

**As Reported by the House Community and Family Advancement
Committee**

131st General Assembly

**Regular Session
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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**

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 45
property and within one hundred feet of, or, in the case of more 46

than one housing unit on the same parcel of real property, in 47
the same housing unit and within one hundred feet of, any act in 48
violation of section 2925.04 or 2925.041 of the Revised Code 49
when the person knows that the act is occurring, whether or not 50
any person is prosecuted for or convicted of the violation of 51
section 2925.04 or 2925.041 of the Revised Code that is the 52
basis of the violation of this division; 53

(7) Sell or transfer, or arrange to sell or transfer, a 54
child for anything of value; 55

(8) (a) (i) Receive or place a child in the custody of 56
another person, with the intent that the child remain in the 57
person's custody for more than one year; 58

(ii) Receive or place a child in the custody of another 59
person, with the intent that the child remain in that person's 60
custody for a reason other than a vacation or school sponsored 61
function or activity or because of a parent's incarceration, 62
military service, medical treatment, or incapacity. 63

(b) For purposes of division (B) (8) of this section, 64
"receive or place a child in the custody of another person" 65
means both of the following: 66

(i) To grant or be granted any of the parents', 67
guardian's, or custodian's rights and responsibilities regarding 68
the care, custody, and control of the child; 69

(ii) To have the child reside with the person. 70

(C) (1) No person shall operate a vehicle, streetcar, or 71
trackless trolley within this state in violation of division (A) 72
of section 4511.19 of the Revised Code when one or more children 73
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 103
section, the trier of fact may infer that an actor, model, or 104

participant in the material or performance involved is a 105
juvenile if the material or performance, through its title, 106
text, visual representation, or otherwise, represents or depicts 107
the actor, model, or participant as a juvenile. 108

(4) As used in this division and division (B) (5) of this 109
section: 110

(a) "Material," "performance," "obscene," and "sexual 111
activity" have the same meanings as in section 2907.01 of the 112
Revised Code. 113

(b) "Nudity-oriented matter" means any material or 114
performance that shows a minor in a state of nudity and that, 115
taken as a whole by the average person applying contemporary 116
community standards, appeals to prurient interest. 117

(c) "Sexually oriented matter" means any material or 118
performance that shows a minor participating or engaging in 119
sexual activity, masturbation, or bestiality. 120

(E) Division (B) (8) of this section does not apply in any 121
of the following situations: 122

(1) Voluntary delivery of a child, and that child's 123
subsequent care in accordance with sections 2151.3515 to 124
2151.3530 of the Revised Code; 125

(2) The child is related by consanguinity or affinity 126
within the fifth degree to the person receiving the child; 127

(3) Placement in accordance with Chapter 5103. of the 128
Revised Code; 129

(4) Placement in accordance with any court order. 130

(F) (1) Whoever violates this section is guilty of 131

endangering children. 132

(2) If the offender violates division (A) or (B) (1) of 133
this section, endangering children is one of the following, and, 134
in the circumstances described in division ~~(E)~~ (F) (2) (e) of this 135
section, that division applies: 136

(a) Except as otherwise provided in division ~~(E)~~ (F) (2) (b), 137
(c), or (d) of this section, a misdemeanor of the first degree; 138

(b) If the offender previously has been convicted of an 139
offense under this section or of any offense involving neglect, 140
abandonment, contributing to the delinquency of, or physical 141
abuse of a child, except as otherwise provided in division ~~(E)~~ 142
(F) (2) (c) or (d) of this section, a felony of the fourth degree; 143

(c) If the violation is a violation of division (A) of 144
this section and results in serious physical harm to the child 145
involved, a felony of the third degree; 146

(d) If the violation is a violation of division (B) (1) of 147
this section and results in serious physical harm to the child 148
involved, a felony of the second degree. 149

(e) If the violation is a felony violation of division (B) 150
(1) of this section and the offender also is convicted of or 151
pleads guilty to a specification as described in section 152
2941.1422 of the Revised Code that was included in the 153
indictment, count in the indictment, or information charging the 154
offense, the court shall sentence the offender to a mandatory 155
prison term as provided in division (B) (7) of section 2929.14 of 156
the Revised Code and shall order the offender to make 157
restitution as provided in division (B) (8) of section 2929.18 of 158
the Revised Code. 159

(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 provider shall also investigate how long the 497
child has been placed with the attorney in fact. If the provider 498
determines that the child has been placed for more than one year 499
or that the child has been placed for a reason other than 500
because of a vacation, school sponsored function or activity, or 501
because of a parent's incarceration, military service, medical 502
treatment, or incapacity, the provider shall promptly report the 503
request, in writing, to the public children services agency of 504
the county in which the child resides. The report shall include 505
the name and address of the attorney in fact and of the child, 506
the child's age, and the nature of the services requested. 507

(B) A mandatory reporter is not required to conduct an 508
investigation or make a report under division (A) of this 509
section if either of the following apply: 510

(1) The document presented appears to be a valid court 511
order, power of attorney given to a grandparent under section 512
3109.52 of the Revised Code, or caretaker authorization 513
affidavit executed under section 3109.65 of the Revised Code; 514

(2) The child has been placed in a situation as described 515
in division (E) of section 2919.22 of the Revised Code. 516

Sec. 3109.812. (A) Except as provided in division (B) of 517
this section, on receiving a report made under section 3109.811 518
of the Revised Code, a public children services agency shall 519
investigate the child's placement. 520

(1) The public children services agency shall determine 521
the extent of the investigation, based upon the facts in the 522
report under section 3109.811, the agency's familiarity with the 523
parties involved, and other factors it determines relevant. 524

(2) The investigation may include a criminal records 525
check, a check of court records for any child-related civil 526
proceedings, and, if the public children services agency 527
determines that the records check warrants it, a study following 528
standard protocols. 529

(B) A public children services agency is not required to 530
conduct an investigation under division (A) of this section if 531
the child has been placed in either of the following situations: 532

(1) For a designated period of less than one year due to a 533
vacation, school sponsored function or activity, or because of a 534
parent's incarceration, military service, medical treatment, or 535
incapacity; 536

(2) As described in division (E) of section 2919.22 of the 537
Revised Code. 538

Sec. 3109.813. If a public children services agency, after 539
an investigation conducted under section 3109.812 of the Revised 540
Code, determines that the placement of the child with the 541
attorney in fact is unsafe for the child, the agency shall file 542
a complaint with the juvenile court pursuant to section 2151.27 543

of the Revised Code. 544

Sec. 3109.814. The general assembly strongly recommends 545
that every board, commission, or agency that is created under 546
Title XLVII of the Revised Code and that is authorized to grant 547
licensure or certification to persons who may encounter a child 548
described in sections 3109.811 to 3109.813 of the Revised Code 549
in the normal course of their work adopt rules pursuant to 550
Chapter 119. of the Revised Code to require those persons, as a 551
condition of receiving or maintaining licensure or 552
certification, to receive training in the recognition and 553
handling of these cases in accordance with sections 3109.81 to 554
3109.813 of the Revised Code. 555

Sec. 3109.815. The department of job and family services 556
shall adopt rules pursuant to Chapter 119. of the Revised Code 557
establishing the following: 558

(A) Guidelines and procedures for public children services 559
agencies to conduct investigations under section 3109.812 of the 560
Revised Code; 561

(B) Criteria for determining if the placement of a child 562
is unsafe under section 3109.813 of the Revised Code. 563

Sec. 4510.13. (A) (1) Divisions (A) (2) to (9) of this 564
section apply to a judge or mayor regarding the suspension of, 565
or the grant of limited driving privileges during a suspension 566
of, an offender's driver's or commercial driver's license or 567
permit or nonresident operating privilege imposed under division 568
(G) or (H) of section 4511.19 of the Revised Code, under 569
division (B) or (C) of section 4511.191 of the Revised Code, or 570
under section 4510.07 of the Revised Code for a conviction of a 571
violation of a municipal OVI ordinance. 572

(2) No judge or mayor shall suspend the following portions 573
of the suspension of an offender's driver's or commercial 574
driver's license or permit or nonresident operating privilege 575
imposed under division (G) or (H) of section 4511.19 of the 576
Revised Code or under section 4510.07 of the Revised Code for a 577
conviction of a violation of a municipal OVI ordinance, provided 578
that division (A) (2) of this section does not limit a court or 579
mayor in crediting any period of suspension imposed pursuant to 580
division (B) or (C) of section 4511.191 of the Revised Code 581
against any time of judicial suspension imposed pursuant to 582
section 4511.19 or 4510.07 of the Revised Code, as described in 583
divisions (B) (2) and (C) (2) of section 4511.191 of the Revised 584
Code: 585

(a) The first six months of a suspension imposed under 586
division (G) (1) (a) of section 4511.19 of the Revised Code or of 587
a comparable length suspension imposed under section 4510.07 of 588
the Revised Code; 589

(b) The first year of a suspension imposed under division 590
(G) (1) (b) or (c) of section 4511.19 of the Revised Code or of a 591
comparable length suspension imposed under section 4510.07 of 592
the Revised Code; 593

(c) The first three years of a suspension imposed under 594
division (G) (1) (d) or (e) of section 4511.19 of the Revised Code 595
or of a comparable length suspension imposed under section 596
4510.07 of the Revised Code; 597

(d) The first sixty days of a suspension imposed under 598
division (H) of section 4511.19 of the Revised Code or of a 599
comparable length suspension imposed under section 4510.07 of 600
the Revised Code. 601

(3) No judge or mayor shall grant limited driving 602
privileges to an offender whose driver's or commercial driver's 603
license or permit or nonresident operating privilege has been 604
suspended under division (G) or (H) of section 4511.19 of the 605
Revised Code, under division (C) of section 4511.191 of the 606
Revised Code, or under section 4510.07 of the Revised Code for a 607
municipal OVI conviction if the offender, within the preceding 608
six years, has been convicted of or pleaded guilty to three or 609
more violations of one or more of the Revised Code sections, 610
municipal ordinances, statutes of the United States or another 611
state, or municipal ordinances of a municipal corporation of 612
another state that are identified in divisions ~~(G)~~ (H) (2) (b) to 613
(h) of section 2919.22 of the Revised Code. 614

Additionally, no judge or mayor shall grant limited 615
driving privileges to an offender whose driver's or commercial 616
driver's license or permit or nonresident operating privilege 617
has been suspended under division (B) of section 4511.191 of the 618
Revised Code if the offender, within the preceding six years, 619
has refused three previous requests to consent to a chemical 620
test of the person's whole blood, blood serum or plasma, breath, 621
or urine to determine its alcohol content. 622

(4) No judge or mayor shall grant limited driving 623
privileges for employment as a driver of commercial motor 624
vehicles to an offender whose driver's or commercial driver's 625
license or permit or nonresident operating privilege has been 626
suspended under division (G) or (H) of section 4511.19 of the 627
Revised Code, under division (B) or (C) of section 4511.191 of 628
the Revised Code, or under section 4510.07 of the Revised Code 629
for a municipal OVI conviction if the offender is disqualified 630
from operating a commercial motor vehicle, or whose license or 631
permit has been suspended, under section 3123.58 or 4506.16 of 632

the Revised Code. 633

(5) No judge or mayor shall grant limited driving 634
privileges to an offender whose driver's or commercial driver's 635
license or permit or nonresident operating privilege has been 636
suspended under division (G) or (H) of section 4511.19 of the 637
Revised Code, under division (C) of section 4511.191 of the 638
Revised Code, or under section 4510.07 of the Revised Code for a 639
conviction of a violation of a municipal OVI ordinance during 640
any of the following periods of time: 641

(a) The first fifteen days of a suspension imposed under 642
division (G) (1) (a) of section 4511.19 of the Revised Code or a 643
comparable length suspension imposed under section 4510.07 of 644
the Revised Code, or of a suspension imposed under division (C) 645
(1) (a) of section 4511.191 of the Revised Code. On or after the 646
sixteenth day of the suspension, the court may grant limited 647
driving privileges, but the court may require that the offender 648
shall not exercise the privileges unless the vehicles the 649
offender operates are equipped with immobilizing or disabling 650
devices that monitor the offender's alcohol consumption or any 651
other type of immobilizing or disabling devices, except as 652
provided in division (C) of section 4510.43 of the Revised Code. 653

(b) The first forty-five days of a suspension imposed 654
under division (C) (1) (b) of section 4511.191 of the Revised 655
Code. On or after the forty-sixth day of suspension, the court 656
may grant limited driving privileges, but the court may require 657
that the offender shall not exercise the privileges unless the 658
vehicles the offender operates are equipped with immobilizing or 659
disabling devices that monitor the offender's alcohol 660
consumption or any other type of immobilizing or disabling 661
devices, except as provided in division (C) of section 4510.43 662

of the Revised Code. 663

(c) The first sixty days of a suspension imposed under 664
division (H) of section 4511.19 of the Revised Code or a 665
comparable length suspension imposed under section 4510.07 of 666
the Revised Code. 667

(d) The first one hundred eighty days of a suspension 668
imposed under division (C) (1) (c) of section 4511.191 of the 669
Revised Code. On or after the one hundred eighty-first day of 670
suspension, the court may grant limited driving privileges, and 671
either of the following applies: 672

(i) If the underlying arrest is alcohol-related, the court 673
shall issue an order that, except as provided in division (C) of 674
section 4510.43 of the Revised Code, for the remainder of the 675
period of suspension the offender shall not exercise the 676
privileges unless the vehicles the offender operates are 677
equipped with a certified ignition interlock device. 678

(ii) If the underlying arrest is drug-related, the court 679
in its discretion may issue an order that, except as provided in 680
division (C) of section 4510.43 of the Revised Code, for the 681
remainder of the period of suspension the offender shall not 682
exercise the privileges unless the vehicles the offender 683
operates are equipped with a certified ignition interlock 684
device. 685

(e) The first forty-five days of a suspension imposed 686
under division (G) (1) (b) of section 4511.19 of the Revised Code 687
or a comparable length suspension imposed under section 4510.07 688
of the Revised Code. On or after the forty-sixth day of the 689
suspension, the court may grant limited driving privileges, and 690
either of the following applies: 691

(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 722
device. 723

(g) The first three years of a suspension imposed under 724
division (G) (1) (d) or (e) of section 4511.19 of the Revised Code 725
or a comparable length suspension imposed under section 4510.07 726
of the Revised Code, or of a suspension imposed under division 727
(C) (1) (d) of section 4511.191 of the Revised Code. On or after 728
the first three years of suspension, the court may grant limited 729
driving privileges, and either of the following applies: 730

(i) If the underlying conviction is alcohol-related, the 731
court shall issue an order that, except as provided in division 732
(C) of section 4510.43 of the Revised Code, for the remainder of 733
the period of suspension the offender shall not exercise the 734
privileges unless the vehicles the offender operates are 735
equipped with a certified ignition interlock device. 736

(ii) If the underlying conviction is drug-related, the 737
court in its discretion may issue an order that, except as 738
provided in division (C) of section 4510.43 of the Revised Code, 739
for the remainder of the period of suspension the offender shall 740
not exercise the privileges unless the vehicles the offender 741
operates are equipped with a certified ignition interlock 742
device. 743

(6) No judge or mayor shall grant limited driving 744
privileges to an offender whose driver's or commercial driver's 745
license or permit or nonresident operating privilege has been 746
suspended under division (B) of section 4511.191 of the Revised 747
Code during any of the following periods of time: 748

(a) The first thirty days of suspension imposed under 749
division (B) (1) (a) of section 4511.191 of the Revised Code; 750

(b) The first ninety days of suspension imposed under 751
division (B) (1) (b) of section 4511.191 of the Revised Code; 752

(c) The first year of suspension imposed under division 753
(B) (1) (c) of section 4511.191 of the Revised Code; 754

(d) The first three years of suspension imposed under 755
division (B) (1) (d) of section 4511.191 of the Revised Code. 756

(7) In any case in which a judge or mayor grants limited 757
driving privileges to an offender whose driver's or commercial 758
driver's license or permit or nonresident operating privilege 759
has been suspended under division (G) (1) (b), (c), (d), or (e) of 760
section 4511.19 of the Revised Code, under division (G) (1) (a) of 761
section 4511.19 of the Revised Code for a violation of division 762
(A) (1) (f), (g), (h), or (i) of that section, or under section 763
4510.07 of the Revised Code for a municipal OVI conviction for 764
which sentence would have been imposed under division (G) (1) (a) 765
(ii) or (G) (1) (b), (c), (d), or (e) of section 4511.19 of the 766
Revised Code had the offender been charged with and convicted of 767
a violation of section 4511.19 of the Revised Code instead of a 768
violation of the municipal OVI ordinance, the judge or mayor 769
shall impose as a condition of the privileges that the offender 770
must display on the vehicle that is driven subject to the 771
privileges restricted license plates that are issued under 772
section 4503.231 of the Revised Code, except as provided in 773
division (B) of that section. 774

(8) In any case in which the offender operates a motor 775
vehicle that is not equipped with an ignition interlock device, 776
circumvents the device, or tampers with the device or in any 777
case in which the court receives notice pursuant to section 778
4510.46 of the Revised Code that a certified ignition interlock 779
device required by an order issued under division (A) (5) (e), 780

(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 811
offender. The clerk of court shall transmit one hundred per cent 812
of this mandatory court cost collected during a month on or 813
before the twenty-third day of the following month to the state 814
treasury to be credited to the state highway safety fund created 815
under section 4501.06 of the Revised Code, to be used by the 816
department of public safety to cover costs associated with 817
maintaining the habitual OVI/OMWI offender registry created 818
under section 5502.10 of the Revised Code. In its discretion the 819
court may impose an additional court cost of two dollars and 820
fifty cents upon the offender. The clerk of court shall retain 821
this discretionary two dollar and fifty cent court cost, if 822
imposed, and shall deposit it in the court's special projects 823
fund that is established under division (E)(1) of section 824
2303.201, division (B)(1) of section 1901.26, or division (B)(1) 825
of section 1907.24 of the Revised Code. 826

(10) In any case in which the court issues an order under 827
this section prohibiting an offender from exercising limited 828
driving privileges unless the vehicles the offender operates are 829
equipped with an immobilizing or disabling device, including a 830
certified ignition interlock device, the court shall notify the 831
offender at the time the offender is granted limited driving 832
privileges that, in accordance with section 4510.46 of the 833
Revised Code, if the court receives notice that the device 834
prevented the offender from starting the motor vehicle because 835
the device was tampered with or circumvented or because the 836
analysis of the deep-lung breath sample or other method employed 837
by the device to measure the concentration by weight of alcohol 838
in the offender's breath indicated the presence of alcohol in 839
the offender's breath in a concentration sufficient to prevent 840
the device from permitting the motor vehicle to be started, the 841

court may increase the period of suspension of the offender's 842
driver's or commercial driver's license or permit or nonresident 843
operating privilege from that originally imposed by the court by 844
a factor of two and may increase the period of time during which 845
the offender will be prohibited from exercising any limited 846
driving privileges granted to the offender unless the vehicles 847
the offender operates are equipped with a certified ignition 848
interlock device by a factor of two. 849

(B) Any person whose driver's or commercial driver's 850
license or permit or nonresident operating privilege has been 851
suspended pursuant to section 4511.19 or 4511.191 of the Revised 852
Code or under section 4510.07 of the Revised Code for a 853
violation of a municipal OVI ordinance may file a petition for 854
limited driving privileges during the suspension. The person 855
shall file the petition in the court that has jurisdiction over 856
the place of arrest. Subject to division (A) of this section, 857
the court may grant the person limited driving privileges during 858
the period during which the suspension otherwise would be 859
imposed. However, the court shall not grant the privileges for 860
employment as a driver of a commercial motor vehicle to any 861
person who is disqualified from operating a commercial motor 862
vehicle under section 4506.16 of the Revised Code or during any 863
of the periods prescribed by division (A) of this section. 864

(C) (1) After a driver's or commercial driver's license or 865
permit or nonresident operating privilege has been suspended 866
pursuant to section 2903.06, 2903.08, 2903.11, 2907.24, 867
2921.331, 2923.02, 2929.02, 4511.19, 4511.251, 4549.02, 868
4549.021, or 5743.99 of the Revised Code, any provision of 869
Chapter 2925. of the Revised Code, or section 4510.07 of the 870
Revised Code for a violation of a municipal OVI ordinance, the 871
judge of the court or mayor of the mayor's court that suspended 872

the license, permit, or privilege shall cause the offender to 873
deliver to the court the license or permit. The judge, mayor, or 874
clerk of the court or mayor's court shall forward to the 875
registrar the license or permit together with notice of the 876
action of the court. 877

(2) A suspension of a commercial driver's license under 878
any section or chapter identified in division (C)(1) of this 879
section shall be concurrent with any period of suspension or 880
disqualification under section 3123.58 or 4506.16 of the Revised 881
Code. No person who is disqualified for life from holding a 882
commercial driver's license under section 4506.16 of the Revised 883
Code shall be issued a driver's license under this chapter 884
during the period for which the commercial driver's license was 885
suspended under this section, and no person whose commercial 886
driver's license is suspended under any section or chapter 887
identified in division (C)(1) of this section shall be issued a 888
driver's license under Chapter 4507. of the Revised Code during 889
the period of the suspension. 890

(3) No judge or mayor shall suspend any class one 891
suspension, or any portion of any class one suspension, imposed 892
under section 2903.04, 2903.06, 2903.08, or 2921.331 of the 893
Revised Code. No judge or mayor shall suspend the first thirty 894
days of any class two, class three, class four, class five, or 895
class six suspension imposed under section 2903.06, 2903.08, 896
2903.11, 2923.02, or 2929.02 of the Revised Code. 897

(D) The judge of the court or mayor of the mayor's court 898
shall credit any time during which an offender was subject to an 899
administrative suspension of the offender's driver's or 900
commercial driver's license or permit or nonresident operating 901
privilege imposed pursuant to section 4511.191 or 4511.192 of 902

the Revised Code or a suspension imposed by a judge, referee, or 903
mayor pursuant to division (B) (1) or (2) of section 4511.196 of 904
the Revised Code against the time to be served under a related 905
suspension imposed pursuant to any section or chapter identified 906
in division (C) (1) of this section. 907

(E) The judge or mayor shall notify the bureau of motor 908
vehicles of any determinations made pursuant to this section and 909
of any suspension imposed pursuant to any section or chapter 910
identified in division (C) (1) of this section. 911

(F) (1) If a court issues an immobilizing or disabling 912
device order under section 4510.43 of the Revised Code, the 913
order shall authorize the offender during the specified period 914
to operate a motor vehicle only if it is equipped with an 915
immobilizing or disabling device, except as provided in division 916
(C) of that section. The court shall provide the offender with a 917
copy of an immobilizing or disabling device order issued under 918
section 4510.43 of the Revised Code, and the offender shall use 919
the copy of the order in lieu of an Ohio driver's or commercial 920
driver's license or permit until the registrar or a deputy 921
registrar issues the offender a restricted license. 922

An order issued under section 4510.43 of the Revised Code 923
does not authorize or permit the offender to whom it has been 924
issued to operate a vehicle during any time that the offender's 925
driver's or commercial driver's license or permit is suspended 926
under any other provision of law. 927

(2) An offender may present an immobilizing or disabling 928
device order to the registrar or to a deputy registrar. Upon 929
presentation of the order to the registrar or a deputy 930
registrar, the registrar or deputy registrar shall issue the 931
offender a restricted license. A restricted license issued under 932

this division shall be identical to an Ohio driver's license, 933
except that it shall have printed on its face a statement that 934
the offender is prohibited during the period specified in the 935
court order from operating any motor vehicle that is not 936
equipped with an immobilizing or disabling device. The date of 937
commencement and the date of termination of the period of 938
suspension shall be indicated conspicuously upon the face of the 939
license. 940

Sec. 4510.31. (A) (1) Except as provided in division (C) (1) 941
or (2) of this section, the registrar of motor vehicles shall 942
suspend the probationary driver's license, restricted license, 943
or temporary instruction permit issued to any person when the 944
person has been convicted of, pleaded guilty to, or been 945
adjudicated in juvenile court of having committed, prior to the 946
person's eighteenth birthday, any of the following: 947

(a) Three separate violations of section 2903.06, 2903.08, 948
2921.331, 4511.12, 4511.13, 4511.191, 4511.20, 4511.201, 949
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 950
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the 951
Revised Code, section 4510.14 of the Revised Code involving a 952
suspension imposed under section 4511.191 or 4511.196 of the 953
Revised Code, section 2903.04 of the Revised Code in a case in 954
which the person would have been subject to the sanctions 955
described in division (D) of that section had the person been 956
convicted of the violation of that section, former section 957
2903.07 of the Revised Code, or any municipal ordinances 958
similarly relating to the offenses referred to in those 959
sections; 960

(b) One violation of section 4511.19 of the Revised Code 961
or a substantially similar municipal ordinance; 962

(c) Two separate violations of any of the Revised Code 963
sections referred to in division (A)(1)(a) of this section, or 964
any municipal ordinance that is substantially similar to any of 965
those sections. 966

(2) Any person whose license or permit is suspended under 967
division (A)(1)(a), (b), or (c) of this section shall mail or 968
deliver the person's probationary driver's license, restricted 969
license, or temporary instruction permit to the registrar within 970
fourteen days of notification of the suspension. The registrar 971
shall retain the license or permit during the period of the 972
suspension. A suspension pursuant to division (A)(1)(a) of this 973
section shall be a class C suspension, a suspension pursuant to 974
division (A)(1)(b) of this section shall be a class D 975
suspension, and a suspension pursuant to division (A)(1)(c) of 976
this section shall be a class E suspension, all for the periods 977
of time specified in division (B) of section 4510.02 of the 978
Revised Code. If the person's probationary driver's license, 979
restricted license, or temporary instruction permit is under 980
suspension on the date the court imposes sentence upon the 981
person for a violation described in division (A)(1)(b) of this 982
section, the suspension shall take effect on the next day 983
immediately following the end of that period of suspension. If 984
the person is sixteen years of age or older and pleads guilty to 985
or is convicted of a violation described in division (A)(1)(b) 986
of this section and the person does not have a current, valid 987
probationary driver's license, restricted license, or temporary 988
instruction permit, the registrar shall deny the issuance to the 989
person of a probationary driver's license, restricted license, 990
driver's license, commercial driver's license, or temporary 991
instruction permit, as the case may be, for six months beginning 992
on the date the court imposes sentence upon the person for the 993

violation. If the person has not attained the age of sixteen 994
years on the date the court imposes sentence upon the person for 995
the violation, the period of denial shall commence on the date 996
the person attains the age of sixteen years. 997

(3) The registrar shall suspend the person's license or 998
permit under division (A) of this section regardless of whether 999
the disposition of the case in juvenile court occurred after the 1000
person's eighteenth birthday. 1001

(B) The registrar also shall impose a class D suspension 1002
for the period of time specified in division (B) (4) of section 1003
4510.02 of the Revised Code of the temporary instruction permit 1004
or probationary driver's license of any person under the age of 1005
eighteen who has been adjudicated an unruly child, delinquent 1006
child, or juvenile traffic offender for having committed any act 1007
that if committed by an adult would be a drug abuse offense or a 1008
violation of division (B) of section 2917.11 of the Revised 1009
Code. The registrar, in the registrar's discretion, may 1010
terminate the suspension if the child, at the discretion of the 1011
court, attends and satisfactorily completes a drug abuse or 1012
alcohol abuse education, intervention, or treatment program 1013
specified by the court. Any person whose temporary instruction 1014
permit or probationary driver's license is suspended under this 1015
division shall mail or deliver the person's permit or license to 1016
the registrar within fourteen days of notification of the 1017
suspension. The registrar shall retain the permit or license 1018
during the period of the suspension. 1019

(C) (1) (a) Except as provided in division (C) (1) (c) of this 1020
section, for any person who is convicted of, pleads guilty to, 1021
or is adjudicated in juvenile court of having committed a second 1022
or third violation of section 4511.12, 4511.13, 4511.20 to 1023

4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1024
4511.75 of the Revised Code or any similar municipal ordinances 1025
and whose license or permit is suspended under division (A) (1) 1026
(a) or (c) of this section, the court in which the second or 1027
third conviction, finding, plea, or adjudication resulting in 1028
the suspension was made, upon petition of the person, may grant 1029
the person limited driving privileges during the period during 1030
which the suspension otherwise would be imposed under division 1031
(A) (1) (a) or (c) of this section if the court finds reasonable 1032
cause to believe that the suspension will seriously affect the 1033
person's ability to continue in employment, educational 1034
training, vocational training, or treatment. In granting the 1035
limited driving privileges, the court shall specify the 1036
purposes, times, and places of the privileges and may impose any 1037
other conditions upon the person's driving a motor vehicle that 1038
the court considers reasonable and necessary. 1039

A court that grants limited driving privileges to a person 1040
under this division shall retain the person's probationary 1041
driver's license, restricted license, or temporary instruction 1042
permit during the period the license or permit is suspended and 1043
also during the period for which limited driving privileges are 1044
granted, and shall deliver to the person a permit card, in a 1045
form to be prescribed by the court, setting forth the date on 1046
which the limited driving privileges will become effective, the 1047
purposes for which the person may drive, the times and places at 1048
which the person may drive, and any other conditions imposed 1049
upon the person's use of a motor vehicle. 1050

The court immediately shall notify the registrar, in 1051
writing, of a grant of limited driving privileges under this 1052
division. The notification shall specify the date on which the 1053
limited driving privileges will become effective, the purposes 1054

for which the person may drive, the times and places at which 1055
the person may drive, and any other conditions imposed upon the 1056
person's use of a motor vehicle. The registrar shall not suspend 1057
the probationary driver's license, restricted license, or 1058
temporary instruction permit of any person pursuant to division 1059
(A) of this section during any period for which the person has 1060
been granted limited driving privileges as provided in this 1061
division, if the registrar has received the notification 1062
described in this division from the court. 1063

(b) Except as provided in division (C) (1) (c) of this 1064
section, in any case in which the temporary instruction permit 1065
or probationary driver's license of a person under eighteen 1066
years of age has been suspended under division (A) or (B) of 1067
this section or any other provision of law, the court may grant 1068
the person limited driving privileges for the purpose of the 1069
person's practicing of driving with the person's parent, 1070
guardian, or other custodian during the period of the 1071
suspension. Any grant of limited driving privileges under this 1072
division shall comply with division (D) of section 4510.021 of 1073
the Revised Code. 1074

(c) A court shall not grant limited driving privileges to 1075
a person identified in division (C) (1) (a) or (b) of this section 1076
if the person, within the preceding six years, has been 1077
convicted of, pleaded guilty to, or adjudicated in juvenile 1078
court of having committed three or more violations of one or 1079
more of the divisions or sections set forth in divisions ~~(G)~~(H) 1080
(2) (b) to (g) of section 2919.22 of the Revised Code. 1081

(2) (a) In a case in which a person is convicted of, pleads 1082
guilty to, or is adjudicated in juvenile court of having 1083
committed, prior to the person's eighteenth birthday, a second 1084

or third violation of section 4511.12, 4511.13, 4511.20 to 1085
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1086
4511.75 of the Revised Code or any similar municipal ordinances 1087
and division (A) (1) (a) or (c) of this section requires the 1088
registrar of motor vehicles to suspend the person's license or 1089
permit, the court in which the person is convicted of, pleads 1090
guilty to, or is adjudicated of having committed the second or 1091
third violation may elect to order the registrar of motor 1092
vehicles to waive the suspension if all of the following apply: 1093

(i) Prior to the date on which the court imposes sentence 1094
upon, or makes an order of disposition for, the person for the 1095
second or third violation, the person submits to the court a 1096
petition requesting the court to order the registrar to waive 1097
the prescribed suspension and describing the reasons why the 1098
person believes the suspension, if imposed, would seriously 1099
affect the person's ability to continue in employment, 1100
educational training, vocational training, or treatment. 1101

(ii) Prior to the date specified in division (C) (2) (a) (i) 1102
of this section, the person submits to the court satisfactory 1103
proof showing that the person successfully completed an advanced 1104
juvenile driver improvement program approved by the director of 1105
public safety under division (B) of section 4510.311 of the 1106
Revised Code after the date the person committed that second or 1107
third violation. 1108

(iii) Prior to imposing sentence upon, or making an order 1109
of disposition for, the person for the second or third 1110
violation, the court finds reasonable cause to believe that the 1111
suspension, if imposed, would seriously affect the person's 1112
ability to continue in employment, educational training, 1113
vocational training, or treatment. 1114

(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 1146
person's permit card. The court or the clerk of the court 1147
immediately shall forward the person's probationary driver's 1148
license, restricted license, or temporary instruction permit 1149
together with written notification of the court's action to the 1150
registrar. Upon receipt of the license or permit and 1151
notification, the registrar shall impose a class C suspension of 1152
the person's probationary driver's license, restricted license, 1153
or temporary instruction permit for the period of time specified 1154
in division (B) (3) of section 4510.02 of the Revised Code. The 1155
registrar shall retain the license or permit during the period 1156
of suspension, and no further limited driving privileges shall 1157
be granted during that period. 1158

(E) No application for a driver's or commercial driver's 1159
license shall be received from any person whose probationary 1160
driver's license, restricted license, or temporary instruction 1161
permit has been suspended under this section until each of the 1162
following has occurred: 1163

(1) The suspension period has expired; 1164

(2) A temporary instruction permit or commercial driver's 1165
license temporary instruction permit has been issued; 1166

(3) The person successfully completes a juvenile driver 1167
improvement program approved by the director of public safety 1168
under division (A) of section 4510.311 of the Revised Code; 1169

(4) The applicant has submitted to the examination for a 1170
driver's license as provided for in section 4507.11 or a 1171
commercial driver's license as provided in Chapter 4506. of the 1172
Revised Code. 1173

Sec. 5101.13. (A) The department of job and family 1174

services shall establish and maintain a uniform statewide 1175
automated child welfare information system in accordance with 1176
the requirements of 42 U.S.C.A. 674(a)(3)(C) and related federal 1177
regulations and guidelines. The information system shall contain 1178
records regarding any of the following: 1179

(1) (a) Investigations of children and families, and 1180
children's care in out-of-home care, in accordance with sections 1181
2151.421 and 5153.16 of the Revised Code; 1182

(b) Investigations and determinations under sections 1183
3109.812 and 3109.813 of the Revised Code. 1184

(2) Care and treatment provided to children and families; 1185

(3) Any other information related to children and families 1186
that state or federal law, regulation, or rule requires the 1187
department or a public children services agency to maintain. 1188

(B) The department shall plan implementation of the 1189
information system on a county-by-county basis and shall 1190
finalize statewide implementation by all public children 1191
services agencies as described in section 5153.02 of the Revised 1192
Code not later than January 1, 2008. 1193

(C) The department shall promptly notify all public 1194
children services agencies of the initiation and completion of 1195
statewide implementation of the statewide information system 1196
established under division (A) of this section. 1197

(D) The department may adopt rules, not later than June 1198
30, 2017, creating an intake type for unregulated child custody 1199
transfers in the statewide information system for records of 1200
investigations and determinations under division (A)(1)(b) of 1201
this section. 1202

<u>(E)</u> "Out-of-home care" has the same meaning as in section	1203
2151.011 of the Revised Code.	1204
Section 2. That existing sections 2919.22, 3107.05,	1205
3109.51, 4510.13, 4510.31, and 5101.13 of the Revised Code are	1206
hereby repealed.	1207