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**131st General Assembly**

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**2015-2016**

**Am. Sub. H. B. No. 63**

**Representatives Pelanda, Grossman**

**Cosponsors: Representatives Slaby, Boose, Maag, Becker, Buchy, Leland, Sears, Dever, Hill, Barnes, Fedor, Blessing, Boyd, Sheehy, Driehaus, Anielski, Antonio, Arndt, Baker, Brown, Burkley, Cupp, Derickson, DeVitis, Dovilla, Ginter, Hagan, Hall, Johnson, T., Kunze, LaTourette, Manning, McClain, O'Brien, M., Patmon, Patterson, Perales, Phillips, Reineke, Rezabek, Rogers, Schaffer, Scherer, Strahorn, Sweeney, Thompson**

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**A BILL**

To amend sections 2919.22, 3107.05, 3109.51, 1  
4510.13, 4510.31, and 5101.13 and to enact 2  
sections 3107.035, 3109.81, 3109.811, 3109.812, 3  
3109.813, 3109.814, and 3109.815 of the Revised 4  
Code regarding child rehoming and nonjudicial 5  
grants of parental rights. 6

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

**Section 1.** That sections 2919.22, 3107.05, 3109.51, 7  
4510.13, 4510.31, and 5101.13 be amended and sections 3107.035, 8  
3109.81, 3109.811, 3109.812, 3109.813, 3109.814, and 3109.815 of 9  
the Revised Code be enacted to read as follows: 10

**Sec. 2919.22.** (A) No person, who is the parent, guardian, 11  
custodian, person having custody or control, or person in loco 12  
parentis of a child under eighteen years of age or a mentally or 13  
physically handicapped child under twenty-one years of age, 14  
shall create a substantial risk to the health or safety of the 15

child, by violating a duty of care, protection, or support. It 16  
is not a violation of a duty of care, protection, or support 17  
under this division when the parent, guardian, custodian, or 18  
person having custody or control of a child treats the physical 19  
or mental illness or defect of the child by spiritual means 20  
through prayer alone, in accordance with the tenets of a 21  
recognized religious body. 22

(B) No person shall do any of the following to a child 23  
under eighteen years of age or a mentally or physically 24  
handicapped child under twenty-one years of age: 25

(1) Abuse the child; 26

(2) Torture or cruelly abuse the child; 27

(3) Administer corporal punishment or other physical 28  
disciplinary measure, or physically restrain the child in a 29  
cruel manner or for a prolonged period, which punishment, 30  
discipline, or restraint is excessive under the circumstances 31  
and creates a substantial risk of serious physical harm to the 32  
child; 33

(4) Repeatedly administer unwarranted disciplinary 34  
measures to the child, when there is a substantial risk that 35  
such conduct, if continued, will seriously impair or retard the 36  
child's mental health or development; 37

(5) Entice, coerce, permit, encourage, compel, hire, 38  
employ, use, or allow the child to act, model, or in any other 39  
way participate in, or be photographed for, the production, 40  
presentation, dissemination, or advertisement of any material or 41  
performance that the offender knows or reasonably should know is 42  
obscene, is sexually oriented matter, or is nudity-oriented 43  
matter; 44

(6) Allow the child to be on the same parcel of real property and within one hundred feet of, or, in the case of more than one housing unit on the same parcel of real property, in the same housing unit and within one hundred feet of, any act in violation of section 2925.04 or 2925.041 of the Revised Code when the person knows that the act is occurring, whether or not any person is prosecuted for or convicted of the violation of section 2925.04 or 2925.041 of the Revised Code that is the basis of the violation of this division;

(7) Sell or transfer, or arrange to sell or transfer, a child for anything of value;

(8) (a) (i) Receive or place a child in the custody of another person, with the intent that the child remain in the person's custody for more than one year;

(ii) Receive or place a child in the custody of another person, with the intent that the child remain in that person's custody for a reason other than a vacation or school sponsored function or activity or because of a parent's incarceration, military service, medical treatment, or incapacity.

(b) For purposes of division (B) (8) of this section, "receive or place a child in the custody of another person" means both of the following:

(i) To grant or be granted any of the parents', guardian's, or custodian's rights and responsibilities regarding the care, custody, and control of the child;

(ii) To have the child reside with the person.

(C) (1) No person shall operate a vehicle, streetcar, or trackless trolley within this state in violation of division (A) of section 4511.19 of the Revised Code when one or more children

under eighteen years of age are in the vehicle, streetcar, or 74  
trackless trolley. Notwithstanding any other provision of law, a 75  
person may be convicted at the same trial or proceeding of a 76  
violation of this division and a violation of division (A) of 77  
section 4511.19 of the Revised Code that constitutes the basis 78  
of the charge of the violation of this division. For purposes of 79  
sections 4511.191 to 4511.197 of the Revised Code and all 80  
related provisions of law, a person arrested for a violation of 81  
this division shall be considered to be under arrest for 82  
operating a vehicle while under the influence of alcohol, a drug 83  
of abuse, or a combination of them or for operating a vehicle 84  
with a prohibited concentration of alcohol, a controlled 85  
substance, or a metabolite of a controlled substance in the 86  
whole blood, blood serum or plasma, breath, or urine. 87

(2) As used in division (C) (1) of this section: 88

(a) "Controlled substance" has the same meaning as in 89  
section 3719.01 of the Revised Code. 90

(b) "Vehicle," "streetcar," and "trackless trolley" have 91  
the same meanings as in section 4511.01 of the Revised Code. 92

(D) (1) Division (B) (5) of this section does not apply to 93  
any material or performance that is produced, presented, or 94  
disseminated for a bona fide medical, scientific, educational, 95  
religious, governmental, judicial, or other proper purpose, by 96  
or to a physician, psychologist, sociologist, scientist, 97  
teacher, person pursuing bona fide studies or research, 98  
librarian, member of the clergy, prosecutor, judge, or other 99  
person having a proper interest in the material or performance. 100

(2) Mistake of age is not a defense to a charge under 101  
division (B) (5) of this section. 102

(3) In a prosecution under division (B) (5) of this section, the trier of fact may infer that an actor, model, or participant in the material or performance involved is a juvenile if the material or performance, through its title, text, visual representation, or otherwise, represents or depicts the actor, model, or participant as a juvenile.

(4) As used in this division and division (B) (5) of this section:

(a) "Material," "performance," "obscene," and "sexual activity" have the same meanings as in section 2907.01 of the Revised Code.

(b) "Nudity-oriented matter" means any material or performance that shows a minor in a state of nudity and that, taken as a whole by the average person applying contemporary community standards, appeals to prurient interest.

(c) "Sexually oriented matter" means any material or performance that shows a minor participating or engaging in sexual activity, masturbation, or bestiality.

(E) Division (B) (8) of this section does not apply in any of the following situations:

(1) Voluntary delivery of a child, and that child's subsequent care in accordance with sections 2151.3515 to 2151.3530 of the Revised Code;

(2) The child is related by consanguinity or affinity within the fifth degree to the person receiving the child;

(3) Placement in accordance with Chapter 5103. of the Revised Code;

(4) Placement in accordance with any court order.

(F) (1) Whoever violates this section is guilty of endangering children. 131  
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(2) If the offender violates division (A) or (B) (1) of this section, endangering children is one of the following, and, in the circumstances described in division ~~(E)~~ (F) (2) (e) of this section, that division applies: 133  
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(a) Except as otherwise provided in division ~~(E)~~ (F) (2) (b), (c), or (d) of this section, a misdemeanor of the first degree; 137  
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(b) If the offender previously has been convicted of an offense under this section or of any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division ~~(E)~~ (F) (2) (c) or (d) of this section, a felony of the fourth degree; 139  
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(c) If the violation is a violation of division (A) of this section and results in serious physical harm to the child involved, a felony of the third degree; 144  
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(d) If the violation is a violation of division (B) (1) of this section and results in serious physical harm to the child involved, a felony of the second degree. 147  
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(e) If the violation is a felony violation of division (B) (1) of this section and the offender also is convicted of or pleads guilty to a specification as described in section 2941.1422 of the Revised Code that was included in the indictment, count in the indictment, or information charging the offense, the court shall sentence the offender to a mandatory prison term as provided in division (B) (7) of section 2929.14 of the Revised Code and shall order the offender to make restitution as provided in division (B) (8) of section 2929.18 of the Revised Code. 150  
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(3) If the offender violates division (B) (2), (3), (4), or 160  
(6) of this section, except as otherwise provided in this 161  
division, endangering children is a felony of the third degree. 162  
If the violation results in serious physical harm to the child 163  
involved, or if the offender previously has been convicted of an 164  
offense under this section or of any offense involving neglect, 165  
abandonment, contributing to the delinquency of, or physical 166  
abuse of a child, endangering children is a felony of the second 167  
degree. If the offender violates division (B) (2), (3), or (4) of 168  
this section and the offender also is convicted of or pleads 169  
guilty to a specification as described in section 2941.1422 of 170  
the Revised Code that was included in the indictment, count in 171  
the indictment, or information charging the offense, the court 172  
shall sentence the offender to a mandatory prison term as 173  
provided in division (B) (7) of section 2929.14 of the Revised 174  
Code and shall order the offender to make restitution as 175  
provided in division (B) (8) of section 2929.18 of the Revised 176  
Code. If the offender violates division (B) (6) of this section 177  
and the drug involved is methamphetamine, the court shall impose 178  
a mandatory prison term on the offender as follows: 179

(a) If the violation is a violation of division (B) (6) of 180  
this section that is a felony of the third degree under division 181  
~~(E)~~(F) (3) of this section and the drug involved is 182  
methamphetamine, except as otherwise provided in this division, 183  
the court shall impose as a mandatory prison term one of the 184  
prison terms prescribed for a felony of the third degree that is 185  
not less than two years. If the violation is a violation of 186  
division (B) (6) of this section that is a felony of the third 187  
degree under division ~~(E)~~(F) (3) of this section, if the drug 188  
involved is methamphetamine, and if the offender previously has 189  
been convicted of or pleaded guilty to a violation of division 190

(B) (6) of this section, a violation of division (A) of section 191  
2925.04 of the Revised Code, or a violation of division (A) of 192  
section 2925.041 of the Revised Code, the court shall impose as 193  
a mandatory prison term one of the prison terms prescribed for a 194  
felony of the third degree that is not less than five years. 195

(b) If the violation is a violation of division (B) (6) of 196  
this section that is a felony of the second degree under 197  
division ~~(E)~~ (F) (3) of this section and the drug involved is 198  
methamphetamine, except as otherwise provided in this division, 199  
the court shall impose as a mandatory prison term one of the 200  
prison terms prescribed for a felony of the second degree that 201  
is not less than three years. If the violation is a violation of 202  
division (B) (6) of this section that is a felony of the second 203  
degree under division ~~(E)~~ (F) (3) of this section, if the drug 204  
involved is methamphetamine, and if the offender previously has 205  
been convicted of or pleaded guilty to a violation of division 206  
(B) (6) of this section, a violation of division (A) of section 207  
2925.04 of the Revised Code, or a violation of division (A) of 208  
section 2925.041 of the Revised Code, the court shall impose as 209  
a mandatory prison term one of the prison terms prescribed for a 210  
felony of the second degree that is not less than five years. 211

(4) If the offender violates division (B) (5) of this 212  
section, endangering children is a felony of the second degree. 213  
If the offender also is convicted of or pleads guilty to a 214  
specification as described in section 2941.1422 of the Revised 215  
Code that was included in the indictment, count in the 216  
indictment, or information charging the offense, the court shall 217  
sentence the offender to a mandatory prison term as provided in 218  
division (B) (7) of section 2929.14 of the Revised Code and shall 219  
order the offender to make restitution as provided in division 220  
(B) (8) of section 2929.18 of the Revised Code. 221



(5) (a) If the offender violates division (B) (7) or (8) of this section for a first offense, endangering children is a felony of the fifth degree. 222  
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(b) If the offender previously has been convicted of an offense under division (B) (7) or (8) of this section and subsequently violates division (B) (7) or (8) of this section, endangering children is a felony of the fourth degree. 225  
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(6) If the offender violates division (C) of this section, the offender shall be punished as follows: 229  
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(a) Except as otherwise provided in division ~~(E) (5)~~ (F) (6) (b) or (c) of this section, endangering children in violation of division (C) of this section is a misdemeanor of the first degree. 231  
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(b) If the violation results in serious physical harm to the child involved or the offender previously has been convicted of an offense under this section or any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division ~~(E) (5)~~ (F) (6) (c) of this section, endangering children in violation of division (C) of this section is a felony of the fifth degree. 235  
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(c) If the violation results in serious physical harm to the child involved and if the offender previously has been convicted of a violation of division (C) of this section, section 2903.06 or 2903.08 of the Revised Code, section 2903.07 of the Revised Code as it existed prior to March 23, 2000, or section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, endangering children in violation of division 243  
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(C) of this section is a felony of the fourth degree. 251

(d) In addition to any term of imprisonment, fine, or 252  
other sentence, penalty, or sanction it imposes upon the 253  
offender pursuant to division ~~(E) (5)~~ (F) (6) (a), (b), or (c) of 254  
this section or pursuant to any other provision of law and in 255  
addition to any suspension of the offender's driver's or 256  
commercial driver's license or permit or nonresident operating 257  
privilege under Chapter 4506., 4509., 4510., or 4511. of the 258  
Revised Code or under any other provision of law, the court also 259  
may impose upon the offender a class seven suspension of the 260  
offender's driver's or commercial driver's license or permit or 261  
nonresident operating privilege from the range specified in 262  
division (A) (7) of section 4510.02 of the Revised Code. 263

(e) In addition to any term of imprisonment, fine, or 264  
other sentence, penalty, or sanction imposed upon the offender 265  
pursuant to division ~~(E) (5)~~ (F) (6) (a), (b), (c), or (d) of this 266  
section or pursuant to any other provision of law for the 267  
violation of division (C) of this section, if as part of the 268  
same trial or proceeding the offender also is convicted of or 269  
pleads guilty to a separate charge charging the violation of 270  
division (A) of section 4511.19 of the Revised Code that was the 271  
basis of the charge of the violation of division (C) of this 272  
section, the offender also shall be sentenced in accordance with 273  
section 4511.19 of the Revised Code for that violation of 274  
division (A) of section 4511.19 of the Revised Code. 275

~~(F)~~ (G) (1) (a) A court may require an offender to perform 276  
not more than two hundred hours of supervised community service 277  
work under the authority of an agency, subdivision, or 278  
charitable organization. The requirement shall be part of the 279  
community control sanction or sentence of the offender, and the 280

court shall impose the community service in accordance with and 281  
subject to divisions ~~(F)~~(G)(1) (a) and (b) of this section. The 282  
court may require an offender whom it requires to perform 283  
supervised community service work as part of the offender's 284  
community control sanction or sentence to pay the court a 285  
reasonable fee to cover the costs of the offender's 286  
participation in the work, including, but not limited to, the 287  
costs of procuring a policy or policies of liability insurance 288  
to cover the period during which the offender will perform the 289  
work. If the court requires the offender to perform supervised 290  
community service work as part of the offender's community 291  
control sanction or sentence, the court shall do so in 292  
accordance with the following limitations and criteria: 293

(i) The court shall require that the community service 294  
work be performed after completion of the term of imprisonment 295  
or jail term imposed upon the offender for the violation of 296  
division (C) of this section, if applicable. 297

(ii) The supervised community service work shall be 298  
subject to the limitations set forth in divisions (B) (1), (2), 299  
and (3) of section 2951.02 of the Revised Code. 300

(iii) The community service work shall be supervised in 301  
the manner described in division (B) (4) of section 2951.02 of 302  
the Revised Code by an official or person with the 303  
qualifications described in that division. The official or 304  
person periodically shall report in writing to the court 305  
concerning the conduct of the offender in performing the work. 306

(iv) The court shall inform the offender in writing that 307  
if the offender does not adequately perform, as determined by 308  
the court, all of the required community service work, the court 309  
may order that the offender be committed to a jail or workhouse 310

for a period of time that does not exceed the term of 311  
imprisonment that the court could have imposed upon the offender 312  
for the violation of division (C) of this section, reduced by 313  
the total amount of time that the offender actually was 314  
imprisoned under the sentence or term that was imposed upon the 315  
offender for that violation and by the total amount of time that 316  
the offender was confined for any reason arising out of the 317  
offense for which the offender was convicted and sentenced as 318  
described in sections 2949.08 and 2967.191 of the Revised Code, 319  
and that, if the court orders that the offender be so committed, 320  
the court is authorized, but not required, to grant the offender 321  
credit upon the period of the commitment for the community 322  
service work that the offender adequately performed. 323

(b) If a court, pursuant to division ~~(F)~~(G) (1) (a) of this 324  
section, orders an offender to perform community service work as 325  
part of the offender's community control sanction or sentence 326  
and if the offender does not adequately perform all of the 327  
required community service work, as determined by the court, the 328  
court may order that the offender be committed to a jail or 329  
workhouse for a period of time that does not exceed the term of 330  
imprisonment that the court could have imposed upon the offender 331  
for the violation of division (C) of this section, reduced by 332  
the total amount of time that the offender actually was 333  
imprisoned under the sentence or term that was imposed upon the 334  
offender for that violation and by the total amount of time that 335  
the offender was confined for any reason arising out of the 336  
offense for which the offender was convicted and sentenced as 337  
described in sections 2949.08 and 2967.191 of the Revised Code. 338  
The court may order that a person committed pursuant to this 339  
division shall receive hour-for-hour credit upon the period of 340  
the commitment for the community service work that the offender 341

adequately performed. No commitment pursuant to this division 342  
shall exceed the period of the term of imprisonment that the 343  
sentencing court could have imposed upon the offender for the 344  
violation of division (C) of this section, reduced by the total 345  
amount of time that the offender actually was imprisoned under 346  
that sentence or term and by the total amount of time that the 347  
offender was confined for any reason arising out of the offense 348  
for which the offender was convicted and sentenced as described 349  
in sections 2949.08 and 2967.191 of the Revised Code. 350

(2) Division ~~(F)~~(G) (1) of this section does not limit or 351  
affect the authority of the court to suspend the sentence 352  
imposed upon a misdemeanor offender and place the offender under 353  
a community control sanction pursuant to section 2929.25 of the 354  
Revised Code, to require a misdemeanor or felony offender to 355  
perform supervised community service work in accordance with 356  
division (B) of section 2951.02 of the Revised Code, or to place 357  
a felony offender under a community control sanction. 358

~~(G)~~(H) (1) If a court suspends an offender's driver's or 359  
commercial driver's license or permit or nonresident operating 360  
privilege under division ~~(E)~~~~(5)~~(F) ~~(6)~~ (d) of this section, the 361  
period of the suspension shall be consecutive to, and commence 362  
after, the period of suspension of the offender's driver's or 363  
commercial driver's license or permit or nonresident operating 364  
privilege that is imposed under Chapter 4506., 4509., 4510., or 365  
4511. of the Revised Code or under any other provision of law in 366  
relation to the violation of division (C) of this section that 367  
is the basis of the suspension under division ~~(E)~~~~(5)~~(F) ~~(6)~~ (d) of 368  
this section or in relation to the violation of division (A) of 369  
section 4511.19 of the Revised Code that is the basis for that 370  
violation of division (C) of this section. 371

(2) An offender is not entitled to request, and the court shall not grant to the offender, limited driving privileges if the offender's license, permit, or privilege has been suspended under division ~~(E) (5)~~ (F) (6) (d) of this section and the offender, within the preceding six years, has been convicted of or pleaded guilty to three or more violations of one or more of the following:

(a) Division (C) of this section;

(b) Any equivalent offense, as defined in section 4511.181 of the Revised Code.

~~(H) (I)~~ (1) If a person violates division (C) of this section and if, at the time of the violation, there were two or more children under eighteen years of age in the motor vehicle involved in the violation, the offender may be convicted of a violation of division (C) of this section for each of the children, but the court may sentence the offender for only one of the violations.

(2) (a) If a person is convicted of or pleads guilty to a violation of division (C) of this section but the person is not also convicted of and does not also plead guilty to a separate charge charging the violation of division (A) of section 4511.19 of the Revised Code that was the basis of the charge of the violation of division (C) of this section, both of the following apply:

(i) For purposes of the provisions of section 4511.19 of the Revised Code that set forth the penalties and sanctions for a violation of division (A) of section 4511.19 of the Revised Code, the conviction of or plea of guilty to the violation of division (C) of this section shall not constitute a violation of

division (A) of section 4511.19 of the Revised Code; 401

(ii) For purposes of any provision of law that refers to a 402  
conviction of or plea of guilty to a violation of division (A) 403  
of section 4511.19 of the Revised Code and that is not described 404  
in division ~~(H)~~(I)(2) (a) (i) of this section, the conviction of 405  
or plea of guilty to the violation of division (C) of this 406  
section shall constitute a conviction of or plea of guilty to a 407  
violation of division (A) of section 4511.19 of the Revised 408  
Code. 409

(b) If a person is convicted of or pleads guilty to a 410  
violation of division (C) of this section and the person also is 411  
convicted of or pleads guilty to a separate charge charging the 412  
violation of division (A) of section 4511.19 of the Revised Code 413  
that was the basis of the charge of the violation of division 414  
(C) of this section, the conviction of or plea of guilty to the 415  
violation of division (C) of this section shall not constitute, 416  
for purposes of any provision of law that refers to a conviction 417  
of or plea of guilty to a violation of division (A) of section 418  
4511.19 of the Revised Code, a conviction of or plea of guilty 419  
to a violation of division (A) of section 4511.19 of the Revised 420  
Code. 421

~~(I)~~(J) As used in this section: 422

(1) "Community control sanction" has the same meaning as 423  
in section 2929.01 of the Revised Code; 424

(2) "Limited driving privileges" has the same meaning as 425  
in section 4501.01 of the Revised Code; 426

(3) "Methamphetamine" has the same meaning as in section 427  
2925.01 of the Revised Code. 428

Sec. 3107.035. Any training that the department of job and 429

family services may require for a prospective adoptive parent 430  
shall include instruction regarding divisions (B) (7) and (8) of 431  
section 2919.22 and sections 3109.81 to 3109.813 of the Revised 432  
Code. 433

**Sec. 3107.05.** (A) A petition for adoption shall be 434  
prepared and filed according to the procedure for commencing an 435  
action under the Rules of Civil Procedure. It shall include the 436  
following information: 437

(1) The date and place of birth of the person to be 438  
adopted, if known; 439

(2) The name of the person to be adopted, if known; 440

(3) The name to be used for the person to be adopted; 441

(4) The date of placement of a minor and the name of the 442  
person placing the minor; 443

(5) The full name, age, place, and duration of residence 444  
of the petitioner; 445

(6) The marital status of the petitioner, including the 446  
date and place of marriage, if married; 447

(7) The relationship to the petitioner of the person to be 448  
adopted; 449

(8) That the petitioner has facilities and resources 450  
suitable to provide for the nurture and care of the person to be 451  
adopted, and that it is the desire of the petitioner to 452  
establish the relationship of parent and child with the person 453  
to be adopted; 454

(9) A description and estimate of value of all property of 455  
the person to be adopted; 456



(10) The name and address, if known, of any person whose consent to the adoption is required, but who has not consented, and facts that explain the lack of the consent normally required to the adoption;

(11) A certification by the petitioner that the petitioner is aware of the provisions of divisions (B) (7) and (8) of section 2919.22 and sections 3109.81 to 3109.813 of the Revised Code.

(B) A certified copy of the birth certificate of the person to be adopted, if available, and ordinary copies of the required consents, and relinquishments of consents, if any, shall be filed with the clerk.

**Sec. 3109.51.** As used in sections 3109.52 to ~~3109.80~~ 3109.815 of the Revised Code:

(A) "Child" means a person under eighteen years of age.

(B) "Custodian" means an individual with legal custody of a child.

(C) "Guardian" means an individual granted authority by a probate court pursuant to Chapter 2111. of the Revised Code to exercise parental rights over a child to the extent provided in the court's order and subject to the residual parental rights, privileges, and responsibilities of the child's parents.

(D) "Legal custody" and "residual parental rights, privileges, and responsibilities" have the same meanings as in section 2151.011 of the Revised Code.

**Sec. 3109.81.** As used in sections 3109.811 to 3109.813, "mandatory reporter" means any person listed in division (A) (1) (b) of section 2151.421 of the Revised Code.

Sec. 3109.811. (A) Except as provided in division (B) of 485  
this section, when an attorney in fact under a document that 486  
purports to grant to a person with whom a child is residing any 487  
of the parent's, guardian's, or custodian's rights and 488  
responsibilities regarding the care, physical control, and 489  
custody of the child requests registration in a school, medical 490  
treatment, or other services for a child and presents the 491  
document as authority for requesting the services, the mandatory 492  
reporter shall promptly investigate whether the child has been 493  
placed with the attorney in fact due to a vacation, school 494  
sponsored function or activity, or because of a parent's 495  
incarceration, military service, medical treatment, or 496  
incapacity. The mandatory reporter shall also investigate how 497  
long the child has been placed with the attorney in fact. If the 498  
mandatory reporter determines that the child has been placed for 499  
more than one year or that the child has been placed for a 500  
reason other than because of a vacation, school sponsored 501  
function or activity, or because of a parent's incarceration, 502  
military service, medical treatment, or incapacity, the 503  
mandatory reporter shall promptly report the request, in 504  
writing, to the public children services agency of the county in 505  
which the child resides. The report shall include the name and 506  
address of the attorney in fact and of the child, the child's 507  
age, and the nature of the services requested. 508

(B) A mandatory reporter is not required to conduct an 509  
investigation or make a report under division (A) of this 510  
section if either of the following apply: 511

(1) The document presented appears to be a valid court 512  
order, power of attorney given to a grandparent under section 513  
3109.52 of the Revised Code, or caretaker authorization 514  
affidavit executed under section 3109.65 of the Revised Code; 515

(2) The child has been placed in a situation as described 516  
in division (E) of section 2919.22 of the Revised Code. 517

**Sec. 3109.812.** (A) Except as provided in division (B) of 518  
this section, on receiving a report made under section 3109.811 519  
of the Revised Code, a public children services agency shall 520  
investigate the child's placement. 521

(1) The public children services agency shall determine 522  
the extent of the investigation, based upon the facts in the 523  
report under section 3109.811, the agency's familiarity with the 524  
parties involved, and other factors it determines relevant. 525

(2) The investigation may include a criminal records 526  
check, a check of court records for any child-related civil 527  
proceedings, and, if the public children services agency 528  
determines that the records check warrants it, a study following 529  
standard protocols. 530

(B) A public children services agency is not required to 531  
conduct an investigation under division (A) of this section if 532  
the child has been placed in either of the following situations: 533

(1) For a designated period of less than one year due to a 534  
vacation, school sponsored function or activity, or because of a 535  
parent's incarceration, military service, medical treatment, or 536  
incapacity; 537

(2) As described in division (E) of section 2919.22 of the 538  
Revised Code. 539

**Sec. 3109.813.** If a public children services agency, after 540  
an investigation conducted under section 3109.812 of the Revised 541  
Code, determines that the placement of the child with the 542  
attorney in fact is unsafe for the child, the agency shall file 543  
a complaint with the juvenile court pursuant to section 2151.27 544

of the Revised Code. 545

Sec. 3109.814. The general assembly strongly recommends 546  
that every board, commission, or agency that is created under 547  
Title XLVII of the Revised Code and that is authorized to grant 548  
licensure or certification to persons who may encounter a child 549  
described in sections 3109.811 to 3109.813 of the Revised Code 550  
in the normal course of their work adopt rules pursuant to 551  
Chapter 119. of the Revised Code to require those persons, as a 552  
condition of receiving or maintaining licensure or 553  
certification, to receive training in the recognition and 554  
handling of these cases in accordance with sections 3109.81 to 555  
3109.813 of the Revised Code. 556

Sec. 3109.815. The department of job and family services 557  
shall adopt rules pursuant to Chapter 119. of the Revised Code 558  
establishing the following: 559

(A) Guidelines and procedures for public children services 560  
agencies to conduct investigations under section 3109.812 of the 561  
Revised Code; 562

(B) Criteria for determining if the placement of a child 563  
is unsafe under section 3109.813 of the Revised Code. 564

**Sec. 4510.13.** (A) (1) Divisions (A) (2) to (9) of this 565  
section apply to a judge or mayor regarding the suspension of, 566  
or the grant of limited driving privileges during a suspension 567  
of, an offender's driver's or commercial driver's license or 568  
permit or nonresident operating privilege imposed under division 569  
(G) or (H) of section 4511.19 of the Revised Code, under 570  
division (B) or (C) of section 4511.191 of the Revised Code, or 571  
under section 4510.07 of the Revised Code for a conviction of a 572  
violation of a municipal OVI ordinance. 573

(2) No judge or mayor shall suspend the following portions 574  
of the suspension of an offender's driver's or commercial 575  
driver's license or permit or nonresident operating privilege 576  
imposed under division (G) or (H) of section 4511.19 of the 577  
Revised Code or under section 4510.07 of the Revised Code for a 578  
conviction of a violation of a municipal OVI ordinance, provided 579  
that division (A) (2) of this section does not limit a court or 580  
mayor in crediting any period of suspension imposed pursuant to 581  
division (B) or (C) of section 4511.191 of the Revised Code 582  
against any time of judicial suspension imposed pursuant to 583  
section 4511.19 or 4510.07 of the Revised Code, as described in 584  
divisions (B) (2) and (C) (2) of section 4511.191 of the Revised 585  
Code: 586

(a) The first six months of a suspension imposed under 587  
division (G) (1) (a) of section 4511.19 of the Revised Code or of 588  
a comparable length suspension imposed under section 4510.07 of 589  
the Revised Code; 590

(b) The first year of a suspension imposed under division 591  
(G) (1) (b) or (c) of section 4511.19 of the Revised Code or of a 592  
comparable length suspension imposed under section 4510.07 of 593  
the Revised Code; 594

(c) The first three years of a suspension imposed under 595  
division (G) (1) (d) or (e) of section 4511.19 of the Revised Code 596  
or of a comparable length suspension imposed under section 597  
4510.07 of the Revised Code; 598

(d) The first sixty days of a suspension imposed under 599  
division (H) of section 4511.19 of the Revised Code or of a 600  
comparable length suspension imposed under section 4510.07 of 601  
the Revised Code. 602

(3) No judge or mayor shall grant limited driving 603  
privileges to an offender whose driver's or commercial driver's 604  
license or permit or nonresident operating privilege has been 605  
suspended under division (G) or (H) of section 4511.19 of the 606  
Revised Code, under division (C) of section 4511.191 of the 607  
Revised Code, or under section 4510.07 of the Revised Code for a 608  
municipal OVI conviction if the offender, within the preceding 609  
six years, has been convicted of or pleaded guilty to three or 610  
more violations of one or more of the Revised Code sections, 611  
municipal ordinances, statutes of the United States or another 612  
state, or municipal ordinances of a municipal corporation of 613  
another state that are identified in divisions ~~(G)~~ (H) (2) (b) to 614  
(h) of section 2919.22 of the Revised Code. 615

Additionally, no judge or mayor shall grant limited 616  
driving privileges to an offender whose driver's or commercial 617  
driver's license or permit or nonresident operating privilege 618  
has been suspended under division (B) of section 4511.191 of the 619  
Revised Code if the offender, within the preceding six years, 620  
has refused three previous requests to consent to a chemical 621  
test of the person's whole blood, blood serum or plasma, breath, 622  
or urine to determine its alcohol content. 623

(4) No judge or mayor shall grant limited driving 624  
privileges for employment as a driver of commercial motor 625  
vehicles to an offender whose driver's or commercial driver's 626  
license or permit or nonresident operating privilege has been 627  
suspended under division (G) or (H) of section 4511.19 of the 628  
Revised Code, under division (B) or (C) of section 4511.191 of 629  
the Revised Code, or under section 4510.07 of the Revised Code 630  
for a municipal OVI conviction if the offender is disqualified 631  
from operating a commercial motor vehicle, or whose license or 632  
permit has been suspended, under section 3123.58 or 4506.16 of 633

the Revised Code. 634

(5) No judge or mayor shall grant limited driving 635  
privileges to an offender whose driver's or commercial driver's 636  
license or permit or nonresident operating privilege has been 637  
suspended under division (G) or (H) of section 4511.19 of the 638  
Revised Code, under division (C) of section 4511.191 of the 639  
Revised Code, or under section 4510.07 of the Revised Code for a 640  
conviction of a violation of a municipal OVI ordinance during 641  
any of the following periods of time: 642

(a) The first fifteen days of a suspension imposed under 643  
division (G) (1) (a) of section 4511.19 of the Revised Code or a 644  
comparable length suspension imposed under section 4510.07 of 645  
the Revised Code, or of a suspension imposed under division (C) 646  
(1) (a) of section 4511.191 of the Revised Code. On or after the 647  
sixteenth day of the suspension, the court may grant limited 648  
driving privileges, but the court may require that the offender 649  
shall not exercise the privileges unless the vehicles the 650  
offender operates are equipped with immobilizing or disabling 651  
devices that monitor the offender's alcohol consumption or any 652  
other type of immobilizing or disabling devices, except as 653  
provided in division (C) of section 4510.43 of the Revised Code. 654

(b) The first forty-five days of a suspension imposed 655  
under division (C) (1) (b) of section 4511.191 of the Revised 656  
Code. On or after the forty-sixth day of suspension, the court 657  
may grant limited driving privileges, but the court may require 658  
that the offender shall not exercise the privileges unless the 659  
vehicles the offender operates are equipped with immobilizing or 660  
disabling devices that monitor the offender's alcohol 661  
consumption or any other type of immobilizing or disabling 662  
devices, except as provided in division (C) of section 4510.43 663

of the Revised Code. 664

(c) The first sixty days of a suspension imposed under 665  
division (H) of section 4511.19 of the Revised Code or a 666  
comparable length suspension imposed under section 4510.07 of 667  
the Revised Code. 668

(d) The first one hundred eighty days of a suspension 669  
imposed under division (C) (1) (c) of section 4511.191 of the 670  
Revised Code. On or after the one hundred eighty-first day of 671  
suspension, the court may grant limited driving privileges, and 672  
either of the following applies: 673

(i) If the underlying arrest is alcohol-related, the court 674  
shall issue an order that, except as provided in division (C) of 675  
section 4510.43 of the Revised Code, for the remainder of the 676  
period of suspension the offender shall not exercise the 677  
privileges unless the vehicles the offender operates are 678  
equipped with a certified ignition interlock device. 679

(ii) If the underlying arrest is drug-related, the court 680  
in its discretion may issue an order that, except as provided in 681  
division (C) of section 4510.43 of the Revised Code, for the 682  
remainder of the period of suspension the offender shall not 683  
exercise the privileges unless the vehicles the offender 684  
operates are equipped with a certified ignition interlock 685  
device. 686

(e) The first forty-five days of a suspension imposed 687  
under division (G) (1) (b) of section 4511.19 of the Revised Code 688  
or a comparable length suspension imposed under section 4510.07 689  
of the Revised Code. On or after the forty-sixth day of the 690  
suspension, the court may grant limited driving privileges, and 691  
either of the following applies: 692



(i) If the underlying conviction is alcohol-related, the court shall issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

(ii) If the underlying conviction is drug-related, the court in its discretion may issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

(f) The first one hundred eighty days of a suspension imposed under division (G) (1) (c) of section 4511.19 of the Revised Code or a comparable length suspension imposed under section 4510.07 of the Revised Code. On or after the one hundred eighty-first day of the suspension, the court may grant limited driving privileges, and either of the following applies:

(i) If the underlying conviction is alcohol-related, the court shall issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

(ii) If the underlying conviction is drug-related, the court in its discretion may issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender

operates are equipped with a certified ignition interlock 723  
device. 724

(g) The first three years of a suspension imposed under 725  
division (G) (1) (d) or (e) of section 4511.19 of the Revised Code 726  
or a comparable length suspension imposed under section 4510.07 727  
of the Revised Code, or of a suspension imposed under division 728  
(C) (1) (d) of section 4511.191 of the Revised Code. On or after 729  
the first three years of suspension, the court may grant limited 730  
driving privileges, and either of the following applies: 731

(i) If the underlying conviction is alcohol-related, the 732  
court shall issue an order that, except as provided in division 733  
(C) of section 4510.43 of the Revised Code, for the remainder of 734  
the period of suspension the offender shall not exercise the 735  
privileges unless the vehicles the offender operates are 736  
equipped with a certified ignition interlock device. 737

(ii) If the underlying conviction is drug-related, the 738  
court in its discretion may issue an order that, except as 739  
provided in division (C) of section 4510.43 of the Revised Code, 740  
for the remainder of the period of suspension the offender shall 741  
not exercise the privileges unless the vehicles the offender 742  
operates are equipped with a certified ignition interlock 743  
device. 744

(6) No judge or mayor shall grant limited driving 745  
privileges to an offender whose driver's or commercial driver's 746  
license or permit or nonresident operating privilege has been 747  
suspended under division (B) of section 4511.191 of the Revised 748  
Code during any of the following periods of time: 749

(a) The first thirty days of suspension imposed under 750  
division (B) (1) (a) of section 4511.191 of the Revised Code; 751

(b) The first ninety days of suspension imposed under 752  
division (B) (1) (b) of section 4511.191 of the Revised Code; 753

(c) The first year of suspension imposed under division 754  
(B) (1) (c) of section 4511.191 of the Revised Code; 755

(d) The first three years of suspension imposed under 756  
division (B) (1) (d) of section 4511.191 of the Revised Code. 757

(7) In any case in which a judge or mayor grants limited 758  
driving privileges to an offender whose driver's or commercial 759  
driver's license or permit or nonresident operating privilege 760  
has been suspended under division (G) (1) (b), (c), (d), or (e) of 761  
section 4511.19 of the Revised Code, under division (G) (1) (a) of 762  
section 4511.19 of the Revised Code for a violation of division 763  
(A) (1) (f), (g), (h), or (i) of that section, or under section 764  
4510.07 of the Revised Code for a municipal OVI conviction for 765  
which sentence would have been imposed under division (G) (1) (a) 766  
(ii) or (G) (1) (b), (c), (d), or (e) of section 4511.19 of the 767  
Revised Code had the offender been charged with and convicted of 768  
a violation of section 4511.19 of the Revised Code instead of a 769  
violation of the municipal OVI ordinance, the judge or mayor 770  
shall impose as a condition of the privileges that the offender 771  
must display on the vehicle that is driven subject to the 772  
privileges restricted license plates that are issued under 773  
section 4503.231 of the Revised Code, except as provided in 774  
division (B) of that section. 775

(8) In any case in which the offender operates a motor 776  
vehicle that is not equipped with an ignition interlock device, 777  
circumvents the device, or tampers with the device or in any 778  
case in which the court receives notice pursuant to section 779  
4510.46 of the Revised Code that a certified ignition interlock 780  
device required by an order issued under division (A) (5) (e), 781

(f), or (g) of this section prevented an offender from starting a motor vehicle, the following applies:

(a) If the offender was sentenced under division (G) (1) (b) of section 4511.19 of the Revised Code, on a first instance the court may require the offender to wear a monitor that provides continuous alcohol monitoring that is remote. On a second instance, the court shall require the offender to wear a monitor that provides continuous alcohol monitoring that is remote for a minimum of forty days. On a third instance or more, the court shall require the offender to wear a monitor that provides continuous alcohol monitoring that is remote for a minimum of sixty days.

(b) If the offender was sentenced under division (G) (1) (c), (d), or (e) of section 4511.19 of the Revised Code, on a first instance the court shall require the offender to wear a monitor that provides continuous alcohol monitoring that is remote for a minimum of forty days. On a second instance or more, the court shall require the offender to wear a monitor that provides continuous alcohol monitoring that is remote for a minimum of sixty days.

(9) In any case in which the court issues an order under this section prohibiting an offender from exercising limited driving privileges unless the vehicles the offender operates are equipped with an immobilizing or disabling device, including a certified ignition interlock device, or requires an offender to wear a monitor that provides continuous alcohol monitoring that is remote, the court shall impose an additional court cost of two dollars and fifty cents upon the offender. The court shall not waive the payment of the two dollars and fifty cents unless the court determines that the offender is indigent and waives

the payment of all court costs imposed upon the indigent 812  
offender. The clerk of court shall transmit one hundred per cent 813  
of this mandatory court cost collected during a month on or 814  
before the twenty-third day of the following month to the state 815  
treasury to be credited to the state highway safety fund created 816  
under section 4501.06 of the Revised Code, to be used by the 817  
department of public safety to cover costs associated with 818  
maintaining the habitual OVI/OMWI offender registry created 819  
under section 5502.10 of the Revised Code. In its discretion the 820  
court may impose an additional court cost of two dollars and 821  
fifty cents upon the offender. The clerk of court shall retain 822  
this discretionary two dollar and fifty cent court cost, if 823  
imposed, and shall deposit it in the court's special projects 824  
fund that is established under division (E) (1) of section 825  
2303.201, division (B) (1) of section 1901.26, or division (B) (1) 826  
of section 1907.24 of the Revised Code. 827

(10) In any case in which the court issues an order under 828  
this section prohibiting an offender from exercising limited 829  
driving privileges unless the vehicles the offender operates are 830  
equipped with an immobilizing or disabling device, including a 831  
certified ignition interlock device, the court shall notify the 832  
offender at the time the offender is granted limited driving 833  
privileges that, in accordance with section 4510.46 of the 834  
Revised Code, if the court receives notice that the device 835  
prevented the offender from starting the motor vehicle because 836  
the device was tampered with or circumvented or because the 837  
analysis of the deep-lung breath sample or other method employed 838  
by the device to measure the concentration by weight of alcohol 839  
in the offender's breath indicated the presence of alcohol in 840  
the offender's breath in a concentration sufficient to prevent 841  
the device from permitting the motor vehicle to be started, the 842

court may increase the period of suspension of the offender's 843  
driver's or commercial driver's license or permit or nonresident 844  
operating privilege from that originally imposed by the court by 845  
a factor of two and may increase the period of time during which 846  
the offender will be prohibited from exercising any limited 847  
driving privileges granted to the offender unless the vehicles 848  
the offender operates are equipped with a certified ignition 849  
interlock device by a factor of two. 850

(B) Any person whose driver's or commercial driver's 851  
license or permit or nonresident operating privilege has been 852  
suspended pursuant to section 4511.19 or 4511.191 of the Revised 853  
Code or under section 4510.07 of the Revised Code for a 854  
violation of a municipal OVI ordinance may file a petition for 855  
limited driving privileges during the suspension. The person 856  
shall file the petition in the court that has jurisdiction over 857  
the place of arrest. Subject to division (A) of this section, 858  
the court may grant the person limited driving privileges during 859  
the period during which the suspension otherwise would be 860  
imposed. However, the court shall not grant the privileges for 861  
employment as a driver of a commercial motor vehicle to any 862  
person who is disqualified from operating a commercial motor 863  
vehicle under section 4506.16 of the Revised Code or during any 864  
of the periods prescribed by division (A) of this section. 865

(C) (1) After a driver's or commercial driver's license or 866  
permit or nonresident operating privilege has been suspended 867  
pursuant to section 2903.06, 2903.08, 2903.11, 2907.24, 868  
2921.331, 2923.02, 2929.02, 4511.19, 4511.251, 4549.02, 869  
4549.021, or 5743.99 of the Revised Code, any provision of 870  
Chapter 2925. of the Revised Code, or section 4510.07 of the 871  
Revised Code for a violation of a municipal OVI ordinance, the 872  
judge of the court or mayor of the mayor's court that suspended 873

the license, permit, or privilege shall cause the offender to 874  
deliver to the court the license or permit. The judge, mayor, or 875  
clerk of the court or mayor's court shall forward to the 876  
registrar the license or permit together with notice of the 877  
action of the court. 878

(2) A suspension of a commercial driver's license under 879  
any section or chapter identified in division (C)(1) of this 880  
section shall be concurrent with any period of suspension or 881  
disqualification under section 3123.58 or 4506.16 of the Revised 882  
Code. No person who is disqualified for life from holding a 883  
commercial driver's license under section 4506.16 of the Revised 884  
Code shall be issued a driver's license under this chapter 885  
during the period for which the commercial driver's license was 886  
suspended under this section, and no person whose commercial 887  
driver's license is suspended under any section or chapter 888  
identified in division (C)(1) of this section shall be issued a 889  
driver's license under Chapter 4507. of the Revised Code during 890  
the period of the suspension. 891

(3) No judge or mayor shall suspend any class one 892  
suspension, or any portion of any class one suspension, imposed 893  
under section 2903.04, 2903.06, 2903.08, or 2921.331 of the 894  
Revised Code. No judge or mayor shall suspend the first thirty 895  
days of any class two, class three, class four, class five, or 896  
class six suspension imposed under section 2903.06, 2903.08, 897  
2903.11, 2923.02, or 2929.02 of the Revised Code. 898

(D) The judge of the court or mayor of the mayor's court 899  
shall credit any time during which an offender was subject to an 900  
administrative suspension of the offender's driver's or 901  
commercial driver's license or permit or nonresident operating 902  
privilege imposed pursuant to section 4511.191 or 4511.192 of 903

the Revised Code or a suspension imposed by a judge, referee, or 904  
mayor pursuant to division (B) (1) or (2) of section 4511.196 of 905  
the Revised Code against the time to be served under a related 906  
suspension imposed pursuant to any section or chapter identified 907  
in division (C) (1) of this section. 908

(E) The judge or mayor shall notify the bureau of motor 909  
vehicles of any determinations made pursuant to this section and 910  
of any suspension imposed pursuant to any section or chapter 911  
identified in division (C) (1) of this section. 912

(F) (1) If a court issues an immobilizing or disabling 913  
device order under section 4510.43 of the Revised Code, the 914  
order shall authorize the offender during the specified period 915  
to operate a motor vehicle only if it is equipped with an 916  
immobilizing or disabling device, except as provided in division 917  
(C) of that section. The court shall provide the offender with a 918  
copy of an immobilizing or disabling device order issued under 919  
section 4510.43 of the Revised Code, and the offender shall use 920  
the copy of the order in lieu of an Ohio driver's or commercial 921  
driver's license or permit until the registrar or a deputy 922  
registrar issues the offender a restricted license. 923

An order issued under section 4510.43 of the Revised Code 924  
does not authorize or permit the offender to whom it has been 925  
issued to operate a vehicle during any time that the offender's 926  
driver's or commercial driver's license or permit is suspended 927  
under any other provision of law. 928

(2) An offender may present an immobilizing or disabling 929  
device order to the registrar or to a deputy registrar. Upon 930  
presentation of the order to the registrar or a deputy 931  
registrar, the registrar or deputy registrar shall issue the 932  
offender a restricted license. A restricted license issued under 933



this division shall be identical to an Ohio driver's license, 934  
except that it shall have printed on its face a statement that 935  
the offender is prohibited during the period specified in the 936  
court order from operating any motor vehicle that is not 937  
equipped with an immobilizing or disabling device. The date of 938  
commencement and the date of termination of the period of 939  
suspension shall be indicated conspicuously upon the face of the 940  
license. 941

**Sec. 4510.31.** (A) (1) Except as provided in division (C) (1) 942  
or (2) of this section, the registrar of motor vehicles shall 943  
suspend the probationary driver's license, restricted license, 944  
or temporary instruction permit issued to any person when the 945  
person has been convicted of, pleaded guilty to, or been 946  
adjudicated in juvenile court of having committed, prior to the 947  
person's eighteenth birthday, any of the following: 948

(a) Three separate violations of section 2903.06, 2903.08, 949  
2921.331, 4511.12, 4511.13, 4511.191, 4511.20, 4511.201, 950  
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 951  
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the 952  
Revised Code, section 4510.14 of the Revised Code involving a 953  
suspension imposed under section 4511.191 or 4511.196 of the 954  
Revised Code, section 2903.04 of the Revised Code in a case in 955  
which the person would have been subject to the sanctions 956  
described in division (D) of that section had the person been 957  
convicted of the violation of that section, former section 958  
2903.07 of the Revised Code, or any municipal ordinances 959  
similarly relating to the offenses referred to in those 960  
sections; 961

(b) One violation of section 4511.19 of the Revised Code 962  
or a substantially similar municipal ordinance; 963

(c) Two separate violations of any of the Revised Code 964  
sections referred to in division (A)(1)(a) of this section, or 965  
any municipal ordinance that is substantially similar to any of 966  
those sections. 967

(2) Any person whose license or permit is suspended under 968  
division (A)(1)(a), (b), or (c) of this section shall mail or 969  
deliver the person's probationary driver's license, restricted 970  
license, or temporary instruction permit to the registrar within 971  
fourteen days of notification of the suspension. The registrar 972  
shall retain the license or permit during the period of the 973  
suspension. A suspension pursuant to division (A)(1)(a) of this 974  
section shall be a class C suspension, a suspension pursuant to 975  
division (A)(1)(b) of this section shall be a class D 976  
suspension, and a suspension pursuant to division (A)(1)(c) of 977  
this section shall be a class E suspension, all for the periods 978  
of time specified in division (B) of section 4510.02 of the 979  
Revised Code. If the person's probationary driver's license, 980  
restricted license, or temporary instruction permit is under 981  
suspension on the date the court imposes sentence upon the 982  
person for a violation described in division (A)(1)(b) of this 983  
section, the suspension shall take effect on the next day 984  
immediately following the end of that period of suspension. If 985  
the person is sixteen years of age or older and pleads guilty to 986  
or is convicted of a violation described in division (A)(1)(b) 987  
of this section and the person does not have a current, valid 988  
probationary driver's license, restricted license, or temporary 989  
instruction permit, the registrar shall deny the issuance to the 990  
person of a probationary driver's license, restricted license, 991  
driver's license, commercial driver's license, or temporary 992  
instruction permit, as the case may be, for six months beginning 993  
on the date the court imposes sentence upon the person for the 994

violation. If the person has not attained the age of sixteen 995  
years on the date the court imposes sentence upon the person for 996  
the violation, the period of denial shall commence on the date 997  
the person attains the age of sixteen years. 998

(3) The registrar shall suspend the person's license or 999  
permit under division (A) of this section regardless of whether 1000  
the disposition of the case in juvenile court occurred after the 1001  
person's eighteenth birthday. 1002

(B) The registrar also shall impose a class D suspension 1003  
for the period of time specified in division (B) (4) of section 1004  
4510.02 of the Revised Code of the temporary instruction permit 1005  
or probationary driver's license of any person under the age of 1006  
eighteen who has been adjudicated an unruly child, delinquent 1007  
child, or juvenile traffic offender for having committed any act 1008  
that if committed by an adult would be a drug abuse offense or a 1009  
violation of division (B) of section 2917.11 of the Revised 1010  
Code. The registrar, in the registrar's discretion, may 1011  
terminate the suspension if the child, at the discretion of the 1012  
court, attends and satisfactorily completes a drug abuse or 1013  
alcohol abuse education, intervention, or treatment program 1014  
specified by the court. Any person whose temporary instruction 1015  
permit or probationary driver's license is suspended under this 1016  
division shall mail or deliver the person's permit or license to 1017  
the registrar within fourteen days of notification of the 1018  
suspension. The registrar shall retain the permit or license 1019  
during the period of the suspension. 1020

(C) (1) (a) Except as provided in division (C) (1) (c) of this 1021  
section, for any person who is convicted of, pleads guilty to, 1022  
or is adjudicated in juvenile court of having committed a second 1023  
or third violation of section 4511.12, 4511.13, 4511.20 to 1024

4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1025  
4511.75 of the Revised Code or any similar municipal ordinances 1026  
and whose license or permit is suspended under division (A) (1) 1027  
(a) or (c) of this section, the court in which the second or 1028  
third conviction, finding, plea, or adjudication resulting in 1029  
the suspension was made, upon petition of the person, may grant 1030  
the person limited driving privileges during the period during 1031  
which the suspension otherwise would be imposed under division 1032  
(A) (1) (a) or (c) of this section if the court finds reasonable 1033  
cause to believe that the suspension will seriously affect the 1034  
person's ability to continue in employment, educational 1035  
training, vocational training, or treatment. In granting the 1036  
limited driving privileges, the court shall specify the 1037  
purposes, times, and places of the privileges and may impose any 1038  
other conditions upon the person's driving a motor vehicle that 1039  
the court considers reasonable and necessary. 1040

A court that grants limited driving privileges to a person 1041  
under this division shall retain the person's probationary 1042  
driver's license, restricted license, or temporary instruction 1043  
permit during the period the license or permit is suspended and 1044  
also during the period for which limited driving privileges are 1045  
granted, and shall deliver to the person a permit card, in a 1046  
form to be prescribed by the court, setting forth the date on 1047  
which the limited driving privileges will become effective, the 1048  
purposes for which the person may drive, the times and places at 1049  
which the person may drive, and any other conditions imposed 1050  
upon the person's use of a motor vehicle. 1051

The court immediately shall notify the registrar, in 1052  
writing, of a grant of limited driving privileges under this 1053  
division. The notification shall specify the date on which the 1054  
limited driving privileges will become effective, the purposes 1055

for which the person may drive, the times and places at which 1056  
the person may drive, and any other conditions imposed upon the 1057  
person's use of a motor vehicle. The registrar shall not suspend 1058  
the probationary driver's license, restricted license, or 1059  
temporary instruction permit of any person pursuant to division 1060  
(A) of this section during any period for which the person has 1061  
been granted limited driving privileges as provided in this 1062  
division, if the registrar has received the notification 1063  
described in this division from the court. 1064

(b) Except as provided in division (C) (1) (c) of this 1065  
section, in any case in which the temporary instruction permit 1066  
or probationary driver's license of a person under eighteen 1067  
years of age has been suspended under division (A) or (B) of 1068  
this section or any other provision of law, the court may grant 1069  
the person limited driving privileges for the purpose of the 1070  
person's practicing of driving with the person's parent, 1071  
guardian, or other custodian during the period of the 1072  
suspension. Any grant of limited driving privileges under this 1073  
division shall comply with division (D) of section 4510.021 of 1074  
the Revised Code. 1075

(c) A court shall not grant limited driving privileges to 1076  
a person identified in division (C) (1) (a) or (b) of this section 1077  
if the person, within the preceding six years, has been 1078  
convicted of, pleaded guilty to, or adjudicated in juvenile 1079  
court of having committed three or more violations of one or 1080  
more of the divisions or sections set forth in divisions ~~(G)~~(H) 1081  
(2) (b) to (g) of section 2919.22 of the Revised Code. 1082

(2) (a) In a case in which a person is convicted of, pleads 1083  
guilty to, or is adjudicated in juvenile court of having 1084  
committed, prior to the person's eighteenth birthday, a second 1085

or third violation of section 4511.12, 4511.13, 4511.20 to 1086  
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1087  
4511.75 of the Revised Code or any similar municipal ordinances 1088  
and division (A) (1) (a) or (c) of this section requires the 1089  
registrar of motor vehicles to suspend the person's license or 1090  
permit, the court in which the person is convicted of, pleads 1091  
guilty to, or is adjudicated of having committed the second or 1092  
third violation may elect to order the registrar of motor 1093  
vehicles to waive the suspension if all of the following apply: 1094

(i) Prior to the date on which the court imposes sentence 1095  
upon, or makes an order of disposition for, the person for the 1096  
second or third violation, the person submits to the court a 1097  
petition requesting the court to order the registrar to waive 1098  
the prescribed suspension and describing the reasons why the 1099  
person believes the suspension, if imposed, would seriously 1100  
affect the person's ability to continue in employment, 1101  
educational training, vocational training, or treatment. 1102

(ii) Prior to the date specified in division (C) (2) (a) (i) 1103  
of this section, the person submits to the court satisfactory 1104  
proof showing that the person successfully completed an advanced 1105  
juvenile driver improvement program approved by the director of 1106  
public safety under division (B) of section 4510.311 of the 1107  
Revised Code after the date the person committed that second or 1108  
third violation. 1109

(iii) Prior to imposing sentence upon, or making an order 1110  
of disposition for, the person for the second or third 1111  
violation, the court finds reasonable cause to believe that the 1112  
suspension, if imposed, would seriously affect the person's 1113  
ability to continue in employment, educational training, 1114  
vocational training, or treatment. 1115

(iv) If the court is imposing sentence upon, or making an order of disposition for, the person for a third violation, the person did not submit to the court that imposed sentence upon, or made an order of disposition for, the person for the second violation a petition of the type described in division (C) (2) (a) (i) of this section, and the court that imposed sentence upon, or made an order of disposition for, the person for that second violation did not order the registrar of motor vehicles to waive the suspension of the person's license or permit required under division (A) (1) (c) of this section for the conviction of, plea of guilty to, or adjudication in juvenile court of having committed that second violation.

(b) If a court elects pursuant to division (C) (2) (a) of this section to order the registrar of motor vehicles to waive a suspension that otherwise is required under division (A) (1) (a) or (c) of this section, the court immediately shall send a written copy of the order to the registrar. Upon receipt of the written copy of the order, the registrar shall not suspend pursuant to division (A) (1) (a) or (c) of this section the probationary driver's license, restricted license, or temporary instruction permit of the person who is the subject of the order for the second or third violation for which the suspension otherwise would be imposed under that division.

(D) If a person who has been granted limited driving privileges under division (C) (1) of this section is convicted of, pleads guilty to, or is adjudicated in juvenile court of having committed, a violation of Chapter 4510. of the Revised Code, or a subsequent violation of any of the sections of the Revised Code listed in division (A) (1) (a) of this section or any similar municipal ordinance during the period for which the person was granted limited driving privileges, the court that

granted the limited driving privileges shall suspend the 1147  
person's permit card. The court or the clerk of the court 1148  
immediately shall forward the person's probationary driver's 1149  
license, restricted license, or temporary instruction permit 1150  
together with written notification of the court's action to the 1151  
registrar. Upon receipt of the license or permit and 1152  
notification, the registrar shall impose a class C suspension of 1153  
the person's probationary driver's license, restricted license, 1154  
or temporary instruction permit for the period of time specified 1155  
in division (B) (3) of section 4510.02 of the Revised Code. The 1156  
registrar shall retain the license or permit during the period 1157  
of suspension, and no further limited driving privileges shall 1158  
be granted during that period. 1159

(E) No application for a driver's or commercial driver's 1160  
license shall be received from any person whose probationary 1161  
driver's license, restricted license, or temporary instruction 1162  
permit has been suspended under this section until each of the 1163  
following has occurred: 1164

(1) The suspension period has expired; 1165

(2) A temporary instruction permit or commercial driver's 1166  
license temporary instruction permit has been issued; 1167

(3) The person successfully completes a juvenile driver 1168  
improvement program approved by the director of public safety 1169  
under division (A) of section 4510.311 of the Revised Code; 1170

(4) The applicant has submitted to the examination for a 1171  
driver's license as provided for in section 4507.11 or a 1172  
commercial driver's license as provided in Chapter 4506. of the 1173  
Revised Code. 1174

**Sec. 5101.13.** (A) The department of job and family 1175



services shall establish and maintain a uniform statewide 1176  
automated child welfare information system in accordance with 1177  
the requirements of 42 U.S.C.A. 674(a) (3) (C) and related federal 1178  
regulations and guidelines. The information system shall contain 1179  
records regarding any of the following: 1180

(1) (a) Investigations of children and families, and 1181  
children's care in out-of-home care, in accordance with sections 1182  
2151.421 and 5153.16 of the Revised Code; 1183

(b) Investigations and determinations under sections 1184  
3109.812 and 3109.813 of the Revised Code. 1185

(2) Care and treatment provided to children and families; 1186

(3) Any other information related to children and families 1187  
that state or federal law, regulation, or rule requires the 1188  
department or a public children services agency to maintain. 1189

(B) The department shall plan implementation of the 1190  
information system on a county-by-county basis and shall 1191  
finalize statewide implementation by all public children 1192  
services agencies as described in section 5153.02 of the Revised 1193  
Code not later than January 1, 2008. 1194

(C) The department shall promptly notify all public 1195  
children services agencies of the initiation and completion of 1196  
statewide implementation of the statewide information system 1197  
established under division (A) of this section. 1198

(D) The department may adopt rules, not later than June 1199  
30, 2017, creating an intake type for unregulated child custody 1200  
transfers in the statewide information system for records of 1201  
investigations and determinations under division (A) (1) (b) of 1202  
this section. 1203

(E) "Out-of-home care" has the same meaning as in section 1204  
2151.011 of the Revised Code. 1205

**Section 2.** That existing sections 2919.22, 3107.05, 1206  
3109.51, 4510.13, 4510.31, and 5101.13 of the Revised Code are 1207  
hereby repealed. 1208