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H. B. No. 161

Representative Lampton

Cosponsors: Representatives Lipps, Ray, Merrin, Ginter, Ghanbari, Young, T., Riedel, Click, Schmidt, Abrams, Baldrige, Brent, Brown, Carfagna, Carruthers, Creech, Fraizer, Gross, Hall, Hillyer, Holmes, Hoops, John, Johnson, Jones, Lanese, LaRe, Leland, Lightbody, Loychik, Miller, A., Miller, J., Miller, K., O'Brien, Oelslager, Patton, Pavliga, Richardson, Robinson, Sheehy, Smith, M., Sobecki, Stein, Swearingen, Troy, Upchurch, Wilkin, Speaker Cupp



A BILL

To amend section 2903.41 of the Revised Code to
include certain child abuse-related offenses in
the violent offender database and to name the
act Jacob's Law.

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

Section 1. That section 2903.41 of the Revised Code be
amended to read as follows:

Sec. 2903.41. As used in sections 2903.41 to 2903.44 of
the Revised Code:

(A) "Violent offender" means any of the following:

(1) A person who on or after the effective date of this
section is convicted of or pleads guilty to any of the
following:

(a) A violation of section 2903.01, 2903.02, 2903.03, or

2905.01 of the Revised Code or a violation of section 2905.02 of 14
the Revised Code that is a felony of the second degree; 15

(b) A violation of section 2903.15 or 2919.25 of the 16
Revised Code that was committed when the offender was eighteen 17
years of age or older and that involved a victim who was under 18
fourteen years of age at the time of the offense; 19

(c) Any attempt to commit, conspiracy to commit, or 20
complicity in committing any offense listed in division (A) (1) 21
(a) or (b) of this section. 22

(2) A person who on the effective date of this section has 23
been convicted of or pleaded guilty to an offense listed in 24
division (A) (1) of this section and is confined in a jail, 25
workhouse, state correctional institution, or other institution, 26
serving a prison term, term of imprisonment, or other term of 27
confinement for the offense. 28

(B) "Community control sanction," "jail," and "prison" 29
have the same meanings as in section 2929.01 of the Revised 30
Code. 31

(C) "Out-of-state violent offender" means a person who is 32
convicted of, pleads guilty to, has been convicted of, or has 33
pleaded guilty to a violation of any existing or former 34
municipal ordinance or law of another state or the United 35
States, or any existing or former law applicable in a military 36
court or in an Indian tribal court, that is or was substantially 37
equivalent to any offense listed in division (A) (1) of this 38
section. 39

(D) "Qualifying out-of-state violent offender" means an 40
out-of-state violent offender who is aware of the existence of 41
the violent offender database. 42

(E) "Post-release control sanction" and "supervised
release" have the same meanings as in section 2950.01 of the
Revised Code.

(F) "Change of address" means a change to a violent
offender's or out-of-state violent offender's residence address,
employment address, or school or institution of higher education
address.

(G) "Violent offender database" means the database of
violent offenders and out-of-state violent offenders that is
established and maintained by the bureau of criminal
identification and investigation under division (F) (2) of
section 2903.43 of the Revised Code, that is operated by
sheriffs under sections 2903.42 and 2903.43 of the Revised Code,
and for which sheriffs obtain information from violent offenders
and out-of-state violent offenders pursuant to sections 2903.42
and 2903.43 of the Revised Code.

(H) "Violent offender database duties" and "VOD duties"
mean the duty to enroll, duty to re-enroll, and duty to provide
notice of a change of address imposed on a violent offender or a
qualifying out-of-state violent offender under section 2903.42,
2903.421, 2903.43, or 2903.44 of the Revised Code.

(I) "Ten-year enrollment period" means, for a violent
offender who has violent offender database duties pursuant to
section 2903.42 of the Revised Code or a qualifying out-of-state
violent offender who has violent offender database duties
pursuant to section 2903.421 of the Revised Code, ten years from
the date on which the offender initially enrolls in the violent
offender database.

(J) "Extended enrollment period" means, for a violent

offender who has violent offender database duties pursuant to 72
section 2903.42 of the Revised Code or a qualifying out-of-state 73
violent offender who has violent offender database duties 74
pursuant to section 2903.421 of the Revised Code, the offender's 75
enrollment period as extended pursuant to division (D) (2) of 76
section 2903.43 of the Revised Code. 77

(K) "Prosecutor" means one of the following: 78

(1) As used in section 2903.42 of the Revised Code, the 79
office of the prosecuting attorney who handled a violent 80
offender's underlying case or the office of that prosecutor's 81
successor. 82

(2) As used in sections 2903.421, 2903.43, and 2903.44 of 83
the Revised Code, the office of the prosecuting attorney of the 84
county in which a violent offender resides or of the county in 85
which an out-of-state violent offender resides or occupies a 86
dwelling. 87

Section 2. That existing section 2903.41 of the Revised 88
Code is hereby repealed. 89

Section 3. This act shall be known as Jacob's Law. 90

Section 4. Sections 1, 2, and 3 of this act take effect 91
six months after the effective date of this section. 92