



Legislative Watch

From the Statehouse to the Capitol

Tuesday, June 19, 2007

DV & SEXUAL ASSAULT RELATED LEGISLATION NOW PENDING IN 127TH OHIO GENERAL ASSEMBLY AS OF 6/19/07

House Bill 15 – Sponsor Rep. Kathleen Chandler (D)
Would amend Ohio law relative to trafficking in persons. Would prohibit a person from engaging in or conspiring to engage in a pattern of trafficking in persons; Would require a person found guilty of trafficking in persons to pay restitution to the victim (including such costs as medical and psychological treatment, housing and child care, legal services, and other costs); Would create a civil cause of action based on trafficking in persons; Would require the Peace Officers Training Commission to recommend hours of training for dealing with trafficking in persons; Would create the Ohio Prevention of Trafficking in Persons Task Force. Pending in House Criminal Justice Committee.

House Bill 23 – Sponsor Rep. Michael DeBose (D)
Would amend Ohio law to include security guards as persons of authority for purposes of the offenses of sexual battery and voyeurism. Other persons of authority include teacher, administrator, coach, or other person in authority employed by or serving in a school of institution of higher education. Pending in House Criminal Justice Committee.

House Bill 57 – Sponsor Rep. Courtney Combs (R)
Would provide notice to a long-term care facility and its residents when a registered sex offender indicates an intent to reside or registers an address within the facility's specified geographical notification area. Pending in House Criminal Justice Committee.

House Bill 83 – Sponsor Rep. Michael DeBose (D)
Would create a SORN Law license plate; would provide mandatory prison terms and jail terms for persons convicted of a sexually oriented or child-victim oriented offense who are subject to a SORN Law license plate order and use a motor vehicle without such license plates in committing the offense, to arrive at the location where it was committed, or to flee immediately after committing it; and would expand the offense of "wrongful entrustment of a motor vehicle" to apply to a person who in specified circumstances permits a person subject to a SORN Law license plate order to drive the offender's motor vehicle without such license plates. Pending in House Criminal Justice Committee.

House Bill 111 – Sponsor Rep. Thomas Collier (R)
Would expand the definition of neglected child to include a

child whose parent, guardian, or custodian knowingly allows a sexually oriented offender or juvenile delinquent who committed a sexually oriented offense to reside in the same residence as that child. Pending in House Juvenile & Family Law Committee.

House Bill 119 (State Budget Bill) – Sponsor Rep. Matthew Dolan (R)
Amendment sponsored by Sen. Kirk Schuring (R) provides for Ohio to implement the federal Family Violence Option. Ohio Department of Job & Family Services would write rules directing all county departments to screen Ohio Works First clients for DV and make referrals to community agencies. Passed by Ohio House & Ohio Senate. Currently in Conference Committee.

House Bill 139 – Sponsor Rep. Michael Skindell (D)
Would prohibit a court from ordering a statutory change of name for a person who has committed identity fraud or who must register under the SORN Law for having committed a sexually oriented offense or child-victim oriented offense. Pending in House Criminal Justice Committee.

House Bill 191 – Sponsor Rep. Bruce Goodwin (R)
Would require that in a criminal proceeding any obscene material involving a minor remain in the custody and control of the prosecuting attorney or court. Pending in House Criminal Justice Committee.

House Bill 197 – Sponsor Rep. Barbara Boyd (D)
Would provide for the reporting of assaults in public schools to school administrators and law enforcement authorities. Pending in House Criminal Justice Committee.

House Bill 209 – Sponsor Rep. Tony Core (R)
Would expand the offense of "sexual battery" to prohibit a peace officer from engaging in sexual conduct with a minor who is not the officer's spouse. Pending in House Criminal Justice Committee.

House Bill 241 – Sponsor Rep. Tracy Heard (D)
Would provide that any person required to register under Ohio's Sex Offender Registration and Notification Law who establishes or occupies residential premises within one thousand feet of any school premises, recreation center, playground, or other place where it is reasonable to expect children to frequent or linger is guilty of a misdemeanor of the first degree and to require a court to order a violator to vacate the premises as part of any injunctive relief granted for the violation. Pending in House Criminal Justice Committee.

House Bill 247 – Sponsor Rep. Edna Brown (D)
Would allow a court to issue a civil protection order to a child who has had or has a dating relationship with the respondent if certain offenses are alleged and to include foster parents under

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the scope of the domestic violence laws.
Pending in House Juvenile & Family Law Committee.

Senate Bill 9 – Sponsor Sen. Patricia Clancy (R)

Would permit a prosecution for a felony sex offense or kidnapping offense involving a victim under 13 years of age to be commenced at any time after the commission of the offense and to require the division of Criminal Justice Services in the Department of Public Safety to apply to the United States Attorney General for a “Jessica Lunsford and Sarah Lunde Grant.”

Passed by Ohio Senate. Now pending in House Criminal Justice Committee. Must be passed by July 2007 to avoid loss of grant funds for victim services and related agencies.

Senate Bill 10 – Sponsor Sen. Stephen Austria (R)

Would revise Ohio’s Sex Offender Registration and Notification Law and conform it to recently enacted requirements of federal law contained in the Adam Walsh Child Protection and Safety Act of 2006, to increase the penalties for certain violations of kidnapping, aggravated murder when a sentence of death or life without parole is not imposed, and murder when the victim of any of those offenses is less than 13 years of age and the offense was committed with a sexual motivation and require that those sentences be served under the Sexually Violent Predator Sentencing Law, and to declare an emergency.

Passed by the Ohio Senate. Now pending in the House Criminal Justice Committee.

Senate Bill 16 – Sponsored as an Initiative

Would restrict the hours of operation of sexually oriented businesses, to prohibit patrons and employees of a sexually oriented business who are not immediate family members from touching each other while on the premises of that business and while the employee is nude or semi-nude, and to require the state to indemnify a township or municipal corporation for liability incurred in enforcing a resolution or ordinance that regulates adult entertainment establishments, adopted in conformance with the Attorney General’s guidance and found by a court to be unconstitutional or otherwise legally defective.

Passed by the Ohio General Assembly.

Senate Bill 18 – Sponsor Sen. Patricia Clancy (R)

Would prohibit an offender from having a criminal record sealed when the underlying offense is importuning, or the underlying offense is voyeurism, public indecency, compelling prostitution, promoting prostitution, procuring, disseminating matter harmful to juveniles, displaying matter harmful to juveniles, pandering obscenity, or deception to obtain matter harmful to juveniles when the victim of the offense is under eighteen years of age. Passed by Ohio Senate. Pending in House Criminal Justice Committee.

Senate Bill 21 – Sponsor Sen. Kevin Coughlin (R)

Would adopt the Uniform Interstate Enforcement of Domestic-Violence Protection Orders Act. Would expand Ohio law to reflect federal Violence Against Women Act to include enforcement of custody and visitation provisions included in a protection order issued by another state. Pending in Senate Judiciary/Criminal Justice Committee.

Stalled as result of amendments being considered by several committee members. Both amendments contain language that is not agreed to by the DV community.

Senate Bill 22 – Sponsor Sen. Keith Faber (R)

Would require that sexually violent predators who are released from prison be monitored by global positioning system devices, to require sexually violent predators to pay the cost of monitoring by global positioning system devices, and to authorize the civil commitment of certain sexually violent predators. Pending in Senate Judiciary/Criminal Justice Committee.

Senate Bill 23 – Sponsor Sen. David Goodman (R)

Would prohibit involuntary servitude, sexual servitude of a minor, and trafficking for persons in forced labor or services.
Pending in Senate Judiciary/Criminal Justice Committee

Senate Bill 56 – Sponsor Sen. Kevin Coughlin (R)

Would create a SORN Law license plate; would provide mandatory prison terms and jail terms for persons convicted of a sexually oriented or child-victim oriented offense who are subject to a SORN Law license plate order and use a motor vehicle without such license plates in committing the offense, to arrive at the location where it was committed, or to flee immediately after committing it; and would expand the offense of “wrongful entrustment of a motor vehicle” to apply to a person who in specified circumstances permits a person subject to a SORN Law license plate order to drive the offender’s motor vehicle without such license plates. Pending in Senate Judiciary/Criminal Justice Committee.

Senate Bill 66 – Sponsor Sen. Ray Miller (D)

Would increase the marriage license fee (from \$17 to \$22) to provide additional financial assistance to shelters for victims of domestic violence. Pending in Senate State & Local Government & Veterans Affairs Committee.

Senate Bill 71 – Sponsor Sen. Ray Miller (D)

Would prohibit the use of corporal punishment on a child who is less than three or more than twelve years of age or by hitting a child about the face or head or with any object other than a bare hand and to prohibit corporal punishment in schools.

Pending in Senate Judiciary/Criminal Justice Committee.

Senate Bill 97 – Sponsor Sen. Steve Stivers (R)

Would modify the penalties for violations of the Sexual Offender Registration and Notification Law, to require the inclusion of specified information on the statewide and county sheriffs’ internet sex offender and child-victim offender databases, and to declare an emergency. Passed by the Ohio Senate. Pending in the House Criminal Justice Committee.

Senate Bill 159 – Sponsor Sen. Kevin Coughlin (R)

Would make a violation of the prohibition against certain sex offenders residing within 1,000 feet of any school premises a felony of the fifth degree. Pending in Judiciary/Criminal Justice Committee.

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