriage may only be 297  
entered into by one man and one woman. 298

(B) (1) Any marriage between persons of the same sex is 299  
against the strong public policy of this state. Any marriage 300  
between persons of the same sex shall have no legal force or 301  
effect in this state and, if attempted to be entered into in 302  
this state, is void ab initio and shall not be recognized by 303  
this state. 304

(2) Any marriage entered into by persons of the same sex 305  
in any other jurisdiction shall be considered and treated in all 306  
respects as having no legal force or effect in this state and 307  
shall not be recognized by this state. 308

(3) The recognition or extension by the state of the 309  
specific statutory benefits of a legal marriage to nonmarital 310  
relationships between persons of the same sex or different sexes 311  
is against the strong public policy of this state. Any public 312  
act, record, or judicial proceeding of this state, as defined in 313  
section 9.82 of the Revised Code, that extends the specific 314

statutory benefits of legal marriage to nonmarital relationships 315  
between persons of the same sex or different sexes is void ab 316  
initio. Nothing in division (B) (3) of this section shall be 317  
construed to do either of the following: 318

(a) Prohibit the extension of specific benefits otherwise 319  
enjoyed by all persons, married or unmarried, to nonmarital 320  
relationships between persons of the same sex or different 321  
sexes, including the extension of benefits conferred by any 322  
statute that is not expressly limited to married persons, which 323  
includes but is not limited to benefits available under Chapter 324  
4117. of the Revised Code; 325

(b) Affect the validity of private agreements that are 326  
otherwise valid under the laws of this state. 327

(4) Any public act, record, or judicial proceeding of any 328  
other state, country, or other jurisdiction outside this state 329  
that extends the specific benefits of legal marriage to 330  
nonmarital relationships between persons of the same sex or 331  
different sexes shall be considered and treated in all respects 332  
as having no legal force or effect in this state and shall not 333  
be recognized by this state. 334

**Sec. 3101.05.** (A) The parties to a marriage shall make an 335  
application for a marriage license. Each of the persons seeking 336  
a marriage license shall personally appear in the probate court 337  
within the county where either resides, or, if neither is a 338  
resident of this state, where the marriage is expected to be 339  
solemnized. If neither party is a resident of this state, the 340  
marriage may be solemnized only in the county where the license 341  
is obtained. Each party shall make application and shall state 342  
upon oath, the party's name, age, residence, place of birth, 343  
occupation, father's name, and mother's maiden name, if known, 344

and the name of the person who is expected to solemnize the 345  
marriage. If either party has been previously married, the 346  
application shall include the names of the parties to any 347  
previous marriage and of any minor children, and if divorced the 348  
jurisdiction, date, and case number of the decree. ~~If either~~ 349  
~~applicant is the age of seventeen years, the judge shall require~~ 350  
~~the applicants to state that they received marriage counseling~~ 351  
~~satisfactory to the court.~~ Except as otherwise provided in this 352  
division, the application also shall include each party's social 353  
security number. In lieu of requiring each party's social 354  
security number on the application, the court may obtain each 355  
party's social security number, retain the social security 356  
numbers in a separate record, and allow a number other than the 357  
social security number to be used on the application for 358  
reference purposes. If a court allows the use of a number other 359  
than the social security number to be used on the application 360  
for reference purposes, the record containing the social 361  
security number is not a public record, except that, in any of 362  
the circumstances set forth in divisions (C) (1) to (5) of 363  
section 3101.051 of the Revised Code, the record containing the 364  
social security number shall be made available for inspection 365  
under section 149.43 of the Revised Code. 366

Immediately upon receipt of an application for a marriage 367  
license, the court shall place the parties' record in a book 368  
kept for that purpose. If the probate judge is satisfied that 369  
there is no legal impediment and if one or both of the parties 370  
are present, the probate judge shall grant the marriage license. 371

If the judge is satisfied from the affidavit of a 372  
reputable physician, clinical nurse specialist, or certified 373  
nurse practitioner in active practice and residing in the county 374  
where the probate court is located, that one of the parties is 375

unable to appear in court, by reason of illness or other 376  
physical disability, a marriage license may be granted upon 377  
application and oath of the other party to the contemplated 378  
marriage; but in that case the person who is unable to appear in 379  
court, at the time of making application for a marriage license, 380  
shall make and file in that court, an affidavit setting forth 381  
the information required of applicants for a marriage license. 382

A probate judge may grant a marriage license under this 383  
section at any time after the application is made. 384

A marriage license issued shall not display the social 385  
security number of either party to the marriage. 386

Each person seeking a marriage license shall present 387  
documentary proof of age in the form of any one of the 388  
following: 389

(1) A copy of a birth record; 390

(2) A birth certificate issued by the department of 391  
health, a local registrar of vital statistics, or other public 392  
office charged with similar duties by the laws of another state, 393  
territory, or country; 394

(3) A baptismal record showing the person's date of birth; 395

(4) A passport; 396

(5) A license or permit to operate a motor vehicle as 397  
defined under section 4501.01 of the Revised Code; 398

(6) Any government- or school-issued identification card 399  
showing the person's date of birth; 400

(7) An immigration record showing the person's date of 401  
birth; 402

(8) A naturalization record showing the person's date of birth;	403 404
(9) A court record or any other document or record issued by a governmental entity showing the person's date of birth.	405 406
(B) An applicant for a marriage license who knowingly makes a false statement in an application or affidavit prescribed by this section is guilty of falsification under section 2921.13 of the Revised Code.	407 408 409 410
(C) No licensing officer shall issue a marriage license if the officer has not received the application, affidavit, or other statements prescribed by this section or if the officer has reason to believe that any of the statements in a marriage license application or in an affidavit prescribed by this section are false.	411 412 413 414 415 416
(D) Any fine collected for violation of this section shall be paid to the use of the county together with the costs of prosecution.	417 418 419
<b>Sec. 3109.011.</b> A person granted consent to marry under <u>former</u> section 3101.04 of the Revised Code has the capacity of a person of the age of eighteen years or more, as described in section 3109.01 of the Revised Code, except that the person is not a qualified elector for purposes of Chapter 3503. of the Revised Code.	420 421 422 423 424 425
<b>Section 2.</b> That existing sections 2151.23, 2151.233, 2151.352, 3101.01, 3101.05, and 3109.011 of the Revised Code are hereby repealed.	426 427 428
<b>Section 3.</b> That sections 3101.02, 3101.04, 3101.041, and 3101.042 of the Revised Code are hereby repealed.	429 430

**Section 4.** Section 2151.23 of the Revised Code is 431  
presented in this act as a composite of the section as amended 432  
by H.B. 110, H.B. 281, H.B. 518, and S.B. 288, all of the 134th 433  
General Assembly. The General Assembly, applying the principle 434  
stated in division (B) of section 1.52 of the Revised Code that 435  
amendments are to be harmonized if reasonably capable of 436  
simultaneous operation, finds that the composite is the 437  
resulting version of the section in effect prior to the 438  
effective date of the section as presented in this act. 439