

As Introduced

132nd General Assembly

Regular Session

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H. B. No. 92

Representative Schaffer

Cosponsors: Representatives Dean, Becker

A BILL

To amend sections 2907.09 and 2950.01 of the
Revised Code to require an offender who
knowingly commits the offense of public
indecenty under certain circumstances involving
exposure of private parts likely to be viewed by
minors and for the purpose of sexual arousal or
gratification to register as a Tier I sex
offender/child-victim offender.

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

Section 1. That sections 2907.09 and 2950.01 of the
Revised Code be amended to read as follows:

Sec. 2907.09. (A) No person shall recklessly do any of the
following, under circumstances in which the person's conduct is
likely to be viewed by and affront others who are in the
person's physical proximity and who are not members of the
person's household:

(1) Expose the person's private parts;

(2) Engage in sexual conduct or masturbation;

(3) Engage in conduct that to an ordinary observer would appear to be sexual conduct or masturbation.

(B) No person shall knowingly do any of the following, under circumstances in which the person's conduct is likely to be viewed by and affront another person who is in the person's physical proximity, who is a minor, and who is not the spouse of the offender, ~~and who resides in the person's household:~~

(1) Engage in masturbation;

(2) Engage in sexual conduct;

(3) Engage in conduct that to an ordinary observer would appear to be sexual conduct or masturbation;

(4) Expose the person's private parts with the purpose of personal sexual arousal or gratification or to lure the minor into sexual activity.

(C) (1) Whoever violates this section is guilty of public indecency and shall be punished as provided in divisions (C) (2), (3), (4), and (5) of this section.

(2) Except as otherwise provided in division (C) (2) of this section, a violation of division (A) (1) of this section is a misdemeanor of the fourth degree. If the offender previously has been convicted of or pleaded guilty to one violation of this section, a violation of division (A) (1) of this section is a misdemeanor of the third degree or, if any person who was likely to view and be affronted by the offender's conduct was a minor, a misdemeanor of the second degree. If the offender previously has been convicted of or pleaded guilty to two violations of this section, a violation of division (A) (1) of this section is a misdemeanor of the second degree or, if any person who was likely to view and be affronted by the offender's conduct was a

minor, a misdemeanor of the first degree. If the offender 47
previously has been convicted of or pleaded guilty to three or 48
more violations of this section, a violation of division (A)(1) 49
of this section is a misdemeanor of the first degree or, if any 50
person who was likely to view and be affronted by the offender's 51
conduct was a minor, a felony of the fifth degree. 52

(3) Except as otherwise provided in division (C)(3) of 53
this section, a violation of division (A)(2) or (3) of this 54
section is a misdemeanor of the third degree. If the offender 55
previously has been convicted of or pleaded guilty to one 56
violation of this section, a violation of division (A)(2) or (3) 57
of this section is a misdemeanor of the second degree or, if any 58
person who was likely to view and be affronted by the offender's 59
conduct was a minor, a misdemeanor of the first degree. If the 60
offender previously has been convicted of or pleaded guilty to 61
two or more violations of this section, a violation of division 62
(A)(2) or (3) of this section is a misdemeanor of the first 63
degree or, if any person who was likely to view and be affronted 64
by the offender's conduct was a minor, a felony of the fifth 65
degree. 66

(4) Except as otherwise provided in division (C)(4) of 67
this section, a violation of division (B)(1), (2), or (3) of 68
this section is a misdemeanor of the second degree. If the 69
offender previously has been convicted of or pleaded guilty to 70
one violation of this section, a violation of division (B)(1), 71
(2), or (3) of this section is a misdemeanor of the first 72
degree. If the offender previously has been convicted of or 73
pleaded guilty to two or more violations of this section, a 74
violation of division (B)(1), (2), or (3) of this section is a 75
felony of the fifth degree. 76

(5) Except as otherwise provided in division (C) (5) of 77
this section, a violation of division (B) (4) of this section is 78
a misdemeanor of the first degree. If the offender previously 79
has been convicted of or pleaded guilty to any violation of this 80
section, a violation of division (B) (4) of this section is a 81
felony of the fifth degree. 82

Sec. 2950.01. As used in this chapter, unless the context 83
clearly requires otherwise: 84

(A) "Sexually oriented offense" means any of the following 85
violations or offenses committed by a person, regardless of the 86
person's age: 87

(1) A violation of section 2907.02, 2907.03, 2907.05, 88
2907.06, 2907.07, 2907.08, 2907.21, 2907.22, 2907.32, 2907.321, 89
2907.322, or 2907.323 of the Revised Code; 90

(2) A violation of section 2907.04 of the Revised Code 91
when the offender is less than four years older than the other 92
person with whom the offender engaged in sexual conduct, the 93
other person did not consent to the sexual conduct, and the 94
offender previously has not been convicted of or pleaded guilty 95
to a violation of section 2907.02, 2907.03, or 2907.04 of the 96
Revised Code or a violation of former section 2907.12 of the 97
Revised Code; 98

(3) A violation of section 2907.04 of the Revised Code 99
when the offender is at least four years older than the other 100
person with whom the offender engaged in sexual conduct or when 101
the offender is less than four years older than the other person 102
with whom the offender engaged in sexual conduct and the 103
offender previously has been convicted of or pleaded guilty to a 104
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 105

Code or a violation of former section 2907.12 of the Revised 106
Code; 107

(4) A violation of section 2903.01, 2903.02, or 2903.11 of 108
the Revised Code when the violation was committed with a sexual 109
motivation; 110

(5) A violation of division (A) of section 2903.04 of the 111
Revised Code when the offender committed or attempted to commit 112
the felony that is the basis of the violation with a sexual 113
motivation; 114

(6) A violation of division (A) (3) of section 2903.211 of 115
the Revised Code; 116

(7) A violation of division (A) (1), (2), (3), or (5) of 117
section 2905.01 of the Revised Code when the offense is 118
committed with a sexual motivation; 119

(8) A violation of division (A) (4) of section 2905.01 of 120
the Revised Code; 121

(9) A violation of division (B) of section 2905.01 of the 122
Revised Code when the victim of the offense is under eighteen 123
years of age and the offender is not a parent of the victim of 124
the offense; 125

(10) A violation of division (B) of section 2903.03, of 126
division (B) of section 2905.02, of division (B) of section 127
2905.03, of division (B) of section 2905.05, or of division (B) 128
(5) of section 2919.22 of the Revised Code; 129

(11) A violation of section 2905.32 of the Revised Code 130
when any of the following applies: 131

(a) The violation is a violation of division (A) (1) of 132
that section and the offender knowingly recruited, lured, 133

enticed, isolated, harbored, transported, provided, obtained, or 134
maintained, or knowingly attempted to recruit, lure, entice, 135
isolate, harbor, transport, provide, obtain, or maintain, 136
another person knowing that the person would be compelled to 137
engage in sexual activity for hire, engage in a performance that 138
was obscene, sexually oriented, or nudity oriented, or be a 139
model or participant in the production of material that was 140
obscene, sexually oriented, or nudity oriented. 141

(b) The violation is a violation of division (A) (2) of 142
that section and the offender knowingly recruited, lured, 143
enticed, isolated, harbored, transported, provided, obtained, or 144
maintained, or knowingly attempted to recruit, lure, entice, 145
isolate, harbor, transport, provide, obtain, or maintain a 146
person who is less than sixteen years of age or is a person with 147
a developmental disability whom the offender knows or has 148
reasonable cause to believe is a person with a developmental 149
disability for any purpose listed in divisions (A) (2) (a) to (c) 150
of that section. 151

(c) The violation is a violation of division (A) (3) of 152
that section, the offender knowingly recruited, lured, enticed, 153
isolated, harbored, transported, provided, obtained, or 154
maintained, or knowingly attempted to recruit, lure, entice, 155
isolate, harbor, transport, provide, obtain, or maintain a 156
person who is sixteen or seventeen years of age for any purpose 157
listed in divisions (A) (2) (a) to (c) of that section, and the 158
circumstances described in division (A) (5), (6), (7), (8), (9), 159
(10), (11), (12), or (13) of section 2907.03 of the Revised Code 160
apply with respect to the offender and the other person. 161

(12) A violation of division (B) (4) of section 2907.09 of 162
the Revised Code; 163

(13) A violation of any former law of this state, any 164
existing or former municipal ordinance or law of another state 165
or the United States, any existing or former law applicable in a 166
military court or in an Indian tribal court, or any existing or 167
former law of any nation other than the United States that is or 168
was substantially equivalent to any offense listed in division 169
(A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), ~~or (11)~~, or 170
(12) of this section; 171

~~(13)~~ (14) A violation of division (A) (3) of section 172
2907.24 of the Revised Code; 173

~~(14)~~ (15) Any attempt to commit, conspiracy to commit, or 174
complicity in committing any offense listed in division (A) (1), 175
(2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), ~~or~~ 176
(13), or (14) of this section. 177

(B) (1) "Sex offender" means, subject to division (B) (2) of 178
this section, a person who is convicted of, pleads guilty to, 179
has been convicted of, has pleaded guilty to, is adjudicated a 180
delinquent child for committing, or has been adjudicated a 181
delinquent child for committing any sexually oriented offense. 182

(2) "Sex offender" does not include a person who is 183
convicted of, pleads guilty to, has been convicted of, has 184
pleaded guilty to, is adjudicated a delinquent child for 185
committing, or has been adjudicated a delinquent child for 186
committing a sexually oriented offense if the offense involves 187
consensual sexual conduct or consensual sexual contact and 188
either of the following applies: 189

(a) The victim of the sexually oriented offense was 190
eighteen years of age or older and at the time of the sexually 191
oriented offense was not under the custodial authority of the 192

person who is convicted of, pleads guilty to, has been convicted 193
of, has pleaded guilty to, is adjudicated a delinquent child for 194
committing, or has been adjudicated a delinquent child for 195
committing the sexually oriented offense. 196

(b) The victim of the offense was thirteen years of age or 197
older, and the person who is convicted of, pleads guilty to, has 198
been convicted of, has pleaded guilty to, is adjudicated a 199
delinquent child for committing, or has been adjudicated a 200
delinquent child for committing the sexually oriented offense is 201
not more than four years older than the victim. 202

(C) "Child-victim oriented offense" means any of the 203
following violations or offenses committed by a person, 204
regardless of the person's age, when the victim is under 205
eighteen years of age and is not a child of the person who 206
commits the violation: 207

(1) A violation of division (A)(1), (2), (3), or (5) of 208
section 2905.01 of the Revised Code when the violation is not 209
included in division (A)(7) of this section; 210

(2) A violation of division (A) of section 2905.02, 211
division (A) of section 2905.03, or division (A) of section 212
2905.05 of the Revised Code; 213

(3) A violation of any former law of this state, any 214
existing or former municipal ordinance or law of another state 215
or the United States, any existing or former law applicable in a 216
military court or in an Indian tribal court, or any existing or 217
former law of any nation other than the United States that is or 218
was substantially equivalent to any offense listed in division 219
(C)(1) or (2) of this section; 220

(4) Any attempt to commit, conspiracy to commit, or 221

complicity in committing any offense listed in division (C) (1), 222
(2), or (3) of this section. 223

(D) "Child-victim offender" means a person who is 224
convicted of, pleads guilty to, has been convicted of, has 225
pleaded guilty to, is adjudicated a delinquent child for 226
committing, or has been adjudicated a delinquent child for 227
committing any child-victim oriented offense. 228

(E) "Tier I sex offender/child-victim offender" means any 229
of the following: 230

(1) A sex offender who is convicted of, pleads guilty to, 231
has been convicted of, or has pleaded guilty to any of the 232
following sexually oriented offenses: 233

(a) A violation of section 2907.06, 2907.07, 2907.08, 234
2907.22, or 2907.32 of the Revised Code; 235

(b) A violation of section 2907.04 of the Revised Code 236
when the offender is less than four years older than the other 237
person with whom the offender engaged in sexual conduct, the 238
other person did not consent to the sexual conduct, and the 239
offender previously has not been convicted of or pleaded guilty 240
to a violation of section 2907.02, 2907.03, or 2907.04 of the 241
Revised Code or a violation of former section 2907.12 of the 242
Revised Code; 243

(c) A violation of division (A) (1), (2), (3), or (5) of 244
section 2907.05 of the Revised Code; 245

(d) A violation of division (A) (3) of section 2907.323 of 246
the Revised Code; 247

(e) A violation of division (A) (3) of section 2903.211, of 248
division (B) of section 2905.03, or of division (B) of section 249

2905.05 of the Revised Code; 250

(f) A violation of division (B) (4) of section 2907.09 of 251
the Revised Code; 252

(g) A violation of any former law of this state, any 253
existing or former municipal ordinance or law of another state 254
or the United States, any existing or former law applicable in a 255
military court or in an Indian tribal court, or any existing or 256
former law of any nation other than the United States, that is 257
or was substantially equivalent to any offense listed in 258
division (E) (1) (a), (b), (c), (d), ~~or (e)~~, or (f) of this 259
section; 260

~~(g)~~ (h) Any attempt to commit, conspiracy to commit, or 261
complicity in committing any offense listed in division (E) (1) 262
(a), (b), (c), (d), (e), ~~or (f)~~, or (g) of this section. 263

(2) A child-victim offender who is convicted of, pleads 264
guilty to, has been convicted of, or has pleaded guilty to a 265
child-victim oriented offense and who is not within either 266
category of child-victim offender described in division (F) (2) 267
or (G) (2) of this section. 268

(3) A sex offender who is adjudicated a delinquent child 269
for committing or has been adjudicated a delinquent child for 270
committing any sexually oriented offense and who a juvenile 271
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 272
of the Revised Code, classifies a tier I sex offender/child- 273
victim offender relative to the offense. 274

(4) A child-victim offender who is adjudicated a 275
delinquent child for committing or has been adjudicated a 276
delinquent child for committing any child-victim oriented 277
offense and who a juvenile court, pursuant to section 2152.82, 278

2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 279
tier I sex offender/child-victim offender relative to the 280
offense. 281

(F) "Tier II sex offender/child-victim offender" means any 282
of the following: 283

(1) A sex offender who is convicted of, pleads guilty to, 284
has been convicted of, or has pleaded guilty to any of the 285
following sexually oriented offenses: 286

(a) A violation of section 2907.21, 2907.321, or 2907.322 287
of the Revised Code; 288

(b) A violation of section 2907.04 of the Revised Code 289
when the offender is at least four years older than the other 290
person with whom the offender engaged in sexual conduct, or when 291
the offender is less than four years older than the other person 292
with whom the offender engaged in sexual conduct and the 293
offender previously has been convicted of or pleaded guilty to a 294
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 295
Code or former section 2907.12 of the Revised Code; 296

(c) A violation of division (A)(4) of section 2907.05, of 297
division (A)(3) of section 2907.24, or of division (A)(1) or (2) 298
of section 2907.323 of the Revised Code; 299

(d) A violation of division (A)(1), (2), (3), or (5) of 300
section 2905.01 of the Revised Code when the offense is 301
committed with a sexual motivation; 302

(e) A violation of division (A)(4) of section 2905.01 of 303
the Revised Code when the victim of the offense is eighteen 304
years of age or older; 305

(f) A violation of division (B) of section 2905.02 or of 306

division (B) (5) of section 2919.22 of the Revised Code; 307

(g) A violation of section 2905.32 of the Revised Code 308
that is described in division (A) (11) (a), (b), or (c) of this 309
section; 310

(h) A violation of any former law of this state, any 311
existing or former municipal ordinance or law of another state 312
or the United States, any existing or former law applicable in a 313
military court or in an Indian tribal court, or any existing or 314
former law of any nation other than the United States that is or 315
was substantially equivalent to any offense listed in division 316
(F) (1) (a), (b), (c), (d), (e), (f), or (g) of this section; 317

(i) Any attempt to commit, conspiracy to commit, or 318
complicity in committing any offense listed in division (F) (1) 319
(a), (b), (c), (d), (e), (f), (g), or (h) of this section; 320

(j) Any sexually oriented offense that is committed after 321
the sex offender previously has been convicted of, pleaded 322
guilty to, or has been adjudicated a delinquent child for 323
committing any sexually oriented offense or child-victim 324
oriented offense for which the offender was classified a tier I 325
sex offender/child-victim offender. 326

(2) A child-victim offender who is convicted of, pleads 327
guilty to, has been convicted of, or has pleaded guilty to any 328
child-victim oriented offense when the child-victim oriented 329
offense is committed after the child-victim offender previously 330
has been convicted of, pleaded guilty to, or been adjudicated a 331
delinquent child for committing any sexually oriented offense or 332
child-victim oriented offense for which the offender was 333
classified a tier I sex offender/child-victim offender. 334

(3) A sex offender who is adjudicated a delinquent child 335

for committing or has been adjudicated a delinquent child for 336
committing any sexually oriented offense and who a juvenile 337
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 338
of the Revised Code, classifies a tier II sex offender/child- 339
victim offender relative to the offense. 340

(4) A child-victim offender who is adjudicated a 341
delinquent child for committing or has been adjudicated a 342
delinquent child for committing any child-victim oriented 343
offense and whom a juvenile court, pursuant to section 2152.82, 344
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 345
tier II sex offender/child-victim offender relative to the 346
current offense. 347

(5) A sex offender or child-victim offender who is not in 348
any category of tier II sex offender/child-victim offender set 349
forth in division (F)(1), (2), (3), or (4) of this section, who 350
prior to January 1, 2008, was adjudicated a delinquent child for 351
committing a sexually oriented offense or child-victim oriented 352
offense, and who prior to that date was determined to be a 353
habitual sex offender or determined to be a habitual child- 354
victim offender, unless either of the following applies: 355

(a) The sex offender or child-victim offender is 356
reclassified pursuant to section 2950.031 or 2950.032 of the 357
Revised Code as a tier I sex offender/child-victim offender or a 358
tier III sex offender/child-victim offender relative to the 359
offense. 360

(b) A juvenile court, pursuant to section 2152.82, 361
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies the 362
child a tier I sex offender/child-victim offender or a tier III 363
sex offender/child-victim offender relative to the offense. 364

(G) "Tier III sex offender/child-victim offender" means 365
any of the following: 366

(1) A sex offender who is convicted of, pleads guilty to, 367
has been convicted of, or has pleaded guilty to any of the 368
following sexually oriented offenses: 369

(a) A violation of section 2907.02 or 2907.03 of the 370
Revised Code; 371

(b) A violation of division (B) of section 2907.05 of the 372
Revised Code; 373

(c) A violation of section 2903.01, 2903.02, or 2903.11 of 374
the Revised Code when the violation was committed with a sexual 375
motivation; 376

(d) A violation of division (A) of section 2903.04 of the 377
Revised Code when the offender committed or attempted to commit 378
the felony that is the basis of the violation with a sexual 379
motivation; 380

(e) A violation of division (A) (4) of section 2905.01 of 381
the Revised Code when the victim of the offense is under 382
eighteen years of age; 383

(f) A violation of division (B) of section 2905.01 of the 384
Revised Code when the victim of the offense is under eighteen 385
years of age and the offender is not a parent of the victim of 386
the offense; 387

(g) A violation of division (B) of section 2903.03 of the 388
Revised Code; 389

(h) A violation of any former law of this state, any 390
existing or former municipal ordinance or law of another state 391
or the United States, any existing or former law applicable in a 392

military court or in an Indian tribal court, or any existing or 393
former law of any nation other than the United States that is or 394
was substantially equivalent to any offense listed in division 395
(G) (1) (a), (b), (c), (d), (e), (f), or (g) of this section; 396

(i) Any attempt to commit, conspiracy to commit, or 397
complicity in committing any offense listed in division (G) (1) 398
(a), (b), (c), (d), (e), (f), (g), or (h) of this section; 399

(j) Any sexually oriented offense that is committed after 400
the sex offender previously has been convicted of, pleaded 401
guilty to, or been adjudicated a delinquent child for committing 402
any sexually oriented offense or child-victim oriented offense 403
for which the offender was classified a tier II sex 404
offender/child-victim offender or a tier III sex offender/child- 405
victim offender. 406

(2) A child-victim offender who is convicted of, pleads 407
guilty to, has been convicted of, or has pleaded guilty to any 408
child-victim oriented offense when the child-victim oriented 409
offense is committed after the child-victim offender previously 410
has been convicted of, pleaded guilty to, or been adjudicated a 411
delinquent child for committing any sexually oriented offense or 412
child-victim oriented offense for which the offender was 413
classified a tier II sex offender/child-victim offender or a 414
tier III sex offender/child-victim offender. 415

(3) A sex offender who is adjudicated a delinquent child 416
for committing or has been adjudicated a delinquent child for 417
committing any sexually oriented offense and who a juvenile 418
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 419
of the Revised Code, classifies a tier III sex offender/child- 420
victim offender relative to the offense. 421

(4) A child-victim offender who is adjudicated a 422
delinquent child for committing or has been adjudicated a 423
delinquent child for committing any child-victim oriented 424
offense and whom a juvenile court, pursuant to section 2152.82, 425
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 426
tier III sex offender/child-victim offender relative to the 427
current offense. 428

(5) A sex offender or child-victim offender who is not in 429
any category of tier III sex offender/child-victim offender set 430
forth in division (G)(1), (2), (3), or (4) of this section, who 431
prior to January 1, 2008, was convicted of or pleaded guilty to 432
a sexually oriented offense or child-victim oriented offense or 433
was adjudicated a delinquent child for committing a sexually 434
oriented offense or child-victim oriented offense and classified 435
a juvenile offender registrant, and who prior to that date was 436
adjudicated a sexual predator or adjudicated a child-victim 437
predator, unless either of the following applies: 438

(a) The sex offender or child-victim offender is 439
reclassified pursuant to section 2950.031 or 2950.032 of the 440
Revised Code as a tier I sex offender/child-victim offender or a 441
tier II sex offender/child-victim offender relative to the 442
offense. 443

(b) The sex offender or child-victim offender is a 444
delinquent child, and a juvenile court, pursuant to section 445
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, 446
classifies the child a tier I sex offender/child-victim offender 447
or a tier II sex offender/child-victim offender relative to the 448
offense. 449

(6) A sex offender who is convicted of, pleads guilty to, 450
was convicted of, or pleaded guilty to a sexually oriented 451

offense, if the sexually oriented offense and the circumstances 452
in which it was committed are such that division (F) of section 453
2971.03 of the Revised Code automatically classifies the 454
offender as a tier III sex offender/child-victim offender; 455

(7) A sex offender or child-victim offender who is 456
convicted of, pleads guilty to, was convicted of, pleaded guilty 457
to, is adjudicated a delinquent child for committing, or was 458
adjudicated a delinquent child for committing a sexually 459
oriented offense or child-victim offense in another state, in a 460
federal court, military court, or Indian tribal court, or in a 461
court in any nation other than the United States if both of the 462
following apply: 463

(a) Under the law of the jurisdiction in which the 464
offender was convicted or pleaded guilty or the delinquent child 465
was adjudicated, the offender or delinquent child is in a 466
category substantially equivalent to a category of tier III sex 467
offender/child-victim offender described in division (G) (1), 468
(2), (3), (4), (5), or (6) of this section. 469

(b) Subsequent to the conviction, plea of guilty, or 470
adjudication in the other jurisdiction, the offender or 471
delinquent child resides, has temporary domicile, attends school 472
or an institution of higher education, is employed, or intends 473
to reside in this state in any manner and for any period of time 474
that subjects the offender or delinquent child to a duty to 475
register or provide notice of intent to reside under section 476
2950.04 or 2950.041 of the Revised Code. 477

(H) "Confinement" includes, but is not limited to, a 478
community residential sanction imposed pursuant to section 479
2929.16 or 2929.26 of the Revised Code. 480

(I) "Prosecutor" has the same meaning as in section 481
2935.01 of the Revised Code. 482

(J) "Supervised release" means a release of an offender 483
from a prison term, a term of imprisonment, or another type of 484
confinement that satisfies either of the following conditions: 485

(1) The release is on parole, a conditional pardon, under 486
a community control sanction, under transitional control, or 487
under a post-release control sanction, and it requires the 488
person to report to or be supervised by a parole officer, 489
probation officer, field officer, or another type of supervising 490
officer. 491

(2) The release is any type of release that is not 492
described in division (J) (1) of this section and that requires 493
the person to report to or be supervised by a probation officer, 494
a parole officer, a field officer, or another type of 495
supervising officer. 496

(K) "Sexually violent predator specification," "sexually 497
violent predator," "sexually violent offense," "sexual 498
motivation specification," "designated homicide, assault, or 499
kidnapping offense," and "violent sex offense" have the same 500
meanings as in section 2971.01 of the Revised Code. 501

(L) "Post-release control sanction" and "transitional 502
control" have the same meanings as in section 2967.01 of the 503
Revised Code. 504

(M) "Juvenile offender registrant" means a person who is 505
adjudicated a delinquent child for committing on or after 506
January 1, 2002, a sexually oriented offense or a child-victim 507
oriented offense, who is fourteen years of age or older at the 508
time of committing the offense, and who a juvenile court judge, 509

pursuant to an order issued under section 2152.82, 2152.83, 510
2152.84, 2152.85, or 2152.86 of the Revised Code, classifies a 511
juvenile offender registrant and specifies has a duty to comply 512
with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 513
Revised Code. "Juvenile offender registrant" includes a person 514
who prior to January 1, 2008, was a "juvenile offender 515
registrant" under the definition of the term in existence prior 516
to January 1, 2008, and a person who prior to July 31, 2003, was 517
a "juvenile sex offender registrant" under the former definition 518
of that former term. 519

(N) "Public registry-qualified juvenile offender 520
registrant" means a person who is adjudicated a delinquent child 521
and on whom a juvenile court has imposed a serious youthful 522
offender dispositional sentence under section 2152.13 of the 523
Revised Code before, on, or after January 1, 2008, and to whom 524
all of the following apply: 525

(1) The person is adjudicated a delinquent child for 526
committing, attempting to commit, conspiring to commit, or 527
complicity in committing one of the following acts: 528

(a) A violation of section 2907.02 of the Revised Code, 529
division (B) of section 2907.05 of the Revised Code, or section 530
2907.03 of the Revised Code if the victim of the violation was 531
less than twelve years of age; 532

(b) A violation of section 2903.01, 2903.02, or 2905.01 of 533
the Revised Code that was committed with a purpose to gratify 534
the sexual needs or desires of the child; 535

(c) A violation of division (B) of section 2903.03 of the 536
Revised Code. 537

(2) The person was fourteen, fifteen, sixteen, or 538

seventeen years of age at the time of committing the act. 539

(3) A juvenile court judge, pursuant to an order issued 540
under section 2152.86 of the Revised Code, classifies the person 541
a juvenile offender registrant, specifies the person has a duty 542
to comply with sections 2950.04, 2950.05, and 2950.06 of the 543
Revised Code, and classifies the person a public registry- 544
qualified juvenile offender registrant, and the classification 545
of the person as a public registry-qualified juvenile offender 546
registrant has not been terminated pursuant to division (D) of 547
section 2152.86 of the Revised Code. 548

(O) "Secure facility" means any facility that is designed 549
and operated to ensure that all of its entrances and exits are 550
locked and under the exclusive control of its staff and to 551
ensure that, because of that exclusive control, no person who is 552
institutionalized or confined in the facility may leave the 553
facility without permission or supervision. 554

(P) "Out-of-state juvenile offender registrant" means a 555
person who is adjudicated a delinquent child in a court in 556
another state, in a federal court, military court, or Indian 557
tribal court, or in a court in any nation other than the United 558
States for committing a sexually oriented offense or a child- 559
victim oriented offense, who on or after January 1, 2002, moves 560
to and resides in this state or temporarily is domiciled in this 561
state for more than five days, and who has a duty under section 562
2950.04 or 2950.041 of the Revised Code to register in this 563
state and the duty to otherwise comply with that applicable 564
section and sections 2950.05 and 2950.06 of the Revised Code. 565
"Out-of-state juvenile offender registrant" includes a person 566
who prior to January 1, 2008, was an "out-of-state juvenile 567
offender registrant" under the definition of the term in 568

existence prior to January 1, 2008, and a person who prior to 569
July 31, 2003, was an "out-of-state juvenile sex offender 570
registrant" under the former definition of that former term. 571

(Q) "Juvenile court judge" includes a magistrate to whom 572
the juvenile court judge confers duties pursuant to division (A) 573
(15) of section 2151.23 of the Revised Code. 574

(R) "Adjudicated a delinquent child for committing a 575
sexually oriented offense" includes a child who receives a 576
serious youthful offender dispositional sentence under section 577
2152.13 of the Revised Code for committing a sexually oriented 578
offense. 579

(S) "School" and "school premises" have the same meanings 580
as in section 2925.01 of the Revised Code. 581

(T) "Residential premises" means the building in which a 582
residential unit is located and the grounds upon which that 583
building stands, extending to the perimeter of the property. 584
"Residential premises" includes any type of structure in which a 585
residential unit is located, including, but not limited to, 586
multi-unit buildings and mobile and manufactured homes. 587

(U) "Residential unit" means a dwelling unit for 588
residential use and occupancy, and includes the structure or 589
part of a structure that is used as a home, residence, or 590
sleeping place by one person who maintains a household or two or 591
more persons who maintain a common household. "Residential unit" 592
does not include a halfway house or a community-based 593
correctional facility. 594

(V) "Multi-unit building" means a building in which is 595
located more than twelve residential units that have entry doors 596
that open directly into the unit from a hallway that is shared 597

with one or more other units. A residential unit is not 598
considered located in a multi-unit building if the unit does not 599
have an entry door that opens directly into the unit from a 600
hallway that is shared with one or more other units or if the 601
unit is in a building that is not a multi-unit building as 602
described in this division. 603

(W) "Community control sanction" has the same meaning as 604
in section 2929.01 of the Revised Code. 605

(X) "Halfway house" and "community-based correctional 606
facility" have the same meanings as in section 2929.01 of the 607
Revised Code. 608

Section 2. That existing sections 2907.09 and 2950.01 of 609
the Revised Code are hereby repealed. 610