

As Introduced

131st General Assembly

Regular Session

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H. B. No. 126

Representatives Kunze, Leland

**Cosponsors: Representatives Sweeney, Boyd, Stinziano, Duffey, Becker, Amstutz,
Phillips, Rogers**

A BILL

To amend section 3767.01 of the Revised Code to 1
expand nuisance law to include any real property 2
on which an offense of violence has occurred or 3
is occurring. 4

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

Section 1. That section 3767.01 of the Revised Code be 5
amended to read as follows: 6

Sec. 3767.01. As used in all sections of the Revised Code 7
relating to nuisances: 8

(A) "Place" includes any building, erection, or place or 9
any separate part or portion thereof or the ground itself; 10

(B) "Person" includes any individual, corporation, 11
association, partnership, trustee, lessee, agent, or assignee; 12

(C) "Nuisance" means any of the following: 13

(1) That which is defined and declared by statutes to be a 14
nuisance; 15

(2) Any place in or upon which lewdness, assignation, or 16

prostitution is conducted, permitted, continued, or exists, or 17
any place, in or upon which lewd, indecent, lascivious, or 18
obscene films or plate negatives, film or plate positives, films 19
designed to be projected on a screen for exhibition films, or 20
glass slides either in negative or positive form designed for 21
exhibition by projection on a screen, are photographed, 22
manufactured, developed, screened, exhibited, or otherwise 23
prepared or shown, and the personal property and contents used 24
in conducting and maintaining any such place for any such 25
purpose. This chapter shall not affect any newspaper, magazine, 26
or other publication entered as second class matter by the post- 27
office department. 28

(3) Any room, house, building, boat, vehicle, structure, 29
or place where beer or intoxicating liquor is manufactured, 30
sold, bartered, possessed, or kept in violation of law and all 31
property kept and used in maintaining the same, and all property 32
designed for the unlawful manufacture of beer or intoxicating 33
liquor and beer or intoxicating liquor contained in the room, 34
house, building, boat, structure, or place, or the operation of 35
such a room, house, building, boat, structure, or place as 36
described in division (C) (3) of this section where the operation 37
of that place substantially interferes with public decency, 38
sobriety, peace, and good order. "Violation of law" includes, 39
but is not limited to, sales to any person under the legal 40
drinking age as prohibited in division (A) of section 4301.22 or 41
division (A) of section 4301.69 of the Revised Code and any 42
violation of section 2913.46 or 2925.03 of the Revised Code. 43

(4) Any real property, including vacant land, on which an 44
offense of violence, as defined in section 2901.01 of the 45
Revised Code, has occurred or is occurring. 46

Section 2. That existing section 3767.01 of the Revised Code is hereby repealed. 47
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