

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 150**

**Senator Brown**

**Cosponsors: Senators Schiavoni, Thomas, Tavares**

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**A BILL**

To amend sections 2903.13, 2919.25, 2919.26, 1  
2923.13, 2923.14, and 3113.31 and to enact 2  
sections 2923.133 and 2923.134 of the Revised 3  
Code to prohibit a person convicted of domestic 4  
violence or assault of a family member, or a 5  
person subject to certain protection orders, 6  
from having a firearm; to establish a procedure 7  
for surrendering all firearms in the person's 8  
possession; and to name the act the "Domestic 9  
Violence Survivors Protection Act." 10

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

**Section 1.** That sections 2903.13, 2919.25, 2919.26, 11  
2923.13, 2923.14, and 3113.31 be amended and sections 2923.133 12  
and 2923.134 of the Revised Code be enacted to read as follows: 13

**Sec. 2903.13.** (A) No person shall knowingly cause or 14  
attempt to cause physical harm to another or to another's 15  
unborn. 16

(B) No person shall recklessly cause serious physical harm 17  
to another or to another's unborn. 18

(C) (1) Whoever violates this section is guilty of assault, 19  
and the court shall sentence the offender as provided in this 20  
division and divisions (C) (1), (2), (3), (4), (5), (6), (7), 21  
(8), (9), and (10) of this section. Except as otherwise provided 22  
in division (C) (2), (3), (4), (5), (6), (7), (8), or (9) of this 23  
section, assault is a misdemeanor of the first degree. 24

(2) Except as otherwise provided in this division, if the 25  
offense is committed by a caretaker against a functionally 26  
impaired person under the caretaker's care, assault is a felony 27  
of the fourth degree. If the offense is committed by a caretaker 28  
against a functionally impaired person under the caretaker's 29  
care, if the offender previously has been convicted of or 30  
pleaded guilty to a violation of this section or section 2903.11 31  
or 2903.16 of the Revised Code, and if in relation to the 32  
previous conviction the offender was a caretaker and the victim 33  
was a functionally impaired person under the offender's care, 34  
assault is a felony of the third degree. 35

(3) If the offense occurs in or on the grounds of a state 36  
correctional institution or an institution of the department of 37  
youth services, the victim of the offense is an employee of the 38  
department of rehabilitation and correction or the department of 39  
youth services, and the offense is committed by a person 40  
incarcerated in the state correctional institution or by a 41  
person institutionalized in the department of youth services 42  
institution pursuant to a commitment to the department of youth 43  
services, assault is a felony of the third degree. 44

(4) If the offense is committed in any of the following 45  
circumstances, assault is a felony of the fifth degree: 46

(a) The offense occurs in or on the grounds of a local 47  
correctional facility, the victim of the offense is an employee 48

of the local correctional facility or a probation department or 49  
is on the premises of the facility for business purposes or as a 50  
visitor, and the offense is committed by a person who is under 51  
custody in the facility subsequent to the person's arrest for 52  
any crime or delinquent act, subsequent to the person's being 53  
charged with or convicted of any crime, or subsequent to the 54  
person's being alleged to be or adjudicated a delinquent child. 55

(b) The offense occurs off the grounds of a state 56  
correctional institution and off the grounds of an institution 57  
of the department of youth services, the victim of the offense 58  
is an employee of the department of rehabilitation and 59  
correction, the department of youth services, or a probation 60  
department, the offense occurs during the employee's official 61  
work hours and while the employee is engaged in official work 62  
responsibilities, and the offense is committed by a person 63  
incarcerated in a state correctional institution or 64  
institutionalized in the department of youth services who 65  
temporarily is outside of the institution for any purpose, by a 66  
parolee, by an offender under transitional control, under a 67  
community control sanction, or on an escorted visit, by a person 68  
under post-release control, or by an offender under any other 69  
type of supervision by a government agency. 70

(c) The offense occurs off the grounds of a local 71  
correctional facility, the victim of the offense is an employee 72  
of the local correctional facility or a probation department, 73  
the offense occurs during the employee's official work hours and 74  
while the employee is engaged in official work responsibilities, 75  
and the offense is committed by a person who is under custody in 76  
the facility subsequent to the person's arrest for any crime or 77  
delinquent act, subsequent to the person being charged with or 78  
convicted of any crime, or subsequent to the person being 79

alleged to be or adjudicated a delinquent child and who 80  
temporarily is outside of the facility for any purpose or by a 81  
parolee, by an offender under transitional control, under a 82  
community control sanction, or on an escorted visit, by a person 83  
under post-release control, or by an offender under any other 84  
type of supervision by a government agency. 85

(d) The victim of the offense is a school teacher or 86  
administrator or a school bus operator, and the offense occurs 87  
in a school, on school premises, in a school building, on a 88  
school bus, or while the victim is outside of school premises or 89  
a school bus and is engaged in duties or official 90  
responsibilities associated with the victim's employment or 91  
position as a school teacher or administrator or a school bus 92  
operator, including, but not limited to, driving, accompanying, 93  
or chaperoning students at or on class or field trips, athletic 94  
events, or other school extracurricular activities or functions 95  
outside of school premises. 96

(5) If the victim of the offense is a peace officer or an 97  
investigator of the bureau of criminal identification and 98  
investigation, a firefighter, or a person performing emergency 99  
medical service, while in the performance of their official 100  
duties, assault is a felony of the fourth degree. 101

(6) If the victim of the offense is a peace officer or an 102  
investigator of the bureau of criminal identification and 103  
investigation and if the victim suffered serious physical harm 104  
as a result of the commission of the offense, assault is a 105  
felony of the fourth degree, and the court, pursuant to division 106  
(F) of section 2929.13 of the Revised Code, shall impose as a 107  
mandatory prison term one of the prison terms prescribed for a 108  
felony of the fourth degree that is at least twelve months in 109

duration. 110

(7) If the victim of the offense is an officer or employee 111  
of a public children services agency or a private child placing 112  
agency and the offense relates to the officer's or employee's 113  
performance or anticipated performance of official 114  
responsibilities or duties, assault is either a felony of the 115  
fifth degree or, if the offender previously has been convicted 116  
of or pleaded guilty to an offense of violence, the victim of 117  
that prior offense was an officer or employee of a public 118  
children services agency or private child placing agency, and 119  
that prior offense related to the officer's or employee's 120  
performance or anticipated performance of official 121  
responsibilities or duties, a felony of the fourth degree. 122

(8) If the victim of the offense is a health care 123  
professional of a hospital, a health care worker of a hospital, 124  
or a security officer of a hospital whom the offender knows or 125  
has reasonable cause to know is a health care professional of a 126  
hospital, a health care worker of a hospital, or a security 127  
officer of a hospital, if the victim is engaged in the 128  
performance of the victim's duties, and if the hospital offers 129  
de-escalation or crisis intervention training for such 130  
professionals, workers, or officers, assault is one of the 131  
following: 132

(a) Except as otherwise provided in division (C) (8) (b) of 133  
this section, assault committed in the specified circumstances 134  
is a misdemeanor of the first degree. Notwithstanding the fine 135  
specified in division (A) (2) (b) of section 2929.28 of the 136  
Revised Code for a misdemeanor of the first degree, in 137  
sentencing the offender under this division and if the court 138  
decides to impose a fine, the court may impose upon the offender 139

a fine of not more than five thousand dollars. 140

(b) If the offender previously has been convicted of or 141  
pleaded guilty to one or more assault or homicide offenses 142  
committed against hospital personnel, assault committed in the 143  
specified circumstances is a felony of the fifth degree. 144

(9) If the victim of the offense is a judge, magistrate, 145  
prosecutor, or court official or employee whom the offender 146  
knows or has reasonable cause to know is a judge, magistrate, 147  
prosecutor, or court official or employee, and if the victim is 148  
engaged in the performance of the victim's duties, assault is 149  
one of the following: 150

(a) Except as otherwise provided in division (C) (8) (b) of 151  
this section, assault committed in the specified circumstances 152  
is a misdemeanor of the first degree. In sentencing the offender 153  
under this division, if the court decides to impose a fine, 154  
notwithstanding the fine specified in division (A) (2) (b) of 155  
section 2929.28 of the Revised Code for a misdemeanor of the 156  
first degree, the court may impose upon the offender a fine of 157  
not more than five thousand dollars. 158

(b) If the offender previously has been convicted of or 159  
pleaded guilty to one or more assault or homicide offenses 160  
committed against justice system personnel, assault committed in 161  
the specified circumstances is a felony of the fifth degree. 162

(10) If an offender who is convicted of or pleads guilty 163  
to assault when it is a misdemeanor also is convicted of or 164  
pleads guilty to a specification as described in section 165  
2941.1423 of the Revised Code that was included in the 166  
indictment, count in the indictment, or information charging the 167  
offense, the court shall sentence the offender to a mandatory 168

jail term as provided in division (G) of section 2929.24 of the Revised Code. 169  
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If an offender who is convicted of or pleads guilty to assault when it is a felony also is convicted of or pleads guilty to a specification as described in section 2941.1423 of the Revised Code that was included in the indictment, count in the indictment, or information charging the offense, except as otherwise provided in division (C) (6) of this section, the court shall sentence the offender to a mandatory prison term as provided in division (B) (8) of section 2929.14 of the Revised Code. 171  
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(D) Upon a person's conviction of a violation of this section, the court shall determine whether, as a result of the violation, it is unlawful for the offender to possess or purchase a firearm under section 2923.13 of the Revised Code or 18 U.S.C. 922(g) (9). If the court determines that the offender is prohibited from possessing or purchasing a firearm, the court shall order the offender to transfer all firearms in the offender's possession or control in accordance with section 2923.133 of the Revised Code. 180  
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(E) As used in this section: 189

(1) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 190  
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(2) "Firefighter" has the same meaning as in section 3937.41 of the Revised Code. 192  
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(3) "Emergency medical service" has the same meaning as in section 4765.01 of the Revised Code. 194  
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(4) "Local correctional facility" means a county, multicounty, municipal, municipal-county, or multicounty- 196  
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municipal jail or workhouse, a minimum security jail established 198  
under section 341.23 or 753.21 of the Revised Code, or another 199  
county, multicounty, municipal, municipal-county, or 200  
multicounty-municipal facility used for the custody of persons 201  
arrested for any crime or delinquent act, persons charged with 202  
or convicted of any crime, or persons alleged to be or 203  
adjudicated a delinquent child. 204

(5) "Employee of a local correctional facility" means a 205  
person who is an employee of the political subdivision or of one 206  
or more of the affiliated political subdivisions that operates 207  
the local correctional facility and who operates or assists in 208  
the operation of the facility. 209

(6) "School teacher or administrator" means either of the 210  
following: 211

(a) A person who is employed in the public schools of the 212  
state under a contract described in section 3311.77 or 3319.08 213  
of the Revised Code in a position in which the person is 214  
required to have a certificate issued pursuant to sections 215  
3319.22 to 3319.311 of the Revised Code. 216

(b) A person who is employed by a nonpublic school for 217  
which the state board of education prescribes minimum standards 218  
under section 3301.07 of the Revised Code and who is 219  
certificated in accordance with section 3301.071 of the Revised 220  
Code. 221

(7) "Community control sanction" has the same meaning as 222  
in section 2929.01 of the Revised Code. 223

(8) "Escorted visit" means an escorted visit granted under 224  
section 2967.27 of the Revised Code. 225

(9) "Post-release control" and "transitional control" have 226



the same meanings as in section 2967.01 of the Revised Code.	227
(10) "Investigator of the bureau of criminal identification and investigation" has the same meaning as in section 2903.11 of the Revised Code.	228 229 230
(11) "Health care professional" and "health care worker" have the same meanings as in section 2305.234 of the Revised Code.	231 232 233
(12) "Assault or homicide offense committed against hospital personnel" means a violation of this section or of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, or 2903.14 of the Revised Code committed in circumstances in which all of the following apply:	234 235 236 237 238
(a) The victim of the offense was a health care professional of a hospital, a health care worker of a hospital, or a security officer of a hospital.	239 240 241
(b) The offender knew or had reasonable cause to know that the victim was a health care professional of a hospital, a health care worker of a hospital, or a security officer of a hospital.	242 243 244 245
(c) The victim was engaged in the performance of the victim's duties.	246 247
(d) The hospital offered de-escalation or crisis intervention training for such professionals, workers, or officers.	248 249 250
(13) "De-escalation or crisis intervention training" means de-escalation or crisis intervention training for health care professionals of a hospital, health care workers of a hospital, and security officers of a hospital to facilitate interaction	251 252 253 254

with patients, members of a patient's family, and visitors, 255  
including those with mental impairments. 256

(14) "Assault or homicide offense committed against 257  
justice system personnel" means a violation of this section or 258  
of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 259  
2903.11, 2903.12, or 2903.14 of the Revised Code committed in 260  
circumstances in which the victim of the offense was a judge, 261  
magistrate, prosecutor, or court official or employee whom the 262  
offender knew or had reasonable cause to know was a judge, 263  
magistrate, prosecutor, or court official or employee, and the 264  
victim was engaged in the performance of the victim's duties. 265

(15) "Court official or employee" means any official or 266  
employee of a court created under the constitution or statutes 267  
of this state or of a United States court located in this state. 268

(16) "Judge" means a judge of a court created under the 269  
constitution or statutes of this state or of a United States 270  
court located in this state. 271

(17) "Magistrate" means an individual who is appointed by 272  
a court of record of this state and who has the powers and may 273  
perform the functions specified in Civil Rule 53, Criminal Rule 274  
19, or Juvenile Rule 40, or an individual who is appointed by a 275  
United States court located in this state who has similar powers 276  
and functions. 277

(18) "Prosecutor" has the same meaning as in section 278  
2935.01 of the Revised Code. 279

(19) (a) "Hospital" means, subject to division (D) (19) (b) 280  
of this section, an institution classified as a hospital under 281  
section 3701.01 of the Revised Code in which are provided to 282  
patients diagnostic, medical, surgical, obstetrical, 283

psychiatric, or rehabilitation care or a hospital operated by a	284
health maintenance organization.	285
(b) "Hospital" does not include any of the following:	286
(i) A facility licensed under Chapter 3721. of the Revised	287
Code, a health care facility operated by the department of	288
mental health or the department of developmental disabilities, a	289
health maintenance organization that does not operate a	290
hospital, or the office of any private, licensed health care	291
professional, whether organized for individual or group	292
practice;	293
(ii) An institution for the sick that is operated	294
exclusively for patients who use spiritual means for healing and	295
for whom the acceptance of medical care is inconsistent with	296
their religious beliefs, accredited by a national accrediting	297
organization, exempt from federal income taxation under section	298
501 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26	299
U.S.C. 1, as amended, and providing twenty-four-hour nursing	300
care pursuant to the exemption in division (E) of section	301
4723.32 of the Revised Code from the licensing requirements of	302
Chapter 4723. of the Revised Code.	303
(20) "Health maintenance organization" has the same	304
meaning as in section 3727.01 of the Revised Code.	305
<b>Sec. 2919.25.</b> (A) No person shall knowingly cause or	306
attempt to cause physical harm to a family or household member.	307
(B) No person shall recklessly cause serious physical harm	308
to a family or household member.	309
(C) No person, by threat of force, shall knowingly cause a	310
family or household member to believe that the offender will	311
cause imminent physical harm to the family or household member.	312

(D) (1) Whoever violates this section is guilty of domestic violence, and the court shall sentence the offender as provided in divisions (D) (2) to (6) of this section.

(2) Except as otherwise provided in divisions (D) (3) to (5) of this section, a violation of division (C) of this section is a misdemeanor of the fourth degree, and a violation of division (A) or (B) of this section is a misdemeanor of the first degree.

(3) Except as otherwise provided in division (D) (4) of this section, if the offender previously has pleaded guilty to or been convicted of domestic violence, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to domestic violence, a violation of section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code if the victim of the violation was a family or household member at the time of the violation, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to any of those sections if the victim of the violation was a family or household member at the time of the commission of the violation, or any offense of violence if the victim of the offense was a family or household member at the time of the commission of the offense, a violation of division (A) or (B) of this section is a felony of the fourth degree, and, if the offender knew that the victim of the violation was pregnant at the time of the violation, the court shall impose a mandatory prison term on the offender pursuant to division (D) (6) of this section, and a violation of division (C) of this section is a misdemeanor of the second degree.

(4) If the offender previously has pleaded guilty to or 343  
been convicted of two or more offenses of domestic violence or 344  
two or more violations or offenses of the type described in 345  
division (D) (3) of this section involving a person who was a 346  
family or household member at the time of the violations or 347  
offenses, a violation of division (A) or (B) of this section is 348  
a felony of the third degree, and, if the offender knew that the 349  
victim of the violation was pregnant at the time of the 350  
violation, the court shall impose a mandatory prison term on the 351  
offender pursuant to division (D) (6) of this section, and a 352  
violation of division (C) of this section is a misdemeanor of 353  
the first degree. 354

(5) Except as otherwise provided in division (D) (3) or (4) 355  
of this section, if the offender knew that the victim of the 356  
violation was pregnant at the time of the violation, a violation 357  
of division (A) or (B) of this section is a felony of the fifth 358  
degree, and the court shall impose a mandatory prison term on 359  
the offender pursuant to division (D) (6) of this section, and a 360  
violation of division (C) of this section is a misdemeanor of 361  
the third degree. 362

(6) If division (D) (3), (4), or (5) of this section 363  
requires the court that sentences an offender for a violation of 364  
division (A) or (B) of this section to impose a mandatory prison 365  
term on the offender pursuant to this division, the court shall 366  
impose the mandatory prison term as follows: 367

(a) If the violation of division (A) or (B) of this 368  
section is a felony of the fourth or fifth degree, except as 369  
otherwise provided in division (D) (6) (b) or (c) of this section, 370  
the court shall impose a mandatory prison term on the offender 371  
of at least six months. 372

(b) If the violation of division (A) or (B) of this 373  
section is a felony of the fifth degree and the offender, in 374  
committing the violation, caused serious physical harm to the 375  
pregnant woman's unborn or caused the termination of the 376  
pregnant woman's pregnancy, the court shall impose a mandatory 377  
prison term on the offender of twelve months. 378

(c) If the violation of division (A) or (B) of this 379  
section is a felony of the fourth degree and the offender, in 380  
committing the violation, caused serious physical harm to the 381  
pregnant woman's unborn or caused the termination of the 382  
pregnant woman's pregnancy, the court shall impose a mandatory 383  
prison term on the offender of at least twelve months. 384

(d) If the violation of division (A) or (B) of this 385  
section is a felony of the third degree, except as otherwise 386  
provided in division (D) (6) (e) of this section and 387  
notwithstanding the range of prison terms prescribed in section 388  
2929.14 of the Revised Code for a felony of the third degree, 389  
the court shall impose a mandatory prison term on the offender 390  
of either a definite term of six months or one of the prison 391  
terms prescribed in section 2929.14 of the Revised Code for 392  
felonies of the third degree. 393

(e) If the violation of division (A) or (B) of this 394  
section is a felony of the third degree and the offender, in 395  
committing the violation, caused serious physical harm to the 396  
pregnant woman's unborn or caused the termination of the 397  
pregnant woman's pregnancy, notwithstanding the range of prison 398  
terms prescribed in section 2929.14 of the Revised Code for a 399  
felony of the third degree, the court shall impose a mandatory 400  
prison term on the offender of either a definite term of one 401  
year or one of the prison terms prescribed in section 2929.14 of 402

the Revised Code for felonies of the third degree. 403

(E) Notwithstanding any provision of law to the contrary, 404  
no court or unit of state or local government shall charge any 405  
fee, cost, deposit, or money in connection with the filing of 406  
charges against a person alleging that the person violated this 407  
section or a municipal ordinance substantially similar to this 408  
section or in connection with the prosecution of any charges so 409  
filed. 410

(F) Upon a person's conviction of a violation of this 411  
section, the court shall determine whether, as a result of the 412  
violation, it is unlawful for the offender to possess or 413  
purchase a firearm under section 2923.13 of the Revised Code or 414  
18 U.S.C. 922(g)(9). If the court determines that the offender 415  
is prohibited from possessing or purchasing a firearm, the court 416  
shall order the offender to transfer all firearms in the 417  
offender's possession or control in accordance with section 418  
2923.133 of the Revised Code. 419

(G) As used in this section and sections 2919.251 and 420  
2919.26 of the Revised Code: 421

(1) "Family or household member" means any of the 422  
following: 423

(a) Any of the following who is residing or has resided 424  
with the offender: 425

(i) A spouse, a person living as a spouse, or a former 426  
spouse of the offender; 427

(ii) A parent, a foster parent, or a child of the 428  
offender, or another person related by consanguinity or affinity 429  
to the offender; 430

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender.

(b) The natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.

(2) "Person living as a spouse" means a person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question.

(3) "Pregnant woman's unborn" has the same meaning as "such other person's unborn," as set forth in section 2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.

(4) "Termination of the pregnant woman's pregnancy" has the same meaning as "unlawful termination of another's pregnancy," as set forth in section 2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.



**Sec. 2919.26.** (A) (1) Upon the filing of a complaint that 461  
alleges a violation of section 2909.06, 2909.07, 2911.12, or 462  
2911.211 of the Revised Code if the alleged victim of the 463  
violation was a family or household member at the time of the 464  
violation, a violation of a municipal ordinance that is 465  
substantially similar to any of those sections if the alleged 466  
victim of the violation was a family or household member at the 467  
time of the violation, any offense of violence if the alleged 468  
victim of the offense was a family or household member at the 469  
time of the commission of the offense, or any sexually oriented 470  
offense if the alleged victim of the offense was a family or 471  
household member at the time of the commission of the offense, 472  
the complainant, the alleged victim, or a family or household 473  
member of an alleged victim may file, or, if in an emergency the 474  
alleged victim is unable to file, a person who made an arrest 475  
for the alleged violation or offense under section 2935.03 of 476  
the Revised Code may file on behalf of the alleged victim, a 477  
motion that requests the issuance of a temporary protection 478  
order as a pretrial condition of release of the alleged 479  
offender, in addition to any bail set under Criminal Rule 46. 480  
The motion shall be filed with the clerk of the court that has 481  
jurisdiction of the case at any time after the filing of the 482  
complaint. 483

(2) For purposes of section 2930.09 of the Revised Code, 484  
all stages of a proceeding arising out of a complaint alleging 485  
the commission of a violation, offense of violence, or sexually 486  
oriented offense described in division (A) (1) of this section, 487  
including all proceedings on a motion for a temporary protection 488  
order, are critical stages of the case, and a victim may be 489  
accompanied by a victim advocate or another person to provide 490  
support to the victim as provided in that section. 491

(B) (1) The motion shall be prepared on a form that is 492  
provided by the clerk of the court, which form shall be 493  
substantially as follows: 494

"MOTION FOR TEMPORARY PROTECTION ORDER 495

..... Court 496

Name and address of court 497

State of Ohio 498

v. No. .... 499

..... 500

Name of Defendant 501

(name of person), moves the court to issue a temporary 502  
protection order containing terms designed to ensure the safety 503  
and protection of the complainant, alleged victim, and other 504  
family or household members, in relation to the named defendant, 505  
pursuant to its authority to issue such an order under section 506  
2919.26 of the Revised Code. 507

A complaint, a copy of which has been attached to this 508  
motion, has been filed in this court charging the named 509  
defendant with ..... (name of the specified 510  
violation, the offense of violence, or sexually oriented offense 511  
charged) in circumstances in which the victim was a family or 512  
household member in violation of (section of the Revised Code 513  
designating the specified violation, offense of violence, or 514  
sexually oriented offense charged), or charging the named 515  
defendant with a violation of a municipal ordinance that is 516  
substantially similar to ..... (section of 517  
the Revised Code designating the specified violation, offense of 518  
violence, or sexually oriented offense charged) involving a 519

family or household member. 520

I understand that I must appear before the court, at a 521  
time set by the court within twenty-four hours after the filing 522  
of this motion, for a hearing on the motion or that, if I am 523  
unable to appear because of hospitalization or a medical 524  
condition resulting from the offense alleged in the complaint, a 525  
person who can provide information about my need for a temporary 526  
protection order must appear before the court in lieu of my 527  
appearing in court. I understand that any temporary protection 528  
order granted pursuant to this motion is a pretrial condition of 529  
release and is effective only until the disposition of the 530  
criminal proceeding arising out of the attached complaint, or 531  
the issuance of a civil protection order or the approval of a 532  
consent agreement, arising out of the same activities as those 533  
that were the basis of the complaint, under section 3113.31 of 534  
the Revised Code. 535

..... 536

Signature of person 537

(or signature of the arresting officer who filed the motion on 538  
behalf of the alleged victim) 539

..... 540

Address of person (or office address of the arresting officer 541  
who filed the motion on behalf of the alleged victim)" 542

(2) The petitioner may attach a document to the form that 543  
describes the number, types, and locations of any firearms that 544  
the petitioner knows to be in the possession or control of the 545  
defendant. 546

(C) (1) As soon as possible after the filing of a motion 547

that requests the issuance of a temporary protection order, but 548  
not later than twenty-four hours after the filing of the motion, 549  
the court shall conduct a hearing to determine whether to issue 550  
the order. The person who requested the order shall appear 551  
before the court and provide the court with the information that 552  
it requests concerning the basis of the motion. If the person 553  
who requested the order is unable to appear and if the court 554  
finds that the failure to appear is because of the person's 555  
hospitalization or medical condition resulting from the offense 556  
alleged in the complaint, another person who is able to provide 557  
the court with the information it requests may appear in lieu of 558  
the person who requested the order. If the court finds that the 559  
safety and protection of the complainant, alleged victim, or any 560  
other family or household member of the alleged victim may be 561  
impaired by the continued presence of the alleged offender, the 562  
court may issue a temporary protection order, as a pretrial 563  
condition of release, that contains terms designed to ensure the 564  
safety and protection of the complainant, alleged victim, or the 565  
family or household member, including a requirement that the 566  
alleged offender refrain from entering the residence, school, 567  
business, or place of employment of the complainant, alleged 568  
victim, or the family or household member. The court may include 569  
within a protection order issued under this section a term 570  
requiring that the alleged offender not remove, damage, hide, 571  
harm, or dispose of any companion animal owned or possessed by 572  
the complainant, alleged victim, or any other family or 573  
household member of the alleged victim, and may include within 574  
the order a term authorizing the complainant, alleged victim, or 575  
other family or household member of the alleged victim to remove 576  
a companion animal owned by the complainant, alleged victim, or 577  
other family or household member from the possession of the 578  
alleged offender. 579

(2) (a) If the court issues a temporary protection order 580  
that includes a requirement that the alleged offender refrain 581  
from entering the residence, school, business, or place of 582  
employment of the complainant, the alleged victim, or the family 583  
or household member, the order shall state clearly that the 584  
order cannot be waived or nullified by an invitation to the 585  
alleged offender from the complainant, alleged victim, or family 586  
or household member to enter the residence, school, business, or 587  
place of employment or by the alleged offender's entry into one 588  
of those places otherwise upon the consent of the complainant, 589  
alleged victim, or family or household member. 590

(b) Division (C) (2) (a) of this section does not limit any 591  
discretion of a court to determine that an alleged offender 592  
charged with a violation of section 2919.27 of the Revised Code, 593  
with a violation of a municipal ordinance substantially 594  
equivalent to that section, or with contempt of court, which 595  
charge is based on an alleged violation of a temporary 596  
protection order issued under this section, did not commit the 597  
violation or was not in contempt of court. 598

(D) (1) Upon the filing of a complaint that alleges a 599  
violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of 600  
the Revised Code if the alleged victim of the violation was a 601  
family or household member at the time of the violation, a 602  
violation of a municipal ordinance that is substantially similar 603  
to any of those sections if the alleged victim of the violation 604  
was a family or household member at the time of the violation, 605  
any offense of violence if the alleged victim of the offense was 606  
a family or household member at the time of the commission of 607  
the offense, or any sexually oriented offense if the alleged 608  
victim of the offense was a family or household member at the 609  
time of the commission of the offense, the court, upon its own 610

motion, may issue a temporary protection order as a pretrial 611  
condition of release if it finds that the safety and protection 612  
of the complainant, alleged victim, or other family or household 613  
member of the alleged offender may be impaired by the continued 614  
presence of the alleged offender. 615

(2) If the court issues a temporary protection order under 616  
this section as an ex parte order, it shall conduct, as soon as 617  
possible after the issuance of the order, a hearing in the 618  
presence of the alleged offender not later than the next day on 619  
which the court is scheduled to conduct business after the day 620  
on which the alleged offender was arrested or at the time of the 621  
appearance of the alleged offender pursuant to summons to 622  
determine whether the order should remain in effect, be 623  
modified, or be revoked. The hearing shall be conducted under 624  
the standards set forth in division (C) of this section. 625

(3) An order issued under this section shall contain only 626  
those terms authorized in orders issued under division (C) of 627  
this section. 628

(4) If a municipal court or a county court issues a 629  
temporary protection order under this section and if, subsequent 630  
to the issuance of the order, the alleged offender who is the 631  
subject of the order is bound over to the court of common pleas 632  
for prosecution of a felony arising out of the same activities 633  
as those that were the basis of the complaint upon which the 634  
order is based, notwithstanding the fact that the order was 635  
issued by a municipal court or county court, the order shall 636  
remain in effect, as though it were an order of the court of 637  
common pleas, while the charges against the alleged offender are 638  
pending in the court of common pleas, for the period of time 639  
described in division (E) (2) of this section, and the court of 640

common pleas has exclusive jurisdiction to modify the order 641  
issued by the municipal court or county court. This division 642  
applies when the alleged offender is bound over to the court of 643  
common pleas as a result of the person waiving a preliminary 644  
hearing on the felony charge, as a result of the municipal court 645  
or county court having determined at a preliminary hearing that 646  
there is probable cause to believe that the felony has been 647  
committed and that the alleged offender committed it, as a 648  
result of the alleged offender having been indicted for the 649  
felony, or in any other manner. 650

(E) A temporary protection order that is issued as a 651  
pretrial condition of release under this section: 652

(1) Is in addition to, but shall not be construed as a 653  
part of, any bail set under Criminal Rule 46; 654

(2) Is effective only until the occurrence of either of 655  
the following: 656

(a) The disposition, by the court that issued the order 657  
or, in the circumstances described in division (D)(4) of this 658  
section, by the court of common pleas to which the alleged 659  
offender is bound over for prosecution, of the criminal 660  
proceeding arising out of the complaint upon which the order is 661  
based; 662

(b) The issuance of a protection order or the approval of 663  
a consent agreement, arising out of the same activities as those 664  
that were the basis of the complaint upon which the order is 665  
based, under section 3113.31 of the Revised Code~~†~~. 666

(3) Shall not be construed as a finding that the alleged 667  
offender committed the alleged offense, and shall not be 668  
introduced as evidence of the commission of the offense at the 669

trial of the alleged offender on the complaint upon which the order is based. 670  
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(F) A person who meets the criteria for bail under Criminal Rule 46 and who, if required to do so pursuant to that rule, executes or posts bond or deposits cash or securities as bail, shall not be held in custody pending a hearing before the court on a motion requesting a temporary protection order. 672  
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(G) (1) A copy of any temporary protection order that is issued under this section shall be issued by the court to the complainant, to the alleged victim, to the person who requested the order, to the defendant, and to all law enforcement agencies that have jurisdiction to enforce the order. The court shall direct that a copy of the order be delivered to the defendant on the same day that the order is entered. If a municipal court or a county court issues a temporary protection order under this section and if, subsequent to the issuance of the order, the defendant who is the subject of the order is bound over to the court of common pleas for prosecution as described in division (D) (4) of this section, the municipal court or county court shall direct that a copy of the order be delivered to the court of common pleas to which the defendant is bound over. 677  
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(2) Upon the issuance of a protection order under this section, the court shall determine whether, as a result of the order, it is unlawful for the defendant to possess or purchase a firearm under division (A) (7) of section 2923.13 of the Revised Code or 18 U.S.C. 922(g) (8). If the court determines that the defendant is prohibited from possessing or purchasing a firearm, the court shall order the defendant to transfer all firearms in the defendant's possession or control, and shall ensure that the transfer is made, in accordance with section 2923.134 of the 691  
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Revised Code. If the defendant is so prohibited, the court shall 700  
provide the parties to the order with the following notice 701  
orally or by form: 702

"NOTICE 703

As a result of this protection order, it ~~may be~~ is 704  
unlawful for you, the defendant, to possess or purchase a 705  
firearm, including a rifle, pistol, or revolver, or ammunition 706  
pursuant to ~~federal law under~~ section 2923.13 of the Revised 707  
Code or 18 U.S.C. 922(g) (8). ~~If you have any questions whether~~ 708  
~~this law makes it illegal for you to possess or purchase a~~ 709  
~~firearm or ammunition, you should consult an attorney.~~ You are 710  
required to transfer all firearms in your possession or control 711  
within twenty-four hours after service of this order in 712  
accordance with section 2923.134 of the Revised Code. You are 713  
required to file with this court a proof of transfer and an 714  
affidavit that you possess no firearms within forty-eight hours 715  
after service of this order." 716

(3) All law enforcement agencies shall establish and 717  
maintain an index for the temporary protection orders delivered 718  
to the agencies pursuant to division (G) (1) of this section. 719  
With respect to each order delivered, each agency shall note on 720  
the index, the date and time of the receipt of the order by the 721  
agency. 722

(4) A complainant, alleged victim, or other person who 723  
obtains a temporary protection order under this section may 724  
provide notice of the issuance of the temporary protection order 725  
to the judicial and law enforcement officials in any county 726  
other than the county in which the order is issued by 727  
registering that order in the other county in accordance with 728  
division (N) of section 3113.31 of the Revised Code and filing a 729

copy of the registered protection order with a law enforcement agency in the other county in accordance with that division. 730  
731

(5) Any officer of a law enforcement agency shall enforce a temporary protection order issued by any court in this state in accordance with the provisions of the order, including removing the defendant from the premises, regardless of whether the order is registered in the county in which the officer's agency has jurisdiction as authorized by division (G) (4) of this section. 732  
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(H) Upon a violation of a temporary protection order, the court may issue another temporary protection order, as a pretrial condition of release, that modifies the terms of the order that was violated. 739  
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(I) (1) As used in divisions (I) (1) and (2) of this section, "defendant" means a person who is alleged in a complaint to have committed a violation, offense of violence, or sexually oriented offense of the type described in division (A) of this section. 743  
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(2) If a complaint is filed that alleges that a person committed a violation, offense of violence, or sexually oriented offense of the type described in division (A) of this section, the court may not issue a temporary protection order under this section that requires the complainant, the alleged victim, or another family or household member of the defendant to do or refrain from doing an act that the court may require the defendant to do or refrain from doing under a temporary protection order unless both of the following apply: 748  
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(a) The defendant has filed a separate complaint that alleges that the complainant, alleged victim, or other family or 757  
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household member in question who would be required under the 759  
order to do or refrain from doing the act committed a violation 760  
or offense of violence of the type described in division (A) of 761  
this section. 762

(b) The court determines that both the complainant, 763  
alleged victim, or other family or household member in question 764  
who would be required under the order to do or refrain from 765  
doing the act and the defendant acted primarily as aggressors, 766  
that neither the complainant, alleged victim, or other family or 767  
household member in question who would be required under the 768  
order to do or refrain from doing the act nor the defendant 769  
acted primarily in self-defense, and, in accordance with the 770  
standards and criteria of this section as applied in relation to 771  
the separate complaint filed by the defendant, that it should 772  
issue the order to require the complainant, alleged victim, or 773  
other family or household member in question to do or refrain 774  
from doing the act. 775

(J) (1) Subject to division (J) (2) of this section and 776  
regardless of whether a protection order is issued or a consent 777  
agreement is approved by a court of another county or a court of 778  
another state, no court or unit of state or local government 779  
shall charge the movant any fee, cost, deposit, or money in 780  
connection with the filing of a motion pursuant to this section, 781  
in connection with the filing, issuance, registration, 782  
modification, enforcement, dismissal, withdrawal, or service of 783  
a protection order, consent agreement, or witness subpoena or 784  
for obtaining a certified copy of a protection order or consent 785  
agreement. 786

(2) Regardless of whether a protection order is issued or 787  
a consent agreement is approved pursuant to this section, if the 788

defendant is convicted the court may assess costs against the 789  
defendant in connection with the filing, issuance, registration, 790  
modification, enforcement, dismissal, withdrawal, or service of 791  
a protection order, consent agreement, or witness subpoena or 792  
for obtaining a certified copy of a protection order or consent 793  
agreement. 794

(K) As used in this section: 795

(1) "Companion animal" has the same meaning as in section 796  
959.131 of the Revised Code. 797

(2) "Sexually oriented offense" has the same meaning as in 798  
section 2950.01 of the Revised Code. 799

(3) "Victim advocate" means a person who provides support 800  
and assistance for a victim of an offense during court 801  
proceedings. 802

**Sec. 2923.13.** (A) Unless relieved from disability under 803  
operation of law or legal process, no person shall knowingly 804  
acquire, have, carry, or use any firearm or dangerous ordnance, 805  
if any of the following apply: 806

(1) The person is a fugitive from justice. 807

(2) The person is under indictment for or has been 808  
convicted of any felony offense of violence or has been 809  
adjudicated a delinquent child for the commission of an offense 810  
that, if committed by an adult, would have been a felony offense 811  
of violence. 812

(3) The person is under indictment for or has been 813  
convicted of any felony offense involving the illegal 814  
possession, use, sale, administration, distribution, or 815  
trafficking in any drug of abuse or has been adjudicated a 816

delinquent child for the commission of an offense that, if 817  
committed by an adult, would have been a felony offense 818  
involving the illegal possession, use, sale, administration, 819  
distribution, or trafficking in any drug of abuse. 820

(4) The person is drug dependent, in danger of drug 821  
dependence, or a chronic alcoholic. 822

(5) The person is under adjudication of mental 823  
incompetence, has been adjudicated as a mental defective, has 824  
been committed to a mental institution, has been found by a 825  
court to be a mentally ill person subject to court order, or is 826  
an involuntary patient other than one who is a patient only for 827  
purposes of observation. As used in this division, "mentally ill 828  
person subject to court order" and "patient" have the same 829  
meanings as in section 5122.01 of the Revised Code. 830

(6) The person has been convicted of either domestic 831  
violence or assault when the victim is a family or household 832  
member, whether the offense is classified as a felony or 833  
misdemeanor. 834

(7) The person is subject to a court order, granted after 835  
a full hearing for which the person received notice and an 836  
opportunity to be heard, that restrains the person from 837  
harassing, stalking, threatening, or engaging in other conduct 838  
that would place a family or household member in reasonable fear 839  
of bodily injury, or is subject to a temporary protection order 840  
issued under section 2919.26 of the Revised Code. 841

(B) Whoever violates this section is guilty of having 842  
weapons while under disability, a felony of the third degree. 843

(C) For the purposes of this section, "under operation of 844  
law or legal process" shall not itself include mere completion, 845

termination, or expiration of a sentence imposed as a result of 846  
a criminal conviction. 847

(D) As used in this section, "family or household member" 848  
has the same meaning as in section 3113.31 of the Revised Code. 849

**Sec. 2923.133.** (A) Any offender who has been convicted of 850  
an offense described in division (A) (6) of section 2923.13 of 851  
the Revised Code and has been served with a court order 852  
requiring the offender to transfer all firearms in the 853  
offender's possession or control in accordance with this section 854  
shall transfer all firearms under the offender's possession or 855  
control as described in this division. 856

(1) Within twenty-four hours after being served with the 857  
court order, the offender shall transfer all firearms in the 858  
offender's possession or control to a law enforcement agency or 859  
federally licensed firearms dealer. The offender shall provide a 860  
copy of the court order to the law enforcement agency or 861  
firearms dealer at the time of transfer. Prior to accepting a 862  
transfer of firearms from the offender, a law enforcement agency 863  
shall notify the offender that if the firearms are transferred 864  
to a law enforcement agency, the firearms shall be considered to 865  
be abandoned and are subject to disposal under division (A) (3) 866  
of this section. The law enforcement agency or federally 867  
licensed firearms dealer taking possession of the firearm or 868  
firearms shall issue a proof of transfer to the offender. The 869  
proof of transfer shall include the name of the offender, the 870  
date of transfer, and the serial number, make, and model of each 871  
transferred firearm. 872

(2) Within forty-eight hours after being served with the 873  
court order, the offender shall do one of the following: 874

(a) File a copy of proof of transfer with the court that 875  
issued the order and an affidavit that all firearms in the 876  
offender's possession or control at the time the offender was 877  
served with the court order have been transferred in accordance 878  
with this section and that the offender currently has no 879  
firearms in the offender's possession or control; 880

(b) File an affidavit with the court that issued the order 881  
that at the time the offender was served with the order the 882  
offender had no firearms in the offender's possession or control 883  
and that the offender currently has no firearms in the 884  
offender's possession or control. 885

(3) If the offender transfers the firearm to a law 886  
enforcement agency, the firearm shall be considered to be 887  
abandoned. The law enforcement agency may establish policies for 888  
disposal of abandoned firearms, provided such policies require 889  
that the offender be notified of the disposal and receive any 890  
financial value from the disposal less the costs to the law 891  
enforcement agency associated with taking possession of, 892  
storing, and disposing of the firearms. 893

(B) Notwithstanding division (A) of this section, if the 894  
offender is incarcerated at the time the offender is served with 895  
the court order and is unable to comply with the order due to 896  
the offender's incarceration, the offender may file an affidavit 897  
with the court that these circumstances are applicable to the 898  
offender. 899

(C) An offender who recklessly violates the requirements 900  
of this section is guilty of a felony of the fifth degree. 901

(D) As used in this section, "law enforcement agency" 902  
means the state highway patrol, or a police department of a 903

municipal corporation or sheriff's office under the court's 904  
jurisdiction. 905

**Sec. 2923.134.** (A) Any person who is subject to a court 906  
order described in division (A) (7) of section 2923.13 of the 907  
Revised Code and has been served with a court order requiring 908  
the person to transfer all firearms in the person's possession 909  
or control in accordance with this section shall transfer all 910  
firearms in the person's possession or control as described in 911  
this division. 912

(1) Within twenty-four hours after being served with the 913  
court order, the respondent shall transfer all firearms in the 914  
respondent's possession to a law enforcement agency or federally 915  
licensed firearms dealer. The respondent shall provide a copy of 916  
the court order to the law enforcement agency or federally 917  
licensed firearms dealer at the time of transfer, along with a 918  
copy of the protection order. The law enforcement agency or 919  
federally licensed firearms dealer shall issue a proof of 920  
transfer to the respondent. The proof of transfer shall include 921  
the name of the respondent, the date of transfer, and the serial 922  
number, make, and model of each transferred firearm. 923

(2) Within forty-eight hours after being served with the 924  
court order, the respondent shall do one of the following: 925

(a) File a copy of the proof of transfer with the court 926  
that issued the order and an affidavit that all firearms in the 927  
respondent's possession or control at the time the respondent 928  
was served with the order have been transferred in accordance 929  
with this section and that the respondent currently has no 930  
firearms in the respondent's possession or control; 931

(b) File an affidavit with the court that issued the order 932



that at the time the respondent was served with the order the 933  
respondent had no firearms in the respondent's possession or 934  
control and that the respondent currently has no firearms in the 935  
respondent's possession or control. 936

(3) (a) Upon the expiration of the court order, the law 937  
enforcement agency or federally licensed firearms dealer in 938  
possession of the respondent's firearms shall, at the 939  
respondent's request, return those firearms to the respondent, 940  
unless either of the following applies: 941

(i) The order is extended or another court order described 942  
in division (A) (7) of section 2923.13 of the Revised Code is in 943  
effect; 944

(ii) The respondent is prohibited from possessing a 945  
firearm under state or federal law. 946

(b) Before returning a firearm pursuant to this division, 947  
the law enforcement agency or federally licensed firearms dealer 948  
may require the respondent to sign a statement that the court 949  
order has expired and has not been extended and that the 950  
respondent is not prohibited from possessing a firearm under 951  
state or federal law. 952

(4) (a) If the respondent is prohibited from possessing a 953  
firearm under state or federal law, the respondent shall have 954  
sixty days after the expiration of the court order and any 955  
extensions to the court order to make one sale to a federally 956  
licensed firearms dealer of any transferred firearms in the 957  
possession of a law enforcement agency. The law enforcement 958  
agency shall transfer possession of the firearms to a federally 959  
licensed firearms dealer at the request of the firearms dealer, 960  
if the firearms dealer provides the law enforcement agency with 961

a copy of a bill of sale that indicates the respondent has sold 962  
the firearms to the firearms dealer. If the law enforcement 963  
agency accepts any proceeds from the sale on behalf of the 964  
respondent, the law enforcement agency shall transfer the 965  
proceeds of the sale to the respondent. 966

(b) If the respondent or a federally licensed firearms 967  
dealer does not provide a copy of a bill of sale for the 968  
respondent's firearms to the law enforcement agency within sixty 969  
days after the expiration of the court order and any extensions 970  
to the court order, the firearms shall be considered to be 971  
abandoned. The law enforcement agency may establish policies for 972  
the disposal of abandoned firearms, provided the policies 973  
require that the respondent be notified of the disposal and 974  
receive any financial value from the disposal of the firearms. 975

(5) A law enforcement agency or federally licensed 976  
firearms dealer may charge a respondent a reasonable fee in 977  
connection with the storage of any firearm pursuant to this 978  
section. The fee charged by a law enforcement agency shall not 979  
exceed the costs associated with taking possession of, storing, 980  
and disposing of the firearms. 981

(B) A respondent who recklessly violates the requirements 982  
of this section is guilty of a felony of the fifth degree. 983

(C) As used in this section: 984

(1) "Law enforcement agency" has the same meaning as in 985  
section 2923.133 of the Revised Code. 986

(2) "Respondent" includes a defendant who is subject to a 987  
temporary protection order under section 2919.26 of the Revised 988  
Code. 989

**Sec. 2923.14.** (A) (1) Except as otherwise provided in 990

division (A) (2) of this section, any person who is prohibited 991  
from acquiring, having, carrying, or using firearms may apply to 992  
the court of common pleas in the county in which the person 993  
resides for relief from such prohibition. 994

(2) Division (A) (1) of this section does not apply to a 995  
person who has been convicted of or pleaded guilty to a 996  
violation of section 2923.132 of the Revised Code or to a person 997  
who, two or more times, has been convicted of or pleaded guilty 998  
to a felony and a specification of the type described in section 999  
2941.141, 2941.144, 2941.145, 2941.146, 2941.1412, or 2941.1424 1000  
of the Revised Code. 1001

(B) The application shall recite the following: 1002

(1) All indictments, convictions, or adjudications upon 1003  
which the applicant's disability is based, the sentence imposed 1004  
and served, and any release granted under a community control 1005  
sanction, post-release control sanction, or parole, any partial 1006  
or conditional pardon granted, or other disposition of each 1007  
case, or, if the disability is based upon a factor other than an 1008  
indictment, a conviction, or an adjudication, the factor upon 1009  
which the disability is based and all details related to that 1010  
factor; 1011

(2) Facts showing the applicant to be a fit subject for 1012  
relief under this section. 1013

(C) A copy of the application shall be served on the 1014  
county prosecutor. The county prosecutor shall cause the matter 1015  
to be investigated and shall raise before the court any 1016  
objections to granting relief that the investigation reveals. 1017

(D) Upon hearing, the court may grant the applicant relief 1018  
pursuant to this section, if all of the following apply: 1019

(1) One of the following applies:	1020
(a) If the disability is based upon an indictment, a conviction, or an adjudication, the applicant has been fully discharged from imprisonment, community control, post-release control, and parole, or, if the applicant is under indictment, has been released on bail or recognizance.	1021 1022 1023 1024 1025
(b) If the disability is based upon a factor other than an indictment, a conviction, or an adjudication, that factor no longer is applicable to the applicant.	1026 1027 1028
(2) The applicant has led a law-abiding life since discharge or release, and appears likely to continue to do so.	1029 1030
(3) The applicant is not otherwise prohibited by law from acquiring, having, or using firearms.	1031 1032
(E) Costs of the proceeding shall be charged as in other civil cases, and taxed to the applicant.	1033 1034
(F) Relief from disability granted pursuant to this section restores the applicant to all civil firearm rights to the full extent enjoyed by any citizen, and is subject to the following conditions:	1035 1036 1037 1038
(1) Applies only with respect to indictments, convictions, or adjudications, or to the other factor, recited in the application as the basis for the applicant's disability;	1039 1040 1041
(2) Applies only with respect to firearms lawfully acquired, possessed, carried, or used by the applicant;	1042 1043
(3) May be revoked by the court at any time for good cause shown and upon notice to the applicant;	1044 1045
(4) Is automatically void upon commission by the applicant	1046

of any offense set forth in division (A) (2) ~~or~~, (3), or (6) of 1047  
section 2923.13 of the Revised Code, or upon the applicant's 1048  
becoming one of the class of persons named in division (A) (1), 1049  
(4), ~~or~~ (5), or (7) of that section. 1050

(G) As used in this section: 1051

(1) "Community control sanction" has the same meaning as 1052  
in section 2929.01 of the Revised Code. 1053

(2) "Post-release control" and "post-release control 1054  
sanction" have the same meanings as in section 2967.01 of the 1055  
Revised Code. 1056

**Sec. 3113.31.** (A) As used in this section: 1057

(1) "Domestic violence" means the occurrence of one or 1058  
more of the following acts against a family or household member: 1059

(a) Attempting to cause or recklessly causing bodily 1060  
injury; 1061

(b) Placing another person by the threat of force in fear 1062  
of imminent serious physical harm or committing a violation of 1063  
section 2903.211 or 2911.211 of the Revised Code; 1064

(c) Committing any act with respect to a child that would 1065  
result in the child being an abused child, as defined in section 1066  
2151.031 of the Revised Code; 1067

(d) Committing a sexually oriented offense. 1068

(2) "Court" means the domestic relations division of the 1069  
court of common pleas in counties that have a domestic relations 1070  
division and the court of common pleas in counties that do not 1071  
have a domestic relations division, or the juvenile division of 1072  
the court of common pleas of the county in which the person to 1073

be protected by a protection order issued or a consent agreement 1074  
approved under this section resides if the respondent is less 1075  
than eighteen years of age. 1076

(3) "Family or household member" means any of the 1077  
following: 1078

(a) Any of the following who is residing with or has 1079  
resided with the respondent: 1080

(i) A spouse, a person living as a spouse, or a former 1081  
spouse of the respondent; 1082

(ii) A parent, a foster parent, or a child of the 1083  
respondent, or another person related by consanguinity or 1084  
affinity to the respondent; 1085

(iii) A parent or a child of a spouse, person living as a 1086  
spouse, or former spouse of the respondent, or another person 1087  
related by consanguinity or affinity to a spouse, person living 1088  
as a spouse, or former spouse of the respondent. 1089

(b) The natural parent of any child of whom the respondent 1090  
is the other natural parent or is the putative other natural 1091  
parent. 1092

(4) "Person living as a spouse" means a person who is 1093  
living or has lived with the respondent in a common law marital 1094  
relationship, who otherwise is cohabiting with the respondent, 1095  
or who otherwise has cohabited with the respondent within five 1096  
years prior to the date of the alleged occurrence of the act in 1097  
question. 1098

(5) "Victim advocate" means a person who provides support 1099  
and assistance for a person who files a petition under this 1100  
section. 1101

(6) "Sexually oriented offense" has the same meaning as in 1102  
section 2950.01 of the Revised Code. 1103

(7) "Companion animal" has the same meaning as in section 1104  
959.131 of the Revised Code. 1105

(B) The court has jurisdiction over all proceedings under 1106  
this section. The petitioner's right to relief under this 1107  
section is not affected by the petitioner's leaving the 1108  
residence or household to avoid further domestic violence. 1109

(C) (1) A person may seek relief under this section on the 1110  
person's own behalf, or any parent or adult household member may 1111  
seek relief under this section on behalf of any other family or 1112  
household member, by filing a petition with the court. The 1113  
petition shall contain or state: 1114

~~(1)~~ (a) An allegation that the respondent engaged in 1115  
domestic violence against a family or household member of the 1116  
respondent, including a description of the nature and extent of 1117  
the domestic violence; 1118

~~(2)~~ (b) The relationship of the respondent to the 1119  
petitioner, and to the victim if other than the petitioner; 1120

~~(3)~~ (c) A request for relief under this section. 1121

(2) The petitioner may include a statement in the petition 1122  
that describes the number, types, and locations of any firearms 1123  
that the petitioner knows to be in the possession or control of 1124  
the respondent. 1125

(D) (1) If a person who files a petition pursuant to this 1126  
section requests an ex parte order, the court shall hold an ex 1127  
parte hearing on the same day that the petition is filed. The 1128  
court, for good cause shown at the ex parte hearing, may enter 1129

any temporary orders, with or without bond, including, but not 1130  
limited to, an order described in division (E) (1) (a), (b), or 1131  
(c) of this section, that the court finds necessary to protect 1132  
the family or household member from domestic violence. Immediate 1133  
and present danger of domestic violence to the family or 1134  
household member constitutes good cause for purposes of this 1135  
section. Immediate and present danger includes, but is not 1136  
limited to, situations in which the respondent has threatened 1137  
the family or household member with bodily harm, in which the 1138  
respondent has threatened the family or household member with a 1139  
sexually oriented offense, or in which the respondent previously 1140  
has been convicted of, pleaded guilty to, or been adjudicated a 1141  
delinquent child for an offense that constitutes domestic 1142  
violence against the family or household member. 1143

(2) (a) If the court, after an ex parte hearing, issues an 1144  
order described in division (E) (1) (b) or (c) of this section, 1145  
the court shall schedule a full hearing for a date that is 1146  
within seven court days after the ex parte hearing. If any other 1147  
type of protection order that is authorized under division (E) 1148  
of this section is issued by the court after an ex parte 1149  
hearing, the court shall schedule a full hearing for a date that 1150  
is within ten court days after the ex parte hearing. The court 1151  
shall give the respondent notice of, and an opportunity to be 1152  
heard at, the full hearing. The court shall hold the full 1153  
hearing on the date scheduled under this division unless the 1154  
court grants a continuance of the hearing in accordance with 1155  
this division. Under any of the following circumstances or for 1156  
any of the following reasons, the court may grant a continuance 1157  
of the full hearing to a reasonable time determined by the 1158  
court: 1159

(i) Prior to the date scheduled for the full hearing under 1160



this division, the respondent has not been served with the 1161  
petition filed pursuant to this section and notice of the full 1162  
hearing. 1163

(ii) The parties consent to the continuance. 1164

(iii) The continuance is needed to allow a party to obtain 1165  
counsel. 1166

(iv) The continuance is needed for other good cause. 1167

(b) An ex parte order issued under this section does not 1168  
expire because of a failure to serve notice of the full hearing 1169  
upon the respondent before the date set for the full hearing 1170  
under division (D) (2) (a) of this section or because the court 1171  
grants a continuance under that division. 1172

(3) If a person who files a petition pursuant to this 1173  
section does not request an ex parte order, or if a person 1174  
requests an ex parte order but the court does not issue an ex 1175  
parte order after an ex parte hearing, the court shall proceed 1176  
as in a normal civil action and grant a full hearing on the 1177  
matter. 1178

(E) (1) After an ex parte or full hearing, the court may 1179  
grant any protection order, with or without bond, or approve any 1180  
consent agreement to bring about a cessation of domestic 1181  
violence against the family or household members. The order or 1182  
agreement may: 1183

(a) Direct the respondent to refrain from abusing or from 1184  
committing sexually oriented offenses against the family or 1185  
household members; 1186

(b) Grant possession of the residence or household to the 1187  
petitioner or other family or household member, to the exclusion 1188

of the respondent, by evicting the respondent, when the 1189  
residence or household is owned or leased solely by the 1190  
petitioner or other family or household member, or by ordering 1191  
the respondent to vacate the premises, when the residence or 1192  
household is jointly owned or leased by the respondent, and the 1193  
petitioner or other family or household member; 1194

(c) When the respondent has a duty to support the 1195  
petitioner or other family or household member living in the 1196  
residence or household and the respondent is the sole owner or 1197  
lessee of the residence or household, grant possession of the 1198  
residence or household to the petitioner or other family or 1199  
household member, to the exclusion of the respondent, by 1200  
ordering the respondent to vacate the premises, or, in the case 1201  
of a consent agreement, allow the respondent to provide 1202  
suitable, alternative housing; 1203

(d) Temporarily allocate parental rights and 1204  
responsibilities for the care of, or establish temporary 1205  
parenting time rights with regard to, minor children, if no 1206  
other court has determined, or is determining, the allocation of 1207  
parental rights and responsibilities for the minor children or 1208  
parenting time rights; 1209

(e) Require the respondent to maintain support, if the 1210  
respondent customarily provides for or contributes to the 1211  
support of the family or household member, or if the respondent 1212  
has a duty to support the petitioner or family or household 1213  
member; 1214

(f) Require the respondent, petitioner, victim of domestic 1215  
violence, or any combination of those persons, to seek 1216  
counseling; 1217

(g) Require the respondent to refrain from entering the residence, school, business, or place of employment of the petitioner or family or household member;

(h) Grant other relief that the court considers equitable and fair, including, but not limited to, ordering the respondent to permit the use of a motor vehicle by the petitioner or other family or household member and the apportionment of household and family personal property;

(i) Require that the respondent not remove, damage, hide, harm, or dispose of any companion animal owned or possessed by the petitioner;

(j) Authorize the petitioner to remove a companion animal owned by the petitioner from the possession of the respondent;

(k) Require a wireless service transfer in accordance with sections 3113.45 to 3113.459 of the Revised Code.

(2) If a protection order has been issued pursuant to this section in a prior action involving the respondent and the petitioner or one or more of the family or household members or victims, the court may include in a protection order that it issues a prohibition against the respondent returning to the residence or household. If it includes a prohibition against the respondent returning to the residence or household in the order, it also shall include in the order provisions of the type described in division (E) (7) of this section. This division does not preclude the court from including in a protection order or consent agreement, in circumstances other than those described in this division, a requirement that the respondent be evicted from or vacate the residence or household or refrain from entering the residence, school, business, or place of employment

of the petitioner or a family or household member, and, if the 1247  
court includes any requirement of that type in an order or 1248  
agreement, the court also shall include in the order provisions 1249  
of the type described in division (E) (7) of this section. 1250

(3) (a) Any protection order issued or consent agreement 1251  
approved under this section shall be valid until a date certain, 1252  
but not later than five years from the date of its issuance or 1253  
approval, or not later than the date a respondent who is less 1254  
than eighteen years of age attains nineteen years of age, unless 1255  
modified or terminated as provided in division (E) (8) of this 1256  
section. 1257

(b) Subject to the limitation on the duration of an order 1258  
or agreement set forth in division (E) (3) (a) of this section, 1259  
any order under division (E) (1) (d) of this section shall 1260  
terminate on the date that a court in an action for divorce, 1261  
dissolution of marriage, or legal separation brought by the 1262  
petitioner or respondent issues an order allocating parental 1263  
rights and responsibilities for the care of children or on the 1264  
date that a juvenile court in an action brought by the 1265  
petitioner or respondent issues an order awarding legal custody 1266  
of minor children. Subject to the limitation on the duration of 1267  
an order or agreement set forth in division (E) (3) (a) of this 1268  
section, any order under division (E) (1) (e) of this section 1269  
shall terminate on the date that a court in an action for 1270  
divorce, dissolution of marriage, or legal separation brought by 1271  
the petitioner or respondent issues a support order or on the 1272  
date that a juvenile court in an action brought by the 1273  
petitioner or respondent issues a support order. 1274

(c) Any protection order issued or consent agreement 1275  
approved pursuant to this section may be renewed in the same 1276

manner as the original order or agreement was issued or 1277  
approved. 1278

(4) A court may not issue a protection order that requires 1279  
a petitioner to do or to refrain from doing an act that the 1280  
court may require a respondent to do or to refrain from doing 1281  
under division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of 1282  
this section unless all of the following apply: 1283

(a) The respondent files a separate petition for a 1284  
protection order in accordance with this section. 1285

(b) The petitioner is served notice of the respondent's 1286  
petition at least forty-eight hours before the court holds a 1287  
hearing with respect to the respondent's petition, or the 1288  
petitioner waives the right to receive this notice. 1289

(c) If the petitioner has requested an ex parte order 1290  
pursuant to division (D) of this section, the court does not 1291  
delay any hearing required by that division beyond the time 1292  
specified in that division in order to consolidate the hearing 1293  
with a hearing on the petition filed by the respondent. 1294

(d) After a full hearing at which the respondent presents 1295  
evidence in support of the request for a protection order and 1296  
the petitioner is afforded an opportunity to defend against that 1297  
evidence, the court determines that the petitioner has committed 1298  
an act of domestic violence or has violated a temporary 1299  
protection order issued pursuant to section 2919.26 of the 1300  
Revised Code, that both the petitioner and the respondent acted 1301  
primarily as aggressors, and that neither the petitioner nor the 1302  
respondent acted primarily in self-defense. 1303

(5) No protection order issued or consent agreement 1304  
approved under this section shall in any manner affect title to 1305

any real property. 1306

(6) (a) If a petitioner, or the child of a petitioner, who 1307  
obtains a protection order or consent agreement pursuant to 1308  
division (E) (1) of this section or a temporary protection order 1309  
pursuant to section 2919.26 of the Revised Code and is the 1310  
subject of a parenting time order issued pursuant to section 1311  
3109.051 or 3109.12 of the Revised Code or a visitation or 1312  
companionship order issued pursuant to section 3109.051, 1313  
3109.11, or 3109.12 of the Revised Code or division (E) (1) (d) of 1314  
this section granting parenting time rights to the respondent, 1315  
the court may require the public children services agency of the 1316  
county in which the court is located to provide supervision of 1317  
the respondent's exercise of parenting time or visitation or 1318  
companionship rights with respect to the child for a period not 1319  
to exceed nine months, if the court makes the following findings 1320  
of fact: 1321

(i) The child is in danger from the respondent; 1322

(ii) No other person or agency is available to provide the 1323  
supervision. 1324

(b) A court that requires an agency to provide supervision 1325  
pursuant to division (E) (6) (a) of this section shall order the 1326  
respondent to reimburse the agency for the cost of providing the 1327  
supervision, if it determines that the respondent has sufficient 1328  
income or resources to pay that cost. 1329

(7) (a) If a protection order issued or consent agreement 1330  
approved under this section includes a requirement that the 1331  
respondent be evicted from or vacate the residence or household 1332  
or refrain from entering the residence, school, business, or 1333  
place of employment of the petitioner or a family or household 1334

member, the order or agreement shall state clearly that the 1335  
order or agreement cannot be waived or nullified by an 1336  
invitation to the respondent from the petitioner or other family 1337  
or household member to enter the residence, school, business, or 1338  
place of employment or by the respondent's entry into one of 1339  
those places otherwise upon the consent of the petitioner or 1340  
other family or household member. 1341

(b) Division (E) (7) (a) of this section does not limit any 1342  
discretion of a court to determine that a respondent charged 1343  
with a violation of section 2919.27 of the Revised Code, with a 1344  
violation of a municipal ordinance substantially equivalent to 1345  
that section, or with contempt of court, which charge is based 1346  
on an alleged violation of a protection order issued or consent 1347  
agreement approved under this section, did not commit the 1348  
violation or was not in contempt of court. 1349

(8) (a) The court may modify or terminate as provided in 1350  
division (E) (8) of this section a protection order or consent 1351  
agreement that was issued after a full hearing under this 1352  
section. The court that issued the protection order or approved 1353  
the consent agreement shall hear a motion for modification or 1354  
termination of the protection order or consent agreement 1355  
pursuant to division (E) (8) of this section. 1356

(b) Either the petitioner or the respondent of the 1357  
original protection order or consent agreement may bring a 1358  
motion for modification or termination of a protection order or 1359  
consent agreement that was issued or approved after a full 1360  
hearing. The court shall require notice of the motion to be made 1361  
as provided by the Rules of Civil Procedure. If the petitioner 1362  
for the original protection order or consent agreement has 1363  
requested that the petitioner's address be kept confidential, 1364

the court shall not disclose the address to the respondent of 1365  
the original protection order or consent agreement or any other 1366  
person, except as otherwise required by law. The moving party 1367  
has the burden of proof to show, by a preponderance of the 1368  
evidence, that modification or termination of the protection 1369  
order or consent agreement is appropriate because either the 1370  
protection order or consent agreement is no longer needed or 1371  
because the terms of the original protection order or consent 1372  
agreement are no longer appropriate. 1373

(c) In considering whether to modify or terminate a 1374  
protection order or consent agreement issued or approved under 1375  
this section, the court shall consider all relevant factors, 1376  
including, but not limited to, the following: 1377

(i) Whether the petitioner consents to modification or 1378  
termination of the protection order or consent agreement; 1379

(ii) Whether the petitioner fears the respondent; 1380

(iii) The current nature of the relationship between the 1381  
petitioner and the respondent; 1382

(iv) The circumstances of the petitioner and respondent, 1383  
including the relative proximity of the petitioner's and 1384  
respondent's workplaces and residences and whether the 1385  
petitioner and respondent have minor children together; 1386

(v) Whether the respondent has complied with the terms and 1387  
conditions of the original protection order or consent 1388  
agreement; 1389

(vi) Whether the respondent has a continuing involvement 1390  
with illegal drugs or alcohol; 1391

(vii) Whether the respondent has been convicted of, 1392



pleaded guilty to, or been adjudicated a delinquent child for an 1393  
offense of violence since the issuance of the protection order 1394  
or approval of the consent agreement; 1395

(viii) Whether any other protection orders, consent 1396  
agreements, restraining orders, or no contact orders have been 1397  
issued against the respondent pursuant to this section, section 1398  
2919.26 of the Revised Code, any other provision of state law, 1399  
or the law of any other state; 1400

(ix) Whether the respondent has participated in any 1401  
domestic violence treatment, intervention program, or other 1402  
counseling addressing domestic violence and whether the 1403  
respondent has completed the treatment, program, or counseling; 1404

(x) The time that has elapsed since the protection order 1405  
was issued or since the consent agreement was approved; 1406

(xi) The age and health of the respondent; 1407

(xii) When the last incident of abuse, threat of harm, or 1408  
commission of a sexually oriented offense occurred or other 1409  
relevant information concerning the safety and protection of the 1410  
petitioner or other protected parties. 1411

(d) If a protection order or consent agreement is modified 1412  
or terminated as provided in division (E) (8) of this section, 1413  
the court shall issue copies of the modified or terminated order 1414  
or agreement as provided in division (F) of this section. A 1415  
petitioner may also provide notice of the modification or 1416  
termination to the judicial and law enforcement officials in any 1417  
county other than the county in which the order or agreement is 1418  
modified or terminated as provided in division (N) of this 1419  
section. 1420

(e) If the respondent moves for modification or 1421

termination of a protection order or consent agreement pursuant 1422  
to this section and the court denies the motion, the court may 1423  
assess costs against the respondent for the filing of the 1424  
motion. 1425

(9) Any protection order issued or any consent agreement 1426  
approved pursuant to this section shall include a provision that 1427  
the court will automatically seal all of the records of the 1428  
proceeding in which the order is issued or agreement approved on 1429  
the date the respondent attains the age of nineteen years unless 1430  
the petitioner provides the court with evidence that the 1431  
respondent has not complied with all of the terms of the 1432  
protection order or consent agreement. The protection order or 1433  
consent agreement shall specify the date when the respondent 1434  
attains the age of nineteen years. 1435

(F) (1) A copy of any protection order, or consent 1436  
agreement, that is issued, approved, modified, or terminated 1437  
under this section shall be issued by the court to the 1438  
petitioner, to the respondent, and to all law enforcement 1439  
agencies that have jurisdiction to enforce the order or 1440  
agreement. The court shall direct that a copy of an order be 1441  
delivered to the respondent on the same day that the order is 1442  
entered. 1443

(2) Upon the issuance of a protection order or the 1444  
approval of a consent agreement under this section, the court 1445  
shall determine whether, as a result of the order, it is 1446  
unlawful for the respondent to possess or purchase a firearm 1447  
under division (A) (7) of section 2923.13 of the Revised Code or 1448  
18 U.S.C. 922(g) (8). If the court determines that the respondent 1449  
is prohibited from possessing or purchasing a firearm, the court 1450  
shall order the respondent to transfer all firearms in the 1451

respondent's possession or control, and shall ensure that the 1452  
transfer is made, in accordance with section 2923.134 of the 1453  
Revised Code. If the respondent is so prohibited, the court 1454  
shall provide the parties to the order or agreement with the 1455  
following notice orally or by form: 1456

"NOTICE 1457

As a result of this order or consent agreement, it ~~may be~~ 1458  
is unlawful for you, the respondent, to possess or purchase a 1459  
firearm, including a rifle, pistol, or revolver, or ammunition 1460  
pursuant to federal law under section 2923.13 of the Revised 1461  
Code or 18 U.S.C. 922(g) (8). ~~If you have any questions whether~~ 1462  
this law makes it illegal for you to possess or purchase a 1463  
firearm or ammunition, you should consult an attorney. You are 1464  
required to transfer all firearms in your possession or control 1465  
within twenty-four hours after service of this order in 1466  
accordance with section 2923.134 of the Revised Code. You are 1467  
required to file with this court a proof of transfer and an 1468  
affidavit that you possess no firearms within forty-eight hours 1469  
after service of this order." 1470

(3) All law enforcement agencies shall establish and 1471  
maintain an index for the protection orders and the approved 1472  
consent agreements delivered to the agencies pursuant to 1473  
division (F)(1) of this section. With respect to each order and 1474  
consent agreement delivered, each agency shall note on the index 1475  
the date and time that it received the order or consent 1476  
agreement. 1477

(4) Regardless of whether the petitioner has registered 1478  
the order or agreement in the county in which the officer's 1479  
agency has jurisdiction pursuant to division (N) of this 1480  
section, any officer of a law enforcement agency shall enforce a 1481

protection order issued or consent agreement approved by any 1482  
court in this state in accordance with the provisions of the 1483  
order or agreement, including removing the respondent from the 1484  
premises, if appropriate. 1485

(G) Any proceeding under this section shall be conducted 1486  
in accordance with the Rules of Civil Procedure, except that an 1487  
order under this section may be obtained with or without bond. 1488  
An order issued under this section, other than an ex parte 1489  
order, that grants a protection order or approves a consent 1490  
agreement, that refuses to grant a protection order or approve a 1491  
consent agreement that modifies or terminates a protection order 1492  
or consent agreement, or that refuses to modify or terminate a 1493  
protection order or consent agreement, is a final, appealable 1494  
order. The remedies and procedures provided in this section are 1495  
in addition to, and not in lieu of, any other available civil or 1496  
criminal remedies. 1497

(H) The filing of proceedings under this section does not 1498  
excuse a person from filing any report or giving any notice 1499  
required by section 2151.421 of the Revised Code or by any other 1500  
law. When a petition under this section alleges domestic 1501  
violence against minor children, the court shall report the 1502  
fact, or cause reports to be made, to a county, township, or 1503  
municipal peace officer under section 2151.421 of the Revised 1504  
Code. 1505

(I) Any law enforcement agency that investigates a 1506  
domestic dispute shall provide information to the family or 1507  
household members involved regarding the relief available under 1508  
this section and section 2919.26 of the Revised Code. 1509

(J) (1) Subject to divisions (E) (8) (e) and (J) (2) of this 1510  
section and regardless of whether a protection order is issued 1511

or a consent agreement is approved by a court of another county 1512  
or a court of another state, no court or unit of state or local 1513  
government shall charge the petitioner any fee, cost, deposit, 1514  
or money in connection with the filing of a petition pursuant to 1515  
this section or in connection with the filing, issuance, 1516  
registration, modification, enforcement, dismissal, withdrawal, 1517  
or service of a protection order, consent agreement, or witness 1518  
subpoena or for obtaining a certified copy of a protection order 1519  
or consent agreement. 1520

(2) Regardless of whether a protection order is issued or 1521  
a consent agreement is approved pursuant to this section, the 1522  
court may assess costs against the respondent in connection with 1523  
the filing, issuance, registration, modification, enforcement, 1524  
dismissal, withdrawal, or service of a protection order, consent 1525  
agreement, or witness subpoena or for obtaining a certified copy 1526  
of a protection order or consent agreement. 1527

(K) (1) The court shall comply with Chapters 3119., 3121., 1528  
3123., and 3125. of the Revised Code when it makes or modifies 1529  
an order for child support under this section. 1530

(2) If any person required to pay child support under an 1531  
order made under this section on or after April 15, 1985, or 1532  
modified under this section on or after December 31, 1986, is 1533  
found in contempt of court for failure to make support payments 1534  
under the order, the court that makes the finding, in addition 1535  
to any other penalty or remedy imposed, shall assess all court 1536  
costs arising out of the contempt proceeding against the person 1537  
and require the person to pay any reasonable attorney's fees of 1538  
any adverse party, as determined by the court, that arose in 1539  
relation to the act of contempt. 1540

(L) (1) A person who violates a protection order issued or 1541

a consent agreement approved under this section is subject to 1542  
the following sanctions: 1543

(a) Criminal prosecution or a delinquent child proceeding 1544  
for a violation of section 2919.27 of the Revised Code, if the 1545  
violation of the protection order or consent agreement 1546  
constitutes a violation of that section; 1547

(b) Punishment for contempt of court. 1548

(2) The punishment of a person for contempt of court for 1549  
violation of a protection order issued or a consent agreement 1550  
approved under this section does not bar criminal prosecution of 1551  
the person or a delinquent child proceeding concerning the 1552  
person for a violation of section 2919.27 of the Revised Code. 1553  
However, a person punished for contempt of court is entitled to 1554  
credit for the punishment imposed upon conviction of or 1555  
adjudication as a delinquent child for a violation of that 1556  
section, and a person convicted of or adjudicated a delinquent 1557  
child for a violation of that section shall not subsequently be 1558  
punished for contempt of court arising out of the same activity. 1559

(M) In all stages of a proceeding under this section, a 1560  
petitioner may be accompanied by a victim advocate. 1561

(N) (1) A petitioner who obtains a protection order or 1562  
consent agreement under this section or a temporary protection 1563  
order under section 2919.26 of the Revised Code may provide 1564  
notice of the issuance or approval of the order or agreement to 1565  
the judicial and law enforcement officials in any county other 1566  
than the county in which the order is issued or the agreement is 1567  
approved by registering that order or agreement in the other 1568  
county pursuant to division (N) (2) of this section and filing a 1569  
copy of the registered order or registered agreement with a law 1570

enforcement agency in the other county in accordance with that 1571  
division. A person who obtains a protection order issued by a 1572  
court of another state may provide notice of the issuance of the 1573  
order to the judicial and law enforcement officials in any 1574  
county of this state by registering the order in that county 1575  
pursuant to section 2919.272 of the Revised Code and filing a 1576  
copy of the registered order with a law enforcement agency in 1577  
that county. 1578

(2) A petitioner may register a temporary protection 1579  
order, protection order, or consent agreement in a county other 1580  
than the county in which the court that issued the order or 1581  
approved the agreement is located in the following manner: 1582

(a) The petitioner shall obtain a certified copy of the 1583  
order or agreement from the clerk of the court that issued the 1584  
order or approved the agreement and present that certified copy 1585  
to the clerk of the court of common pleas or the clerk of a 1586  
municipal court or county court in the county in which the order 1587  
or agreement is to be registered. 1588

(b) Upon accepting the certified copy of the order or 1589  
agreement for registration, the clerk of the court of common 1590  
pleas, municipal court, or county court shall place an 1591  
endorsement of registration on the order or agreement and give 1592  
the petitioner a copy of the order or agreement that bears that 1593  
proof of registration. 1594

(3) The clerk of each court of common pleas, the clerk of 1595  
each municipal court, and the clerk of each county court shall 1596  
maintain a registry of certified copies of temporary protection 1597  
orders, protection orders, or consent agreements that have been 1598  
issued or approved by courts in other counties and that have 1599  
been registered with the clerk. 1600

(O) Nothing in this section prohibits the domestic relations division of a court of common pleas in counties that have a domestic relations division or a court of common pleas in counties that do not have a domestic relations division from designating a minor child as a protected party on a protection order or consent agreement.

**Section 2.** That existing sections 2903.13, 2919.25, 2919.26, 2923.13, 2923.14, and 3113.31 of the Revised Code are hereby repealed.

**Section 3.** The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 2919.26 of the Revised Code as amended by both Sub. H.B. 309 and Am. Sub. S.B. 177 of the 130th General Assembly.

Section 2923.13 of the Revised Code as amended by both Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th General Assembly.

**Section 4.** This act shall be known as the "Domestic Violence Survivors Protection Act."