

_____ moved to amend as follows: 1

Engross the bill as directed by the commands in the 2
amendments attached hereto, ignoring matter extraneous to those 3
commands 4

INDEX 5

The following amendments are attached hereto: 6

Amendment No.	Subject
am_134_2933	Presence during deposition
am_134_2940-2	Victim's information
am_134_2941-3	Right to a speedy trial
am_134_2942-1	Forensic interview
am_134_2946-2	Dismissed counts
am_134_2947	Notifying agency
am_134_2948-4	Interlocutory appeals timeline



Amendment No.	Subject
am_134_2965-1	Victim's rights pamphlet
am_134_2977	Providing records to defendant
am_134_3009	Partial settlement of restitution
am_134_3051-2	Restitution order reduced to certificate of judgment
am_134_3052	Definition of criminal offense
am_134_3057-1	Recorded testimony
am_134_3058-1	Testimony by CCTV
am_134_3074-2	Unclaimed funds for crime victims
am_134_3081-1	Victim's rights request form

7

The motion was _____ agreed to.

8

_____ moved to amend as follows:

In line 2094, strike through the first "," and insert ";"; strike 9
through the second "," and insert ";" 10

In line 2095, strike through "," and insert ";"; delete "and" and 11
insert ";" 12

In line 2096, delete "and"; strike through "and" and insert "; the 13
attorney for" 14

In line 2097, strike through "," and insert ";" 15

In line 2098, strike through "," and insert ";" 16

In line 2099, strike through "," and insert ";"; delete "and" and 17
insert ";" 18

The motion was _____ agreed to.

SYNOPSIS 19

Presence during deposition 20

R.C. 2152.81

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Permits the attorney of the child who is charged with the
violation or act to be present during a child-victim's
deposition.

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_____ moved to amend as follows:

After line 5118, insert:

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"(5) Nothing in this section prohibits the defendant from including necessary information about the victim in filings with the trial court, court of appeals, or the supreme court. The victim's name and identifying information in the filings is not a public record under section 149.43 of the Revised Code if the victim has requested that the victim's name and identifying information be redacted from public records."

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The motion was _____ agreed to.

SYNOPSIS

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Victim's information

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R.C. 2930.06 and 2930.07

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Clarifies that the defendant is permitted to include necessary identifying information about the victim in filings with the courts, and that the victim's name and identifying

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information in the filings are not a public record if the victim 39
has requested the information be redacted and relocates this 40
provision from R.C. 2930.06 to R.C. 2930.07. 41

_____ moved to amend as follows:

- In line 4775, after "shall" insert ", on the victim's request," 42
- In line 4776, delete ", upon the victim's" 43
- In line 4777, delete "request,"; after "representative" insert ", if
applicable," 44 45
- In line 4800, delete "If the victim or the victim's representative
requested" 46 47
- In line 4801, delete "to confer with the prosecutor, the" and insert 48
"At a hearing at any of the stages listed in division (A)(1) of this 49
section, the"; after the second "to" insert "whether the victim or 50
victim's representative, if applicable, requested to confer with the 51
prosecutor, and" 52
- In line 4803, after "representative" insert ", if applicable"; 53
delete "at the stages set forth in division (A)" 54
- In line 4804, delete "(1) of this section" 55
- In line 4805, after "representative" insert ", if applicable," 56
- In line 4806, strike through ", if informed of the failure," 57
- In line 4807, delete "If the" 58

Delete lines 4808 through 4817

59

In line 4818, delete "time, place, and nature of the court proceeding" and insert "Except as provided in division (A) (5) of this section, if the court determines that reasonable efforts were not made to confer with the victim and victim's representative, if applicable, or reasonable efforts were not made to provide reasonable and timely notice of the time, place, and nature of the court proceeding to the victim and victim's representative, if applicable, as required by this section or by Ohio Constitution, Article I, Section 10a, the court shall not rule on any substantive issue that implicates a victim's right, accept a plea, or impose a sentence, and shall continue the court proceeding for the time necessary to provide the required notice to the victim and victim's representative, if applicable"

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After line 4834, insert:

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"(5) Nothing in this section prohibits a court from taking any action necessary to ensure that a person charged with an offense is brought to trial within the time required by sections 2945.71 and 2945.72 of the Revised Code and a defendant's constitutional right to a speedy trial."

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The motion was _____ agreed to.

SYNOPSIS

78

Right to a speedy trial

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R.C. 2930.06

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Clarifies that a court is permitted to take any action necessary to ensure that a person charged with an offense is

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brought to a speedy trial.

_____ moved to amend as follows:

- In line 5104, delete "Pursuant to section 149.43 of the Revised Code, a" and insert "A" 84 85
- In line 5105, delete ", victim's representative,"; delete "not" 86
- In line 5107, delete "absent a court" 87
- Delete lines 5108 through 5110 88
- In line 5111, delete "section 149.43 of the Revised Code"; after "." insert "A victim's representative may receive an unredacted copy of any recorded forensic interview of a minor victim or developmentally disabled victim on request and with approval of the court, or a redacted copy of the interview on request, subject to section 149.43 of the Revised Code." 89 90 91 92 93

The motion was _____ agreed to.

SYNOPSIS 94

Forensic interview 95

R.C. 2930.07 96

Removes prohibition against the victim or victim's	97
attorney receiving an unredacted copy of any recorded forensic	98
interview of a minor victim or developmentally disabled victim	99
absent a court order compelling disclosure of the interview and	100
provides that the victim's representative has the right to	101
receive an unredacted copy of the interview, on request and with	102
approval of the court, or a redacted copy of the interview, on	103
request, subject to the Public Records Law.	104

_____ moved to amend as follows:

- In line 5475, delete "(A) (1)" 105
- In line 5479, delete "of a crime victim throughout the criminal" 106
- Delete lines 5480 through 5500 107
- In line 5501, delete "out its duties prescribed by this section" and 108
insert "specified in the victim's bill of rights under Ohio Constitution, 109
Article I, Section 10a, including the right to restitution" 110

The motion was _____ agreed to.

SYNOPSIS 111

Dismissed counts 112

R.C. 2930.121 113

Clarifies the right of a victim to, on request, exercise 114
all of the applicable rights of a victim specified in the 115
victim's bill of rights under Ohio Constitution, Article I, 116
Section 10a, including the right to restitution, when the count 117

or counts of a complaint, information, or indictment involving	118
the victim are dismissed by the prosecutor as part of a	119
negotiated plea agreement.	120
Removes requirement that certain notice be given and	121
information be forwarded to custodial agencies related to	122
dismissed counts.	123

_____ moved to amend as follows:

- In line 5662, reinsert "prosecutor"; delete "custodial agency" 124
- In line 5666, reinsert "prosecutor"; delete "custodial" 125
- In line 5667, delete "agency" 126

The motion was _____ agreed to.

SYNOPSIS 127

Notifying agency 128

R.C. 2930.16 129

Requires the prosecutor to notify the victim of the 130
services offered by the Office of Victims' Services if the 131
custodial agency is the Department of Rehabilitation and 132
Correction or the Department of Youth Services, as opposed to 133
the custodial agency. 134

_____ moved to amend as follows:

In line 6109, after "victim," insert "the victim's representative,
if applicable," 135
136

In line 6112, after "victim" insert ", the victim's representative,
if applicable," 137
138

In line 6119, after "an" insert "interlocutory"; after "sought" 139
insert "while the case is still pending in the trial court" 140

In line 6127, after "such" insert "interlocutory" 141

In line 6133, after "writ" insert ", and the victim has standing to
assert a right of limited appeal as it pertains to the decisions impacting
the rights of the victim" 142
143
144

In line 6138, after "an" insert "interlocutory"; delete "the court
of appeals" 145
146

Delete lines 6139 through 6147 147

In line 6148, delete "accordance with Rules of Appellate Procedure." 148
and insert "the trial court shall transmit the relevant transcript to the
court of appeals within five business days. Once the transcript is
received by the court of appeals, the party that initiated the appeal" 149
150
151

shall have eight days to file a merit brief. Once the merit brief is 152
filed, the appellee shall have eight days to file a response brief. The 153
court of appeals shall decide the entire appeal not later than thirty-five 154
days after the appeal is filed. The court of appeals shall have the 155
remaining time period after all parties have filed to enter judgment." 156

After line 6155, insert: 157

"(iii) Nothing in this section shall be interpreted as 158
applying to a direct appeal that is filed after the court 159
sentences the defendant. A victim who wishes to appeal from an 160
order that is final on its entry after the court sentences the 161
defendant shall file the notice of appeal within thirty days of 162
that entry." 163

In line 6161, delete "appeal" and insert "petition" 164

In line 6162, after "calendar." insert "The court of appeals or the 165
supreme court shall immediately notify the trial court of the petition, 166
and the trial court shall transmit to the court of appeals or the supreme 167
court the relevant transcript within five business days of the filing of 168
the appeal or petition." 169

In line 6163, delete "submission of the briefs, or of the" 170

Delete lines 6164 through 6167 171

In line 6168, delete "Practice of the Supreme Court of Ohio" and 172
insert "petition for an extraordinary writ is filed" 173

In line 6176, after "any" insert "interlocutory" 174

Delete lines 6184 through 6188 175

In line 6189, delete "Ohio" and insert "the appeal is filed"; after 176
"." insert "The supreme court shall immediately notify the trial court of 177
the appeal, and the trial court shall transmit to the court of appeals or 178
the supreme court the relevant transcript within five business days of the 179

filing of the appeal." 180

After line 6192, insert: 181

"(e) Nothing in this division applies to a direct appeal 182
that is filed by the victim after the court sentences the 183
defendant. A victim who wishes to appeal from an appellate entry 184
shall file the appropriate notice of appeal to the supreme court 185
within thirty days of the entry." 186

In line 6193, strike through "(B)" and insert "(B)(1)" 187

After line 6204, insert: 188

"(2) A defendant has a right to respond and be represented 189
by an attorney for appeals and writs the victim, the victim's 190
attorney, if applicable, or the prosecutor may file pursuant to 191
this section. An indigent defendant has the right to appointed 192
counsel for appeals and writs filed pursuant to this section. 193
If, as an indigent person, a defendant is unable to employ 194
counsel, the defendant is entitled to have counsel provided 195
pursuant to Chapter 120. of the Revised Code. The court shall 196
notify the defendant and the defendant's attorney in the same 197
manner that the parties are notified under applicable law or 198
rule." 199

The motion was _____ agreed to.

SYNOPSIS 200

Interlocutory appeals timeline 201

R.C. 2930.19 202

Clarifies the timeline of an interlocutory appeal. 203

_____ moved to amend as follows:

In line 35, strike through "attorney general" and insert "supreme
court" 204
205

In line 38, after "and" insert "the attorney general" 206

In line 220, after "dependents." insert "The victim may receive
either through the online version of the pamphlet published to the
attorney general's web site, or as a paper copy, upon request." 207
208
209

In line 229, strike through ";" and insert ", a peace officer from
the law enforcement agency investigating the criminal offense or
delinquent act against the victim shall determine whether the victim has
access to the internet and whether the victim would prefer to access the
victim's rights pamphlet online or if the victim requires a paper copy.
The peace officer may give the victim a paper copy upon first contact, if
requested, or the peace officer may provide the victim with the attorney
general's telephone number to access the pamphlet at a later time. The
attorney general shall provide a web site address at which a printable
version of the victim's rights pamphlet that can be downloaded and printed
locally may be found. The attorney general shall provide limited paper
copies of the victim's rights pamphlets upon request to law enforcement
agencies that order copies directly from the attorney general and to law" 210
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enforcement agencies and prosecutors to provide to victims who do not have 223
internet access or who would prefer a paper copy. The attorney general 224
shall create a page within the attorney general's web site that is easy to 225
access and navigate that contains the entire content of the victim's 226
rights pamphlet and a link to the web site address at which a printable 227
version of the victim's rights pamphlet may be found." 228

After line 247, insert: 229

"(c) (i) The attorney general shall create an information 230
card which contains all of the following: 231

(I) An outline list of victim's rights contained in the 232
Ohio Constitution and Revised Code; 233

(II) A reference to the victim's rights request form; 234

(III) The attorney general's crime victim's services 235
office telephone number, electronic mailing address, web site 236
address, and contact address, and a description of how to access 237
victim's rights information; 238

(IV) The Ohio crime victim's justice center's telephone 239
number, electronic mailing address, and contact address, and the 240
web site address for accessing the center's victim's rights 241
toolkit. 242

(ii) Upon first contact with the victim, the law 243
enforcement agency shall provide the victim with the information 244
card." 245

The motion was _____ agreed to.

SYNOPSIS 246

Victim's rights pamphlet	247
R.C. 109.42	248
Clarifies that the Supreme Court shall create the victim's rights/waiver form.	249 250
Specifies that the Attorney General shall make the victim's rights pamphlet available online and in a printable format, as well as continue to provide a limited number of paper copies.	251 252 253 254

_____ moved to amend as follows:

In line 5151, delete "known by the prosecutor to be exculpatory in nature" and insert "such that due process requires that the prosecutor provide it to the defendant pursuant to the Brady Rule"

After line 5156, insert:

"(C) As used in this section, "Brady Rule" has the same meaning as in section 2743.48 of the Revised Code."

The motion was _____ agreed to.

SYNOPSIS 261

Providing records to defendant 262

R.C. 2930.071 263

Clarifies that records disclosed to the prosecutor that due process and the Brady Rule require be disclosed to the defendant, must be disclosed. 264
265
266

_____ moved to amend as follows:

After line 2006, insert: 267

"(J) On the request of the victim, if a judge determines 268
that, under the circumstances, it is appropriate and the victim 269
has not been coerced, a victim may accept a settlement that is 270
less than the full restitution order." 271

After line 4177, insert: 272

"(I) On the request of the victim, if a judge determines 273
that, under the circumstances, it is appropriate and the victim 274
has not been coerced, a victim may accept a settlement that is 275
less than the full restitution order." 276

The motion was _____ agreed to.

SYNOPSIS 277

Partial settlement of restitution 278

R.C. 2152.203 and 2929.281 279

Permits a victim to accept a settlement that is less than 280
the full restitution order if the victim requests to without 281
coercion, and if a judge determines it is appropriate under the 282
circumstances. 283

_____ moved to amend as follows:

- In line 4153, delete "victimor" and insert "victim or" 284
- In line 4156, delete "A" and insert "Pursuant to division (D) of 285
section 2929.18 and division (E) of section 2929.28 of the Revised Code, 286
a" 287
- In line 4157, delete "civil" and insert "certificate of" 288
- In line 4160, delete "The order may be reduced to such a judgment on 289
or after" 290
- Delete lines 4161 and 4162 291

The motion was _____ agreed to.

SYNOPSIS 292

Restitution order reduced to certificate of judgment 293

R.C. 2929.281 294

Permits an order for restitution to be reduced to a 295

certificate of judgment pursuant to the procedure for receiving
restitution for a felony or misdemeanor offense.

296

297

_____ moved to amend as follows:

- In line 4209, after "not" insert "eligible to be" 298
- In line 4210, delete "serving the court under" 299
- In line 4211, delete "Traffic Rule 13" 300

The motion was _____ agreed to.

SYNOPSIS 301

Definition of criminal offense 302

R.C. 2930.01 303

Clarifies that a criminal offense does not include 304
offenses eligible to be disposed of by the traffic violation 305
bureau, regardless of whether the offense actually is disposed 306
or not. 307

_____ moved to amend as follows:

In line 2026, after "prosecution" insert ", child victim, or child 308
victim's attorney" 309

In line 2028, after "prosecution" insert ", child victim, or child 310
victim's attorney" 311

In line 2030, delete "in the prosecution of a violation of" 312

In line 2031, delete "Title XXIX of the Revised Code that is not 313
described" and insert "that is not otherwise eligible for the protections 314
provided for" 315

In line 2044, after "taken," insert "the victim's attorney, if 316
applicable," 317

In line 2095, delete "child-victim's" and insert "child victim's" 318

In line 2096, strike through "and"; after the first "the" insert 319
"attorney for the" 320

In line 2199, after "prosecution" insert ", the child victim,"; 321
delete "child-victim's" and insert "child victim's" 322

In line 2210, after "prosecution" insert ", the child victim," 323

In line 2211, delete "child-victim's" and insert "child victim's" 324

In line 2214, after "prosecution" insert " <u>, the child victim,</u> ";	325
delete " <u>child-victim's</u> " and insert " <u>child victim's</u> "	326
In line 2250, after "prosecution" insert " <u>, the child victim,</u> ";	327
delete " <u>child-victim's</u> " and insert " <u>child victim's</u> "	328
In line 2260, after "prosecution" insert " <u>, the child victim,</u> ";	329
delete " <u>child-victim's</u> " and insert " <u>child victim's</u> "	330
In line 2263, after "prosecution" insert " <u>, the child victim,</u> ";	331
delete " <u>child-victim's</u> " and insert " <u>child victim's</u> "	332
In line 2350, after "prosecution" insert " <u>, victim, or victim's</u> <u>attorney, if applicable</u> "	333 334
In line 2352, after " <u>prosecution</u> " insert " <u>, victim, or victim's</u> <u>attorney, if applicable,</u> "	335 336
In line 2355, delete " <u>in juvenile court involving a</u> "	337
Delete lines 2356 and 2357	338
In line 2358, delete " <u>listed</u> " and insert " <u>that is not otherwise</u> <u>eligible for the protections provided for</u> "	339 340
In line 2370, after "prosecution," insert " <u>the victim's attorney, if</u> <u>applicable,</u> "	341 342
In line 2373, after "disability" insert " <u>, in a manner consistent</u> <u>with section 2930.07 of the Revised Code,</u> "	343 344
In line 2416, strike through "prosecutionrequests" and insert " <u>prosecution, victim, or victim's attorney, if applicable, requests</u> "	345 346
In line 2425, after "act," insert " <u>the victim's attorney, if</u> <u>applicable,</u> "	347 348
In line 2428, after "deposition," insert " <u>the victim's</u> <u>representative, if applicable,</u> "	349 350

In line 2487, strike through "Both the" and insert "The"; after 351
"prosecution" insert ", victim, or victim's attorney, if applicable," 352

In line 2532, after "prosecution" insert ", victim, or victim's 353
attorney, if applicable," 354

In line 2543, after "prosecution" insert ", victim, or victim's 355
attorney, if applicable," 356

In line 2582, after "prosecution" insert ", victim, or victim's 357
attorney, if applicable," 358

In line 2591, after "prosecution" insert ", victim, or victim's 359
attorney, if applicable," 360

In line 2594, after "prosecution" insert ", victim, or victim's 361
attorney, if applicable," 362

In line 2648, after "disability" insert ", in a manner consistent 363
with section 2930.07 of the Revised Code," 364

In line 6411, delete "in the prosecution of a violation of" 365

Delete line 6412 366

In line 6413, delete "described" and insert "that is not otherwise 367
eligible for the protections provided for" 368

In line 6427, after "taken," insert "the child victim's attorney, if 369
applicable," 370

In line 6473, after "defense," insert "the child victim's attorney, 371
if applicable, the victim representative, if applicable," 372

In line 6568, after "prosecution" insert ", the child victim, or the 373
child victim's attorney, if applicable," 374

In line 6578, after "prosecution" insert ", child victim, or child 375
victim's attorney, if applicable," 376

In line 6581, after "prosecution" insert ", child victim, or child victim's attorney, if applicable," 377
378

In line 6611, after "prosecution" insert ", child victim, or child victim's attorney, if applicable," 379
380

In line 6620, after "prosecution" insert ", child victim, or child victim's attorney, if applicable," 381
382

In line 6622, after "prosecution" insert ", child victim, or child victim's attorney, if applicable," 383
384

In line 6664, after "victim" insert ", in a manner consistent with section 2930.07 of the Revised Code," 385
386

In line 6698, delete "in the prosecution of a violation of" 387

Delete line 6699 and insert "that is not otherwise eligible for the protections provided for" 388
389

In line 6713, after "taken," insert "the victim's attorney, if applicable," 390
391

In line 6716, after "disability" insert ", in a manner consistent with section 2930.07 of the Revised Code," 392
393

In line 6751, after "prosecution" insert ", victim, or victim's attorney, if applicable," 394
395

In line 6760, after "defense," insert "the victim's attorney, if applicable, the victim's representative, if applicable," 396
397

In line 6824, after "prosecution" insert ", victim, or victim's attorney, if applicable," 398
399

In line 6859, after "prosecution" insert ", victim, or victim's attorney, if applicable," 400
401

In line 6870, after "prosecution" insert ", victim, or victim's attorney, if applicable," 402
403

In line 6904, after "prosecution" insert ", victim, or victim's attorney, if applicable," 404
405

In line 6913, after "prosecution" insert ", victim, or victim's attorney, if applicable," 406
407

In line 6965, after "disability" insert ", in a manner consistent with section 2930.07 of the Revised Code," 408
409

The motion was _____ agreed to.

SYNOPSIS 410

Recorded testimony 411

R.C. 2152.81, 2152.811, 2945.481, and 2945.482 412

Expands victims and proceedings that qualify for recorded 413
or CCTV depositions and testimony during proceedings for child 414
victims and victims with developmental disabilities. 415

Expands the list of people permitted in the room during 416
CCTV testimony to include the victim's representative, and 417
permits the victim or victim's attorney to file a motion 418
requesting CCTV testimony. 419

_____ moved to amend as follows:

In line 6269, strike through "(B)" and insert "(B)(1)" 420

After line 6282, insert: 421

"(2) In a case that is not otherwise eligible for the 422
protections provided for in division (B)(1) of this section, and 423
if either of the following apply, upon motion of the 424
prosecution, victim, or victim's attorney, if applicable, the 425
testimony of the alleged victim at the preliminary hearing may 426
be taken in a room other than the room in which the preliminary 427
hearing is being conducted and be televised, by closed circuit 428
equipment, into the room in which the preliminary hearing is 429
being conducted, in accordance with division (C) of section 430
2945.481 of the Revised Code: 431

(a) An alleged victim of the violation was a child who was 432
less than eighteen years of age when the complaint, indictment, 433
or information was filed, whichever occurred earlier, and the 434
alleged victim would be permitted to provide recorded testimony 435
under section 2945.481 of the Revised Code. 436

(b) An alleged victim of the violation or act was a person 437
with a developmental disability, and the alleged victim would be 438

permitted to provide recorded testimony under section 2945.482 439

of the Revised Code." 440

In line 6411, delete "in the prosecution of a violation of" 441

Delete line 6412 442

In line 6413, delete "described" and insert "that is not otherwise 443
eligible for the protections provided for" 444

In line 6427, after "taken," insert "the child victim's attorney, if 445
applicable," 446

In line 6473, after "defense," insert "the child victim's attorney, 447
if applicable, the child victim's representative, if applicable," 448

In line 6568, after "prosecution" insert ", child victim, or child 449
victim's attorney, if applicable," 450

In line 6578, after "prosecution" insert ", child victim, or child 451
victim's attorney, if applicable," 452

In line 6581, after "prosecution" insert ", child victim, or child 453
victim's attorney, if applicable," 454

In line 6611, after "prosecution" insert ", child victim, or child 455
victim's attorney, if applicable," 456

In line 6620, after "prosecution" insert ", child victim, or child 457
victim's attorney, if applicable," 458

In line 6622, after "prosecution" insert ", child victim, or child 459
victim's attorney, if applicable," 460

In line 6664, after "victim" insert ", in a manner consistent with 461
section 2930.07 of the Revised Code," 462

In line 6698, delete "in the prosecution of a violation of" 463

Delete line 6699 and insert "that is not otherwise eligible for the 464
protections provided for" 465

In line 6713, after "taken," insert "the victim's attorney, if applicable," 466
467

In line 6716, after "disability" insert ", in a manner consistent with section 2930.07 of the Revised Code," 468
469

In line 6751, after "prosecution" insert ", victim, or victim's attorney, if applicable," 470
471

In line 6760, after "defense," insert "the victim's attorney, if applicable, the victim's representative, if applicable," 472
473

In line 6824, after "prosecution" insert ", victim, or victim's attorney, if applicable," 474
475

In line 6859, after "prosecution" insert ", victim, or victim's attorney, if applicable," 476
477

In line 6870, after "prosecution" insert ", victim, or victim's attorney, if applicable," 478
479

In line 6904, after "prosecution" insert ", victim, or victim's attorney, if applicable," 480
481

In line 6913, after "prosecution" insert ", victim, or victim's attorney, if applicable," 482
483

In line 6965, after "disability" insert ", in a manner consistent with section 2930.07 of the Revised Code," 484
485

The motion was _____ agreed to.

SYNOPSIS 486

Testimony by CCTV 487

R.C. 2937.11, 2945.481, and 2945.482 488

Expands which victims may testify by CCTV to include those 489
who are permitted to give recorded depositions under protections 490
for child victims and victims with a developmental disability. 491

Expands the list of people permitted in the room during 492
CCTV testimony to include the victim's representative, and 493
permits the victim or victim's attorney to file a motion 494
requesting CCTV testimony. 495

_____ moved to amend as follows:

In line 1 of the title, after "sections" insert "9.39,"; after 496
"149.43" insert ", 1901.31, 1907.20" 497

In line 2 of the title, after "2152.811" insert ", 2335.35, 498
2743.191" 499

In line 18, after "sections" insert "9.39,"; after "149.43" insert 500
", 1901.31, 1907.20" 501

In line 19, after "2152.811" insert ", 2335.35, 2743.191" 502

After line 29, insert: 503

"Sec. 9.39. All public officials are liable for all 504
public money received or collected by them or by their 505
subordinates under color of office. All money received or 506
collected by a public official under color of office and not 507
otherwise paid out according to law shall be paid into the 508
treasury of the public office with which ~~he~~ the public official 509
is connected to the credit of a trust fund and shall be retained 510
there until claimed by its lawful owner. If not claimed within a 511
period of five years, the money shall revert to the general fund 512
of the public office, except for the unclaimed money in the 513

reparations fund created under section 2743.191 of the Revised Code." 514
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After line 1350, insert: 516

"Sec. 1901.31. The clerk and deputy clerks of a municipal court shall be selected, be compensated, give bond, and have powers and duties as follows: 517
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(A) There shall be a clerk of the court who is appointed or elected as follows: 520
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(1) (a) Except in the Akron, Barberton, Toledo, Hamilton county, Miami county, Montgomery county, Portage county, and Wayne county municipal courts and through December 31, 2008, the Cuyahoga Falls municipal court, if the population of the territory equals or exceeds one hundred thousand at the regular municipal election immediately preceding the expiration of the term of the present clerk, the clerk shall be nominated and elected by the qualified electors of the territory in the manner that is provided for the nomination and election of judges in section 1901.07 of the Revised Code. 522
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The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified. 532
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(b) In the Hamilton county municipal court, the clerk of courts of Hamilton county shall be the clerk of the municipal court and may appoint an assistant clerk who shall receive the compensation, payable out of the treasury of Hamilton county in semimonthly installments, that the board of county commissioners prescribes. The clerk of courts of Hamilton county, acting as the clerk of the Hamilton county municipal court and assuming the duties of that office, shall receive compensation at one- 536
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fourth the rate that is prescribed for the clerks of courts of
common pleas as determined in accordance with the population of
the county and the rates set forth in sections 325.08 and 325.18
of the Revised Code. This compensation shall be paid from the
county treasury in semimonthly installments and is in addition
to the annual compensation that is received for the performance
of the duties of the clerk of courts of Hamilton county, as
provided in sections 325.08 and 325.18 of the Revised Code.

(c) In the Portage county and Wayne county municipal
courts, the clerks of courts of Portage county and Wayne county
shall be the clerks, respectively, of the Portage county and
Wayne county municipal courts and may appoint a chief deputy
clerk for each branch that is established pursuant to section
1901.311 of the Revised Code and assistant clerks as the judges
of the municipal court determine are necessary, all of whom
shall receive the compensation that the legislative authority
prescribes. The clerks of courts of Portage county and Wayne
county, acting as the clerks of the Portage county and Wayne
county municipal courts and assuming the duties of these
offices, shall receive compensation payable from the county
treasury in semimonthly installments at one-fourth the rate that
is prescribed for the clerks of courts of common pleas as
determined in accordance with the population of the county and
the rates set forth in sections 325.08 and 325.18 of the Revised
Code.

(d) In the Montgomery county and Miami county municipal
courts, the clerks of courts of Montgomery county and Miami
county shall be the clerks, respectively, of the Montgomery
county and Miami county municipal courts. The clerks of courts
of Montgomery county and Miami county, acting as the clerks of
the Montgomery county and Miami county municipal courts and
assuming the duties of these offices, shall receive compensation

at one-fourth the rate that is prescribed for the clerks of 576
courts of common pleas as determined in accordance with the 577
population of the county and the rates set forth in sections 578
325.08 and 325.18 of the Revised Code. This compensation shall 579
be paid from the county treasury in semimonthly installments and 580
is in addition to the annual compensation that is received for 581
the performance of the duties of the clerks of courts of 582
Montgomery county and Miami county, as provided in sections 583
325.08 and 325.18 of the Revised Code. 584

(e) Except as otherwise provided in division (A) (1) (e) of 585
this section, in the Akron municipal court, candidates for 586
election to the office of clerk of the court shall be nominated 587
by primary election. The primary election shall be held on the 588
day specified in the charter of the city of Akron for the 589
nomination of municipal officers. Notwithstanding any contrary 590
provision of section 3513.05 or 3513.257 of the Revised Code, 591
the declarations of candidacy and petitions of partisan 592
candidates and the nominating petitions of independent 593
candidates for the office of clerk of the Akron municipal court 594
shall be signed by at least fifty qualified electors of the 595
territory of the court. 596

The candidates shall file a declaration of candidacy and 597
petition, or a nominating petition, whichever is applicable, not 598
later than four p.m. of the ninetieth day before the day of the 599
primary election, in the form prescribed by section 3513.07 or 600
3513.261 of the Revised Code. The declaration of candidacy and 601
petition, or the nominating petition, shall conform to the 602
applicable requirements of section 3513.05 or 3513.257 of the 603
Revised Code. 604

If no valid declaration of candidacy and petition is filed 605
by any person for nomination as a candidate of a particular 606

political party for election to the office of clerk of the Akron
municipal court, a primary election shall not be held for the
purpose of nominating a candidate of that party for election to
that office. If only one person files a valid declaration of
candidacy and petition for nomination as a candidate of a
particular political party for election to that office, a
primary election shall not be held for the purpose of nominating
a candidate of that party for election to that office, and the
candidate shall be issued a certificate of nomination in the
manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating
petitions, and certificates of nomination for the office of
clerk of the Akron municipal court shall contain a designation
of the term for which the candidate seeks election. At the
following regular municipal election, all candidates for the
office shall be submitted to the qualified electors of the
territory of the court in the manner that is provided in section
1901.07 of the Revised Code for the election of the judges of
the court. The clerk so elected shall hold office for a term of
six years, which term shall commence on the first day of January
following the clerk's election and continue until the clerk's
successor is elected and qualified.

(f) Except as otherwise provided in division (A) (1) (f) of
this section, in the Barberton municipal court, candidates for
election to the office of clerk of the court shall be nominated
by primary election. The primary election shall be held on the
day specified in the charter of the city of Barberton for the
nomination of municipal officers. Notwithstanding any contrary
provision of section 3513.05 or 3513.257 of the Revised Code,
the declarations of candidacy and petitions of partisan
candidates and the nominating petitions of independent
candidates for the office of clerk of the Barberton municipal

court shall be signed by at least fifty qualified electors of 639
the territory of the court. 640

The candidates shall file a declaration of candidacy and 641
petition, or a nominating petition, whichever is applicable, not 642
later than four p.m. of the ninetieth day before the day of the 643
primary election, in the form prescribed by section 3513.07 or 644
3513.261 of the Revised Code. The declaration of candidacy and 645
petition, or the nominating petition, shall conform to the 646
applicable requirements of section 3513.05 or 3513.257 of the 647
Revised Code. 648

If no valid declaration of candidacy and petition is filed 649
by any person for nomination as a candidate of a particular 650
political party for election to the office of clerk of the 651
Barberton municipal court, a primary election shall not be held 652
for the purpose of nominating a candidate of that party for 653
election to that office. If only one person files a valid 654
declaration of candidacy and petition for nomination as a 655
candidate of a particular political party for election to that 656
office, a primary election shall not be held for the purpose of 657
nominating a candidate of that party for election to that 658
office, and the candidate shall be issued a certificate of 659
nomination in the manner set forth in section 3513.02 of the 660
Revised Code. 661

Declarations of candidacy and petitions, nominating 662
petitions, and certificates of nomination for the office of 663
clerk of the Barberton municipal court shall contain a 664
designation of the term for which the candidate seeks election. 665
At the following regular municipal election, all candidates for 666
the office shall be submitted to the qualified electors of the 667
territory of the court in the manner that is provided in section 668
1901.07 of the Revised Code for the election of the judges of 669

the court. The clerk so elected shall hold office for a term of 670
six years, which term shall commence on the first day of January 671
following the clerk's election and continue until the clerk's 672
successor is elected and qualified. 673

(g) (i) Through December 31, 2008, except as otherwise 674
provided in division (A) (1) (g) (i) of this section, in the 675
Cuyahoga Falls municipal court, candidates for election to the 676
office of clerk of the court shall be nominated by primary 677
election. The primary election shall be held on the day 678
specified in the charter of the city of Cuyahoga Falls for the 679
nomination of municipal officers. Notwithstanding any contrary 680
provision of section 3513.05 or 3513.257 of the Revised Code, 681
the declarations of candidacy and petitions of partisan 682
candidates and the nominating petitions of independent 683
candidates for the office of clerk of the Cuyahoga Falls 684
municipal court shall be signed by at least fifty qualified 685
electors of the territory of the court. 686

The candidates shall file a declaration of candidacy and 687
petition, or a nominating petition, whichever is applicable, not 688
later than four p.m. of the ninetieth day before the day of the 689
primary election, in the form prescribed by section 3513.07 or 690
3513.261 of the Revised Code. The declaration of candidacy and 691
petition, or the nominating petition, shall conform to the 692
applicable requirements of section 3513.05 or 3513.257 of the 693
Revised Code. 694

If no valid declaration of candidacy and petition is filed 695
by any person for nomination as a candidate of a particular 696
political party for election to the office of clerk of the 697
Cuyahoga Falls municipal court, a primary election shall not be 698
held for the purpose of nominating a candidate of that party for 699
election to that office. If only one person files a valid 700

declaration of candidacy and petition for nomination as a 701
candidate of a particular political party for election to that 702
office, a primary election shall not be held for the purpose of 703
nominating a candidate of that party for election to that 704
office, and the candidate shall be issued a certificate of 705
nomination in the manner set forth in section 3513.02 of the 706
Revised Code. 707

Declarations of candidacy and petitions, nominating 708
petitions, and certificates of nomination for the office of 709
clerk of the Cuyahoga Falls municipal court shall contain a 710
designation of the term for which the candidate seeks election. 711
At the following regular municipal election, all candidates for 712
the office shall be submitted to the qualified electors of the 713
territory of the court in the manner that is provided in section 714
1901.07 of the Revised Code for the election of the judges of 715
the court. The clerk so elected shall hold office for a term of 716
six years, which term shall commence on the first day of January 717
following the clerk's election and continue until the clerk's 718
successor is elected and qualified. 719

(ii) Division (A) (1) (g) (i) of this section shall have no 720
effect after December 31, 2008. 721

(h) Except as otherwise provided in division (A) (1) (h) of 722
this section, in the Toledo municipal court, candidates for 723
election to the office of clerk of the court shall be nominated 724
by primary election. The primary election shall be held on the 725
day specified in the charter of the city of Toledo for the 726
nomination of municipal officers. Notwithstanding any contrary 727
provision of section 3513.05 or 3513.257 of the Revised Code, 728
the declarations of candidacy and petitions of partisan 729
candidates and the nominating petitions of independent 730
candidates for the office of clerk of the Toledo municipal court 731

shall be signed by at least fifty qualified electors of the 732
territory of the court. 733

The candidates shall file a declaration of candidacy and 734
petition, or a nominating petition, whichever is applicable, not 735
later than four p.m. of the ninetieth day before the day of the 736
primary election, in the form prescribed by section 3513.07 or 737
3513.261 of the Revised Code. The declaration of candidacy and 738
petition, or the nominating petition, shall conform to the 739
applicable requirements of section 3513.05 or 3513.257 of the 740
Revised Code. 741

If no valid declaration of candidacy and petition is filed 742
by any person for nomination as a candidate of a particular 743
political party for election to the office of clerk of the 744
Toledo municipal court, a primary election shall not be held for 745
the purpose of nominating a candidate of that party for election 746
to that office. If only one person files a valid declaration of 747
candidacy and petition for nomination as a candidate of a 748
particular political party for election to that office, a 749
primary election shall not be held for the purpose of nominating 750
a candidate of that party for election to that office, and the 751
candidate shall be issued a certificate of nomination in the 752
manner set forth in section 3513.02 of the Revised Code. 753

Declarations of candidacy and petitions, nominating 754
petitions, and certificates of nomination for the office of 755
clerk of the Toledo municipal court shall contain a designation 756
of the term for which the candidate seeks election. At the 757
following regular municipal election, all candidates for the 758
office shall be submitted to the qualified electors of the 759
territory of the court in the manner that is provided in section 760
1901.07 of the Revised Code for the election of the judges of 761
the court. The clerk so elected shall hold office for a term of 762

six years, which term shall commence on the first day of January 763
following the clerk's election and continue until the clerk's 764
successor is elected and qualified. 765

(2) (a) Except for the Alliance, Auglaize county, Brown 766
county, Columbiana county, Holmes county, Perry county, Putnam 767
county, Sandusky county, Lima, Lorain, Massillon, and Youngstown 768
municipal courts, in a municipal court for which the population 769
of the territory is less than one hundred thousand, the clerk 770
shall be appointed by the court, and the clerk shall hold office 771
until the clerk's successor is appointed and qualified. 772

(b) In the Alliance, Lima, Lorain, Massillon, and 773
Youngstown municipal courts, the clerk shall be elected for a 774
term of office as described in division (A) (1) (a) of this 775
section. 776

(c) In the Auglaize county, Brown county, Holmes county, 777
Perry county, Putnam county, and Sandusky county municipal 778
courts, the clerks of courts of Auglaize county, Brown county, 779
Holmes county, Perry county, Putnam county, and Sandusky county 780
shall be the clerks, respectively, of the Auglaize county, Brown 781
county, Holmes county, Perry county, Putnam county, and Sandusky 782
county municipal courts and may appoint a chief deputy clerk for 783
each branch office that is established pursuant to section 784
1901.311 of the Revised Code, and assistant clerks as the judge 785
of the court determines are necessary, all of whom shall receive 786
the compensation that the legislative authority prescribes. The 787
clerks of courts of Auglaize county, Brown county, Holmes 788
county, Perry county, Putnam county, and Sandusky county, acting 789
as the clerks of the Auglaize county, Brown county, Holmes 790
county, Perry county, Putnam county, and Sandusky county 791
municipal courts and assuming the duties of these offices, shall 792
receive compensation payable from the county treasury in 793

semimonthly installments at one-fourth the rate that is 794
prescribed for the clerks of courts of common pleas as 795
determined in accordance with the population of the county and 796
the rates set forth in sections 325.08 and 325.18 of the Revised 797
Code. 798

(d) In the Columbiana county municipal court, the clerk of 799
courts of Columbiana county shall be the clerk of the municipal 800
court, may appoint a chief deputy clerk for each branch office 801
that is established pursuant to section 1901.311 of the Revised 802
Code, and may appoint any assistant clerks that the judges of 803
the court determine are necessary. All of the chief deputy 804
clerks and assistant clerks shall receive the compensation that 805
the legislative authority prescribes. The clerk of courts of 806
Columbiana county, acting as the clerk of the Columbiana county 807
municipal court and assuming the duties of that office, shall 808
receive in either biweekly installments or semimonthly 809
installments, as determined by the payroll administrator, 810
compensation payable from the county treasury at one-fourth the 811
rate that is prescribed for the clerks of courts of common pleas 812
as determined in accordance with the population of the county 813
and the rates set forth in sections 325.08 and 325.18 of the 814
Revised Code. 815

(3) During the temporary absence of the clerk due to 816
illness, vacation, or other proper cause, the court may appoint 817
a temporary clerk, who shall be paid the same compensation, have 818
the same authority, and perform the same duties as the clerk. 819

(B) Except in the Hamilton county, Montgomery county, 820
Miami county, Portage county, and Wayne county municipal courts, 821
if a vacancy occurs in the office of the clerk of the Alliance, 822
Lima, Lorain, Massillon, or Youngstown municipal court or occurs 823
in the office of the clerk of a municipal court for which the 824

population of the territory equals or exceeds one hundred 825
thousand because the clerk ceases to hold the office before the 826
end of the clerk's term or because a clerk-elect fails to take 827
office, the vacancy shall be filled, until a successor is 828
elected and qualified, by a person chosen by the residents of 829
the territory of the court who are members of the county central 830
committee of the political party by which the last occupant of 831
that office or the clerk-elect was nominated. Not less than five 832
nor more than fifteen days after a vacancy occurs, those members 833
of that county central committee shall meet to make an 834
appointment to fill the vacancy. At least four days before the 835
date of the meeting, the chairperson or a secretary of the 836
county central committee shall notify each such member of that 837
county central committee by first class mail of the date, time, 838
and place of the meeting and its purpose. A majority of all such 839
members of that county central committee constitutes a quorum, 840
and a majority of the quorum is required to make the 841
appointment. If the office so vacated was occupied or was to be 842
occupied by a person not nominated at a primary election, or if 843
the appointment was not made by the committee members in 844
accordance with this division, the court shall make an 845
appointment to fill the vacancy. A successor shall be elected to 846
fill the office for the unexpired term at the first municipal 847
election that is held more than one hundred thirty-five days 848
after the vacancy occurred. 849

(C) (1) In a municipal court, other than the Auglaize 850
county, the Brown county, the Columbiana county, the Holmes 851
county, the Perry county, the Putnam county, the Sandusky 852
county, and the Lorain municipal courts, for which the 853
population of the territory is less than one hundred thousand, 854
the clerk of the municipal court shall receive the annual 855
compensation that the presiding judge of the court prescribes, 856

if the revenue of the court for the preceding calendar year, as 857
certified by the auditor or chief fiscal officer of the 858
municipal corporation in which the court is located or, in the 859
case of a county-operated municipal court, the county auditor, 860
is equal to or greater than the expenditures, including any debt 861
charges, for the operation of the court payable under this 862
chapter from the city treasury or, in the case of a county- 863
operated municipal court, the county treasury for that calendar 864
year, as also certified by the auditor or chief fiscal officer. 865
If the revenue of a municipal court, other than the Auglaize 866
county, the Brown county, the Columbiana county, the Perry 867
county, the Putnam county, the Sandusky county, and the Lorain 868
municipal courts, for which the population of the territory is 869
less than one hundred thousand for the preceding calendar year 870
as so certified is not equal to or greater than those 871
expenditures for the operation of the court for that calendar 872
year as so certified, the clerk of a municipal court shall 873
receive the annual compensation that the legislative authority 874
prescribes. As used in this division, "revenue" means the total 875
of all costs and fees that are collected and paid to the city 876
treasury or, in a county-operated municipal court, the county 877
treasury by the clerk of the municipal court under division (F) 878
of this section and all interest received and paid to the city 879
treasury or, in a county-operated municipal court, the county 880
treasury in relation to the costs and fees under division (G) of 881
this section. 882

(2) In a municipal court, other than the Hamilton county, 883
Montgomery county, Miami county, Portage county, and Wayne 884
county municipal courts, for which the population of the 885
territory is one hundred thousand or more, and in the Lorain 886
municipal court, the clerk of the municipal court shall receive 887
annual compensation in a sum equal to eighty-five per cent of 888

the salary of a judge of the court. 889

(3) The compensation of a clerk described in division (C) 890
(1) or (2) of this section and of the clerk of the Columbiana 891
county municipal court is payable in either semimonthly 892
installments or biweekly installments, as determined by the 893
payroll administrator, from the same sources and in the same 894
manner as provided in section 1901.11 of the Revised Code, 895
except that the compensation of the clerk of the Carroll county 896
municipal court is payable in biweekly installments. 897

(D) Before entering upon the duties of the clerk's office, 898
the clerk of a municipal court shall give bond of not less than 899
six thousand dollars to be determined by the judges of the 900
court, conditioned upon the faithful performance of the clerk's 901
duties. 902

(E) The clerk of a municipal court may do all of the 903
following: administer oaths, take affidavits, and issue 904
executions upon any judgment rendered in the court, including a 905
judgment for unpaid costs; issue, sign, and attach the seal of 906
the court to all writs, process, subpoenas, and papers issuing 907
out of the court; and approve all bonds, sureties, 908
recognizances, and undertakings fixed by any judge of the court 909
or by law. The clerk may refuse to accept for filing any 910
pleading or paper submitted for filing by a person who has been 911
found to be a vexatious litigator under section 2323.52 of the 912
Revised Code and who has failed to obtain leave to proceed under 913
that section. The clerk shall do all of the following: file and 914
safely keep all journals, records, books, and papers belonging 915
or appertaining to the court; record the proceedings of the 916
court; perform all other duties that the judges of the court may 917
prescribe; and keep a book showing all receipts and 918
disbursements, which book shall be open for public inspection at 919

all times. 920

The clerk shall prepare and maintain a general index, a docket, and other records that the court, by rule, requires, all of which shall be the public records of the court. In the docket, the clerk shall enter, at the time of the commencement of an action, the names of the parties in full, the names of the counsel, and the nature of the proceedings. Under proper dates, the clerk shall note the filing of the complaint, issuing of summons or other process, returns, and any subsequent pleadings. The clerk also shall enter all reports, verdicts, orders, judgments, and proceedings of the court, clearly specifying the relief granted or orders made in each action. The court may order an extended record of any of the above to be made and entered, under the proper action heading, upon the docket at the request of any party to the case, the expense of which record may be taxed as costs in the case or may be required to be prepaid by the party demanding the record, upon order of the court. 921
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(F) The clerk of a municipal court shall receive, collect, and issue receipts for all costs, fees, fines, bail, and other moneys payable to the office or to any officer of the court. The clerk shall on or before the twentieth day of the month following the month in which they are collected disburse to the proper persons or officers, and take receipts for, all costs, fees, fines, bail, and other moneys that the clerk collects. Subject to sections 307.515 and 4511.193 of the Revised Code and to any other section of the Revised Code that requires a specific manner of disbursement of any moneys received by a municipal court and except for the Hamilton county, Lawrence county, and Ottawa county municipal courts, the clerk shall pay all fines received for violation of municipal ordinances into the treasury of the municipal corporation the ordinance of which 938
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was violated and shall pay all fines received for violation of 952
township resolutions adopted pursuant to section 503.52 or 953
503.53 or Chapter 504. of the Revised Code into the treasury of 954
the township the resolution of which was violated. Subject to 955
sections 1901.024 and 4511.193 of the Revised Code, in the 956
Hamilton county, Lawrence county, and Ottawa county municipal 957
courts, the clerk shall pay fifty per cent of the fines received 958
for violation of municipal ordinances and fifty per cent of the 959
fines received for violation of township resolutions adopted 960
pursuant to section 503.52 or 503.53 or Chapter 504. of the 961
Revised Code into the treasury of the county. Subject to 962
sections 307.515, 4511.19, and 5503.04 of the Revised Code and 963
to any other section of the Revised Code that requires a 964
specific manner of disbursement of any moneys received by a 965
municipal court, the clerk shall pay all fines collected for the 966
violation of state laws into the county treasury. Except in a 967
county-operated municipal court, the clerk shall pay all costs 968
and fees the disbursement of which is not otherwise provided for 969
in the Revised Code into the city treasury. The clerk of a 970
county-operated municipal court shall pay the costs and fees the 971
disbursement of which is not otherwise provided for in the 972
Revised Code into the county treasury. Moneys deposited as 973
security for costs shall be retained pending the litigation. The 974
clerk shall keep a separate account of all receipts and 975
disbursements in civil and criminal cases, which shall be a 976
permanent public record of the office. On the expiration of the 977
term of the clerk, the clerk shall deliver the records to the 978
clerk's successor. The clerk shall have other powers and duties 979
as are prescribed by rule or order of the court. 980

(G) All moneys paid into a municipal court shall be noted 981
on the record of the case in which they are paid and shall be 982
deposited in a state or national bank, as defined in section 983

1101.01 of the Revised Code, that is selected by the clerk. Any 984
interest received upon the deposits shall be paid into the city 985
treasury, except that, in a county-operated municipal court, the 986
interest shall be paid into the treasury of the county in which 987
the court is located. 988

On the first Monday in January of each year, the clerk 989
shall make a list of the titles of all cases in the court that 990
were finally determined more than one year past in which there 991
remains unclaimed in the possession of the clerk any funds, or 992
any part of a deposit for security of costs not consumed by the 993
costs in the case. The clerk shall give notice of the moneys to 994
the parties who are entitled to the moneys or to their attorneys 995
of record. All the moneys remaining unclaimed that are for 996
restitution payments for crime victims shall be sent to the 997
reparations fund created under section 2743.191 of the Revised 998
Code, with a list from the clerk specifying the amounts and 999
individual identifying information of the funds. All ~~the other~~ 1000
moneys remaining unclaimed on the first day of April of each 1001
year shall be paid by the clerk to the city treasurer, except 1002
that, in a county-operated municipal court, the moneys shall be 1003
paid to the treasurer of the county in which the court is 1004
located. The treasurer shall pay any part of the moneys at any 1005
time to the person who has the right to the moneys upon proper 1006
certification of the clerk. 1007

(H) Deputy clerks of a municipal court other than the 1008
Carroll county municipal court may be appointed by the clerk and 1009
shall receive the compensation, payable in either biweekly 1010
installments or semimonthly installments, as determined by the 1011
payroll administrator, out of the city treasury, that the clerk 1012
may prescribe, except that the compensation of any deputy clerk 1013
of a county-operated municipal court shall be paid out of the 1014
treasury of the county in which the court is located. The judge 1015

of the Carroll county municipal court may appoint deputy clerks 1016
for the court, and the deputy clerks shall receive the 1017
compensation, payable in biweekly installments out of the county 1018
treasury, that the judge may prescribe. Each deputy clerk shall 1019
take an oath of office before entering upon the duties of the 1020
deputy clerk's office and, when so qualified, may perform the 1021
duties appertaining to the office of the clerk. The clerk may 1022
require any of the deputy clerks to give bond of not less than 1023
three thousand dollars, conditioned for the faithful performance 1024
of the deputy clerk's duties. 1025

(I) For the purposes of this section, whenever the 1026
population of the territory of a municipal court falls below one 1027
hundred thousand but not below ninety thousand, and the 1028
population of the territory prior to the most recent regular 1029
federal census exceeded one hundred thousand, the legislative 1030
authority of the municipal corporation may declare, by 1031
resolution, that the territory shall be considered to have a 1032
population of at least one hundred thousand. 1033

(J) The clerk or a deputy clerk shall be in attendance at 1034
all sessions of the municipal court, although not necessarily in 1035
the courtroom, and may administer oaths to witnesses and jurors 1036
and receive verdicts. 1037

Sec. 1907.20. (A) The clerk of courts shall be the clerk 1038
of the county court, except that the board of county 1039
commissioners, with the concurrence of the county court judges, 1040
may appoint a clerk for each county court judge, who shall serve 1041
at the pleasure of the board and shall receive compensation as 1042
set by the board, payable in semimonthly installments from the 1043
treasury of the county. Except as otherwise provided in section 1044
3.061 of the Revised Code, an appointed clerk, before entering 1045
upon the duties of the office, shall give bond of not less than 1046

five thousand dollars, as determined by the board of county 1047
commissioners, conditioned upon the faithful performance of the 1048
clerk's duties. 1049

The clerks of courts of common pleas, when acting as the 1050
clerks of county courts, and upon assuming their county court 1051
duties, shall receive compensation at one-fourth the rate 1052
prescribed for the clerks of courts of common pleas as 1053
determined in accordance with the population of the county and 1054
the rates set forth in sections 325.08 and 325.18 of the Revised 1055
Code. This compensation shall be paid from the county treasury 1056
in semimonthly installments and is in addition to the annual 1057
compensation received for the performance of the duties of the 1058
clerk of a court of common pleas as provided in sections 325.08 1059
and 325.18 of the Revised Code. 1060

(B) The clerk of a county court shall have general powers 1061
to administer oaths, take affidavits, and issue executions upon 1062
any judgment rendered in the county court, including a judgment 1063
for unpaid costs, power to issue and sign all writs, process, 1064
subpoenas, and papers issuing out of the court, and to attach 1065
the seal of the court to them, and power to approve all bonds, 1066
sureties, recognizances, and undertakings fixed by any judge of 1067
the court or by law. The clerk shall file and safely keep all 1068
journals, records, books, and papers belonging or appertaining 1069
to the court, record its proceedings, perform all other duties 1070
that the judges of the court may prescribe, and keep a book 1071
showing all receipts and disbursements, which shall be open for 1072
public inspection at all times. The clerk may refuse to accept 1073
for filing any pleading or paper submitted for filing by a 1074
person who has been found to be a vexatious litigator under 1075
section 2323.52 of the Revised Code and who has failed to obtain 1076
leave to proceed under that section. 1077

The clerk shall prepare and maintain a general index, a docket as prescribed by the court, which shall be furnished by the board of county commissioners, and such other records as the court, by rule, requires, all of which shall be the public records of the court. In the docket, the clerk shall enter at times of the commencement of an action, the names of the parties in full, the names of the counsel, and the nature of the proceedings. Under proper dates, the clerk shall note the filing of the complaint, issuing of summons or other process, returns, and pleadings subsequent thereto. The clerk also shall enter all reports, verdicts, orders, judgments, and proceedings of the court, clearly specifying the relief granted or orders made in each action. The court may order an extended record of any of the above to be made and entered, under the proper action heading, upon the docket at the request of any party to the case, the expense of which may be taxed as costs in the case or may be required to be prepaid by the party demanding the extended record, upon order of the court.

(C) The clerk of a county court shall receive and collect all costs, fees, fines, penalties, bail, and other moneys payable to the office or to any officer of the court and issue receipts therefor, and shall on or before the twentieth day of the month following the month in which they are collected disburse the costs, fees, fines, penalties, bail, and other moneys to the proper persons or officers and take receipts therefor. Subject to sections 307.515, 4511.19, 4511.193, and 5503.04 of the Revised Code and all other statutes that require a different distribution of fines, fines received for violations of municipal ordinances shall be paid into the treasury of the municipal corporation whose ordinance was violated, fines received for violations of township resolutions adopted pursuant to section 503.52 or 503.53 or Chapter 504. of the Revised Code

shall be paid into the treasury of the township whose resolution 1110
was violated, and fines collected for the violation of state 1111
laws shall be paid into the county treasury. Moneys deposited as 1112
security for costs shall be retained pending the litigation. 1113

The clerk shall keep a separate account of all receipts 1114
and disbursements in civil and criminal cases. The separate 1115
account shall be a permanent public record of the office. On the 1116
expiration of a clerk's term, those records shall be delivered 1117
to the clerk's successor. 1118

The clerk shall have such other powers and duties as are 1119
prescribed by rule or order of the court. 1120

(D) All moneys paid into a county court shall be noted on 1121
the record of the case in which they are paid and shall be 1122
deposited in a state or national bank selected by the clerk. On 1123
the first Monday in January of each year, the clerk shall make a 1124
list of the titles of all cases in the county court that were 1125
finally determined more than one year past in which there 1126
remains unclaimed in the possession of the clerk any funds, or 1127
any part of a deposit for security of costs not consumed by the 1128
costs in the case. The clerk shall give notice of the moneys to 1129
the parties entitled to them or to their attorneys of record. 1130
All the moneys remaining unclaimed that are for restitution 1131
payments for crime victims shall be sent to the reparations fund 1132
created under section 2743.191 of the Revised Code, with a list 1133
from the clerk specifying the amounts and individual identifying 1134
information of the funds. All ~~the~~ other moneys remaining 1135
unclaimed on the first day of April of each year shall be paid 1136
by the clerk to the county treasurer. Any part of the moneys 1137
shall be paid by the county treasurer at any time to the person 1138
having the right to them, upon proper certification of the 1139
clerk. 1140

(E) (1) In county court districts having appointed clerks, 1141
deputy clerks may be appointed by the board of county 1142
commissioners. Clerks and deputy clerks shall receive such 1143
compensation payable in semimonthly installments out of the 1144
county treasury as the board may prescribe. Each deputy clerk 1145
shall take an oath of office before entering upon the duties of 1146
the deputy clerk's office and, when so qualified, may perform 1147
the duties appertaining to the office of the clerk. The clerk 1148
may require any of the deputy clerks to give bond of not less 1149
than three thousand dollars, conditioned for the faithful 1150
performance of the deputy clerk's duties. 1151

(2) A clerk of courts acting as clerk of the county court 1152
may appoint deputy clerks to perform the duties pertaining to 1153
the office of clerk of the county court. Each deputy clerk shall 1154
take an oath of office before entering upon the deputy clerk's 1155
duties, and the clerk of courts may require the deputy clerk to 1156
give bond of not less than three thousand dollars, conditioned 1157
for the faithful performance of the deputy clerk's duties. 1158

(3) The clerk or a deputy clerk of a county court shall be 1159
in attendance at all sessions of the court, although not 1160
necessarily in the courtroom, and may administer oaths to 1161
witnesses and jurors and receive verdicts. 1162

(F) (1) In county court districts having appointed clerks, 1163
the board of county commissioners may order the establishment of 1164
one or more branch offices of the clerk and, with the 1165
concurrence of the county judges, may appoint a special deputy 1166
clerk to administer each branch office. Each special deputy 1167
clerk shall take an oath of office before entering upon the 1168
duties of the deputy clerk's office and, when so qualified, may 1169
perform any one or more of the duties appertaining to the office 1170
of clerk, as the board prescribes. Special deputy clerks shall 1171

receive such compensation payable in semimonthly installments 1172
out of the county treasury as the board may prescribe. Except as 1173
otherwise provided in section 3.061 of the Revised Code, the 1174
board may require any of the special deputy clerks to give bond 1175
of not less than three thousand dollars, conditioned for the 1176
faithful performance of the deputy clerk's duties. 1177

The board of county commissioners may authorize the clerk 1178
of the county court to operate one or more branch offices, to 1179
divide the clerk's time between the offices, and to perform 1180
duties appertaining to the office of clerk in locations that the 1181
board prescribes. 1182

(2) A clerk of courts acting as clerk of the county court 1183
may establish one or more branch offices for the clerk's duties 1184
as clerk of the county court and, with the concurrence of the 1185
county court judges, may appoint a special deputy clerk to 1186
administer each branch office. Each special deputy clerk shall 1187
take an oath of office before entering upon the deputy clerk's 1188
duties and, when so qualified, may perform any of the duties 1189
pertaining to the office of clerk, as the clerk of courts 1190
prescribes. The clerk of courts may require any of the special 1191
deputy clerks to give bond of not less than three thousand 1192
dollars, conditioned for the faithful performance of the deputy 1193
clerk's duties. 1194

(G) The clerk of courts of the county shall fix the 1195
compensation of deputy clerks and special deputy clerks 1196
appointed by the clerk pursuant to this section. Those personnel 1197
shall be paid and be subject to the same requirements as other 1198
employees of the clerk under the provisions of section 325.17 of 1199
the Revised Code insofar as that section is applicable." 1200

In line 1992, delete "If money that is received pursuant to an order
of" 1201
1202

Delete lines 1993 through 2002 1203

In line 2003, delete "(I)" 1204

After line 2665, insert: 1205

"Sec. 2335.35. (A) All moneys, fees, costs, debts, and 1206
damages, remaining in the hands of the clerk of the court of 1207
common pleas or probate judge, and all unclaimed moneys, other 1208
than costs, remaining in the hands of the sheriff from the 1209
expiration of thirty days from the ending of the time of 1210
advertisement as provided by section 2335.34 of the Revised 1211
Code, shall be paid by such officer or ~~his~~such officer's 1212
successor to the county treasurer, on the order of the county 1213
auditor, except for unclaimed moneys that are for restitution 1214
payments for crime victims. Each such officer shall indicate 1215
each item in ~~his~~the officer's cashbook and docket the 1216
disposition made thereof. Upon ceasing to be such officer, each 1217
clerk, probate judge, and sheriff shall immediately pay to 1218
~~his~~the clerk's, probate judge's, or sheriff's successor all 1219
money ~~in his hands~~on hand as such officer. 1220

(B) All the moneys remaining unclaimed that are for 1221
restitution payments for crime victims shall be sent to the 1222
reparations fund created under section 2743.191 of the Revised 1223
Code, with a list from the clerk specifying the amounts and 1224
individual identifying information of the funds. 1225

Sec. 2743.191. (A) (1) There is hereby created in the 1226
state treasury the reparations fund, which shall be used only 1227
for the following purposes: 1228

(a) The payment of awards of reparations that are granted 1229
by the attorney general; 1230

(b) The compensation of any personnel needed by the 1231

attorney general to administer sections 2743.51 to 2743.72 of the Revised Code;	1232 1233
(c) The compensation of witnesses as provided in division (J) of section 2743.65 of the Revised Code;	1234 1235
(d) Other administrative costs of hearing and determining claims for an award of reparations by the attorney general;	1236 1237
(e) The costs of administering sections 2907.28 and 2969.01 to 2969.06 of the Revised Code;	1238 1239
(f) The costs of investigation and decision-making as certified by the attorney general;	1240 1241
(g) The provision of state financial assistance to victim assistance programs in accordance with sections 109.91 and 109.92 of the Revised Code;	1242 1243 1244
(h) The costs of paying the expenses of sex offense- related examinations, antibiotics, and HIV post-exposure prophylaxis pursuant to section 2907.28 of the Revised Code;	1245 1246 1247
(i) The cost of printing and distributing the pamphlet prepared by the attorney general pursuant to section 109.42 of the Revised Code;	1248 1249 1250
(j) Subject to division (D) of section 2743.71 of the Revised Code, the costs associated with the printing and providing of information cards or other printed materials to law enforcement agencies and prosecuting authorities and with publicizing the availability of awards of reparations pursuant to section 2743.71 of the Revised Code;	1251 1252 1253 1254 1255 1256
(k) The payment of costs of administering a DNA specimen collection procedure pursuant to sections 2152.74 and 2901.07 of the Revised Code, of performing DNA analysis of those DNA specimens, and of entering the resulting DNA records regarding	1257 1258 1259 1260

those analyses into the DNA database pursuant to section 109.573	1261
of the Revised Code;	1262
(1) The payment of actual costs associated with	1263
initiatives by the attorney general for the apprehension,	1264
prosecution, and accountability of offenders, and the enhancing	1265
of services to crime victims. The amount of payments made	1266
pursuant to division (A) (1) (1) of this section during any given	1267
fiscal year shall not exceed five per cent of the balance of the	1268
reparations fund at the close of the immediately previous fiscal	1269
year;	1270
(m) The costs of administering the adult parole	1271
authority's supervision pursuant to division (E) of section	1272
2971.05 of the Revised Code of sexually violent predators who	1273
are sentenced to a prison term pursuant to division (A) (3) of	1274
section 2971.03 of the Revised Code and of offenders who are	1275
sentenced to a prison term pursuant to division (B) (1) (a), (b),	1276
or (c), (B) (2) (a), (b), or (c), or (B) (3) (a), (b), (c), or (d)	1277
of that section;	1278
(n) Subject to the limit set forth in those sections, the	1279
costs of the installation and monitoring of an electronic	1280
monitoring device used in the monitoring of a respondent	1281
pursuant to an electronic monitoring order issued by a court	1282
under division (E) (1) (b) of section 2151.34 or division (E) (1)	1283
(b) of section 2903.214 of the Revised Code if the court	1284
determines that the respondent is indigent or used in the	1285
monitoring of an offender pursuant to an electronic monitoring	1286
order issued under division (B) (5) of section 2919.27 of the	1287
Revised Code if the court determines that the offender is	1288
indigent.	1289
(2) All costs paid pursuant to section 2743.70 of the	1290
Revised Code, the portions of license reinstatement fees	1291

mandated by division (F) (2) (b) of section 4511.191 of the Revised Code to be credited to the fund, the portions of the proceeds of the sale of a forfeited vehicle specified in division (C) (2) of section 4503.234 of the Revised Code, payments collected by the department of rehabilitation and correction from prisoners who voluntarily participate in an approved work and training program pursuant to division (C) (8) (b) (ii) of section 5145.16 of the Revised Code, and all moneys collected by the state pursuant to its right of subrogation provided in section 2743.72 of the Revised Code shall be deposited in the fund.

(B) In making an award of reparations, the attorney general shall render the award against the state. The award shall be accomplished only through the following procedure, and the following procedure may be enforced by writ of mandamus directed to the appropriate official:

(1) The attorney general shall provide for payment of the claimant or providers in the amount of the award only if the amount of the award is fifty dollars or more.

(2) The expense shall be charged against all available unencumbered moneys in the fund.

(3) If sufficient unencumbered moneys do not exist in the fund, the attorney general shall make application for payment of the award out of the emergency purposes account or any other appropriation for emergencies or contingencies, and payment out of this account or other appropriation shall be authorized if there are sufficient moneys greater than the sum total of then pending emergency purposes account requests or requests for releases from the other appropriations.

(4) If sufficient moneys do not exist in the account or any other appropriation for emergencies or contingencies to pay

the award, the attorney general shall request the general 1323
assembly to make an appropriation sufficient to pay the award, 1324
and no payment shall be made until the appropriation has been 1325
made. The attorney general shall make this appropriation request 1326
during the current biennium and during each succeeding biennium 1327
until a sufficient appropriation is made. If, prior to the time 1328
that an appropriation is made by the general assembly pursuant 1329
to this division, the fund has sufficient unencumbered funds to 1330
pay the award or part of the award, the available funds shall be 1331
used to pay the award or part of the award, and the 1332
appropriation request shall be amended to request only 1333
sufficient funds to pay that part of the award that is unpaid. 1334

(C) The attorney general shall not make payment on a 1335
decision or order granting an award until all appeals have been 1336
determined and all rights to appeal exhausted, except as 1337
otherwise provided in this section. If any party to a claim for 1338
an award of reparations appeals from only a portion of an award, 1339
and a remaining portion provides for the payment of money by the 1340
state, that part of the award calling for the payment of money 1341
by the state and not a subject of the appeal shall be processed 1342
for payment as described in this section. 1343

(D) If any unclaimed moneys that are in the reparations 1344
fund are not claimed within a period of five years, the attorney 1345
general shall use those moneys for the benefit of other victims 1346
of crime. The attorney general shall pay any part of the 1347
restitution award owed to a victim at any time to the person who 1348
has the right to the moneys upon proper certification from the 1349
clerk and documentation from the individual claiming such right. 1350

(E) The attorney general shall prepare itemized bills for 1351
the costs of printing and distributing the pamphlet the attorney 1352
general prepares pursuant to section 109.42 of the Revised Code. 1353

The itemized bills shall set forth the name and address of the persons owed the amounts set forth in them. 1354
1355

~~(E)~~(F) Interest earned on the moneys in the fund shall be credited to the fund. 1356
1357

~~(F)~~(G) As used in this section, "DNA analysis" and "DNA specimen" have the same meanings as in section 109.573 of the Revised Code." 1358
1359
1360

In line 4163, delete "If money that is received pursuant to a sentence of" 1361
1362

Delete lines 4164 through 4173 1363

In line 4174, delete "(H)" 1364

In line 7690, after "sections" insert "9.39,"; after "149.43" insert ", 1901.31, 1907.20" 1365
1366

In line 7691, after "2152.811" insert ", 2335.35, 2743.191" 1367

The motion was _____ agreed to.

SYNOPSIS 1368

Unclaimed funds for crime victims 1369

R.C. 9.39, 1901.31, 1907.20, 2152.203, 2335.35, 2743.191, and 2929.281 1370
1371

Requires unclaimed moneys that are for restitution payments for crime victims to be sent to the Reparations Fund and for those moneys, if still unclaimed after five years, to be used for the benefit of other crime victims. 1372
1373
1374
1375

Requires the Attorney General to pay any part of the 1376

restitution award owed to a victim at any time to the person who	1377
has the right to the moneys upon proper certification from the	1378
clerk and documentation from the individual claiming such right.	1379
Removes requirements that unclaimed funds that cannot be	1380
paid to victims within 60 days be paid to the Division of	1381
Unclaimed Funds.	1382

_____ moved to amend as follows:

In line 35, delete "create the victim's" 1383

Delete lines 36 and 37 1384

In line 38, delete "substantially similar form, and shall"; strike 1385
through "distribute" and insert: 1386

"make" 1387

In line 39, delete "and form" and insert "available" 1388

In line 216, delete "request/waiver" and insert "request"; after 1389
"form" insert "created under section 2930.04 of the Revised Code"; delete 1390
"substantially" 1391

In line 217, after "form" insert "that, at a minimum, contains all 1392
the required information listed in that section"; after "and" insert "the" 1393

In line 587, delete "section" and insert "sections 2930.04 and" 1394

In line 4508, after "After" insert "The supreme court shall create 1395
the victim's rights request form, which shall include the information 1396
specified in division (B) of this section or a similar form that, at a 1397
minimum, contains all the required information listed in division (B) of 1398
this section. The supreme court shall make the form available to all 1399

sheriffs, marshals, municipal corporation and township police departments, 1400
constables, and other law enforcement agencies, to all prosecuting 1401
attorneys, city directors of law, village solicitors, and other similar 1402
chief legal officers of municipal corporations, and to organizations that 1403
represent or provide services for victims of crime. 1404

(B) (1)" 1405

In line 4513, delete "request/waiver" and insert "request"; delete 1406
"substantially"; delete "does" and insert ", at a minimum, contains the 1407
required information listed in this division and division (B) (2) of this 1408
section. The form shall do" 1409

In line 4515, strike through "(1)" 1410

In line 4516, delete "Allows for the victim and victim's 1411
representative to" 1412

Delete line 4517 1413

In line 4518, delete "representative are entitled, on request, under 1414
this section" and insert "(a) Inform victims of rights that are 1415
automatically granted" 1416

In line 4519, strike through "(2)" 1417

In line 4521, delete "Provides a method for the"; strike through 1418
"victim"; delete "to designate a representative" 1419

In line 4522, delete "if the victim chooses" and insert "(b) Of the 1420
rights that are not automatically granted, allow the victim and victim's 1421
representative, if applicable, to select which rights the victim wishes to 1422
request" 1423

In line 4523, strike through "(3)" 1424

In line 4529, delete "Includes" 1425

Delete lines 4530 and 4531 1426

In line 4532, delete "representative" and insert "(c) Inform victims that an election of rights made on the form can be changed at any time" 1427
1428

Delete lines 4533 and 4534 1429

In line 4535, delete "agency" and insert "(d) Include a section for law enforcement to indicate that the victim did not make an election or was unable to complete the form at the time of first contact with law enforcement, if applicable, and is therefore considered to have requested all rights until the prosecutor contacts the victim pursuant to section 2930.06 of the Revised Code to provide another opportunity to request any right that is not automatically conferred by the Ohio Constitution" 1430
1431
1432
1433
1434
1435
1436

Delete lines 4536 and 4537 1437

In line 4538, delete "representative, if applicable" and insert "(e) Inform the victim and victim's representative that failure to affirmatively request the rights that are not automatically granted is a waiver of those rights once contacted by the prosecutor, but that the victim or victim's representative may request those rights at a later date;" 1438
1439
1440
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1442
1443

(f) Provide a method for the victim to designate a victim's representative if the victim chooses; 1444
1445

(g) Include a section where the victim or victim's representative shall indicate whether the victim was a victim against whom the criminal offense or delinquent act was committed or the victim was directly or proximately harmed by the commission of the criminal offense or delinquent act; 1446
1447
1448
1449
1450

(h) Include a section where the victim or victim's representative shall indicate that a law enforcement official or the prosecutor provided the form to the victim; 1451
1452
1453

(i) Include the address, telephone number, and electronic 1454

mail address, if available, for the victim and victim's 1455
representative, if applicable; 1456

(j) Include the contact information or address for the law 1457
enforcement official, incident report number, badge number of 1458
the law enforcement officer, case number, and arraignment date, 1459
time and location, if known; 1460

(k) Include signature lines for acknowledgment by the 1461
applicable law enforcement officer or agency, prosecutor, or 1462
custodial agent or agency, and victim and victim's 1463
representative; 1464

(l) Advise victims of the right to counsel and refer the 1465
victim to the attorney general information card and victim's 1466
rights handbook online or in print, including telephone and web 1467
site information for obtaining a copy if not provided by law 1468
enforcement officials; 1469

(m) Inform victims of the responsibility to keep contact 1470
information current with the applicable law enforcement 1471
official; 1472

(n) Provide a section for prosecutors to inform the 1473
custodial agency of the victim's and victim's representative's, 1474
if applicable, name and identifying information. The custodial 1475
agency shall notify the victim and victim's representative, if 1476
applicable, of the victim's post-conviction rights and provide 1477
post-conviction information; 1478

(o) Contain a statement that the victim's identifying 1479
information on the form is not a public record under section 1480
149.43 of the Revised Code" 1481

In line 4539, delete "(B) (1) On its initial contact with a victim of 1482
a" and insert "(2) As part of the victim's rights request form, the law 1483
enforcement official shall provide an informational page to the victim 1484

<u>that includes information about the following:</u>	1485
<u>(a) The fact that some rights are automatic and some rights are upon request;</u>	1486 1487
<u>(b) Appointing a victim representative;</u>	1488
<u>(c) The importance of the arraignment process for victim's rights;</u>	1489 1490
<u>(d) The right to refuse interview, deposition and discovery requests from the defendant;</u>	1491 1492
<u>(e) The potential availability of protection orders;</u>	1493
<u>(f) Victims' compensation and restitution, and the importance of preserving documentation during the criminal justice process for purposes of obtaining compensation or restitution;</u>	1494 1495 1496 1497
<u>(g) Privacy for victim addresses through the address confidentiality program established by section 111.42 of the Revised Code, including the web site address and contact telephone number for the program;</u>	1498 1499 1500 1501
<u>(h) Tracking incarcerated offenders through the victim information and notification everyday program, including the web site address to register for text message or electronic mail notices of offender release."</u>	1502 1503 1504 1505
Delete lines 4540 through 4543	1506
In line 4544, delete " <u>separate page with</u> " and insert:	1507
<u>"(C) (1) The portion on the completed victim's rights request form that contains a victim's name and identifying information is not a public record under section 149.43 of the Revised Code.</u>	1508 1509 1510 1511

(2) On"; after "court" insert ", the victim's name and" 1512
identifying information shall be filed separately on a page that 1513
is not a public record under section 149.43 of the Revised Code" 1514

In line 4545, delete "The law" 1515

Delete lines 4546 through 4582 1516

In line 4583, delete "(C) (1) A person, who by" 1517

Delete lines 4584 through 4597 1518

In line 4612, delete "Section 10a of Article I" 1519

In line 4613, delete "of the"; after "Constitution," insert "Article 1520
I, Section 10a,"; delete "these" and insert "those" 1521

In line 4639, delete "request/waiver" and insert "request"; delete 1522
, or a substantially similar form" and insert "or a form that, at a 1523
minimum, contains the required information listed in division (B) of this 1524
section" 1525

In line 4641, after "not" insert "complete the form or"; delete "or 1526
waive" 1527

In line 4644, after the second "rights" insert "until the prosecutor 1528
contacts the victim within seven days of initiation of a criminal 1529
prosecution pursuant to section 2930.06 of the Revised Code to provide 1530
another opportunity to request any right that is not automatically 1531
conferred under the Ohio Constitution" 1532

In line 4647, delete "request/waiver" and insert "request" 1533

In line 4649, delete "On" and insert: 1534

"(G) On" 1535

In line 4651, after the first "prosecutor" insert "and to the 1536
court"; delete "file the assertion" 1537

Delete lines 4652 through 4654 1538

In line 4655, delete "criminal prosecution" and insert "review the victim's rights request form with the victim or victim's representative and obtain signatures from the victim and victim's representative, if applicable, if the form was not previously completed with law enforcement and shall file the form with the court within seven days after initiation of a criminal prosecution"

In line 4656, delete "(G)" and insert "(H)"

In line 4662, delete "(H)" and insert "(I)"

In line 4663, after "the" insert "victim's rights request"; after "form" insert "created under this section"; after "and" insert "the"

After line 4669, insert:

"(J) (1) Once completed, the law enforcement agency shall provide the victim's rights request form with the information of the victim or victims to the prosecutor with the complaint and affidavit and provide it to the court at the time of criminal case filing.

(2) If the form containing the information of the victim or victims as described in division (B) of this section is not completed and sent to the prosecutor prior to the first interaction between the prosecutor and the victim or victims, then the prosecutor shall complete the form during the prosecutor's first interaction with the victim.

(3) A victim may elect not to receive the notifications described in division (B) (1) of this section, in which case the prosecutor shall document that refusal. Once the prosecutor has met with the victim, the prosecutor shall file the completed or updated victim's rights request form with the court.

(4) If a defendant is convicted and sentenced to the department of rehabilitation and correction or the department of

youth services, the court shall ask the victim, if present, or 1568
the prosecutor if the victim wishes to update the victim's 1569
contact information and shall inform the victim that it is the 1570
victim's duty to notify the department of rehabilitation and 1571
correction or department of youth services of any change in 1572
address or contact information. 1573

(K) (1) A person, who by reason of that person's regular 1574
business activities, is the subject of multiple and continuing 1575
criminal offenses or delinquent acts as a potential victim, may 1576
opt out of notices and rights available pursuant to the Ohio 1577
Constitution, Chapter 2930. of the Revised Code, and other laws 1578
providing victims with rights for future offenses by giving a 1579
written notification form to the appropriate prosecutor or the 1580
prosecutor's designee. 1581

(2) The form shall include the name and address of the 1582
person's business and the period of time that the person wishes 1583
to opt out of receiving the notices and rights available. The 1584
form may also state that the person is only interested in the 1585
notices described in this section if restitution is at issue. It 1586
shall be signed by the person or another person with management 1587
authority over the business." 1588

In line 4898, delete "request/waiver" and insert "request" 1589

In line 4899, delete "substantially"; after "form" insert "that, at
a minimum, contains the required information listed in this section and on 1591
the victim's rights request form" 1592

After line 4978, insert: 1593

"(H) The prosecutor shall review the victim's rights 1594
request form with the victim or victim's representative and 1595
obtain the victim's and victim's representative's, if 1596
applicable, signatures if the form was not previously completed 1597

with law enforcement and shall file this form with the court 1598
within seven days after initiation of a criminal prosecution." 1599
 In line 5717, delete "give the victim" 1600
 Delete lines 5718 through 5723 1601
 In line 5724, delete "later time" and insert "verify with the victim 1602
and victim's representative, if applicable, that all information and 1603
requests are current. If a victim's rights request form was not provided 1604
by the prosecutor, the custodial agency shall give the victim and victim's 1605
representative, if applicable, the victim's rights request form, or 1606
similar form that, at a minimum, contains the required information listed 1607
in this section and on the victim's rights request form" 1608

The motion was _____ agreed to.

SYNOPSIS 1609

Victim's rights request form 1610

R.C. 109.42, 2930.04, 2930.06, and 2930.16 1611

Changes the name of the victim's rights request/waiver to 1612
 the victim's rights request form and the information required to 1613
 be included the form. 1614

Requires the Ohio Supreme Court to create the victim's 1615
 rights request form and to distribute it to certain specified 1616
 persons. 1617

Explains the procedures for filling out and filing the 1618
 form, and that the form is not a public record. 1619