

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**S. B. No. 289**

**Senator Antonio**

**Cosponsors: Senators Hicks-Hudson, Smith, DeMora, Craig, Kunze**

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**A BILL**

To amend sections 2901.13 and 2933.82 and to enact  
section 2305.119 of the Revised Code to  
eliminate the period of limitation for the  
criminal prosecution of a person for rape and  
for a civil action brought by a victim of  
conduct that would constitute rape.

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

**Section 1.** That sections 2901.13 and 2933.82 be amended  
and section 2305.119 of the Revised Code be enacted to read as  
follows:

Sec. 2305.119. Notwithstanding any other section of the  
Revised Code to the contrary, there is no period of limitations  
for a civil action brought by a victim of conduct that would  
constitute a violation of section 2907.02 of the Revised Code or  
conduct that would constitute conspiracy to commit, complicity  
in committing, or attempting to commit a violation of section  
2907.02 of the Revised Code against the person who committed  
that conduct.

**Sec. 2901.13.** (A) (1) Except as provided in division (A)

(2), (3), (4), or (5) of this section or as otherwise provided 19  
in this section, a prosecution shall be barred unless it is 20  
commenced within the following periods after an offense is 21  
committed: 22

(a) For a felony, six years; 23

(b) For a misdemeanor other than a minor misdemeanor, two 24  
years; 25

(c) For a minor misdemeanor, six months. 26

(2) There is no period of limitation for the prosecution 27  
of ~~a~~ any of the following offenses: 28

(a) A violation of section 2903.01 ~~or, 2903.02, or~~ 29  
2907.02 of the Revised Code ~~or for the prosecution of a;~~ 30

(b) A conspiracy to commit, attempt to commit, or 31  
complicity in committing a violation of section 2903.01 ~~or, 2903.02,~~ 32  
or 2907.02 of the Revised Code. 33

(3) Except as otherwise provided in divisions (B) to (J) 34  
of this section, a prosecution of any of the following offenses 35  
shall be barred unless it is commenced within twenty years after 36  
the offense is committed: 37

(a) A violation of section 2903.03, 2903.04, 2905.01, 38  
2905.32, 2907.04, 2907.05, 2907.21, 2909.02, 2909.22, 2909.23, 39  
2909.24, 2909.26, 2909.27, 2909.28, 2909.29, 2911.01, 2911.02, 40  
2911.11, 2911.12, or 2917.02 of the Revised Code, a violation of 41  
section 2903.11 or 2903.12 of the Revised Code if the victim is 42  
a peace officer, a violation of section 2903.13 of the Revised 43  
Code that is a felony, or a violation of former section 2907.12 44  
of the Revised Code; 45

(b) A conspiracy to commit, attempt to commit, or 46

complicity in committing a violation set forth in division (A) 47  
(3) (a) of this section. 48

(4) Except as otherwise provided in divisions (D) to (L) 49  
of this section, a prosecution of a violation of section ~~2907.02~~ 50  
~~or~~ 2907.03 of the Revised Code or a conspiracy to commit, 51  
attempt to commit, or complicity in committing a violation of 52  
~~either that~~ section shall be barred unless it is commenced 53  
within twenty-five years after the offense is committed. 54

(5) (a) Except as otherwise provided in divisions (A) (5) (b) 55  
and (E) to (I) of this section, a prosecution of a violation of 56  
section 2907.13 of the Revised Code shall be barred unless it is 57  
commenced within five years after the offense is committed. 58

(b) Prosecution that would otherwise be barred under 59  
division (A) (5) (a) of this section may be commenced within five 60  
years after the date of the discovery of the offense by either 61  
an aggrieved person or the aggrieved person's legal 62  
representative who is not a party to the offense. 63

(c) As used in division (B) (5) (b) of this section, 64  
"aggrieved person" includes any of the following individuals 65  
with regard to a violation of section 2907.13 of the Revised 66  
Code: 67

(i) A patient who was the victim of the violation; 68

(ii) The spouse or surviving spouse of a patient who was 69  
the victim of the violation; 70

(iii) Any child born as a result of the violation. 71

(B) (1) Except as otherwise provided in division (B) (2) of 72  
this section, if the period of limitation provided in division 73  
(A) (1) or (3) of this section has expired, prosecution shall be 74

commenced for an offense of which an element is fraud or breach 75  
of a fiduciary duty, within one year after discovery of the 76  
offense either by an aggrieved person, or by the aggrieved 77  
person's legal representative who is not a party to the offense. 78

(2) If the period of limitation provided in division (A) 79  
(1) or (3) of this section has expired, prosecution for a 80  
violation of section 2913.49 of the Revised Code shall be 81  
commenced within five years after discovery of the offense 82  
either by an aggrieved person or the aggrieved person's legal 83  
representative who is not a party to the offense. 84

(C) (1) If the period of limitation provided in division 85  
(A) (1) or (3) of this section has expired, prosecution shall be 86  
commenced for the following offenses during the following 87  
specified periods of time: 88

(a) For an offense involving misconduct in office by a 89  
public servant, at any time while the accused remains a public 90  
servant, or within two years thereafter; 91

(b) For an offense by a person who is not a public servant 92  
but whose offense is directly related to the misconduct in 93  
office of a public servant, at any time while that public 94  
servant remains a public servant, or within two years 95  
thereafter. 96

(2) As used in this division: 97

(a) An "offense is directly related to the misconduct in 98  
office of a public servant" includes, but is not limited to, a 99  
violation of section 101.71, 101.91, 121.61 or 2921.13, division 100  
(F) or (H) of section 102.03, division (A) of section 2921.02, 101  
division (A) or (B) of section 2921.43, or division (F) or (G) 102  
of section 3517.13 of the Revised Code, that is directly related 103

to an offense involving misconduct in office of a public 104  
servant. 105

(b) "Public servant" has the same meaning as in section 106  
2921.01 of the Revised Code. 107

(D) (1) If a DNA record made in connection with the 108  
criminal investigation of the commission of a violation of 109  
section ~~2907.02~~ or 2907.03 of the Revised Code is determined to 110  
match another DNA record that is of an identifiable person and 111  
if the time of the determination is later than twenty-five years 112  
after the offense is committed, prosecution of that person for a 113  
violation of ~~the~~ that section may be commenced within five years 114  
after the determination is complete. 115

(2) If a DNA record made in connection with the criminal 116  
investigation of the commission of a violation of section 117  
~~2907.02~~ or 2907.03 of the Revised Code is determined to match 118  
another DNA record that is of an identifiable person and if the 119  
time of the determination is within twenty-five years after the 120  
offense is committed, prosecution of that person for a violation 121  
of ~~the~~ that section may be commenced within the longer of 122  
twenty-five years after the offense is committed or five years 123  
after the determination is complete. 124

(3) As used in this division, "DNA record" has the same 125  
meaning as in section 109.573 of the Revised Code. 126

(E) An offense is committed when every element of the 127  
offense occurs. In the case of an offense of which an element is 128  
a continuing course of conduct, the period of limitation does 129  
not begin to run until such course of conduct or the accused's 130  
accountability for it terminates, whichever occurs first. 131

(F) A prosecution is commenced on the date an indictment 132

is returned or an information filed, or on the date a lawful 133  
arrest without a warrant is made, or on the date a warrant, 134  
summons, citation, or other process is issued, whichever occurs 135  
first. A prosecution is not commenced by the return of an 136  
indictment or the filing of an information unless reasonable 137  
diligence is exercised to issue and execute process on the same. 138  
A prosecution is not commenced upon issuance of a warrant, 139  
summons, citation, or other process, unless reasonable diligence 140  
is exercised to execute the same. 141

(G) The period of limitation shall not run during any time 142  
when the corpus delicti remains undiscovered. 143

(H) The period of limitation shall not run during any time 144  
when the accused purposely avoids prosecution. Proof that the 145  
accused departed this state or concealed the accused's identity 146  
or whereabouts is prima-facie evidence of the accused's purpose 147  
to avoid prosecution. 148

(I) The period of limitation shall not run during any time 149  
a prosecution against the accused based on the same conduct is 150  
pending in this state, even though the indictment, information, 151  
or process that commenced the prosecution is quashed or the 152  
proceedings on the indictment, information, or process are set 153  
aside or reversed on appeal. 154

(J) The period of limitation for a violation of any 155  
provision of Title XXIX of the Revised Code that involves a 156  
physical or mental wound, injury, disability, or condition of a 157  
nature that reasonably indicates abuse or neglect of a child 158  
under eighteen years of age or of a child with a developmental 159  
disability or physical impairment under twenty-one years of age 160  
shall not begin to run until either of the following occurs: 161

(1) The victim of the offense reaches the age of majority.	162
(2) A public children services agency, or a municipal or county peace officer that is not the parent or guardian of the child, in the county in which the child resides or in which the abuse or neglect is occurring or has occurred has been notified that abuse or neglect is known, suspected, or believed to have occurred.	163 164 165 166 167 168
(K) As used in this section, "peace officer" has the same meaning as in section 2935.01 of the Revised Code.	169 170
(L) (1) The amendments to divisions (A) and (D) of this section that took effect on July 16, 2015, apply to a violation of section <del>2907.02 or</del> 2907.03 of the Revised Code committed on and after July 16, 2015, and apply to a violation of either of those sections committed prior to July 16, 2015, if prosecution for that violation was not barred under this section as it existed on the day prior to July 16, 2015.	171 172 173 174 175 176 177
(2) The amendment to division (A) (2) of this section that takes effect on <del>the effective date of this amendment</del> <u>April 4, 2023,</u> applies to a conspiracy to commit, attempt to commit, or complicity in committing a violation of section 2903.01 or 2903.02 of the Revised Code if the conspiracy, attempt, or complicity is committed on or after <del>the effective date of this amendment</del> <u>April 4, 2023,</u> and applies to a conspiracy to commit, attempt to commit, or complicity in committing a violation of either of those sections if the conspiracy, attempt, or complicity was committed prior to <del>that effective date</del> <u>April 4, 2023,</u> and prosecution for that conspiracy, attempt, or complicity was not barred under this section as it existed on the day prior to <del>that effective date</del> <u>April 4, 2023.</u>	178 179 180 181 182 183 184 185 186 187 188 189 190

<b>Sec. 2933.82.</b> (A) As used in this section:	191
(1) (a) "Biological evidence" means any of the following:	192
(i) The contents of a sexual assault examination kit;	193
(ii) Any item that contains blood, semen, hair, saliva,	194
skin tissue, fingernail scrapings, bone, bodily fluids, or any	195
other identifiable biological material that was collected as	196
part of a criminal investigation or delinquent child	197
investigation and that reasonably may be used to incriminate or	198
exculpate any person for an offense or delinquent act.	199
(b) The definition of "biological evidence" set forth in	200
division (A) (1) (a) of this section applies whether the material	201
in question is cataloged separately, such as on a slide or swab	202
or in a test tube, or is present on other evidence, including,	203
but not limited to, clothing, ligatures, bedding or other	204
household material, drinking cups or containers, or cigarettes.	205
(2) "Biological material" has the same meaning as in	206
section 2953.71 of the Revised Code.	207
(3) "DNA," "DNA analysis," "DNA database," "DNA record,"	208
and "DNA specimen" have the same meanings as in section 109.573	209
of the Revised Code.	210
(4) "Prosecutor" has the same meaning as in section	211
2935.01 of the Revised Code.	212
(5) "Governmental evidence-retention entity" means all of	213
the following:	214
(a) Any law enforcement agency, prosecutor's office,	215
court, public hospital, crime laboratory, or other governmental	216
or public entity or individual within this state that is charged	217
with the collection, storage, or retrieval of biological	218



evidence;	219
(b) Any official or employee of any entity or individual described in division (A) (5) (a) of this section.	220 221
(B) (1) Each governmental evidence-retention entity that secures any sexual assault examination kit in relation to an investigation or prosecution of a criminal offense or delinquent act that is a violation of section 2905.32 of the Revised Code, or any biological evidence in relation to an investigation or prosecution of a criminal offense or delinquent act that is a violation of section 2903.01, 2903.02, or 2903.03, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02 or 2907.03 or division (A) (4) or (B) of section 2907.05 of the Revised Code, or an attempt to commit a violation of section 2907.02 of the Revised Code shall secure the biological evidence for whichever of the following periods of time is applicable:	222 223 224 225 226 227 228 229 230 231 232 233 234
(a) For a violation of section 2903.01 <del> or, 2903.02, or 2907.02</del> <u>of the Revised Code, or an attempt to commit a violation of section 2907.02</u> of the Revised Code, for the period of time that the offense or act remains unsolved;	235 236 237 238
(b) For a violation of section 2903.03 or 2905.32, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section <del>2907.02 or 2907.03 or of</del> division (A) (4) or (B) of section 2907.05 of the Revised Code, <del>or an attempt to commit a violation of section 2907.02 of the Revised Code,</del> for a period of thirty years if the offense or act remains unsolved;	239 240 241 242 243 244 245
(c) If any person is convicted of or pleads guilty to the offense, or is adjudicated a delinquent child for committing the	246 247

delinquent act, for the earlier of the following: (i) the 248  
expiration of the latest of the following periods of time that 249  
apply to the person: the period of time that the person is 250  
incarcerated, is in a department of youth services institution 251  
or other juvenile facility, is under a community control 252  
sanction for that offense, is under any order of disposition for 253  
that act, is on probation or parole for that offense, is under 254  
judicial release or supervised release for that act, is under 255  
post-release control for that offense, is involved in civil 256  
litigation in connection with that offense or act, or is subject 257  
to registration and other duties imposed for that offense or act 258  
under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 259  
Revised Code or (ii) thirty years. If after the period of thirty 260  
years the person remains incarcerated, then the governmental 261  
evidence-retention entity shall secure the biological evidence 262  
until the person is released from incarceration or dies. 263

(2) (a) A law enforcement agency shall review all of its 264  
records and reports pertaining to its investigation of any 265  
offense specified in division (B) (1) of this section, except a 266  
violation of section 2905.32 of the Revised Code, as soon as 267  
possible after March 23, 2015. A law enforcement agency shall 268  
review all of its records and reports pertaining to its 269  
investigation of any violation of section 2905.32 of the Revised 270  
Code as soon as possible after April 4, 2023. If the law 271  
enforcement agency's review determines that one or more persons 272  
may have committed or participated in an offense specified in 273  
division (B) (1) of this section or another offense committed 274  
during the course of an offense specified in division (B) (1) of 275  
this section and the agency is in possession of a sexual assault 276  
examination kit secured during the course of the agency's 277  
investigation, as soon as possible, but not later than one year 278

after March 23, 2015, or, in the case of a violation of section 279  
2905.32 of the Revised Code, not later than one year after April 280  
4, 2023, the agency shall forward the contents of the kit to the 281  
bureau of criminal identification and investigation or another 282  
crime laboratory for a DNA analysis of the contents of the kit 283  
if a DNA analysis has not previously been performed on the 284  
contents of the kit. The law enforcement agency shall consider 285  
the period of time remaining under section 2901.13 of the 286  
Revised Code for commencing the prosecution of a criminal 287  
offense related to the DNA specimens from the kit as well as 288  
other relevant factors in prioritizing the forwarding of the 289  
contents of sexual assault examination kits. 290

(b) If an investigation is initiated on or after March 23, 291  
2015, or, in the case of a violation of section 2905.32 of the 292  
Revised Code, on or after April 4, 2023, and if a law 293  
enforcement agency investigating an offense specified in 294  
division (B)(1) of this section determines that one or more 295  
persons may have committed or participated in an offense 296  
specified in division (B)(1) of this section or another offense 297  
committed during the course of an offense specified in division 298  
(B)(1) of this section, the law enforcement agency shall forward 299  
the contents of a sexual assault examination kit in the agency's 300  
possession to the bureau or another crime laboratory within 301  
thirty days for a DNA analysis of the contents of the kit. 302

(c) A law enforcement agency shall be considered in the 303  
possession of a sexual assault examination kit that is not in 304  
the law enforcement agency's possession for purposes of 305  
divisions (B)(2)(a) and (b) of this section if the sexual 306  
assault examination kit contains biological evidence related to 307  
the law enforcement agency's investigation of an offense 308  
specified in division (B)(1) of this section and is in the 309

possession of another government evidence-retention entity. The 310  
law enforcement agency shall be responsible for retrieving the 311  
sexual assault examination kit from the government evidence- 312  
retention entity and forwarding the contents of the kit to the 313  
bureau or another crime laboratory as required under divisions 314  
(B) (2) (a) and (b) of this section. 315

(d) (i) The bureau or a laboratory under contract with the 316  
bureau pursuant to division (B) (5) of section 109.573 of the 317  
Revised Code shall perform a DNA analysis of the contents of any 318  
sexual assault examination kit forwarded to the bureau pursuant 319  
to division (B) (2) (a) or (b) of this section as soon as possible 320  
after the bureau receives the contents of the kit. The bureau 321  
shall enter the resulting DNA record into a DNA database. If the 322  
DNA analysis is performed by a laboratory under contract with 323  
the bureau, the laboratory shall forward the biological evidence 324  
to the bureau immediately after the laboratory performs the DNA 325  
analysis. A crime laboratory shall perform a DNA analysis of the 326  
contents of any sexual assault examination kit forwarded to the 327  
crime laboratory pursuant to division (B) (2) (a) or (b) of this 328  
section as soon as possible after the crime laboratory receives 329  
the contents of the kit and shall enter the resulting DNA record 330  
into a DNA database subject to the applicable DNA index system 331  
standards. 332

(ii) Upon the completion of the DNA analysis by the bureau 333  
or a crime laboratory under contract with the bureau under this 334  
division, the bureau shall return the contents of the sexual 335  
assault examination kit to the law enforcement agency. The law 336  
enforcement agency shall secure the contents of the sexual 337  
assault examination kit in accordance with division (B) (1) of 338  
this section, as applicable. 339

(e) The failure of any law enforcement agency to comply 340  
with any time limit specified in this section shall not create, 341  
and shall not be construed as creating, any basis or right to 342  
appeal, claim for or right to postconviction relief, or claim 343  
for or right to a new trial or any other claim or right to 344  
relief by any person. 345

(f) All governmental evidence-retention entities shall 346  
submit reports regarding sexual assault examination kit 347  
inventory to the attorney general as required under section 348  
2933.821 of the Revised Code. 349

(3) This section applies to sexual assault examination 350  
kits in the possession of any governmental evidence-retention 351  
entity during an investigation or prosecution of a criminal 352  
offense or delinquent act that is a violation of section 2905.32 353  
of the Revised Code, and any evidence likely to contain 354  
biological material that was in the possession of any 355  
governmental evidence-retention entity during the investigation 356  
and prosecution of a criminal case or delinquent child case 357  
involving a violation of section 2903.01, 2903.02, or 2903.03, a 358  
violation of section 2903.04 or 2903.06 that is a felony of the 359  
first or second degree, a violation of section 2907.02 or 360  
2907.03 or of division (A) (4) or (B) of section 2907.05 of the 361  
Revised Code, or an attempt to commit a violation of section 362  
2907.02 of the Revised Code. 363

(4) A governmental evidence-retention entity that 364  
possesses biological evidence shall retain the biological 365  
evidence in the amount and manner sufficient to develop a DNA 366  
record from the biological material contained in or included on 367  
the evidence. 368

(5) Upon written request by the defendant in a criminal 369

case or the alleged delinquent child in a delinquent child case 370  
involving a violation of section 2903.01, 2903.02, 2903.03, or 371  
2905.32, a violation of section 2903.04 or 2903.06 that is a 372  
felony of the first or second degree, a violation of section 373  
2907.02 or 2907.03 or of division (A) (4) or (B) of section 374  
2907.05 of the Revised Code, or an attempt to commit a violation 375  
of section 2907.02 of the Revised Code, a governmental evidence- 376  
retention entity that possesses biological evidence shall 377  
prepare an inventory of the biological evidence that has been 378  
preserved in connection with the defendant's criminal case or 379  
the alleged delinquent child's delinquent child case. 380

(6) Except as otherwise provided in division (B) (8) of 381  
this section, a governmental evidence-retention entity that 382  
possesses biological evidence that includes biological material 383  
may destroy the evidence before the expiration of the applicable 384  
period of time specified in division (B) (1) of this section if 385  
all of the following apply: 386

(a) No other provision of federal or state law requires 387  
the state to preserve the evidence. 388

(b) The governmental evidence-retention entity, by 389  
certified mail, return receipt requested, provides notice of 390  
intent to destroy the evidence to all of the following: 391

(i) All persons who remain in custody, incarcerated, in a 392  
department of youth services institution or other juvenile 393  
facility, under a community control sanction, under any order of 394  
disposition, on probation or parole, under judicial release or 395  
supervised release, under post-release control, involved in 396  
civil litigation, or subject to registration and other duties 397  
imposed for that offense or act under sections 2950.04, 398  
2950.041, 2950.05, and 2950.06 of the Revised Code as a result 399

of a criminal conviction, delinquency adjudication, or 400  
commitment related to the evidence in question; 401

(ii) The attorney of record for each person who is in 402  
custody in any circumstance described in division (B) (6) (b) (i) 403  
of this section if the attorney of record can be located; 404

(iii) The state public defender; 405

(iv) The office of the prosecutor of record in the case 406  
that resulted in the custody of the person in custody in any 407  
circumstance described in division (B) (6) (b) (i) of this section; 408

(v) The attorney general. 409

(c) No person who is notified under division (B) (6) (b) of 410  
this section does either of the following within one year after 411  
the date on which the person receives the notice: 412

(i) Files a motion for testing of evidence under sections 413  
2953.71 to 2953.81 or section 2953.82 of the Revised Code; 414

(ii) Submits a written request for retention of evidence 415  
to the governmental evidence-retention entity that provided 416  
notice of its intent to destroy evidence under division (B) (6) 417  
(b) of this section. 418

(7) Except as otherwise provided in division (B) (8) of 419  
this section, if, after providing notice under division (B) (6) 420  
(b) of this section of its intent to destroy evidence, a 421  
governmental evidence-retention entity receives a written 422  
request for retention of the evidence from any person to whom 423  
the notice is provided, the governmental evidence-retention 424  
entity shall retain the evidence while the person referred to in 425  
division (B) (6) (b) (i) of this section remains in custody, 426  
incarcerated, in a department of youth services institution or 427

other juvenile facility, under a community control sanction, 428  
under any order of disposition, on probation or parole, under 429  
judicial release or supervised release, under post-release 430  
control, involved in civil litigation, or subject to 431  
registration and other duties imposed for that offense or act 432  
under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 433  
Revised Code as a result of a criminal conviction, delinquency 434  
adjudication, or commitment related to the evidence in question. 435

(8) A governmental evidence-retention entity that 436  
possesses biological evidence that includes biological material 437  
may destroy the evidence five years after a person pleads guilty 438  
or no contest to a violation of section 2903.01, 2903.02, 439  
2903.03, or 2905.32, a violation of section 2903.04 or 2903.06 440  
that is a felony of the first or second degree, a violation of 441  
section 2907.02, 2907.03, division (A) (4) or (B) of section 442  
2907.05, or an attempt to commit a violation of section 2907.02 443  
of the Revised Code and all appeals have been exhausted unless 444  
either of the following applies: 445

(a) Upon a motion to the court by the person who pleaded 446  
guilty or no contest or the person's attorney and notice to 447  
those persons described in division (B) (6) (b) of this section 448  
requesting that the evidence not be destroyed, the court finds 449  
good cause as to why that evidence must be retained. 450

(b) A victim submits a request pursuant to section 109.68 451  
of the Revised Code for further preservation of a sexual assault 452  
examination kit or its probative contents beyond the intended 453  
destruction or disposal date. 454

(9) A governmental evidence-retention entity shall not be 455  
required to preserve physical evidence pursuant to this section 456  
that is of such a size, bulk, or physical character as to render 457



retention impracticable. When retention of physical evidence 458  
that otherwise would be required to be retained pursuant to this 459  
section is impracticable as described in this division, the 460  
governmental evidence-retention entity that otherwise would be 461  
required to retain the physical evidence shall remove and 462  
preserve portions of the material evidence likely to contain 463  
biological evidence related to the offense, in a quantity 464  
sufficient to permit future DNA testing before returning or 465  
disposing of that physical evidence. 466

(C) The office of the attorney general shall administer 467  
and conduct training programs for law enforcement officers and 468  
other relevant employees who are charged with preserving and 469  
cataloging biological evidence regarding the methods and 470  
procedures referenced in this section. 471

**Section 2.** That existing sections 2901.13 and 2933.82 of 472  
the Revised Code are hereby repealed. 473

**Section 3.** Section 2901.13 of the Revised Code is 474  
presented in this act as a composite of the section as amended 475  
by both S.B. 16 and S.B. 288 of the 134th General Assembly. The 476  
General Assembly, applying the principle stated in division (B) 477  
of section 1.52 of the Revised Code that amendments are to be 478  
harmonized if reasonably capable of simultaneous operation, 479  
finds that the composite is the resulting version of the section 480  
in effect prior to the effective date of the section as 481  
presented in this act. 482