

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 593

Representatives Dell'Aquila, Williams

Cosponsors: Representatives Klopfenstein, Brewer, Brennan

A BILL

To amend sections 2905.05 and 2950.01 of the
Revised Code to require that a person act with a
sexual motivation or an unlawful purpose to
commit the offense of criminal child enticement.

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

Section 1. That sections 2905.05 and 2950.01 of the
Revised Code be amended to read as follows:

Sec. 2905.05. (A) No person, by any means and without
privilege to do so, shall knowingly solicit, coax, entice, or
lure any child under fourteen years of age to accompany the
person in any manner, including entering into any vehicle or
onto any vessel, whether or not the offender knows the age of
the child, if ~~both~~ either of the following apply:

(1) ~~The actor does not have the express or implied
permission of the parent, guardian, or other legal custodian of
the child in undertaking the activity~~ person acts with a sexual
motivation.

(2) ~~The actor is not a law enforcement officer, medic,
firefighter, or other person who regularly provides emergency~~

~~services, and is not an employee or agent of, or a volunteer~~ 19
~~acting under the direction of, any board of education, or the~~ 20
~~actor is any of such persons, but, at the time the actor~~ 21
~~undertakes the activity, the actor is not acting within the~~ 22
~~scope of the actor's lawful duties in that capacity~~ 23
acts with an 23
unlawful purpose. 24

~~(B) No person, with a sexual motivation, shall violate~~ 25
~~division (A) of this section.~~ 26

~~(C) No person, for any unlawful purpose other than, or in~~ 27
~~addition to, that proscribed by division (A) of this section,~~ 28
~~shall engage in any activity described in division (A) of this~~ 29
~~section.~~ 30

~~(D) It is an affirmative defense to a charge under~~ 31
~~division (A) of this section that the actor undertook the~~ 32
~~activity in response to a bona fide emergency situation or that~~ 33
~~the actor undertook the activity in a reasonable belief that it~~ 34
~~was necessary to preserve the health, safety, or welfare of the~~ 35
~~child.~~ 36

~~(E) Whoever violates division (A), (B), or (C) of this~~ 37
section is guilty of criminal child enticement, a misdemeanor of 38
the first degree. If the offender previously has been convicted 39
of a violation of this section, section 2907.02 or 2907.03 or 40
former section 2907.12 of the Revised Code, or section 2905.01 41
or 2907.05 of the Revised Code when the victim of that prior 42
offense was under seventeen years of age at the time of the 43
offense, criminal child enticement is a felony of the fifth 44
degree. 45

~~(F)~~ (C) The prosecution of a person for a violation of 46
division (A) of this section does not preclude prosecution of 47

that person under another section in Chapter 2905. of the 48
Revised Code. An act that can be prosecuted under this section 49
or another section in Chapter 2905. of the Revised Code may be 50
prosecuted under this section, the other section, or this 51
section and the other section. However, if the charges are based 52
on the same conduct and involve the same victim, the indictment 53
or information may contain counts for all such offenses, but the 54
person may be convicted of only a violation of Chapter 2905. of 55
the Revised Code. 56

(D) As used in this section: 57

(1) "Sexual motivation" has the same meaning as in section 58
2971.01 of the Revised Code. 59

(2) "Vehicle" has the same meaning as in section 4501.01 60
of the Revised Code. 61

(3) "Vessel" has the same meaning as in section 1546.01 of 62
the Revised Code. 63

Sec. 2950.01. As used in this chapter, unless the context 64
clearly requires otherwise: 65

(A) "Sexually oriented offense" means any of the following 66
violations or offenses committed by a person, regardless of the 67
person's age: 68

(1) A violation of section 2907.02, 2907.03, 2907.05, 69
2907.06, 2907.07, 2907.08, 2907.21, 2907.22, 2907.32, 2907.321, 70
2907.322, or 2907.323 of the Revised Code; 71

(2) A violation of section 2907.04 of the Revised Code 72
when the offender is less than four years older than the other 73
person with whom the offender engaged in sexual conduct, the 74
other person did not consent to the sexual conduct, and the 75

offender previously has not been convicted of or pleaded guilty 76
to a violation of section 2907.02, 2907.03, or 2907.04 of the 77
Revised Code or a violation of former section 2907.12 of the 78
Revised Code; 79

(3) A violation of section 2907.04 of the Revised Code 80
when the offender is at least four years older than the other 81
person with whom the offender engaged in sexual conduct or when 82
the offender is less than four years older than the other person 83
with whom the offender engaged in sexual conduct and the 84
offender previously has been convicted of or pleaded guilty to a 85
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 86
Code or a violation of former section 2907.12 of the Revised 87
Code; 88

(4) A violation of section 2903.01, 2903.02, or 2903.11 of 89
the Revised Code when the violation was committed with a sexual 90
motivation; 91

(5) A violation of division (A) of section 2903.04 of the 92
Revised Code when the offender committed or attempted to commit 93
the felony that is the basis of the violation with a sexual 94
motivation; 95

(6) A violation of division (A) (3) of section 2903.211 of 96
the Revised Code; 97

(7) A violation of division (A) (1), (2), (3), or (5) of 98
section 2905.01 of the Revised Code when the offense is 99
committed with a sexual motivation; 100

(8) A violation of division (A) (4) of section 2905.01 of 101
the Revised Code; 102

(9) A violation of division (B) of section 2905.01 of the 103
Revised Code when the victim of the offense is under eighteen 104

years of age and the offender is not a parent of the victim of 105
the offense; 106

(10) A violation of division (B) of section 2903.03, of 107
division (B) of section 2905.02, of division (B) of section 108
2905.03, of division ~~(B)~~ (A) (1) of section 2905.05, or of 109
division (B) (5) of section 2919.22 of the Revised Code; 110

(11) A violation of section 2905.32 of the Revised Code 111
when either of the following applies: 112

(a) The violation is a violation of division (A) (1) of 113
that section and the offender knowingly recruited, lured, 114
enticed, isolated, harbored, transported, provided, obtained, or 115
maintained, or knowingly attempted to recruit, lure, entice, 116
isolate, harbor, transport, provide, obtain, or maintain, 117
another person knowing that the person would be compelled to 118
engage in sexual activity for hire, engage in a performance that 119
was obscene, sexually oriented, or nudity oriented, or be a 120
model or participant in the production of material that was 121
obscene, sexually oriented, or nudity oriented. 122

(b) The violation is a violation of division (A) (2) of 123
that section and the offender knowingly recruited, lured, 124
enticed, isolated, harbored, transported, provided, obtained, or 125
maintained, or knowingly attempted to recruit, lure, entice, 126
isolate, harbor, transport, provide, obtain, or maintain a 127
person who is less than eighteen years of age or is a person 128
with a developmental disability whom the offender knows or has 129
reasonable cause to believe is a person with a developmental 130
disability for any purpose listed in divisions (A) (2) (a) to (c) 131
of that section. 132

(12) A violation of division (B) (4) of section 2907.09 of 133

the Revised Code if the sentencing court classifies the offender 134
as a tier I sex offender/child-victim offender relative to that 135
offense pursuant to division (D) of that section; 136

(13) A violation of any former law of this state, any 137
existing or former municipal ordinance or law of another state 138
or the United States, any existing or former law applicable in a 139
military court or in an Indian tribal court, or any existing or 140
former law of any nation other than the United States that is or 141
was substantially equivalent to any offense listed in division 142
(A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), or 143
(12) of this section; 144

(14) Any attempt to commit, conspiracy to commit, or 145
complicity in committing any offense listed in division (A) (1), 146
(2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), or 147
(13) of this section. 148

(B) (1) "Sex offender" means, subject to division (B) (2) of 149
this section, a person who is convicted of, pleads guilty to, 150
has been convicted of, has pleaded guilty to, is adjudicated a 151
delinquent child for committing, or has been adjudicated a 152
delinquent child for committing any sexually oriented offense. 153

(2) "Sex offender" does not include a person who is 154
convicted of, pleads guilty to, has been convicted of, has 155
pleaded guilty to, is adjudicated a delinquent child for 156
committing, or has been adjudicated a delinquent child for 157
committing a sexually oriented offense if the offense involves 158
consensual sexual conduct or consensual sexual contact and 159
either of the following applies: 160

(a) The victim of the sexually oriented offense was 161
eighteen years of age or older and at the time of the sexually 162

oriented offense was not under the custodial authority of the 163
person who is convicted of, pleads guilty to, has been convicted 164
of, has pleaded guilty to, is adjudicated a delinquent child for 165
committing, or has been adjudicated a delinquent child for 166
committing the sexually oriented offense. 167

(b) The victim of the offense was thirteen years of age or 168
older, and the person who is convicted of, pleads guilty to, has 169
been convicted of, has pleaded guilty to, is adjudicated a 170
delinquent child for committing, or has been adjudicated a 171
delinquent child for committing the sexually oriented offense is 172
not more than four years older than the victim. 173

(C) "Child-victim oriented offense" means any of the 174
following violations or offenses committed by a person, 175
regardless of the person's age, when the victim is under 176
eighteen years of age and is not a child of the person who 177
commits the violation: 178

(1) A violation of division (A) (1), (2), (3), or (5) of 179
section 2905.01 of the Revised Code when the violation is not 180
included in division (A) (7) of this section; 181

(2) A violation of division (A) of section 2905.02, or 182
division (A) of section 2905.03, ~~or division (A) of section~~ 183
~~2905.05~~ of the Revised Code; 184

(3) A violation of any former law of this state, any 185
existing or former municipal ordinance or law of another state 186
or the United States, any existing or former law applicable in a 187
military court or in an Indian tribal court, or any existing or 188
former law of any nation other than the United States that is or 189
was substantially equivalent to any offense listed in division 190
(C) (1) or (2) of this section; 191

(4) Any attempt to commit, conspiracy to commit, or 192
complicity in committing any offense listed in division (C) (1), 193
(2), or (3) of this section. 194

(D) "Child-victim offender" means a person who is 195
convicted of, pleads guilty to, has been convicted of, has 196
pleaded guilty to, is adjudicated a delinquent child for 197
committing, or has been adjudicated a delinquent child for 198
committing any child-victim oriented offense. 199

(E) "Tier I sex offender/child-victim offender" means any 200
of the following: 201

(1) A sex offender who is convicted of, pleads guilty to, 202
has been convicted of, or has pleaded guilty to any of the 203
following sexually oriented offenses: 204

(a) A violation of section 2907.06, 2907.07, 2907.08, 205
2907.22, or 2907.32 of the Revised Code; 206

(b) A violation of section 2907.04 of the Revised Code 207
when the offender is less than four years older than the other 208
person with whom the offender engaged in sexual conduct, the 209
other person did not consent to the sexual conduct, and the 210
offender previously has not been convicted of or pleaded guilty 211
to a violation of section 2907.02, 2907.03, or 2907.04 of the 212
Revised Code or a violation of former section 2907.12 of the 213
Revised Code; 214

(c) A violation of division (A) (1), (2), (3), or (5) of 215
section 2907.05 of the Revised Code; 216

(d) A violation of division (A) (3) of section 2907.323 of 217
the Revised Code; 218

(e) A violation of division (A) (3) of section 2903.211, of 219

division (B) of section 2905.03, or of division (B) <u>(A) (1)</u> of	220
section 2905.05 of the Revised Code;	221
(f) A violation of division (B)(4) of section 2907.09 of	222
the Revised Code if the sentencing court classifies the offender	223
as a tier I sex offender/child-victim offender relative to that	224
offense pursuant to division (D) of that section;	225
(g) A violation of any former law of this state, any	226
existing or former municipal ordinance or law of another state	227
or the United States, any existing or former law applicable in a	228
military court or in an Indian tribal court, or any existing or	229
former law of any nation other than the United States, that is	230
or was substantially equivalent to any offense listed in	231
division (E)(1)(a), (b), (c), (d), (e), or (f) of this section;	232
(h) Any attempt to commit, conspiracy to commit, or	233
complicity in committing any offense listed in division (E)(1)	234
(a), (b), (c), (d), (e), (f), or (g) of this section.	235
(2) A child-victim offender who is convicted of, pleads	236
guilty to, has been convicted of, or has pleaded guilty to a	237
child-victim oriented offense and who is not within either	238
category of child-victim offender described in division (F)(2)	239
or (G)(2) of this section.	240
(3) A sex offender who is adjudicated a delinquent child	241
for committing or has been adjudicated a delinquent child for	242
committing any sexually oriented offense and who a juvenile	243
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85	244
of the Revised Code, classifies a tier I sex offender/child-	245
victim offender relative to the offense.	246
(4) A child-victim offender who is adjudicated a	247
delinquent child for committing or has been adjudicated a	248

delinquent child for committing any child-victim oriented 249
offense and who a juvenile court, pursuant to section 2152.82, 250
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 251
tier I sex offender/child-victim offender relative to the 252
offense. 253

(F) "Tier II sex offender/child-victim offender" means any 254
of the following: 255

(1) A sex offender who is convicted of, pleads guilty to, 256
has been convicted of, or has pleaded guilty to any of the 257
following sexually oriented offenses: 258

(a) A violation of section 2907.21, 2907.321, or 2907.322 259
of the Revised Code; 260

(b) A violation of section 2907.04 of the Revised Code 261
when the offender is at least four years older than the other 262
person with whom the offender engaged in sexual conduct, or when 263
the offender is less than four years older than the other person 264
with whom the offender engaged in sexual conduct and the 265
offender previously has been convicted of or pleaded guilty to a 266
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 267
Code or former section 2907.12 of the Revised Code; 268

(c) A violation of division (A)(4) of section 2907.05 or 269
of division (A)(1) or (2) of section 2907.323 of the Revised 270
Code; 271

(d) A violation of division (A)(1), (2), (3), or (5) of 272
section 2905.01 of the Revised Code when the offense is 273
committed with a sexual motivation; 274

(e) A violation of division (A)(4) of section 2905.01 of 275
the Revised Code when the victim of the offense is eighteen 276
years of age or older; 277

(f) A violation of division (B) of section 2905.02 or of	278
division (B)(5) of section 2919.22 of the Revised Code;	279
(g) A violation of section 2905.32 of the Revised Code	280
that is described in division (A)(11)(a) or (b) of this section;	281
(h) A violation of any former law of this state, any	282
existing or former municipal ordinance or law of another state	283
or the United States, any existing or former law applicable in a	284
military court or in an Indian tribal court, or any existing or	285
former law of any nation other than the United States that is or	286
was substantially equivalent to any offense listed in division	287
(F)(1)(a), (b), (c), (d), (e), (f), or (g) of this section;	288
(i) Any attempt to commit, conspiracy to commit, or	289
complicity in committing any offense listed in division (F)(1)	290
(a), (b), (c), (d), (e), (f), (g), or (h) of this section;	291
(j) Any sexually oriented offense that is committed after	292
the sex offender previously has been convicted of, pleaded	293
guilty to, or has been adjudicated a delinquent child for	294
committing any sexually oriented offense or child-victim	295
oriented offense for which the offender was classified a tier I	296
sex offender/child-victim offender.	297
(2) A child-victim offender who is convicted of, pleads	298
guilty to, has been convicted of, or has pleaded guilty to any	299
child-victim oriented offense when the child-victim oriented	300
offense is committed after the child-victim offender previously	301
has been convicted of, pleaded guilty to, or been adjudicated a	302
delinquent child for committing any sexually oriented offense or	303
child-victim oriented offense for which the offender was	304
classified a tier I sex offender/child-victim offender.	305
(3) A sex offender who is adjudicated a delinquent child	306

for committing or has been adjudicated a delinquent child for 307
committing any sexually oriented offense and who a juvenile 308
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 309
of the Revised Code, classifies a tier II sex offender/child- 310
victim offender relative to the offense. 311

(4) A child-victim offender who is adjudicated a 312
delinquent child for committing or has been adjudicated a 313
delinquent child for committing any child-victim oriented 314
offense and whom a juvenile court, pursuant to section 2152.82, 315
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 316
tier II sex offender/child-victim offender relative to the 317
current offense. 318

(5) A sex offender or child-victim offender who is not in 319
any category of tier II sex offender/child-victim offender set 320
forth in division (F) (1), (2), (3), or (4) of this section, who 321
prior to January 1, 2008, was adjudicated a delinquent child for 322
committing a sexually oriented offense or child-victim oriented 323
offense, and who prior to that date was determined to be a 324
habitual sex offender or determined to be a habitual child- 325
victim offender, unless either of the following applies: 326

(a) The sex offender or child-victim offender is 327
reclassified pursuant to section 2950.031 or 2950.032 of the 328
Revised Code as a tier I sex offender/child-victim offender or a 329
tier III sex offender/child-victim offender relative to the 330
offense. 331

(b) A juvenile court, pursuant to section 2152.82, 332
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies the 333
child a tier I sex offender/child-victim offender or a tier III 334
sex offender/child-victim offender relative to the offense. 335

(G) "Tier III sex offender/child-victim offender" means	336
any of the following:	337
(1) A sex offender who is convicted of, pleads guilty to,	338
has been convicted of, or has pleaded guilty to any of the	339
following sexually oriented offenses:	340
(a) A violation of section 2907.02 or 2907.03 of the	341
Revised Code;	342
(b) A violation of division (B) of section 2907.05 of the	343
Revised Code;	344
(c) A violation of section 2903.01, 2903.02, or 2903.11 of	345
the Revised Code when the violation was committed with a sexual	346
motivation;	347
(d) A violation of division (A) of section 2903.04 of the	348
Revised Code when the offender committed or attempted to commit	349
the felony that is the basis of the violation with a sexual	350
motivation;	351
(e) A violation of division (A) (4) of section 2905.01 of	352
the Revised Code when the victim of the offense is under	353
eighteen years of age;	354
(f) A violation of division (B) of section 2905.01 of the	355
Revised Code when the victim of the offense is under eighteen	356
years of age and the offender is not a parent of the victim of	357
the offense;	358
(g) A violation of division (B) of section 2903.03 of the	359
Revised Code;	360
(h) A violation of any former law of this state, any	361
existing or former municipal ordinance or law of another state	362
or the United States, any existing or former law applicable in a	363

military court or in an Indian tribal court, or any existing or 364
former law of any nation other than the United States that is or 365
was substantially equivalent to any offense listed in division 366
(G) (1) (a), (b), (c), (d), (e), (f), or (g) of this section; 367

(i) Any attempt to commit, conspiracy to commit, or 368
complicity in committing any offense listed in division (G) (1) 369
(a), (b), (c), (d), (e), (f), (g), or (h) of this section; 370

(j) Any sexually oriented offense that is committed after 371
the sex offender previously has been convicted of, pleaded 372
guilty to, or been adjudicated a delinquent child for committing 373
any sexually oriented offense or child-victim oriented offense 374
for which the offender was classified a tier II sex 375
offender/child-victim offender or a tier III sex offender/child- 376
victim offender. 377

(2) A child-victim offender who is convicted of, pleads 378
guilty to, has been convicted of, or has pleaded guilty to any 379
child-victim oriented offense when the child-victim oriented 380
offense is committed after the child-victim offender previously 381
has been convicted of, pleaded guilty to, or been adjudicated a 382
delinquent child for committing any sexually oriented offense or 383
child-victim oriented offense for which the offender was 384
classified a tier II sex offender/child-victim offender or a 385
tier III sex offender/child-victim offender. 386

(3) A sex offender who is adjudicated a delinquent child 387
for committing or has been adjudicated a delinquent child for 388
committing any sexually oriented offense and who a juvenile 389
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 390
of the Revised Code, classifies a tier III sex offender/child- 391
victim offender relative to the offense. 392

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

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

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

(b) The sex offender or child-victim offender is a delinquent child, and a juvenile court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies the child a tier I sex offender/child-victim offender or a tier II sex offender/child-victim offender relative to the offense.

(6) A sex offender who is convicted of, pleads guilty to, was convicted of, or pleaded guilty to a sexually oriented

offense, if the sexually oriented offense and the circumstances 423
in which it was committed are such that division (F) of section 424
2971.03 of the Revised Code automatically classifies the 425
offender as a tier III sex offender/child-victim offender; 426

(7) A sex offender or child-victim offender who is 427
convicted of, pleads guilty to, was convicted of, pleaded guilty 428
to, is adjudicated a delinquent child for committing, or was 429
adjudicated a delinquent child for committing a sexually 430
oriented offense or child-victim offense in another state, in a 431
federal court, military court, or Indian tribal court, or in a 432
court in any nation other than the United States if both of the 433
following apply: 434

(a) Under the law of the jurisdiction in which the 435
offender was convicted or pleaded guilty or the delinquent child 436
was adjudicated, the offender or delinquent child is in a 437
category substantially equivalent to a category of tier III sex 438
offender/child-victim offender described in division (G) (1), 439
(2), (3), (4), (5), or (6) of this section. 440

(b) Subsequent to the conviction, plea of guilty, or 441
adjudication in the other jurisdiction, the offender or 442
delinquent child resides, has temporary domicile, attends school 443
or an institution of higher education, is employed, or intends 444
to reside in this state in any manner and for any period of time 445
that subjects the offender or delinquent child to a duty to 446
register or provide notice of intent to reside under section 447
2950.04 or 2950.041 of the Revised Code. 448

(H) "Confinement" includes, but is not limited to, a 449
community residential sanction imposed pursuant to section 450
2929.16 or 2929.26 of the Revised Code. 451

(I) "Prosecutor" has the same meaning as in section 452
2935.01 of the Revised Code. 453

(J) "Supervised release" means a release of an offender 454
from a prison term, a term of imprisonment, or another type of 455
confinement that satisfies either of the following conditions: 456

(1) The release is on parole, a conditional pardon, under 457
a community control sanction, under transitional control, or 458
under a post-release control sanction, and it requires the 459
person to report to or be supervised by a parole officer, 460
probation officer, field officer, or another type of supervising 461
officer. 462

(2) The release is any type of release that is not 463
described in division (J)(1) of this section and that requires 464
the person to report to or be supervised by a probation officer, 465
a parole officer, a field officer, or another type of 466
supervising officer. 467

(K) "Sexually violent predator specification," "sexually 468
violent predator," "sexually violent offense," "sexual 469
motivation specification," "designated homicide, assault, or 470
kidnapping offense," and "violent sex offense" have the same 471
meanings as in section 2971.01 of the Revised Code. 472

(L) "Post-release control sanction" and "transitional 473
control" have the same meanings as in section 2967.01 of the 474
Revised Code. 475

(M) "Juvenile offender registrant" means a person who is 476
adjudicated a delinquent child for committing on or after 477
January 1, 2002, a sexually oriented offense or a child-victim 478
oriented offense, who is fourteen years of age or older at the 479
time of committing the offense, and who a juvenile court judge, 480

pursuant to an order issued under section 2152.82, 2152.83, 481
2152.84, 2152.85, or 2152.86 of the Revised Code, classifies a 482
juvenile offender registrant and specifies has a duty to comply 483
with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 484
Revised Code. "Juvenile offender registrant" includes a person 485
who prior to January 1, 2008, was a "juvenile offender 486
registrant" under the definition of the term in existence prior 487
to January 1, 2008, and a person who prior to July 31, 2003, was 488
a "juvenile sex offender registrant" under the former definition 489
of that former term. 490

(N) "Public registry-qualified juvenile offender 491
registrant" means a person who is adjudicated a delinquent child 492
and on whom a juvenile court has imposed a serious youthful 493
offender dispositional sentence under section 2152.13 of the 494
Revised Code before, on, or after January 1, 2008, and to whom 495
all of the following apply: 496

(1) The person is adjudicated a delinquent child for 497
committing, attempting to commit, conspiring to commit, or 498
complicity in committing one of the following acts: 499

(a) A violation of section 2907.02 of the Revised Code, 500
division (B) of section 2907.05 of the Revised Code, or section 501
2907.03 of the Revised Code if the victim of the violation was 502
less than twelve years of age; 503

(b) A violation of section 2903.01, 2903.02, or 2905.01 of 504
the Revised Code that was committed with a purpose to gratify 505
the sexual needs or desires of the child; 506

(c) A violation of division (B) of section 2903.03 of the 507
Revised Code. 508

(2) The person was fourteen, fifteen, sixteen, or 509

seventeen years of age at the time of committing the act. 510

(3) A juvenile court judge, pursuant to an order issued 511
under section 2152.86 of the Revised Code, classifies the person 512
a juvenile offender registrant, specifies the person has a duty 513
to comply with sections 2950.04, 2950.05, and 2950.06 of the 514
Revised Code, and classifies the person a public registry- 515
qualified juvenile offender registrant, and the classification 516
of the person as a public registry-qualified juvenile offender 517
registrant has not been terminated pursuant to division (D) of 518
section 2152.86 of the Revised Code. 519

(O) "Secure facility" means any facility that is designed 520
and operated to ensure that all of its entrances and exits are 521
locked and under the exclusive control of its staff and to 522
ensure that, because of that exclusive control, no person who is 523
institutionalized or confined in the facility may leave the 524
facility without permission or supervision. 525

(P) "Out-of-state juvenile offender registrant" means a 526
person who is adjudicated a delinquent child in a court in 527
another state, in a federal court, military court, or Indian 528
tribal court, or in a court in any nation other than the United 529
States for committing a sexually oriented offense or a child- 530
victim oriented offense, who on or after January 1, 2002, moves 531
to and resides in this state or temporarily is domiciled in this 532
state for more than five days, and who has a duty under section 533
2950.04 or 2950.041 of the Revised Code to register in this 534
state and the duty to otherwise comply with that applicable 535
section and sections 2950.05 and 2950.06 of the Revised Code. 536
"Out-of-state juvenile offender registrant" includes a person 537
who prior to January 1, 2008, was an "out-of-state juvenile 538
offender registrant" under the definition of the term in 539

existence prior to January 1, 2008, and a person who prior to 540
July 31, 2003, was an "out-of-state juvenile sex offender 541
registrant" under the former definition of that former term. 542

(Q) "Juvenile court judge" includes a magistrate to whom 543
the juvenile court judge confers duties pursuant to division (A) 544
(15) of section 2151.23 of the Revised Code. 545

(R) "Adjudicated a delinquent child for committing a 546
sexually oriented offense" includes a child who receives a 547
serious youthful offender dispositional sentence under section 548
2152.13 of the Revised Code for committing a sexually oriented 549
offense. 550

(S) "School" and "school premises" have the same meanings 551
as in section 2925.01 of the Revised Code. 552

(T) "Residential premises" means the building in which a 553
residential unit is located and the grounds upon which that 554
building stands, extending to the perimeter of the property. 555
"Residential premises" includes any type of structure in which a 556
residential unit is located, including, but not limited to, 557
multi-unit buildings and mobile and manufactured homes. 558

(U) "Residential unit" means a dwelling unit for 559
residential use and occupancy, and includes the structure or 560
part of a structure that is used as a home, residence, or 561
sleeping place by one person who maintains a household or two or 562
more persons who maintain a common household. "Residential unit" 563
does not include a halfway house or a community-based 564
correctional facility. 565

(V) "Multi-unit building" means a building in which is 566
located more than twelve residential units that have entry doors 567
that open directly into the unit from a hallway that is shared 568

with one or more other units. A residential unit is not 569
considered located in a multi-unit building if the unit does not 570
have an entry door that opens directly into the unit from a 571
hallway that is shared with one or more other units or if the 572
unit is in a building that is not a multi-unit building as 573
described in this division. 574

(W) "Community control sanction" has the same meaning as 575
in section 2929.01 of the Revised Code. 576

(X) "Halfway house" and "community-based correctional 577
facility" have the same meanings as in section 2929.01 of the 578
Revised Code. 579

(Y) A person is in a "restricted offender category" if 580
both of the following apply with respect to the person: 581

(1) The person has been convicted of, is convicted of, has 582
pleaded guilty to, or pleads guilty to a sexually oriented 583
offense where the victim was under the age of eighteen or a 584
child-victim oriented offense. 585

(2) With respect to the offense described in division (Y) 586
(1) of this section, one of the following applies: 587

(a) With respect to that offense, the person is a tier II 588
sex offender/child-victim offender or is a tier III sex 589
offender/child-victim offender who is subject to the duties 590
imposed by sections 2950.04, 2950.041, 2950.05, and 2950.06 of 591
the Revised Code. 592

(b) With respect to that offense if it was committed prior 593
to January 1, 2008, under the version of Chapter 2950. of the 594
Revised Code in effect prior to January 1, 2008, the person was 595
adjudicated a sexual predator, was adjudicated a child-victim 596
predator, was classified a habitual sex offender, or was 597

classified a habitual child-victim sex offender. 598

(Z) "Adjudicated a sexual predator," "adjudicated a child- 599
victim predator," "habitual sex offender," and "habitual child- 600
victim offender" have the meanings of those terms that applied 601
to them under Chapter 2950. of the Revised Code prior to January 602
1, 2008. 603

Section 2. That existing sections 2905.05 and 2950.01 of 604
the Revised Code are hereby repealed. 605