

**As Passed by the House**

**133rd General Assembly**

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**Sub. H. B. No. 431**

**Representatives Abrams, Carfagna**

**Cosponsors: Representatives Lipps, Koehler, Riedel, Ginter, Manchester, Strahorn, Powell, Cross, Richardson, McClain, O'Brien, Wiggam, LaRe, Leland, Crossman, Cupp, Galonski, West, Baldrige, Boggs, Brent, Callender, Carruthers, Clites, Crawley, Edwards, Ghanbari, Greenspan, Hicks-Hudson, Lanese, Lightbody, Patterson, Patton, Perales, Robinson, Roemer, Rogers, Romanchuk, Russo, Stein, Sweeney, Weinstein, Wilkin**

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**A BILL**

To amend sections 2152.021, 2905.32, 2929.01, and 2950.01 and to enact section 109.96 of the Revised Code to create the Sexual Exploitation Database, to require a juvenile court in specified circumstances to hold a delinquency complaint in abeyance in certain cases related to prostitution or human trafficking, and to provide that the elements for the offense of trafficking in persons that apply to a victim under age 16 also apply to a victim who is age 16 or 17.

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

**Section 1.** That sections 2152.021, 2905.32, 2929.01, and 2950.01 be amended and section 109.96 of the Revised Code be enacted to read as follows:

**Sec. 109.96.** (A) As used in this section:

- (1) "Conviction record" means a record containing all of 16  
the following: 17
- (a) The prostitution offender's full legal name; 18
- (b) The prostitution offender's last known address; 19
- (c) A color photograph of the prostitution offender, if 20  
available; 21
- (d) The offense that the prostitution offender was 22  
convicted of or pleaded guilty to committing, identified by the 23  
Revised Code section containing the criminal prohibition and not 24  
including any specific division references; 25
- (e) The date the offense listed in division (A) (1) (d) of 26  
this section was committed; 27
- (f) The county and municipality or township where the 28  
offense listed in division (A) (1) (d) of this section was 29  
committed. 30
- (2) "Prostitution offender" means a person who was 31  
convicted of or pleaded guilty to a prostitution offense. 32
- (3) "Prostitution offense" means a violation of section 33  
2907.24 of the Revised Code if the offender offered to give the 34  
other person anything of value in exchange for engaging in 35  
sexual activity for hire. 36
- (4) "Sexual activity for hire" has the same meaning as in 37  
section 2907.24 of the Revised Code. 38
- (B) The attorney general shall establish and maintain the 39  
sexual exploitation database. 40
- (C) If a person is convicted of or pleads guilty to a 41  
prostitution offense on or after the effective date of this 42

section, the clerk of courts shall send the prostitution 43  
offender's conviction record to the attorney general. 44

(D) The attorney general shall ensure that a prostitution 45  
offender's conviction record received under division (C) of this 46  
section is entered into the sexual exploitation database if the 47  
prostitution offender was convicted of or pleaded guilty to the 48  
prostitution offense on or after the effective date of this 49  
section. 50

(E) The attorney general shall ensure that a prostitution 51  
offender's conviction record is removed from the sexual 52  
exploitation database in accordance with the following: 53

(1) If five years have elapsed since the prostitution 54  
offender's most recent conviction of or plea of guilty to a 55  
prostitution offense, the attorney general shall automatically 56  
remove the prostitution offender from the sexual exploitation 57  
database. The prostitution offender does not need to submit an 58  
application to be removed from the sexual exploitation database 59  
under this division. 60

(2) If the prostitution offender's conviction of or plea 61  
of guilty to a prostitution offense has been overturned, 62  
expunged, or sealed prior to the automatic removal from the 63  
sexual exploitation database as described in division (E)(1) of 64  
this section, the court ordering the offense overturned, 65  
expunged, or sealed shall order the clerk of the court to submit 66  
to the attorney general an order to have that conviction record 67  
removed from the sexual exploitation database. Upon receipt of 68  
an order submitted under division (E)(2) of this section, the 69  
attorney general shall remove that conviction record from the 70  
sexual exploitation database. 71

(F) The attorney general shall adopt rules under Chapter 72  
119. of the Revised Code establishing guidelines for the 73  
establishment and operation of the sexual exploitation database 74  
and prescribe forms necessary for the establishment and 75  
operation of the sexual exploitation database, including rules 76  
and forms establishing procedures for a court to order a 77  
prostitution offender whose conviction of or plea of guilty to a 78  
prostitution offense has been overturned, expunged, or sealed to 79  
be removed from the sexual exploitation database. 80

**Sec. 2152.021.** (A) (1) Subject to division (A) (2) of this 81  
section, any person having knowledge of a child who appears to 82  
be a juvenile traffic offender or to be a delinquent child may 83  
file a sworn complaint with respect to that child in the 84  
juvenile court of the county in which the child has a residence 85  
or legal settlement or in which the traffic offense or 86  
delinquent act allegedly occurred. The sworn complaint may be 87  
upon information and belief, and, in addition to the allegation 88  
that the child is a delinquent child or a juvenile traffic 89  
offender, the complaint shall allege the particular facts upon 90  
which the allegation that the child is a delinquent child or a 91  
juvenile traffic offender is based. 92

If a child appears to be a delinquent child who is 93  
eligible for a serious youthful offender dispositional sentence 94  
under section 2152.11 of the Revised Code and if the prosecuting 95  
attorney desires to seek a serious youthful offender 96  
dispositional sentence under section 2152.13 of the Revised Code 97  
in regard to the child, the prosecuting attorney of the county 98  
in which the alleged delinquency occurs may initiate a case in 99  
the juvenile court of the county by presenting the case to a 100  
grand jury for indictment, by charging the child in a bill of 101  
information as a serious youthful offender pursuant to section 102

2152.13 of the Revised Code, by requesting a serious youthful 103  
offender dispositional sentence in the original complaint 104  
alleging that the child is a delinquent child, or by filing with 105  
the juvenile court a written notice of intent to seek a serious 106  
youthful offender dispositional sentence. This paragraph does 107  
not apply regarding the imposition of a serious youthful 108  
offender dispositional sentence pursuant to section 2152.121 of 109  
the Revised Code. 110

(2) Any person having knowledge of a child who appears to 111  
be a delinquent child for violating a court order regarding the 112  
child's adjudication as an unruly child for being an habitual 113  
truant, may file a sworn complaint with respect to that child, 114  
or with respect to that child and the parent, guardian, or other 115  
person having care of the child, in the juvenile court of the 116  
county in which the child has a residence or legal settlement or 117  
in which the child is supposed to attend public school. The 118  
sworn complaint may be upon information and belief and shall 119  
allege that the child is a delinquent child for violating a 120  
court order regarding the child's prior adjudication as an 121  
unruly child for being a habitual truant and, in addition, the 122  
particular facts upon which that allegation is based. If the 123  
complaint contains allegations regarding the child's parent, 124  
guardian, or other person having care of the child, the 125  
complaint additionally shall allege that the parent, guardian, 126  
or other person having care of the child has failed to cause the 127  
child's attendance at school in violation of section 3321.38 of 128  
the Revised Code and, in addition, the particular facts upon 129  
which that allegation is based. 130

(B) Any person with standing under applicable law may file 131  
a complaint for the determination of any other matter over which 132  
the juvenile court is given jurisdiction by section 2151.23 of 133

the Revised Code. The complaint shall be filed in the county in 134  
which the child who is the subject of the complaint is found or 135  
was last known to be found. 136

(C) Within ten days after the filing of a complaint or the 137  
issuance of an indictment, the court shall give written notice 138  
of the filing of the complaint or the issuance of an indictment 139  
and of the substance of the complaint or indictment to the 140  
superintendent of a city, local, exempted village, or joint 141  
vocational school district if the complaint or indictment 142  
alleges that a child committed an act that would be a criminal 143  
offense if committed by an adult, that the child was sixteen 144  
years of age or older at the time of the commission of the 145  
alleged act, and that the alleged act is any of the following: 146

(1) A violation of section 2923.122 of the Revised Code 147  
that relates to property owned or controlled by, or to an 148  
activity held under the auspices of, the board of education of 149  
that school district; 150

(2) A violation of section 2923.12 of the Revised Code, of 151  
a substantially similar municipal ordinance, or of section 152  
2925.03 of the Revised Code that was committed on property owned 153  
or controlled by, or at an activity held under the auspices of, 154  
the board of education of that school district; 155

(3) A violation of section 2925.11 of the Revised Code 156  
that was committed on property owned or controlled by, or at an 157  
activity held under the auspices of, the board of education of 158  
that school district, other than a violation of that section 159  
that would be a minor drug possession offense if committed by an 160  
adult; 161

(4) A violation of section 2903.01, 2903.02, 2903.03, 162

2903.04, 2903.11, 2903.12, 2907.02, or 2907.05 of the Revised 163  
Code, or a violation of former section 2907.12 of the Revised 164  
Code, that was committed on property owned or controlled by, or 165  
at an activity held under the auspices of, the board of 166  
education of that school district, if the victim at the time of 167  
the commission of the alleged act was an employee of the board 168  
of education of that school district; 169

(5) Complicity in any violation described in division (C) 170  
(1), (2), (3), or (4) of this section that was alleged to have 171  
been committed in the manner described in division (C) (1), (2), 172  
(3), or (4) of this section, regardless of whether the act of 173  
complicity was committed on property owned or controlled by, or 174  
at an activity held under the auspices of, the board of 175  
education of that school district. 176

(D) A public children services agency, acting pursuant to 177  
a complaint or an action on a complaint filed under this 178  
section, is not subject to the requirements of section 3127.23 179  
of the Revised Code. 180

(E) For purposes of the record to be maintained by the 181  
clerk under division (B) of section 2152.71 of the Revised Code, 182  
when a complaint is filed that alleges that a child is a 183  
delinquent child, the court shall determine if the victim of the 184  
alleged delinquent act was sixty-five years of age or older or 185  
permanently and totally disabled at the time of the alleged 186  
commission of the act. 187

(F) (1) At any time after the filing of a complaint 188  
alleging that a child is a delinquent child and before 189  
adjudication, the court ~~may hold a hearing to determine whether~~ 190  
~~to hold the complaint in abeyance pending the child's successful~~ 191  
~~completion of actions that constitute a method to divert the~~ 192

~~child from the juvenile court system shall promptly appoint for~~ 193  
~~the child a guardian ad litem who is not the child's attorney if~~ 194  
~~the child agrees to the hearing and the court has reason to~~ 195  
~~believe that either of the following applies might apply:~~ 196

(a) The act charged would be a violation of section 197  
2907.24, 2907.241, or 2907.25 of the Revised Code if the child 198  
were an adult. 199

(b) ~~The court has reason to believe that the child is a~~ 200  
~~victim of a violation of section 2905.32 of the Revised Code,~~ 201  
~~regardless of whether any person has been convicted of a~~ 202  
~~violation of that section or of any other section for~~ 203  
~~victimizing the child, and the act charged is related to the~~ 204  
~~child's victimization.~~ 205

(2) The child, the child's attorney, the child's guardian 206  
ad litem, or the prosecuting attorney may petition the court to 207  
hold the complaint in abeyance if either of the following 208  
applies: 209

(a) Division (F)(1)(a) of this section applies. 210

(b) Division (F)(1)(b) of this section applies and the act 211  
charged in the complaint is related to the child's 212  
victimization. 213

(3) (a) Upon the filing of a petition made under division 214  
(F)(2)(a) of this section, the court may grant the petition 215  
without a hearing. If the court decides to hold a hearing on the 216  
petition, the court shall notify the prosecuting attorney of the 217  
date, time, and location of the hearing, and the prosecuting 218  
attorney has the right to participate in the hearing and may 219  
object to holding the complaint in abeyance. No statement made 220  
by a child at a hearing held under this division is admissible 221



in any subsequent proceeding against the child. 222

(b) Upon the filing of a petition made under division (F) 223  
(2)(b) of this section, both of the following apply: 224

(i) The court may grant the petition without a hearing, 225  
provided the prosecuting attorney, after receiving notice of the 226  
petition, consents. 227

(ii) If the prosecuting attorney does not consent to 228  
holding the complaint in abeyance, the court shall hold a 229  
hearing to determine whether to hold the complaint in abeyance. 230  
The prosecuting attorney shall be notified of the date, time, 231  
and location of the hearing, and has the right to participate in 232  
any the hearing held under division (F)(1) of this section, to 233  
object to holding the complaint that is the subject of the 234  
hearing in abeyance, and to make recommendations related to 235  
diversion actions. No statement made by a child at a hearing 236  
held under this division (F)(1) of this section is admissible in 237  
any subsequent proceeding against the child. 238

~~(3) If either division (F)(1)(a) or (b) of this section~~ 239  
~~applies, the court shall promptly appoint a guardian ad litem~~ 240  
~~for the child. The court shall not appoint the child's attorney~~ 241  
~~as guardian ad litem. If the court decides to hold the complaint~~ 242  
~~in abeyance, the guardian ad litem shall make recommendations~~ 243  
~~that are in the best interest of the child to the court.~~ 244

(4) If the court decides to hold a hearing under division 245  
(F)(3)(a) of this section and the court after the hearing finds 246  
by a preponderance of the evidence that division (F)(1)(a) of 247  
this section applies, if after a hearing held under division (F) 248  
(3)(b)(ii) of this section the court decides to find by a 249  
preponderance of the evidence that division (F)(1)(b) of this 250

section applies and the act charged in the complaint is related 251  
to the child's victimization, or if the court grants the 252  
petition without a hearing under division (F) (3) (a) or (b) (i) of 253  
this section, the court shall hold the complaint in abeyance, 254  
provided the child consents. The guardian ad litem shall make 255  
recommendations that are in the best interest of the child. A 256  
psychiatrist, psychologist, licensed professional clinical 257  
counselor, or other clinician selected by the court, who has 258  
assessed the child, may make recommendations that are in the 259  
best interest of the child. The prosecuting attorney or the 260  
child's attorney may make recommendations related to diversion 261  
actions. The court may make any orders regarding placement, 262  
services, supervision, diversion actions, and conditions of 263  
abeyance, including, but not limited to, engagement in trauma- 264  
based behavioral health services or education activities, that 265  
the court considers appropriate and in the best interest of the 266  
child. The court may hold the complaint in abeyance for up to 267  
ninety days while the child engages in diversion actions. If the 268  
child violates the conditions of abeyance or ~~does not complete~~ 269  
is not actively engaging in the diversion actions to the court's 270  
satisfaction within ninety days, the court may extend the period 271  
of abeyance for not more than ~~two~~ three additional ninety-day 272  
periods. 273

(5) If the court holds the complaint in abeyance and the 274  
child complies with the conditions of abeyance and ~~completes~~ 275  
actively engages in the diversion actions to the court's 276  
satisfaction, the court shall dismiss the complaint and order 277  
that the records pertaining to the case be expunged immediately. 278  
If the child fails to ~~complete~~ actively engage in the diversion 279  
actions to the court's satisfaction, the court shall proceed 280  
upon the complaint. 281

Sec. 2905.32. (A) No person shall knowingly recruit, lure, 282  
entice, isolate, harbor, transport, provide, obtain, or 283  
maintain, or knowingly attempt to recruit, lure, entice, 284  
isolate, harbor, transport, provide, obtain, or maintain, 285  
another person if ~~any~~ either of the following applies: 286

(1) The offender knows that the other person will be 287  
subjected to involuntary servitude or be compelled to engage in 288  
sexual activity for hire, engage in a performance that is 289  
obscene, sexually oriented, or nudity oriented, or be a model or 290  
participant in the production of material that is obscene, 291  
sexually oriented, or nudity oriented. 292

(2) The other person is less than ~~sixteen~~ eighteen years 293  
of age or is a person with a developmental disability whom the 294  
offender knows or has reasonable cause to believe is a person 295  
with a developmental disability, and either the offender knows 296  
that the other person will be subjected to involuntary servitude 297  
or the offender's knowing recruitment, luring, enticement, 298  
isolation, harboring, transportation, provision, obtaining, or 299  
maintenance of the other person or knowing attempt to recruit, 300  
lure, entice, isolate, harbor, transport, provide, obtain, or 301  
maintain the other person is for any of the following purposes: 302

(a) ~~To~~ For the other person to engage in sexual activity 303  
for hire with one or more third parties; 304

(b) To engage in a performance for hire that is obscene, 305  
sexually oriented, or nudity oriented; 306

(c) To be a model or participant for hire in the 307  
production of material that is obscene, sexually oriented, or 308  
nudity oriented. 309

~~(3) The other person is sixteen or seventeen years of age,~~ 310

~~either the offender knows that the other person will be 311  
subjected to involuntary servitude or the offender's knowing 312  
recruitment, luring, enticement, isolation, harboring, 313  
transportation, provision, obtaining, or maintenance of the 314  
other person or knowing attempt to recruit, lure, entice, 315  
isolate, harbor, transport, provide, obtain, or maintain the 316  
other person is for any purpose described in divisions (A)(2)(a) 317  
to (c) of this section, and the circumstances described in 318  
division (A)(5), (6), (7), (8), (9), (10), (11), (12), or (13) 319  
of section 2907.03 of the Revised Code apply with respect to the 320  
offender and the other person. 321~~

(B) For a prosecution under division (A)(1) of this 322  
section, the element "compelled" does not require that the 323  
compulsion be openly displayed or physically exerted. The 324  
element "compelled" has been established if the state proves 325  
that the victim's will was overcome by force, fear, duress, 326  
intimidation, or fraud. 327

(C) In a prosecution under this section, proof that the 328  
defendant engaged in sexual activity with any person, or 329  
solicited sexual activity with any person, whether or not for 330  
hire, without more, does not constitute a violation of this 331  
section. 332

(D) A prosecution for a violation of this section does not 333  
preclude a prosecution of a violation of any other section of 334  
the Revised Code. One or more acts, a series of acts, or a 335  
course of behavior that can be prosecuted under this section or 336  
any other section of the Revised Code may be prosecuted under 337  
this section, the other section of the Revised Code, or both 338  
sections. However, if an offender is convicted of or pleads 339  
guilty to a violation of this section and also is convicted of 340

or pleads guilty to a violation of section 2907.21 of the Revised Code based on the same conduct involving the same victim that was the basis of the violation of this section, or is convicted of or pleads guilty to any other violation of Chapter 2907. of the Revised Code based on the same conduct involving the same victim that was the basis of the violation of this section, the two offenses are allied offenses of similar import under section 2941.25 of the Revised Code.

(E) Whoever violates this section is guilty of trafficking in persons, a felony of the first degree. For a violation committed prior to ~~the effective date of this amendment~~ March 22, 2019, notwithstanding the range of definite terms set forth in division (A) (1) (b) of section 2929.14 of the Revised Code, the court shall sentence the offender to a definite prison term of ten, eleven, twelve, thirteen, fourteen, or fifteen years. For a violation committed on or after ~~the effective date of this amendment~~ March 22, 2019, notwithstanding the range of minimum terms set forth in division (A) (1) (a) of section 2929.14 of the Revised Code, the court shall sentence the offender to an indefinite prison term pursuant to that division, with a minimum term under that sentence of ten, eleven, twelve, thirteen, fourteen, or fifteen years.

(F) As used in this section:

(1) "Person with a developmental disability" means a person whose ability to resist or consent to an act is substantially impaired because of a mental or physical condition or because of advanced age.

(2) "Sexual activity for hire," "performance for hire," and "model or participant for hire" mean an implicit or explicit agreement to provide sexual activity, engage in an obscene,

sexually oriented, or nudity oriented performance, or be a model 371  
or participant in the production of obscene, sexually oriented, 372  
or nudity oriented material, whichever is applicable, in 373  
exchange for anything of value paid to any of the following: 374

(a) The person engaging in such sexual activity, 375  
performance, or modeling or participation; 376

(b) Any person who recruits, lures, entices, isolates, 377  
harbors, transports, provides, obtains, or maintains, or 378  
attempts to recruit, lure, entice, isolate, harbor, transport, 379  
provide, obtain, or maintain the person described in division 380  
(F) (2) (a) of this section; 381

(c) Any person associated with a person described in 382  
division (F) (2) (a) or (b) of this section. 383

(3) "Material that is obscene, sexually oriented, or 384  
nudity oriented" and "performance that is obscene, sexually 385  
oriented, or nudity oriented" have the same meanings as in 386  
section 2929.01 of the Revised Code. 387

(4) "Third party" means, with respect to conduct described 388  
in division (A) (2) (a) of this section, any person other than the 389  
offender. 390

**Sec. 2929.01.** As used in this chapter: 391

(A) (1) "Alternative residential facility" means, subject 392  
to division (A) (2) of this section, any facility other than an 393  
offender's home or residence in which an offender is assigned to 394  
live and that satisfies all of the following criteria: 395

(a) It provides programs through which the offender may 396  
seek or maintain employment or may receive education, training, 397  
treatment, or habilitation. 398

(b) It has received the appropriate license or certificate 399  
for any specialized education, training, treatment, 400  
habilitation, or other service that it provides from the 401  
government agency that is responsible for licensing or 402  
certifying that type of education, training, treatment, 403  
habilitation, or service. 404

(2) "Alternative residential facility" does not include a 405  
community-based correctional facility, jail, halfway house, or 406  
prison. 407

(B) "Basic probation supervision" means a requirement that 408  
the offender maintain contact with a person appointed to 409  
supervise the offender in accordance with sanctions imposed by 410  
the court or imposed by the parole board pursuant to section 411  
2967.28 of the Revised Code. "Basic probation supervision" 412  
includes basic parole supervision and basic post-release control 413  
supervision. 414

(C) "Cocaine," "fentanyl-related compound," "hashish," 415  
"L.S.D.," and "unit dose" have the same meanings as in section 416  
2925.01 of the Revised Code. 417

(D) "Community-based correctional facility" means a 418  
community-based correctional facility and program or district 419  
community-based correctional facility and program developed 420  
pursuant to sections 2301.51 to 2301.58 of the Revised Code. 421

(E) "Community control sanction" means a sanction that is 422  
not a prison term and that is described in section 2929.15, 423  
2929.16, 2929.17, or 2929.18 of the Revised Code or a sanction 424  
that is not a jail term and that is described in section 425  
2929.26, 2929.27, or 2929.28 of the Revised Code. "Community 426  
control sanction" includes probation if the sentence involved 427

was imposed for a felony that was committed prior to July 1, 428  
1996, or if the sentence involved was imposed for a misdemeanor 429  
that was committed prior to January 1, 2004. 430

(F) "Controlled substance," "marihuana," "schedule I," and 431  
"schedule II" have the same meanings as in section 3719.01 of 432  
the Revised Code. 433

(G) "Curfew" means a requirement that an offender during a 434  
specified period of time be at a designated place. 435

(H) "Day reporting" means a sanction pursuant to which an 436  
offender is required each day to report to and leave a center or 437  
other approved reporting location at specified times in order to 438  
participate in work, education or training, treatment, and other 439  
approved programs at the center or outside the center. 440

(I) "Deadly weapon" has the same meaning as in section 441  
2923.11 of the Revised Code. 442

(J) "Drug and alcohol use monitoring" means a program 443  
under which an offender agrees to submit to random chemical 444  
analysis of the offender's blood, breath, or urine to determine 445  
whether the offender has ingested any alcohol or other drugs. 446

(K) "Drug treatment program" means any program under which 447  
a person undergoes assessment and treatment designed to reduce 448  
or completely eliminate the person's physical or emotional 449  
reliance upon alcohol, another drug, or alcohol and another drug 450  
and under which the person may be required to receive assessment 451  
and treatment on an outpatient basis or may be required to 452  
reside at a facility other than the person's home or residence 453  
while undergoing assessment and treatment. 454

(L) "Economic loss" means any economic detriment suffered 455  
by a victim as a direct and proximate result of the commission 456



of an offense and includes any loss of income due to lost time 457  
at work because of any injury caused to the victim, and any 458  
property loss, medical cost, or funeral expense incurred as a 459  
result of the commission of the offense. "Economic loss" does 460  
not include non-economic loss or any punitive or exemplary 461  
damages. 462

(M) "Education or training" includes study at, or in 463  
conjunction with a program offered by, a university, college, or 464  
technical college or vocational study and also includes the 465  
completion of primary school, secondary school, and literacy 466  
curricula or their equivalent. 467

(N) "Firearm" has the same meaning as in section 2923.11 468  
of the Revised Code. 469

(O) "Halfway house" means a facility licensed by the 470  
division of parole and community services of the department of 471  
rehabilitation and correction pursuant to section 2967.14 of the 472  
Revised Code as a suitable facility for the care and treatment 473  
of adult offenders. 474

(P) "House arrest" means a period of confinement of an 475  
offender that is in the offender's home or in other premises 476  
specified by the sentencing court or by the parole board 477  
pursuant to section 2967.28 of the Revised Code and during which 478  
all of the following apply: 479

(1) The offender is required to remain in the offender's 480  
home or other specified premises for the specified period of 481  
confinement, except for periods of time during which the 482  
offender is at the offender's place of employment or at other 483  
premises as authorized by the sentencing court or by the parole 484  
board. 485

(2) The offender is required to report periodically to a person designated by the court or parole board.

(3) The offender is subject to any other restrictions and requirements that may be imposed by the sentencing court or by the parole board.

(Q) "Intensive probation supervision" means a requirement that an offender maintain frequent contact with a person appointed by the court, or by the parole board pursuant to section 2967.28 of the Revised Code, to supervise the offender while the offender is seeking or maintaining necessary employment and participating in training, education, and treatment programs as required in the court's or parole board's order. "Intensive probation supervision" includes intensive parole supervision and intensive post-release control supervision.

(R) "Jail" means a jail, workhouse, minimum security jail, or other residential facility used for the confinement of alleged or convicted offenders that is operated by a political subdivision or a combination of political subdivisions of this state.

(S) "Jail term" means the term in a jail that a sentencing court imposes or is authorized to impose pursuant to section 2929.24 or 2929.25 of the Revised Code or pursuant to any other provision of the Revised Code that authorizes a term in a jail for a misdemeanor conviction.

(T) "Mandatory jail term" means the term in a jail that a sentencing court is required to impose pursuant to division (G) of section 1547.99 of the Revised Code, division (E) of section 2903.06 or division (D) of section 2903.08 of the Revised Code,

division (E) or (G) of section 2929.24 of the Revised Code, 515  
division (B) of section 4510.14 of the Revised Code, or division 516  
(G) of section 4511.19 of the Revised Code or pursuant to any 517  
other provision of the Revised Code that requires a term in a 518  
jail for a misdemeanor conviction. 519

(U) "Delinquent child" has the same meaning as in section 520  
2152.02 of the Revised Code. 521

(V) "License violation report" means a report that is made 522  
by a sentencing court, or by the parole board pursuant to 523  
section 2967.28 of the Revised Code, to the regulatory or 524  
licensing board or agency that issued an offender a professional 525  
license or a license or permit to do business in this state and 526  
that specifies that the offender has been convicted of or 527  
pleaded guilty to an offense that may violate the conditions 528  
under which the offender's professional license or license or 529  
permit to do business in this state was granted or an offense 530  
for which the offender's professional license or license or 531  
permit to do business in this state may be revoked or suspended. 532

(W) "Major drug offender" means an offender who is 533  
convicted of or pleads guilty to the possession of, sale of, or 534  
offer to sell any drug, compound, mixture, preparation, or 535  
substance that consists of or contains at least one thousand 536  
grams of hashish; at least one hundred grams of cocaine; at 537  
least one thousand unit doses or one hundred grams of heroin; at 538  
least five thousand unit doses of L.S.D. or five hundred grams 539  
of L.S.D. in a liquid concentrate, liquid extract, or liquid 540  
distillate form; at least fifty grams of a controlled substance 541  
analog; at least one thousand unit doses or one hundred grams of 542  
a fentanyl-related compound; or at least one hundred times the 543  
amount of any other schedule I or II controlled substance other 544

than marihuana that is necessary to commit a felony of the third 545  
degree pursuant to section 2925.03, 2925.04, 2925.05, or 2925.11 546  
of the Revised Code that is based on the possession of, sale of, 547  
or offer to sell the controlled substance. 548

(X) "Mandatory prison term" means any of the following: 549

(1) Subject to division (X) (2) of this section, the term 550  
in prison that must be imposed for the offenses or circumstances 551  
set forth in divisions (F) (1) to (8) or (F) (12) to (21) of 552  
section 2929.13 and division (B) of section 2929.14 of the 553  
Revised Code. Except as provided in sections 2925.02, 2925.03, 554  
2925.04, 2925.05, and 2925.11 of the Revised Code, unless the 555  
maximum or another specific term is required under section 556  
2929.14 or 2929.142 of the Revised Code, a mandatory prison term 557  
described in this division may be any prison term authorized for 558  
the level of offense except that if the offense is a felony of 559  
the first or second degree committed on or after ~~the effective~~ 560  
~~date of this amendment~~ March 22, 2019, a mandatory prison term 561  
described in this division may be one of the terms prescribed in 562  
division (A) (1) (a) or (2) (a) of section 2929.14 of the Revised 563  
Code, whichever is applicable, that is authorized as the minimum 564  
term for the offense. 565

(2) The term of sixty or one hundred twenty days in prison 566  
that a sentencing court is required to impose for a third or 567  
fourth degree felony OVI offense pursuant to division (G) (2) of 568  
section 2929.13 and division (G) (1) (d) or (e) of section 4511.19 569  
of the Revised Code or the term of one, two, three, four, or 570  
five years in prison that a sentencing court is required to 571  
impose pursuant to division (G) (2) of section 2929.13 of the 572  
Revised Code. 573

(3) The term in prison imposed pursuant to division (A) of 574

section 2971.03 of the Revised Code for the offenses and in the 575  
circumstances described in division (F) (11) of section 2929.13 576  
of the Revised Code or pursuant to division (B) (1) (a), (b), or 577  
(c), (B) (2) (a), (b), or (c), or (B) (3) (a), (b), (c), or (d) of 578  
section 2971.03 of the Revised Code and that term as modified or 579  
terminated pursuant to section 2971.05 of the Revised Code. 580

(Y) "Monitored time" means a period of time during which 581  
an offender continues to be under the control of the sentencing 582  
court or parole board, subject to no conditions other than 583  
leading a law-abiding life. 584

(Z) "Offender" means a person who, in this state, is 585  
convicted of or pleads guilty to a felony or a misdemeanor. 586

(AA) "Prison" means a residential facility used for the 587  
confinement of convicted felony offenders that is under the 588  
control of the department of rehabilitation and correction and 589  
includes a violation sanction center operated under authority of 590  
section 2967.141 of the Revised Code. 591

(BB) (1) "Prison term" includes either of the following 592  
sanctions for an offender: 593

(a) A stated prison term; 594

(b) A term in a prison shortened by, or with the approval 595  
of, the sentencing court pursuant to section 2929.143, 2929.20, 596  
2967.26, 5120.031, 5120.032, or 5120.073 of the Revised Code. 597

(2) With respect to a non-life felony indefinite prison 598  
term, references in any provision of law to a reduction of, or 599  
deduction from, the prison term mean a reduction in, or 600  
deduction from, the minimum term imposed as part of the 601  
indefinite term. 602

(CC) "Repeat violent offender" means a person about whom 603  
both of the following apply: 604

(1) The person is being sentenced for committing or for 605  
complicity in committing any of the following: 606

(a) Aggravated murder, murder, any felony of the first or 607  
second degree that is an offense of violence, or an attempt to 608  
commit any of these offenses if the attempt is a felony of the 609  
first or second degree; 610

(b) An offense under an existing or former law of this 611  
state, another state, or the United States that is or was 612  
substantially equivalent to an offense described in division 613  
(CC) (1) (a) of this section. 614

(2) The person previously was convicted of or pleaded 615  
guilty to an offense described in division (CC) (1) (a) or (b) of 616  
this section. 617

(DD) "Sanction" means any penalty imposed upon an offender 618  
who is convicted of or pleads guilty to an offense, as 619  
punishment for the offense. "Sanction" includes any sanction 620  
imposed pursuant to any provision of sections 2929.14 to 2929.18 621  
or 2929.24 to 2929.28 of the Revised Code. 622

(EE) "Sentence" means the sanction or combination of 623  
sanctions imposed by the sentencing court on an offender who is 624  
convicted of or pleads guilty to an offense. 625

(FF) (1) "Stated prison term" means the prison term, 626  
mandatory prison term, or combination of all prison terms and 627  
mandatory prison terms imposed by the sentencing court pursuant 628  
to section 2929.14, 2929.142, or 2971.03 of the Revised Code or 629  
under section 2919.25 of the Revised Code. "Stated prison term" 630  
includes any credit received by the offender for time spent in 631

jail awaiting trial, sentencing, or transfer to prison for the 632  
offense and any time spent under house arrest or house arrest 633  
with electronic monitoring imposed after earning credits 634  
pursuant to section 2967.193 of the Revised Code. If an offender 635  
is serving a prison term as a risk reduction sentence under 636  
sections 2929.143 and 5120.036 of the Revised Code, "stated 637  
prison term" includes any period of time by which the prison 638  
term imposed upon the offender is shortened by the offender's 639  
successful completion of all assessment and treatment or 640  
programming pursuant to those sections. 641

(2) As used in the definition of "stated prison term" set 642  
forth in division (FF)(1) of this section, a prison term is a 643  
definite prison term imposed under section 2929.14 of the 644  
Revised Code or any other provision of law, is the minimum and 645  
maximum prison terms under a non-life felony indefinite prison 646  
term, or is a term of life imprisonment except to the extent 647  
that the use of that definition in a section of the Revised Code 648  
clearly is not intended to include a term of life imprisonment. 649  
With respect to an offender sentenced to a non-life felony 650  
indefinite prison term, references in section 2967.191 or 651  
2967.193 of the Revised Code or any other provision of law to a 652  
reduction of, or deduction from, the offender's stated prison 653  
term or to release of the offender before the expiration of the 654  
offender's stated prison term mean a reduction in, or deduction 655  
from, the minimum term imposed as part of the indefinite term or 656  
a release of the offender before the expiration of that minimum 657  
term, references in section 2929.19 or 2967.28 of the Revised 658  
Code to a stated prison term with respect to a prison term 659  
imposed for a violation of a post-release control sanction mean 660  
the minimum term so imposed, and references in any provision of 661  
law to an offender's service of the offender's stated prison 662

term or the expiration of the offender's stated prison term mean 663  
service or expiration of the minimum term so imposed plus any 664  
additional period of incarceration under the sentence that is 665  
required under section 2967.271 of the Revised Code. 666

(GG) "Victim-offender mediation" means a reconciliation or 667  
mediation program that involves an offender and the victim of 668  
the offense committed by the offender and that includes a 669  
meeting in which the offender and the victim may discuss the 670  
offense, discuss restitution, and consider other sanctions for 671  
the offense. 672

(HH) "Fourth degree felony OVI offense" means a violation 673  
of division (A) of section 4511.19 of the Revised Code that, 674  
under division (G) of that section, is a felony of the fourth 675  
degree. 676

(II) "Mandatory term of local incarceration" means the 677  
term of sixty or one hundred twenty days in a jail, a community- 678  
based correctional facility, a halfway house, or an alternative 679  
residential facility that a sentencing court may impose upon a 680  
person who is convicted of or pleads guilty to a fourth degree 681  
felony OVI offense pursuant to division (G) (1) of section 682  
2929.13 of the Revised Code and division (G) (1) (d) or (e) of 683  
section 4511.19 of the Revised Code. 684

(JJ) "Designated homicide, assault, or kidnapping 685  
offense," "violent sex offense," "sexual motivation 686  
specification," "sexually violent offense," "sexually violent 687  
predator," and "sexually violent predator specification" have 688  
the same meanings as in section 2971.01 of the Revised Code. 689

(KK) "Sexually oriented offense," "child-victim oriented 690  
offense," and "tier III sex offender/child-victim offender" have 691



the same meanings as in section 2950.01 of the Revised Code. 692

(LL) An offense is "committed in the vicinity of a child" 693  
if the offender commits the offense within thirty feet of or 694  
within the same residential unit as a child who is under 695  
eighteen years of age, regardless of whether the offender knows 696  
the age of the child or whether the offender knows the offense 697  
is being committed within thirty feet of or within the same 698  
residential unit as the child and regardless of whether the 699  
child actually views the commission of the offense. 700

(MM) "Family or household member" has the same meaning as 701  
in section 2919.25 of the Revised Code. 702

(NN) "Motor vehicle" and "manufactured home" have the same 703  
meanings as in section 4501.01 of the Revised Code. 704

(OO) "Detention" and "detention facility" have the same 705  
meanings as in section 2921.01 of the Revised Code. 706

(PP) "Third degree felony OVI offense" means a violation 707  
of division (A) of section 4511.19 of the Revised Code that, 708  
under division (G) of that section, is a felony of the third 709  
degree. 710

(QQ) "Random drug testing" has the same meaning as in 711  
section 5120.63 of the Revised Code. 712

(RR) "Felony sex offense" has the same meaning as in 713  
section 2967.28 of the Revised Code. 714

(SS) "Body armor" has the same meaning as in section 715  
2941.1411 of the Revised Code. 716

(TT) "Electronic monitoring" means monitoring through the 717  
use of an electronic monitoring device. 718

(UU) "Electronic monitoring device" means any of the 719  
following: 720

(1) Any device that can be operated by electrical or 721  
battery power and that conforms with all of the following: 722

(a) The device has a transmitter that can be attached to a 723  
person, that will transmit a specified signal to a receiver of 724  
the type described in division (UU) (1) (b) of this section if the 725  
transmitter is removed from the person, turned off, or altered 726  
in any manner without prior court approval in relation to 727  
electronic monitoring or without prior approval of the 728  
department of rehabilitation and correction in relation to the 729  
use of an electronic monitoring device for an inmate on 730  
transitional control or otherwise is tampered with, that can 731  
transmit continuously and periodically a signal to that receiver 732  
when the person is within a specified distance from the 733  
receiver, and that can transmit an appropriate signal to that 734  
receiver if the person to whom it is attached travels a 735  
specified distance from that receiver. 736

(b) The device has a receiver that can receive 737  
continuously the signals transmitted by a transmitter of the 738  
type described in division (UU) (1) (a) of this section, can 739  
transmit continuously those signals by a wireless or landline 740  
telephone connection to a central monitoring computer of the 741  
type described in division (UU) (1) (c) of this section, and can 742  
transmit continuously an appropriate signal to that central 743  
monitoring computer if the device has been turned off or altered 744  
without prior court approval or otherwise tampered with. The 745  
device is designed specifically for use in electronic 746  
monitoring, is not a converted wireless phone or another 747  
tracking device that is clearly not designed for electronic 748

monitoring, and provides a means of text-based or voice 749  
communication with the person. 750

(c) The device has a central monitoring computer that can 751  
receive continuously the signals transmitted by a wireless or 752  
landline telephone connection by a receiver of the type 753  
described in division (UU) (1) (b) of this section and can monitor 754  
continuously the person to whom an electronic monitoring device 755  
of the type described in division (UU) (1) (a) of this section is 756  
attached. 757

(2) Any device that is not a device of the type described 758  
in division (UU) (1) of this section and that conforms with all 759  
of the following: 760

(a) The device includes a transmitter and receiver that 761  
can monitor and determine the location of a subject person at 762  
any time, or at a designated point in time, through the use of a 763  
central monitoring computer or through other electronic means. 764

(b) The device includes a transmitter and receiver that 765  
can determine at any time, or at a designated point in time, 766  
through the use of a central monitoring computer or other 767  
electronic means the fact that the transmitter is turned off or 768  
altered in any manner without prior approval of the court in 769  
relation to the electronic monitoring or without prior approval 770  
of the department of rehabilitation and correction in relation 771  
to the use of an electronic monitoring device for an inmate on 772  
transitional control or otherwise is tampered with. 773

(3) Any type of technology that can adequately track or 774  
determine the location of a subject person at any time and that 775  
is approved by the director of rehabilitation and correction, 776  
including, but not limited to, any satellite technology, voice 777

tracking system, or retinal scanning system that is so approved. 778

(VV) "Non-economic loss" means nonpecuniary harm suffered 779  
by a victim of an offense as a result of or related to the 780  
commission of the offense, including, but not limited to, pain 781  
and suffering; loss of society, consortium, companionship, care, 782  
assistance, attention, protection, advice, guidance, counsel, 783  
instruction, training, or education; mental anguish; and any 784  
other intangible loss. 785

(WW) "Prosecutor" has the same meaning as in section 786  
2935.01 of the Revised Code. 787

(XX) "Continuous alcohol monitoring" means the ability to 788  
automatically test and periodically transmit alcohol consumption 789  
levels and tamper attempts at least every hour, regardless of 790  
the location of the person who is being monitored. 791

(YY) A person is "adjudicated a sexually violent predator" 792  
if the person is convicted of or pleads guilty to a violent sex 793  
offense and also is convicted of or pleads guilty to a sexually 794  
violent predator specification that was included in the 795  
indictment, count in the indictment, or information charging 796  
that violent sex offense or if the person is convicted of or 797  
pleads guilty to a designated homicide, assault, or kidnapping 798  
offense and also is convicted of or pleads guilty to both a 799  
sexual motivation specification and a sexually violent predator 800  
specification that were included in the indictment, count in the 801  
indictment, or information charging that designated homicide, 802  
assault, or kidnapping offense. 803

(ZZ) An offense is "committed in proximity to a school" if 804  
the offender commits the offense in a school safety zone or 805  
within five hundred feet of any school building or the 806

boundaries of any school premises, regardless of whether the 807  
offender knows the offense is being committed in a school safety 808  
zone or within five hundred feet of any school building or the 809  
boundaries of any school premises. 810

(AAA) "Human trafficking" means a scheme or plan to which 811  
all of the following apply: 812

(1) Its object is one or ~~more~~ both of the following: 813

(a) To subject a victim or victims to involuntary 814  
servitude, as defined in section 2905.31 of the Revised Code or 815  
to compel a victim or victims to engage in sexual activity for 816  
hire, to engage in a performance that is obscene, sexually 817  
oriented, or nudity oriented, or to be a model or participant in 818  
the production of material that is obscene, sexually oriented, 819  
or nudity oriented; 820

(b) To facilitate, encourage, or recruit a victim who is 821  
~~less than sixteen years of age~~ a minor or is a person with a 822  
developmental disability, or victims who are ~~less than sixteen~~ 823  
~~years of age~~ minors or are persons with developmental 824  
disabilities, for any purpose listed in divisions (A) (2) (a) to 825  
(c) of section 2905.32 of the Revised Code; 826

~~(c) To facilitate, encourage, or recruit a victim who is~~ 827  
~~sixteen or seventeen years of age, or victims who are sixteen or~~ 828  
~~seventeen years of age, for any purpose listed in divisions (A)~~ 829  
~~(2) (a) to (c) of section 2905.32 of the Revised Code, if the~~ 830  
~~circumstances described in division (A) (5), (6), (7), (8), (9),~~ 831  
~~(10), (11), (12), or (13) of section 2907.03 of the Revised Code~~ 832  
~~apply with respect to the person engaging in the conduct and the~~ 833  
~~victim or victims.~~ 834

(2) It involves at least two felony offenses, whether or 835

not there has been a prior conviction for any of the felony 836  
offenses, to which all of the following apply: 837

(a) Each of the felony offenses is a violation of section 838  
2905.01, 2905.02, 2905.32, 2907.21, 2907.22, or 2923.32, 839  
division (A) (1) or (2) of section 2907.323, or division (B) (1), 840  
(2), (3), (4), or (5) of section 2919.22 of the Revised Code or 841  
is a violation of a law of any state other than this state that 842  
is substantially similar to any of the sections or divisions of 843  
the Revised Code identified in this division. 844

(b) At least one of the felony offenses was committed in 845  
this state. 846

(c) The felony offenses are related to the same scheme or 847  
plan and are not isolated instances. 848

(BBB) "Material," "nudity," "obscene," "performance," and 849  
"sexual activity" have the same meanings as in section 2907.01 850  
of the Revised Code. 851

(CCC) "Material that is obscene, sexually oriented, or 852  
nudity oriented" means any material that is obscene, that shows 853  
a person participating or engaging in sexual activity, 854  
masturbation, or bestiality, or that shows a person in a state 855  
of nudity. 856

(DDD) "Performance that is obscene, sexually oriented, or 857  
nudity oriented" means any performance that is obscene, that 858  
shows a person participating or engaging in sexual activity, 859  
masturbation, or bestiality, or that shows a person in a state 860  
of nudity. 861

(EEE) "Accelerant" means a fuel or oxidizing agent, such 862  
as an ignitable liquid, used to initiate a fire or increase the 863  
rate of growth or spread of a fire. 864

(FFF) "Permanent disabling harm" means serious physical 865  
harm that results in permanent injury to the intellectual, 866  
physical, or sensory functions and that permanently and 867  
substantially impairs a person's ability to meet one or more of 868  
the ordinary demands of life, including the functions of caring 869  
for one's self, performing manual tasks, walking, seeing, 870  
hearing, speaking, breathing, learning, and working. 871

(GGG) "Non-life felony indefinite prison term" means a 872  
prison term imposed under division (A) (1) (a) or (2) (a) of 873  
section 2929.14 and section 2929.144 of the Revised Code for a 874  
felony of the first or second degree committed on or after ~~the~~ 875  
~~effective date of this amendment~~ March 22, 2019. 876

**Sec. 2950.01.** As used in this chapter, unless the context 877  
clearly requires otherwise: 878

(A) "Sexually oriented offense" means any of the following 879  
violations or offenses committed by a person, regardless of the 880  
person's age: 881

(1) A violation of section 2907.02, 2907.03, 2907.05, 882  
2907.06, 2907.07, 2907.08, 2907.21, 2907.22, 2907.32, 2907.321, 883  
2907.322, or 2907.323 of the Revised Code; 884

(2) A violation of section 2907.04 of the Revised Code 885  
when the offender is less than four years older than the other 886  
person with whom the offender engaged in sexual conduct, the 887  
other person did not consent to the sexual conduct, and the 888  
offender previously has not been convicted of or pleaded guilty 889  
to a violation of section 2907.02, 2907.03, or 2907.04 of the 890  
Revised Code or a violation of former section 2907.12 of the 891  
Revised Code; 892

(3) A violation of section 2907.04 of the Revised Code 893

when the offender is at least four years older than the other 894  
person with whom the offender engaged in sexual conduct or when 895  
the offender is less than four years older than the other person 896  
with whom the offender engaged in sexual conduct and the 897  
offender previously has been convicted of or pleaded guilty to a 898  
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 899  
Code or a violation of former section 2907.12 of the Revised 900  
Code; 901

(4) A violation of section 2903.01, 2903.02, or 2903.11 of 902  
the Revised Code when the violation was committed with a sexual 903  
motivation; 904

(5) A violation of division (A) of section 2903.04 of the 905  
Revised Code when the offender committed or attempted to commit 906  
the felony that is the basis of the violation with a sexual 907  
motivation; 908

(6) A violation of division (A) (3) of section 2903.211 of 909  
the Revised Code; 910

(7) A violation of division (A) (1), (2), (3), or (5) of 911  
section 2905.01 of the Revised Code when the offense is 912  
committed with a sexual motivation; 913

(8) A violation of division (A) (4) of section 2905.01 of 914  
the Revised Code; 915

(9) A violation of division (B) of section 2905.01 of the 916  
Revised Code when the victim of the offense is under eighteen 917  
years of age and the offender is not a parent of the victim of 918  
the offense; 919

(10) A violation of division (B) of section 2903.03, of 920  
division (B) of section 2905.02, of division (B) of section 921  
2905.03, of division (B) of section 2905.05, or of division (B) 922



(5) of section 2919.22 of the Revised Code;	923
(11) A violation of section 2905.32 of the Revised Code	924
when <del>any</del> <u>either</u> of the following applies:	925
(a) The violation is a violation of division (A) (1) of	926
that section and the offender knowingly recruited, lured,	927
enticed, isolated, harbored, transported, provided, obtained, or	928
maintained, or knowingly attempted to recruit, lure, entice,	929
isolate, harbor, transport, provide, obtain, or maintain,	930
another person knowing that the person would be compelled to	931
engage in sexual activity for hire, engage in a performance that	932
was obscene, sexually oriented, or nudity oriented, or be a	933
model or participant in the production of material that was	934
obscene, sexually oriented, or nudity oriented.	935
(b) The violation is a violation of division (A) (2) of	936
that section and the offender knowingly recruited, lured,	937
enticed, isolated, harbored, transported, provided, obtained, or	938
maintained, or knowingly attempted to recruit, lure, entice,	939
isolate, harbor, transport, provide, obtain, or maintain a	940
person who is less than <del>sixteen</del> <u>eighteen</u> years of age or is a	941
person with a developmental disability whom the offender knows	942
or has reasonable cause to believe is a person with a	943
developmental disability for any purpose listed in divisions (A)	944
(2) (a) to (c) of that section.	945
<del>(c) The violation is a violation of division (A) (3) of</del>	946
<del>that section, the offender knowingly recruited, lured, enticed,</del>	947
<del>isolated, harbored, transported, provided, obtained, or</del>	948
<del>maintained, or knowingly attempted to recruit, lure, entice,</del>	949
<del>isolate, harbor, transport, provide, obtain, or maintain a</del>	950
<del>person who is sixteen or seventeen years of age for any purpose</del>	951
<del>listed in divisions (A) (2) (a) to (c) of that section, and the</del>	952

~~circumstances described in division (A) (5), (6), (7), (8), (9), (10), (11), (12), or (13) of section 2907.03 of the Revised Code apply with respect to the offender and the other person.~~ 953  
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(12) A violation of division (B) (4) of section 2907.09 of the Revised Code if the sentencing court classifies the offender as a tier I sex offender/child-victim offender relative to that offense pursuant to division (D) of that section; 956  
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(13) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any offense listed in division (A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), or (12) of this section; 960  
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(14) A violation of division (A) (3) of section 2907.24 of the Revised Code; 968  
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(15) Any attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), or (14) of this section. 970  
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(B) (1) "Sex offender" means, subject to division (B) (2) of this section, a person who is convicted of, pleads guilty to, has been convicted of, has pleaded guilty to, is adjudicated a delinquent child for committing, or has been adjudicated a delinquent child for committing any sexually oriented offense. 974  
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(2) "Sex offender" does not include a person who is convicted of, pleads guilty to, has been convicted of, has pleaded guilty to, is adjudicated a delinquent child for 979  
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committing, or has been adjudicated a delinquent child for 982  
committing a sexually oriented offense if the offense involves 983  
consensual sexual conduct or consensual sexual contact and 984  
either of the following applies: 985

(a) The victim of the sexually oriented offense was 986  
eighteen years of age or older and at the time of the sexually 987  
oriented offense was not under the custodial authority of the 988  
person who is convicted of, pleads guilty to, has been convicted 989  
of, has pleaded guilty to, is adjudicated a delinquent child for 990  
committing, or has been adjudicated a delinquent child for 991  
committing the sexually oriented offense. 992

(b) The victim of the offense was thirteen years of age or 993  
older, and the person who is convicted of, pleads guilty to, has 994  
been convicted of, has pleaded guilty to, is adjudicated a 995  
delinquent child for committing, or has been adjudicated a 996  
delinquent child for committing the sexually oriented offense is 997  
not more than four years older than the victim. 998

(c) "Child-victim oriented offense" means any of the 999  
following violations or offenses committed by a person, 1000  
regardless of the person's age, when the victim is under 1001  
eighteen years of age and is not a child of the person who 1002  
commits the violation: 1003

(1) A violation of division (A) (1), (2), (3), or (5) of 1004  
section 2905.01 of the Revised Code when the violation is not 1005  
included in division (A) (7) of this section; 1006

(2) A violation of division (A) of section 2905.02, 1007  
division (A) of section 2905.03, or division (A) of section 1008  
2905.05 of the Revised Code; 1009

(3) A violation of any former law of this state, any 1010

existing or former municipal ordinance or law of another state 1011  
or the United States, any existing or former law applicable in a 1012  
military court or in an Indian tribal court, or any existing or 1013  
former law of any nation other than the United States that is or 1014  
was substantially equivalent to any offense listed in division 1015  
(C) (1) or (2) of this section; 1016

(4) Any attempt to commit, conspiracy to commit, or 1017  
complicity in committing any offense listed in division (C) (1), 1018  
(2), or (3) of this section. 1019

(D) "Child-victim offender" means a person who is 1020  
convicted of, pleads guilty to, has been convicted of, has 1021  
pleaded guilty to, is adjudicated a delinquent child for 1022  
committing, or has been adjudicated a delinquent child for 1023  
committing any child-victim oriented offense. 1024

(E) "Tier I sex offender/child-victim offender" means any 1025  
of the following: 1026

(1) A sex offender who is convicted of, pleads guilty to, 1027  
has been convicted of, or has pleaded guilty to any of the 1028  
following sexually oriented offenses: 1029

(a) A violation of section 2907.06, 2907.07, 2907.08, 1030  
2907.22, or 2907.32 of the Revised Code; 1031

(b) A violation of section 2907.04 of the Revised Code 1032  
when the offender is less than four years older than the other 1033  
person with whom the offender engaged in sexual conduct, the 1034  
other person did not consent to the sexual conduct, and the 1035  
offender previously has not been convicted of or pleaded guilty 1036  
to a violation of section 2907.02, 2907.03, or 2907.04 of the 1037  
Revised Code or a violation of former section 2907.12 of the 1038  
Revised Code; 1039

(c) A violation of division (A) (1), (2), (3), or (5) of section 2907.05 of the Revised Code; 1040  
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(d) A violation of division (A) (3) of section 2907.323 of the Revised Code; 1042  
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(e) A violation of division (A) (3) of section 2903.211, of division (B) of section 2905.03, or of division (B) of section 2905.05 of the Revised Code; 1044  
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(f) A violation of division (B) (4) of section 2907.09 of the Revised Code if the sentencing court classifies the offender as a tier I sex offender/child-victim offender relative to that offense pursuant to division (D) of that section; 1047  
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(g) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States, that is or was substantially equivalent to any offense listed in division (E) (1) (a), (b), (c), (d), (e), or (f) of this section; 1051  
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(h) Any attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (E) (1) (a), (b), (c), (d), (e), (f), or (g) of this section. 1058  
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(2) A child-victim offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to a child-victim oriented offense and who is not within either category of child-victim offender described in division (F) (2) or (G) (2) of this section. 1061  
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(3) A sex offender who is adjudicated a delinquent child for committing or has been adjudicated a delinquent child for committing any sexually oriented offense and who a juvenile 1066  
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court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 1069  
of the Revised Code, classifies a tier I sex offender/child- 1070  
victim offender relative to the offense. 1071

(4) A child-victim offender who is adjudicated a 1072  
delinquent child for committing or has been adjudicated a 1073  
delinquent child for committing any child-victim oriented 1074  
offense and who a juvenile court, pursuant to section 2152.82, 1075  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 1076  
tier I sex offender/child-victim offender relative to the 1077  
offense. 1078

(F) "Tier II sex offender/child-victim offender" means any 1079  
of the following: 1080

(1) A sex offender who is convicted of, pleads guilty to, 1081  
has been convicted of, or has pleaded guilty to any of the 1082  
following sexually oriented offenses: 1083

(a) A violation of section 2907.21, 2907.321, or 2907.322 1084  
of the Revised Code; 1085

(b) A violation of section 2907.04 of the Revised Code 1086  
when the offender is at least four years older than the other 1087  
person with whom the offender engaged in sexual conduct, or when 1088  
the offender is less than four years older than the other person 1089  
with whom the offender engaged in sexual conduct and the 1090  
offender previously has been convicted of or pleaded guilty to a 1091  
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 1092  
Code or former section 2907.12 of the Revised Code; 1093

(c) A violation of division (A)(4) of section 2907.05, of 1094  
division (A)(3) of section 2907.24, or of division (A)(1) or (2) 1095  
of section 2907.323 of the Revised Code; 1096

(d) A violation of division (A)(1), (2), (3), or (5) of 1097

section 2905.01 of the Revised Code when the offense is committed with a sexual motivation;

(e) A violation of division (A)(4) of section 2905.01 of the Revised Code when the victim of the offense is eighteen years of age or older;

(f) A violation of division (B) of section 2905.02 or of division (B)(5) of section 2919.22 of the Revised Code;

(g) A violation of section 2905.32 of the Revised Code that is described in division (A)(11)(a), or (b), ~~or~~ (e) of this section;

(h) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any offense listed in division (F)(1)(a), (b), (c), (d), (e), (f), or (g) of this section;

(i) Any attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (F)(1)(a), (b), (c), (d), (e), (f), (g), or (h) of this section;

(j) Any sexually oriented offense that is committed after the sex offender previously has been convicted of, pleaded guilty to, or has been adjudicated a delinquent child for committing any sexually oriented offense or child-victim oriented offense for which the offender was classified a tier I sex offender/child-victim offender.

(2) A child-victim offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to any child-victim oriented offense when the child-victim oriented

offense is committed after the child-victim offender previously 1127  
has been convicted of, pleaded guilty to, or been adjudicated a 1128  
delinquent child for committing any sexually oriented offense or 1129  
child-victim oriented offense for which the offender was 1130  
classified a tier I sex offender/child-victim offender. 1131

(3) A sex offender who is adjudicated a delinquent child 1132  
for committing or has been adjudicated a delinquent child for 1133  
committing any sexually oriented offense and who a juvenile 1134  
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 1135  
of the Revised Code, classifies a tier II sex offender/child- 1136  
victim offender relative to the offense. 1137

(4) A child-victim offender who is adjudicated a 1138  
delinquent child for committing or has been adjudicated a 1139  
delinquent child for committing any child-victim oriented 1140  
offense and whom a juvenile court, pursuant to section 2152.82, 1141  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 1142  
tier II sex offender/child-victim offender relative to the 1143  
current offense. 1144

(5) A sex offender or child-victim offender who is not in 1145  
any category of tier II sex offender/child-victim offender set 1146  
forth in division (F) (1), (2), (3), or (4) of this section, who 1147  
prior to January 1, 2008, was adjudicated a delinquent child for 1148  
committing a sexually oriented offense or child-victim oriented 1149  
offense, and who prior to that date was determined to be a 1150  
habitual sex offender or determined to be a habitual child- 1151  
victim offender, unless either of the following applies: 1152

(a) The sex offender or child-victim offender is 1153  
reclassified pursuant to section 2950.031 or 2950.032 of the 1154  
Revised Code as a tier I sex offender/child-victim offender or a 1155  
tier III sex offender/child-victim offender relative to the 1156



offense. 1157

(b) A juvenile court, pursuant to section 2152.82, 1158  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies the 1159  
child a tier I sex offender/child-victim offender or a tier III 1160  
sex offender/child-victim offender relative to the offense. 1161

(G) "Tier III sex offender/child-victim offender" means 1162  
any of the following: 1163

(1) A sex offender who is convicted of, pleads guilty to, 1164  
has been convicted of, or has pleaded guilty to any of the 1165  
following sexually oriented offenses: 1166

(a) A violation of section 2907.02 or 2907.03 of the 1167  
Revised Code; 1168

(b) A violation of division (B) of section 2907.05 of the 1169  
Revised Code; 1170

(c) A violation of section 2903.01, 2903.02, or 2903.11 of 1171  
the Revised Code when the violation was committed with a sexual 1172  
motivation; 1173

(d) A violation of division (A) of section 2903.04 of the 1174  
Revised Code when the offender committed or attempted to commit 1175  
the felony that is the basis of the violation with a sexual 1176  
motivation; 1177

(e) A violation of division (A)(4) of section 2905.01 of 1178  
the Revised Code when the victim of the offense is under 1179  
eighteen years of age; 1180

(f) A violation of division (B) of section 2905.01 of the 1181  
Revised Code when the victim of the offense is under eighteen 1182  
years of age and the offender is not a parent of the victim of 1183  
the offense; 1184

(g) A violation of division (B) of section 2903.03 of the Revised Code;	1185 1186
(h) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any offense listed in division (G) (1) (a), (b), (c), (d), (e), (f), or (g) of this section;	1187 1188 1189 1190 1191 1192 1193
(i) Any attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (G) (1) (a), (b), (c), (d), (e), (f), (g), or (h) of this section;	1194 1195 1196
(j) Any sexually oriented offense that is committed after the sex offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing any sexually oriented offense or child-victim oriented offense for which the offender was classified a tier II sex offender/child-victim offender or a tier III sex offender/child-victim offender.	1197 1198 1199 1200 1201 1202 1203
(2) A child-victim offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to any child-victim oriented offense when the child-victim oriented offense is committed after the child-victim offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing any sexually oriented offense or child-victim oriented offense for which the offender was classified a tier II sex offender/child-victim offender or a tier III sex offender/child-victim offender.	1204 1205 1206 1207 1208 1209 1210 1211 1212
(3) A sex offender who is adjudicated a delinquent child	1213

for committing or has been adjudicated a delinquent child for 1214  
committing any sexually oriented offense and who a juvenile 1215  
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 1216  
of the Revised Code, classifies a tier III sex offender/child- 1217  
victim offender relative to the offense. 1218

(4) A child-victim offender who is adjudicated a 1219  
delinquent child for committing or has been adjudicated a 1220  
delinquent child for committing any child-victim oriented 1221  
offense and whom a juvenile court, pursuant to section 2152.82, 1222  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 1223  
tier III sex offender/child-victim offender relative to the 1224  
current offense. 1225

(5) A sex offender or child-victim offender who is not in 1226  
any category of tier III sex offender/child-victim offender set 1227  
forth in division (G)(1), (2), (3), or (4) of this section, who 1228  
prior to January 1, 2008, was convicted of or pleaded guilty to 1229  
a sexually oriented offense or child-victim oriented offense or 1230  
was adjudicated a delinquent child for committing a sexually 1231  
oriented offense or child-victim oriented offense and classified 1232  
a juvenile offender registrant, and who prior to that date was 1233  
adjudicated a sexual predator or adjudicated a child-victim 1234  
predator, unless either of the following applies: 1235

(a) The sex offender or child-victim offender is 1236  
reclassified pursuant to section 2950.031 or 2950.032 of the 1237  
Revised Code as a tier I sex offender/child-victim offender or a 1238  
tier II sex offender/child-victim offender relative to the 1239  
offense. 1240

(b) The sex offender or child-victim offender is a 1241  
delinquent child, and a juvenile court, pursuant to section 1242  
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, 1243

classifies the child a tier I sex offender/child-victim offender 1244  
or a tier II sex offender/child-victim offender relative to the 1245  
offense. 1246

(6) A sex offender who is convicted of, pleads guilty to, 1247  
was convicted of, or pleaded guilty to a sexually oriented 1248  
offense, if the sexually oriented offense and the circumstances 1249  
in which it was committed are such that division (F) of section 1250  
2971.03 of the Revised Code automatically classifies the 1251  
offender as a tier III sex offender/child-victim offender; 1252

(7) A sex offender or child-victim offender who is 1253  
convicted of, pleads guilty to, was convicted of, pleaded guilty 1254  
to, is adjudicated a delinquent child for committing, or was 1255  
adjudicated a delinquent child for committing a sexually 1256  
oriented offense or child-victim offense in another state, in a 1257  
federal court, military court, or Indian tribal court, or in a 1258  
court in any nation other than the United States if both of the 1259  
following apply: 1260

(a) Under the law of the jurisdiction in which the 1261  
offender was convicted or pleaded guilty or the delinquent child 1262  
was adjudicated, the offender or delinquent child is in a 1263  
category substantially equivalent to a category of tier III sex 1264  
offender/child-victim offender described in division (G) (1), 1265  
(2), (3), (4), (5), or (6) of this section. 1266

(b) Subsequent to the conviction, plea of guilty, or 1267  
adjudication in the other jurisdiction, the offender or 1268  
delinquent child resides, has temporary domicile, attends school 1269  
or an institution of higher education, is employed, or intends 1270  
to reside in this state in any manner and for any period of time 1271  
that subjects the offender or delinquent child to a duty to 1272  
register or provide notice of intent to reside under section 1273

2950.04 or 2950.041 of the Revised Code. 1274

(H) "Confinement" includes, but is not limited to, a 1275  
community residential sanction imposed pursuant to section 1276  
2929.16 or 2929.26 of the Revised Code. 1277

(I) "Prosecutor" has the same meaning as in section 1278  
2935.01 of the Revised Code. 1279

(J) "Supervised release" means a release of an offender 1280  
from a prison term, a term of imprisonment, or another type of 1281  
confinement that satisfies either of the following conditions: 1282

(1) The release is on parole, a conditional pardon, under 1283  
a community control sanction, under transitional control, or 1284  
under a post-release control sanction, and it requires the 1285  
person to report to or be supervised by a parole officer, 1286  
probation officer, field officer, or another type of supervising 1287  
officer. 1288

(2) The release is any type of release that is not 1289  
described in division (J)(1) of this section and that requires 1290  
the person to report to or be supervised by a probation officer, 1291  
a parole officer, a field officer, or another type of 1292  
supervising officer. 1293

(K) "Sexually violent predator specification," "sexually 1294  
violent predator," "sexually violent offense," "sexual 1295  
motivation specification," "designated homicide, assault, or 1296  
kidnapping offense," and "violent sex offense" have the same 1297  
meanings as in section 2971.01 of the Revised Code. 1298

(L) "Post-release control sanction" and "transitional 1299  
control" have the same meanings as in section 2967.01 of the 1300  
Revised Code. 1301

(M) "Juvenile offender registrant" means a person who is 1302  
adjudicated a delinquent child for committing on or after 1303  
January 1, 2002, a sexually oriented offense or a child-victim 1304  
oriented offense, who is fourteen years of age or older at the 1305  
time of committing the offense, and who a juvenile court judge, 1306  
pursuant to an order issued under section 2152.82, 2152.83, 1307  
2152.84, 2152.85, or 2152.86 of the Revised Code, classifies a 1308  
juvenile offender registrant and specifies has a duty to comply 1309  
with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 1310  
Revised Code. "Juvenile offender registrant" includes a person 1311  
who prior to January 1, 2008, was a "juvenile offender 1312  
registrant" under the definition of the term in existence prior 1313  
to January 1, 2008, and a person who prior to July 31, 2003, was 1314  
a "juvenile sex offender registrant" under the former definition 1315  
of that former term. 1316

(N) "Public registry-qualified juvenile offender 1317  
registrant" means a person who is adjudicated a delinquent child 1318  
and on whom a juvenile court has imposed a serious youthful 1319  
offender dispositional sentence under section 2152.13 of the 1320  
Revised Code before, on, or after January 1, 2008, and to whom 1321  
all of the following apply: 1322

(1) The person is adjudicated a delinquent child for 1323  
committing, attempting to commit, conspiring to commit, or 1324  
complicity in committing one of the following acts: 1325

(a) A violation of section 2907.02 of the Revised Code, 1326  
division (B) of section 2907.05 of the Revised Code, or section 1327  
2907.03 of the Revised Code if the victim of the violation was 1328  
less than twelve years of age; 1329

(b) A violation of section 2903.01, 2903.02, or 2905.01 of 1330  
the Revised Code that was committed with a purpose to gratify 1331

the sexual needs or desires of the child; 1332

(c) A violation of division (B) of section 2903.03 of the 1333  
Revised Code. 1334

(2) The person was fourteen, fifteen, sixteen, or 1335  
seventeen years of age at the time of committing the act. 1336

(3) A juvenile court judge, pursuant to an order issued 1337  
under section 2152.86 of the Revised Code, classifies the person 1338  
a juvenile offender registrant, specifies the person has a duty 1339  
to comply with sections 2950.04, 2950.05, and 2950.06 of the 1340  
Revised Code, and classifies the person a public registry- 1341  
qualified juvenile offender registrant, and the classification 1342  
of the person as a public registry-qualified juvenile offender 1343  
registrant has not been terminated pursuant to division (D) of 1344  
section 2152.86 of the Revised Code. 1345

(O) "Secure facility" means any facility that is designed 1346  
and operated to ensure that all of its entrances and exits are 1347  
locked and under the exclusive control of its staff and to 1348  
ensure that, because of that exclusive control, no person who is 1349  
institutionalized or confined in the facility may leave the 1350  
facility without permission or supervision. 1351

(P) "Out-of-state juvenile offender registrant" means a 1352  
person who is adjudicated a delinquent child in a court in 1353  
another state, in a federal court, military court, or Indian 1354  
tribal court, or in a court in any nation other than the United 1355  
States for committing a sexually oriented offense or a child- 1356  
victim oriented offense, who on or after January 1, 2002, moves 1357  
to and resides in this state or temporarily is domiciled in this 1358  
state for more than five days, and who has a duty under section 1359  
2950.04 or 2950.041 of the Revised Code to register in this 1360

state and the duty to otherwise comply with that applicable 1361  
section and sections 2950.05 and 2950.06 of the Revised Code. 1362  
"Out-of-state juvenile offender registrant" includes a person 1363  
who prior to January 1, 2008, was an "out-of-state juvenile 1364  
offender registrant" under the definition of the term in 1365  
existence prior to January 1, 2008, and a person who prior to 1366  
July 31, 2003, was an "out-of-state juvenile sex offender 1367  
registrant" under the former definition of that former term. 1368

(Q) "Juvenile court judge" includes a magistrate to whom 1369  
the juvenile court judge confers duties pursuant to division (A) 1370  
(15) of section 2151.23 of the Revised Code. 1371

(R) "Adjudicated a delinquent child for committing a 1372  
sexually oriented offense" includes a child who receives a 1373  
serious youthful offender dispositional sentence under section 1374  
2152.13 of the Revised Code for committing a sexually oriented 1375  
offense. 1376

(S) "School" and "school premises" have the same meanings 1377  
as in section 2925.01 of the Revised Code. 1378

(T) "Residential premises" means the building in which a 1379  
residential unit is located and the grounds upon which that 1380  
building stands, extending to the perimeter of the property. 1381  
"Residential premises" includes any type of structure in which a 1382  
residential unit is located, including, but not limited to, 1383  
multi-unit buildings and mobile and manufactured homes. 1384

(U) "Residential unit" means a dwelling unit for 1385  
residential use and occupancy, and includes the structure or 1386  
part of a structure that is used as a home, residence, or 1387  
sleeping place by one person who maintains a household or two or 1388  
more persons who maintain a common household. "Residential unit" 1389



does not include a halfway house or a community-based 1390  
correctional facility. 1391

(V) "Multi-unit building" means a building in which is 1392  
located more than twelve residential units that have entry doors 1393  
that open directly into the unit from a hallway that is shared 1394  
with one or more other units. A residential unit is not 1395  
considered located in a multi-unit building if the unit does not 1396  
have an entry door that opens directly into the unit from a 1397  
hallway that is shared with one or more other units or if the 1398  
unit is in a building that is not a multi-unit building as 1399  
described in this division. 1400

(W) "Community control sanction" has the same meaning as 1401  
in section 2929.01 of the Revised Code. 1402

(X) "Halfway house" and "community-based correctional 1403  
facility" have the same meanings as in section 2929.01 of the 1404  
Revised Code. 1405

**Section 2.** That existing sections 2152.021, 2905.32, 1406  
2929.01, and 2950.01 of the Revised Code are hereby repealed. 1407

**Section 3.** Section 2929.01 of the Revised Code is 1408  
presented in this act as a composite of the section as amended 1409  
by H.B. 63, H.B. 411, H.B. 1, S.B. 20, and S.B. 201, all of the 1410  
132nd General Assembly. The General Assembly, applying the 1411  
principle stated in division (B) of section 1.52 of the Revised 1412  
Code that amendments are to be harmonized if reasonably capable 1413  
of simultaneous operation, finds that the composite is the 1414  
resulting version of the section in effect prior to the 1415  
effective date of the section as presented in this act. 1416