

**ACTION OHIO COALITION FOR BATTERED WOMEN  
LEGISLATIVE UPDATE**

**DV & SEXUAL ASSAULT RELATED LEGISLATION  
PENDING IN 127<sup>TH</sup> OHIO GENERAL ASSEMBLY  
AS OF 9/22/08**

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 Judiciary 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.**

**Passed by House. Now pending in Senate Judiciary Committee on Criminal Justice.**

**Good chance for passage.**

House Bill 74 – Sponsor Rep. John Schlichter (R)

Spying on nude minor – always a felony

Passed by House. Now pending in Senate Judiciary Committee on Criminal Justice.

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. The bill would not apply to an adjudicated juvenile offender.**

**Passed by House. Now pending in Senate Judiciary Committee on Criminal Justice.**

**Good chance for passage.**

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 205 – Sponsor Rep. Bruce Goodwin (R)

Would require that upon final disposition of a criminal proceeding any obscene material involving a minor remain in the custody and control of the prosecuting attorney or court. Sponsor no longer supports bill/ Bill is dead.

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.

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

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 the scope of the domestic violence laws.**

**Passed by House. Now pending in Senate Judiciary Committee on Civil Justice.**

**Good chance for passage.**

**House Bill 280 – Sponsor Rep. Michelle Schneider (R)**

**Would require facilities that perform abortions to display a sign and enhance the criminal penalty for causing or attempting to cause physical harm to a family or household member who was pregnant at the time of the offense.**

**Passed by House. Now pending in Senate Judiciary Committee on Criminal Justice.**

**Good chance for passage.**

House Bill 294 – Sponsor Rep. Ted Celeste (D)

Would prohibit health insurers from excluding coverage for post traumatic stress disorder.

Pending in House Insurance Committee

House Bill 356 – Sponsor Rep. Jay Hottinger (R)

Would expand the offense of gross sexual imposition to also prohibit a person from having sexual contact with another or causing two or more other persons to have sexual contact if the other person or one of the other persons is a minor and the offender is the minor’s parent, stepparent,

guardian, custodian, or person in loco parentis and to include a person who violates this prohibition as a Tier II sex offender/child-victim offender under the Sex Offender Registration and Notification Law.

Pending in House Criminal Justice Committee.

**House Bill 395 – Sponsor Rep. Jim Hughes (R)**

**As introduced, would provide a procedure for the return of personal property held by a law enforcement agency upon the expiration or termination of a protection order, but provision was deleted. Remainder of bill reverses the Neville decision, which would exclude a spouse's social security benefits from a divorce court's jurisdiction.**

**Passed by House. Now pending in Senate Judiciary Committee on Civil Justice.**

**Good chance for passage.**

House Bill 406 – Sponsor Rep. Jon Peterson (R) & Rep. Brian Williams (D)

Would prohibit corporal punishment in all public schools.

Passed by House Education Committee. Now waiting for House floor vote.

House Bill 414 – Sponsor Rep. Bob Latta (R)/Now in the U.S. Congress

Would modify when a defendant who is accused of committing an offense of violence against a family or household member must personally appear for the setting of bail.

Pending in House Criminal Justice Committee.

House Bill 418 – Sponsor Rep. Courtney Combs (R) & Rep. Brian Williams (D)

Would revise the penalties and sentencing provisions regarding violations of the cruelty to animals statutes and to include the protection of companion animals in temporary protection orders, domestic violence protection orders, anti-stalking protection orders, and related protection orders.

Passed by House Criminal Justice Committee. Now waiting for House floor vote.

House Bill 430 – Sponsor Rep. Jennifer Garrison (D)

Would prohibit adult tier III sex offender/child-victim offenders who have committed specified offenses against a victim under sixteen years of age from knowingly being present on school premises or preschool or child day-care premises.

Pending in House Criminal Justice Committee.

House Bill 538 – Sponsor Rep. Thomas Patton (R)

Tier III sex offenders/child-victim offenders-lifetime GPS monitoring

Pending in House Criminal Justice Committee.

House Bill 560 – Sponsor Rep. Dan Stewart (D)

Would establish the Compassionate Assistance for Rape Emergencies Act regarding emergency services provided to victims of sexual assault.

Introduced 5/15/08. Assigned to House Health Committee.

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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” to assist in carrying out programs to outfit sex offenders with electronic monitoring units and in employing the law enforcement officials necessary to carry out those programs.

Passed by Senate. Now 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 Committee on Criminal Justice. 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 Committee on Criminal Justice.

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 Committee on Criminal Justice

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 Committee on 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 Committee on Criminal Justice.

Senate Bill 137 – Sponsor Steve Austria (R)

Assault person 70 years old or older-increased penalty.

Pending in Senate Judiciary Committee on Civil Justice.

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 Committee on Criminal Justice.

Senate Bill 205 – Sen. Teresa Fedor (D)

Would prohibit trafficking in persons.

Pending in Senate Judiciary Committee on Criminal Justice.

Senate Bill 216 – Sponsor Sen. Lance Mason (D)

Sex offender-provide address of any residential property owned.

Pending in Senate Judiciary Committee on Criminal Justice.

Senate Bill 231 – Sponsor Sen. Gary Cates (R)  
Abortion facility-display sign/harm pregnant household member-increase penalty. Companion to House Bill 280/designated for passage.  
Pending in Senate Judiciary Committee on Criminal Justice.

Senate Bill 244 – Sponsor Sen. Tom Sawyer (D)  
Stalkers/protection order against-electronic monitoring  
Passed by Senate Judiciary Committee on Criminal Justice 5/29/08. Now waiting for a Senate floor vote.

Senate Bill 297 – Sponsor Sen. Ray Miller (D)  
Health insurance-cover post-traumatic stress disorder  
Pending in Senate Insurance, Commerce & Labor Committee

Senate Bill 321 – Sponsor Sen. Steve Stivers (R)  
Residential camps-employees/volunteers-criminal record check  
Pending in Senate Judiciary Committee on Criminal Justice.