

AN ACT

To amend sections 1923.02, 2950.034, 5103.13, 5103.131, 5321.03, and 5321.051; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5103.132 (5103.6016); and to enact sections 5103.60, 5103.602, 5103.603, 5103.608, 5103.609, 5103.6010, 5103.6011, 5103.6012, 5103.6015, 5103.6017, 5103.6018, 5103.61, 5103.611, 5103.612, 5103.614, 5103.615, and 5103.617 of the Revised Code regarding children's crisis care facilities and residential infant care centers.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 1923.02, 2950.034, 5103.13, 5103.131, 5321.03, and 5321.051 be amended; section 5103.132 (5103.6016) be amended for the purpose of adopting a new section number as indicated in parentheses; and sections 5103.60, 5103.602, 5103.603, 5103.608, 5103.609, 5103.6010, 5103.6011, 5103.6012, 5103.6015, 5103.6017, 5103.6018, 5103.61, 5103.611, 5103.612, 5103.614, 5103.615, and 5103.617 of the Revised Code be enacted to read as follows:

Sec. 1923.02. (A) Proceedings under this chapter may be had as follows:

- (1) Against tenants or manufactured home park residents holding over their terms;
- (2) Against tenants or manufactured home park residents in possession under an oral tenancy, who are in default in the payment of rent as provided in division (B) of this section;
- (3) In sales of real estate, on executions, orders, or other judicial process, when the judgment debtor was in possession at the time of the rendition of the judgment or decree, by virtue of which the sale was made;
- (4) In sales by executors, administrators, or guardians, and on partition, when any of the parties to the complaint were in possession at the commencement of the action, after the sales, so made on execution or otherwise, have been examined by the proper court and adjudged legal;
- (5) When the defendant is an occupier of lands or tenements, without color of title, and the complainant has the right of possession to them;
- (6) In any other case of the unlawful and forcible detention of lands or tenements. For purposes of this division, in addition to any other type of unlawful and forcible detention of lands or tenements, such a detention may be determined to exist when both of the following apply:
 - (a) A tenant fails to vacate residential premises within three days after both of the following occur:
 - (i) The tenant's landlord has actual knowledge of or has reasonable cause to believe that the tenant, any person in the tenant's household, or any person on the premises with the consent of the tenant previously has or presently is engaged in a violation of Chapter 2925. or 3719. of the Revised Code, or of a municipal ordinance that is substantially similar to any section in either of those

chapters, which involves a controlled substance and which occurred in, is occurring in, or otherwise was or is connected with the premises, whether or not the tenant or other person has been charged with, has pleaded guilty to or been convicted of, or has been determined to be a delinquent child for an act that, if committed by an adult, would be a violation as described in this division. For purposes of this division, a landlord has "actual knowledge of or has reasonable cause to believe" that a tenant, any person in the tenant's household, or any person on the premises with the consent of the tenant previously has or presently is engaged in a violation as described in this division if a search warrant was issued pursuant to Criminal Rule 41 or Chapter 2933. of the Revised Code; the affidavit presented to obtain the warrant named or described the tenant or person as the individual to be searched and particularly described the tenant's premises as the place to be searched, named or described one or more controlled substances to be searched for and seized, stated substantially the offense under Chapter 2925. or 3719. of the Revised Code or the substantially similar municipal ordinance that occurred in, is occurring in, or otherwise was or is connected with the tenant's premises, and states the factual basis for the affiant's belief that the controlled substances are located on the tenant's premises; the warrant was properly executed by a law enforcement officer and any controlled substance described in the affidavit was found by that officer during the search and seizure; and, subsequent to the search and seizure, the landlord was informed by that or another law enforcement officer of the fact that the tenant or person has or presently is engaged in a violation as described in this division and it occurred in, is occurring in, or otherwise was or is connected with the tenant's premises.

(ii) The landlord gives the tenant the notice required by division (C) of section 5321.17 of the Revised Code.

(b) The court determines, by a preponderance of the evidence, that the tenant, any person in the tenant's household, or any person on the premises with the consent of the tenant previously has or presently is engaged in a violation as described in division (A)(6)(a)(i) of this section.

(7) In cases arising out of Chapter 5313. of the Revised Code. In those cases, the court has the authority to declare a forfeiture of the vendee's rights under a land installment contract and to grant any other claims arising out of the contract.

(8) Against tenants who have breached an obligation that is imposed by section 5321.05 of the Revised Code, other than the obligation specified in division (A)(9) of that section, and that materially affects health and safety. Prior to the commencement of an action under this division, notice shall be given to the tenant and compliance secured with section 5321.11 of the Revised Code.

(9) Against tenants who have breached an obligation imposed upon them by a written rental agreement;

(10) Against manufactured home park residents who have defaulted in the payment of rent or breached the terms of a rental agreement with a park operator. Nothing in this division precludes the commencement of an action under division (A)(12) of this section when the additional circumstances described in that division apply.

(11) Against manufactured home park residents who have committed two material violations of the rules of the manufactured home park, of the division of industrial compliance of the department of commerce, or of applicable state and local health and safety codes and who have been notified of the violations in compliance with section 4781.45 of the Revised Code;

(12) Against a manufactured home park resident, or the estate of a manufactured home park resident, who as a result of death or otherwise has been absent from the manufactured home park for a period of thirty consecutive days prior to the commencement of an action under this division and whose manufactured home or mobile home, or recreational vehicle that is parked in the manufactured home park, has been left unoccupied for that thirty-day period, without notice to the park operator and without payment of rent due under the rental agreement with the park operator;

(13) Against occupants of self-service storage facilities, as defined in division (A) of section 5322.01 of the Revised Code, who have breached the terms of a rental agreement or violated section 5322.04 of the Revised Code;

(14) Against any resident or occupant who, pursuant to a rental agreement, resides in or occupies residential premises located within one thousand feet of any school premises ~~or~~, preschool or child day-care center premises, children's crisis care facility premises, or residential infant care center premises and to whom both of the following apply:

(a) The resident's or occupant's name appears on the state registry of sex offenders and child-victim offenders maintained under section 2950.13 of the Revised Code.

(b) The state registry of sex offenders and child-victim offenders indicates that the resident or occupant was convicted of or pleaded guilty to a sexually oriented offense or a child-victim oriented offense in a criminal prosecution and was not sentenced to a serious youthful offender dispositional sentence for that offense.

(15) Against any tenant who permits any person to occupy residential premises located within one thousand feet of any school premises ~~or~~, preschool or child day-care center premises, children's crisis care facility premises, or residential infant care center premises if both of the following apply to the person:

(a) The person's name appears on the state registry of sex offenders and child-victim offenders maintained under section 2950.13 of the Revised Code.

(b) The state registry of sex offenders and child-victim offenders indicates that the person was convicted of or pleaded guilty to a sexually oriented offense or a child-victim oriented offense in a criminal prosecution and was not sentenced to a serious youthful offender dispositional sentence for that offense.

(B) If a tenant or manufactured home park resident holding under an oral tenancy is in default in the payment of rent, the tenant or resident forfeits the right of occupancy, and the landlord may, at the landlord's option, terminate the tenancy by notifying the tenant or resident, as provided in section 1923.04 of the Revised Code, to leave the premises, for the restitution of which an action may then be brought under this chapter.

(C)(1) If a tenant or any other person with the tenant's permission resides in or occupies residential premises that are located within one thousand feet of any school premises, children's crisis care facility premises, or residential infant care center premises and is a resident or occupant of the type described in division (A)(14) of this section or a person of the type described in division (A)(15) of this section, the landlord for those residential premises, upon discovery that the tenant or other person is a resident, occupant, or person of that nature, may terminate the rental agreement or tenancy for those residential premises by notifying the tenant and all other occupants, as provided in section 1923.04 of the Revised Code, to leave the premises.

(2) If a landlord is authorized to terminate a rental agreement or tenancy pursuant to division (C)(1) of this section but does not so terminate the rental agreement or tenancy, the landlord is not liable in a tort or other civil action in damages for any injury, death, or loss to person or property that allegedly result from that decision.

(D) This chapter does not apply to a student tenant as defined by division (H) of section 5321.01 of the Revised Code when the college or university proceeds to terminate a rental agreement pursuant to section 5321.031 of the Revised Code.

(E) As used in this section, "children's crisis care facility premises" and "residential infant care center premises" have the same meanings as in section 2950.034 of the Revised Code.

Sec. 2950.034. (A) No person who has been convicted of, is convicted of, has pleaded guilty to, or pleads guilty to a sexually oriented offense or a child-victim oriented offense shall establish a residence or occupy residential premises within one thousand feet of any school premises—~~or,~~ preschool or child day-care center premises, children's crisis care facility premises, or residential infant care center premises.

(B) If a person to whom division (A) of this section applies violates division (A) of this section by establishing a residence or occupying residential premises within one thousand feet of any school premises—~~or,~~ preschool or child day-care center premises, children's crisis care facility premises, or residential infant care center premises, an owner or lessee of real property that is located within one thousand feet of those school premises—~~or,~~ preschool or child day-care center premises, children's crisis care facility premises, or residential infant care center premises, or the prosecuting attorney, village solicitor, city or township director of law, similar chief legal officer of a municipal corporation or township, or official designated as a prosecutor in a municipal corporation that has jurisdiction over the place at which the person establishes the residence or occupies the residential premises in question, has a cause of action for injunctive relief against the person. The plaintiff shall not be required to prove irreparable harm in order to obtain the relief.

(C) As used in this section:

(1) "Child day-care center" has the same meaning as in section 5104.01 of the Revised Code.

(2) "Children's crisis care facility" has the same meaning as in section 5103.13 of the Revised Code.

(3) "Children's crisis care facility premises" means both of the following:

(a) The parcel of real property on which any children's crisis care facility is situated;

(b) Any grounds, play areas, and other facilities of a children's crisis care facility that are regularly used by the children served by the facility.

(4) "Preschool" means any public or private institution or center that provides early childhood instructional or educational services to children who are at least three years of age but less than six years of age and who are not enrolled in or are not eligible to be enrolled in kindergarten, whether or not those services are provided in a child day-care setting. "Preschool" does not include any place that is the permanent residence of the person who is providing the early childhood instructional or educational services to the children described in this division.

~~(3)~~ (5) "Preschool or child day-care center premises" means all of the following:

(a) Any building in which any preschool or child day-care center activities are conducted if the building has signage that indicates that the building houses a preschool or child day-care center, is

clearly visible and discernable without obstruction, and meets any local zoning ordinances which may apply;

(b) The parcel of real property on which a preschool or child day-care center is situated if the parcel of real property has signage that indicates that a preschool or child day-care center is situated on the parcel, is clearly visible and discernable without obstruction, and meets any local zoning ordinances which may apply;

(c) Any grounds, play areas, and other facilities of a preschool or child day-care center that are regularly used by the children served by the preschool or child day-care center if the grounds, play areas, or other facilities have signage that indicates that they are regularly used by children served by the preschool or child day-care center, is clearly visible and discernable without obstruction, and meets any local zoning ordinances which may apply.

(6) "Residential infant care center" has the same meaning as in section 5103.60 of the Revised Code.

(7) "Residential infant care center premises" means both of the following:

(a) The parcel of real property on which any residential infant care center is situated;

(b) Any grounds, play areas, and other facilities of a residential infant care center that are regularly used by the children served by the center.

Sec. 5103.13. (A) As used in this section and section 5103.131 of the Revised Code:

(1)(a) "Children's crisis care facility" means a facility that has as its primary purpose the provision of residential and other care to either or both of the following:

(i) One or more preteens voluntarily placed in the facility by the preteen's parent or other caretaker who is facing a crisis that causes the parent or other caretaker to seek temporary care for the preteen and referral for support services;

(ii) One or more preteens placed in the facility by a public children services agency or private child placing agency that has legal custody or permanent custody of the preteen and determines that an emergency situation exists necessitating the preteen's placement in the facility rather than an institution certified under section 5103.03 of the Revised Code or elsewhere.

(b) "Children's crisis care facility" does not include ~~either~~ any of the following:

(i) Any organization, society, association, school, agency, child guidance center, detention or rehabilitation facility, or children's clinic licensed, regulated, approved, operated under the direction of, or otherwise certified by the department of education, a local board of education, the department of youth services, the department of mental health and addiction services, or the department of developmental disabilities;

(ii) Any individual who provides care for only a single-family group, placed there by their parents or other relative having custody;

(iii) Any residential infant care center, as an entity deemed a residential infant care center under section 5103.602 of the Revised Code shall no longer be licensed as a children's crisis care center.

(2) "Legal custody" and "permanent custody" have the same meanings as in section 2151.011 of the Revised Code.

(3) "Pediatric medical service" means medical service required to be provided by, or with oversight from, a licensed medical professional, including prescribing medication, administering

rectal or intravenous medication, and outpatient laboratory service, and providing for sick visits, on-site well child exams, and children assisted by medical technology.

(4) "Preteen" means an individual under thirteen years of age.

(B) No person shall operate a children's crisis care facility or hold a children's crisis care facility out as a certified children's crisis care facility unless there is a valid children's crisis care facility certificate issued under this section for the facility.

(C)(1) A person seeking to operate a children's crisis care facility shall apply to the director of job and family services to obtain a certificate for the facility.

(2)(a) The director shall certify the person's children's crisis care facility if the facility meets all of the certification standards established in rules adopted under division (F)-(H) of this section and the person complies with all of the rules governing the certification of children's crisis care facilities adopted under that division. The issuance of a children's crisis care facility certificate does not exempt the facility from a requirement to obtain another certificate or license mandated by law.

(b) The director shall not issue a waiver to a person for compliance with any of the requirements imposed under this section or any of the rules adopted under division (H) of this section.

(D)(H) No certified children's crisis care facility shall do any of the following:

~~(a)-(1) Provide residential care to a preteen for more than one hundred twenty days in a calendar year;~~

~~(b) Subject to division (D)(1)(c) of this section and except as provided in division (D)(2) of this section, provide (2) Provide residential care to a preteen for more than sixty-ninety consecutive days, which shall include the aggregate of days spent at different facility locations if a preteen is transferred in accordance with division (E)(4) of this section;~~

~~(c)-(3) Provide residential care to a preteen for more than fourteen consecutive days if a public children services agency or private child placing agency placed the preteen in the facility;~~

~~(d)-(4) Fail to comply with section 2151.86 of the Revised Code.~~

~~(2) A certified children's crisis care facility may provide residential care to a preteen for up to ninety consecutive days, other than a preteen placed in the facility by a public children services agency or private child placing agency, if any of the following are the case:-~~

~~(a) The preteen's parent or other caretaker is enrolled in an alcohol and drug addiction service or a community mental health service certified under section 5119.36 of the Revised Code;-~~

~~(b) The preteen's parent or other caretaker is an inpatient in a hospital;-~~

~~(c) The preteen's parent or other caretaker is incarcerated;-~~

~~(d) A physician has diagnosed the preteen's parent or other caretaker as medically incapacitated.-~~

(E) A certified children's crisis care facility shall do the following:

(1) Employ a licensed social worker, a licensed independent social worker, a licensed professional counselor, or a licensed professional clinical counselor;

(2) Require, if pediatric medical service is provided at the facility, the following for the provision of pediatric medical service:

(a) Medical service to be provided by a qualified, licensed, and insured medical professional;

(b) All staff, volunteers, and interns to comply with the privacy requirements of the "Health

Insurance Portability and Accountability Act of 1996," 104 Pub. L. No. 191, 110 Stat. 2021, 42 U.S.C. 1320d et seq., as amended;

(c) If a preteen is admitted by the preteen's parent or caretaker and if the preteen requires ongoing medical care following discharge from the facility, a medical professional or licensed social worker to make the medical professional's or social worker's best effort to ensure the parent or caretaker is competent to provide the ongoing care;

(d) The facility to have a dedicated and private enclosed space for the purpose of a medical professional to receive and treat patients and that contains a sink or tub, medical exam table, medical record system, and pediatric medical equipment.

(3) Require, if a preteen is admitted by the preteen's parent or caretaker, the facility's licensed social worker, licensed independent social worker, licensed professional counselor, or licensed professional clinical counselor to make their best efforts to ensure the parent or caretaker is competent in the basic parenting skills needed to care for the preteen;

(4) Require only a transfer summary for the transfer of a preteen from one certified children's crisis care facility location to another, if the facility has more than one location;

(5) Require the facility to have a dedicated and private enclosed space for the purpose of completing required admission paperwork and medical forms;

(6) Require the facility to develop a visitation plan for the preteen's parent or caretaker with the preteen while residential care is being provided, which shall occur during awake hours and not include overnight visits, for the parent or caretaker with the preteen.

(F) A certified children's crisis care facility may do the following:

(1) Count administrative staff, interns, and volunteers toward child staff ratios required under paragraph (G) of rule 5101:2-9-36 of the Administrative Code for up to three hours if the administrative staff, interns, or volunteers meet the following requirements:

(a) Completed training in the mission of the children's crisis care facility;

(b) Completed training pursuant to rule 5101:2-9-03 of the Administrative Code;

(c) Are supervised by facility staff.

(2) Use contracted transportation providers, on whom criminal records checks have been conducted in accordance with section 2151.86 of the Revised Code, to transport preteens, if such use is necessary for the facility to maintain required child staff ratios.

(G) The director of job and family services may suspend or revoke a children's crisis care facility's certificate pursuant to Chapter 119. of the Revised Code if the facility violates ~~division (D)~~ ~~of or~~ fails to comply with any of the requirements under this section or ceases to meet any of the certification standards established in rules adopted under ~~division (F)~~ ~~(H)~~ of this section or the facility's operator ceases to comply with any of the rules governing the certification of children's crisis care facilities adopted under that division.

~~(F)~~ ~~(H)~~ Not later than ninety days after September 21, 2006, the director of job and family services shall adopt rules pursuant to Chapter 119. of the Revised Code for the certification of children's crisis care facilities. The rules shall specify that a certificate shall not be issued to an applicant if the conditions at the children's crisis care facility would jeopardize the health or safety of the preteens placed in the facility.

Sec. 5103.131. The department of job and family services may apply to the United States

secretary of health and human services for a federal grant under the "Child Abuse Prevention and Treatment Act," 42 U.S.C. 5116, and the "Family First Prevention Services Act," 42 U.S.C. 50711, 50723, and 50741, to assist children's crisis care facilities certified under section 5103.13 of the Revised Code in providing temporary residential and other care to preteens.

Sec. 5103.60. As used in sections 5103.602 to 5103.6018 of the Revised Code:

(A) "Infant" means a child who is less than one year of age.

(B) "Residential infant care center" means a facility that has as its primary purpose the provision of residential services for infants affected by substance use and the preservation of families through infant diversion practices and programs.

Sec. 5103.602. (A) A person seeking to operate a residential infant care center after the effective date of this section shall apply to the director of job and family services to obtain a certificate for the facility.

(B) A person who, on the effective date of this section, is operating a children's crisis care facility that has as its primary purpose the provision of residential services for infants affected by substance use and the preservation of families through infant diversion practices and programs shall be deemed a residential infant care center by the director if the center is in compliance with the requirements and rules described under division (B) of section 5103.603 of the Revised Code.

Sec. 5103.603. The director of job and family services shall issue a certificate to a person to operate a residential infant care center as follows:

(A) Pursuant to division (A) of section 5103.602 of the Revised Code if the center complies with all of the requirements under sections 5103.608 to 5103.6012 of the Revised Code and, if applicable, all of the rules adopted under section 5103.6018 of the Revised Code;

(B)(1) Pursuant to division (B) of section 5103.602 of the Revised Code if the center is in compliance with all of the requirements under sections 5103.608 to 5103.6012 of the Revised Code and rules adopted under division (H) of section 5103.13 of the Revised Code, except the rules described in division (B) of section 5103.6011 of the Revised Code, on the effective date of this section.

(2) If the director of job and family services adopts rules under section 5103.6018 of the Revised Code, a center issued a certificate under division (B)(1) of this section shall comply with those rules rather than the rules adopted under division (H) of section 5103.13 of the Revised Code.

Sec. 5103.608. An infant is eligible to be placed in a residential infant care center if one of the following applies:

(A) The infant was born substance exposed and requires additional care.

(B) The infant's parent or caretaker requires additional education and support services regarding care for the infant.

(C) A public children services agency or private child placing agency requires additional time to determine placement of the infant.

Sec. 5103.609. (A) A residential infant care center may provide residential care for up to ninety consecutive days to an infant placed by any of the following with legal custody of the infant:

(1) A parent, guardian, or legal custodian;

(2) A public children services agency;

(3) A private child placing agency.

(B) As used in this section, "legal custody" has the same meaning as in section 2151.011 of the Revised Code.

Sec. 5103.6010. A residential infant care center shall do the following:

(A) If using medication to treat infants, hold a terminal distributor of dangerous drugs license issued by the state board of pharmacy under section 4729.54 of the Revised Code.

(B) Comply, except as otherwise provided in this section and section 5103.6011 of the Revised Code, with all requirements under rule 5101:2-9-02 of the Administrative Code;

(C) Develop a plan of safe care in accordance with the "Comprehensive Addiction and Recovery Act of 2016," Pub. L. No. 114-198, for an infant born substance exposed as follows:

(1) Assist with the health and substance use disorder treatment needs of the infant and affected family or caregiver;

(2) Develop and implement a program to monitor, support, and connect affected families or caregivers through the provision of and referral to appropriate services for the infant and affected family or caregiver.

(D) Develop and implement a program for parents and caregivers that, either individually or in a group setting, teaches parenting skills, bonding, and caring for the infant's special needs.

(E) Require both of the following:

(1) Child-care staff, volunteers, and interns in positions responsible for the daily direct care or supervision of children to be at least eighteen years old and have a high school diploma or certificate of high school equivalence;

(2) Volunteers and interns who are under twenty-one years of age to be supervised.

(F) Request a criminal records check with respect to volunteers and interns in accordance with section 2151.86 of the Revised Code;

(G) Employ registered nurses, patient care assistants, or licensed professional nurses to meet required child-to-staff ratios;

(H) Require the center's peer supporter, family advocate, licensed social worker, licensed independent social worker, licensed professional counselor, or licensed professional clinical counselor to do the following:

(1) Provide wraparound services to affected family and caregivers;

(2) Coordinate and cooperate with any transferring hospital, public children services agency, and private child placing agency;

(3) Refer affected families or caregivers to appropriate community agencies and services for support and aftercare;

(4) Follow up with affected families and caregivers following the infant's discharge.

(I)(1) Encourage employee-supervised dyad care and permit one of the infant's parents or caregivers to room-in with the infant for bonding and education;

(2) Provide the following for dyad care and rooming-in:

(a) A single bed and all necessary bed sheets, pillow cases, pillows, and blankets;

(b) All meals and snacks, which shall be provided in a designated family kitchen area if the center has such an area;

(c) A minimum of one private shower and toilet for the use of the parents or caregivers who are rooming-in.

(3) Notify the parent or caregiver that the center's rules and policies shall be followed or rooming-in may be restricted or canceled.

(J) Have one bathing room for every six infants that includes a minimum of one hip level bathtub with hot and cold water, one changing station, and a door with a full-length glass window for safety and observation;

(K) Meet the child-to-staff ratio of at least one awake child-care staff on duty at all times for every five infants;

(L) Use cribs and other infant sleep products that meet the United States consumer product safety commission's safety standards for safe sleep;

(M) Follow the department of health's safe sleep education program recommendations established under section 3701.66 of the Revised Code.

Sec. 5103.6011. (A) A residential infant care center shall not be required to do the following:

(1) Provide toilets or potty chairs for infants.

(2) Comply with the following rules:

(a) Paragraph (E) of rule 5101:2-5-09 of the Administrative Code.

(b) Paragraphs (N) and (P) to (R) of rule 5101:2-9-03 of the Administrative Code.

(c) Rule 5101:2-9-19 of the Administrative Code.

(d) Paragraphs (A) to (H) of rule 5101:2-9-20 of the Administrative Code.

(e) Rules 5101:2-9-21 and 5101:2-9-22 of the Administrative Code.

(f) Paragraphs (D) to (F) of rule 5101:2-9-26 of the Administrative Code.

(g) Paragraphs (B), (D), (F), (G), (J), (K), (M) to (Q), and (S) of rule 5101:2-9-28 of the Administrative Code.

(h) Rules 5101:2-9-29, 5101:2-9-38, and 5101:2-9-40 of the Administrative Code.

(3) Require registered nurses and licensed professional nurses employed by the center to comply with the requirements under paragraph (M)(3) of rule 5101:2-9-02 and paragraphs (J) to (L) of rule 5101:2-9-03 of the Administrative Code.

(B) The provisions of this section do not apply on and after the date the department of job and family services adopts rules regarding certification under section 5103.6018 of the Revised Code.

Sec. 5103.6012. A residential infant care center shall not count volunteers or interns to meet child-to-staff ratios, except for in emergency situations, including an extremely ill staff member.

Sec. 5103.6015. The department of job and family services may apply to the United States secretary of health and human services for a federal grant under the "Child Abuse Prevention and Treatment Act," 42 U.S.C. 5116, and the "Family First Prevention Services Act," 42 U.S.C. 50711, 50723, and 50741 to assist residential infant care centers certified under section 5103.603 of the Revised Code in providing temporary residential and other care to infants.

Sec. 5103.132-5103.6016. (A) As used in this section, "firearm" has the same meaning as in section 2923.11 of the Revised Code.

(B) A children's crisis care facility that has as its primary purpose the provision of residential and other care to infants who are born drug exposed and residential infant care center that regularly maintains on its premises schedule II controlled substances, as defined in section 3719.01 of the Revised Code, may do both of the following:

- (1) Maintain firearms at the facility;
- (2) Permit security personnel to bear firearms while on the grounds of the facility.

Sec. 5103.6017. The director of job and family services may suspend or revoke a residential infant care center's certificate pursuant to Chapter 119. of the Revised Code if the center violates or fails to comply with any of the requirements under sections 5103.608 to 5103.6012 of the Revised Code and, as applicable, the rules adopted under section 5103.6018 of the Revised Code or division (H) of section 5103.13 of the Revised Code.

Sec. 5103.6018. The director of job and family services shall adopt rules pursuant to Chapter 119. of the Revised Code for the certification of residential infant care centers.

Sec. 5103.61. As used in sections 5103.61 to 5103.617 of the Revised Code, "family preservation center" means a certified children's crisis care facility or residential infant care center that has as its primary purpose the preservation of families.

Sec. 5103.611. A person who holds an active license to operate a children's crisis care facility under section 5103.13 of the Revised Code or a residential infant care center under section 5103.602 of the Revised Code may apply to the director of job and family services to obtain a certificate as a family preservation center under this section.

Sec. 5103.612. (A) The director of job and family services shall certify the person's family preservation center if the center complies with all of the requirements imposed under section 5103.614 of the Revised Code and all of the rules adopted under section 5103.617 of the Revised Code.

(B) The director shall not issue a waiver to a person of compliance with any of the requirements imposed under this section or any of the rules adopted under section 5103.617 of the Revised Code.

Sec. 5103.614. A certified family preservation center shall do the following:

(A) Obtain and maintain accreditation under the commission on accreditation of rehabilitation facilities, the joint commission on accreditation of healthcare organizations, or the council on accreditation for children and family services;

(B) Obtain and maintain certification by the Ohio department of mental health and addiction services;

(C) Provide family preservation programs informed by evidence-based or promising practices, including all of the following:

- (1) Family case management;
- (2) Service referral and linkage;
- (3) Parent education;
- (4) Trauma screening and healing-centered interventions.

Sec. 5103.615. The director of job and family services may suspend or revoke a family preservation center's certificate pursuant to Chapter 119. of the Revised Code if the center violates or fails to comply with section 5103.614 of the Revised Code or any of the rules adopted under section 5103.617 of the Revised Code.

Sec. 5103.617. Not later than ninety days after the effective date of this section, the director of job and family services shall adopt rules pursuant to Chapter 119. of the Revised Code for the certification of family preservation centers.

Sec. 5321.03. (A) Notwithstanding section 5321.02 of the Revised Code, a landlord may bring an action under Chapter 1923. of the Revised Code for possession of the premises if:

- (1) The tenant is in default in the payment of rent;
- (2) The violation of the applicable building, housing, health, or safety code that the tenant complained of was primarily caused by any act or lack of reasonable care by the tenant, or by any other person in the tenant's household, or by anyone on the premises with the consent of the tenant;
- (3) Compliance with the applicable building, housing, health, or safety code would require alteration, remodeling, or demolition of the premises which would effectively deprive the tenant of the use of the dwelling unit;
- (4) A tenant is holding over the tenant's term.

(5) The residential premises are located within one thousand feet of any school premises ~~or~~, preschool or child day-care center premises, children's crisis care facility premises, or residential infant care center premises, and both of the following apply regarding the tenant or other occupant who resides in or occupies the premises:

(a) The tenant's or other occupant's name appears on the state registry of sex offenders and child-victim offenders maintained under section 2950.13 of the Revised Code.

(b) The state registry of sex offenders and child-victim offenders indicates that the tenant or other occupant was convicted of or pleaded guilty to a sexually oriented offense or a child-victim oriented offense in a criminal prosecution and was not sentenced to a serious youthful offender dispositional sentence for that offense.

(B) The maintenance of an action by the landlord under this section does not prevent the tenant from recovering damages for any violation by the landlord of the rental agreement or of section 5321.04 of the Revised Code.

(C) This section does not apply to a dwelling unit occupied by a student tenant.

(D) As used in this section, "children's crisis care facility premises" and "residential infant care center premises" have the same meanings as in section 2950.034 of the Revised Code.

Sec. 5321.051. (A)(1) No tenant of any residential premises located within one thousand feet of any school premises ~~or~~, preschool or child day-care center premises, children's crisis care facility premises, or residential infant care center premises shall allow any person to occupy those residential premises if both of the following apply regarding the person:

(a) The person's name appears on the state registry of sex offenders and child-victim offenders maintained under section 2950.13 of the Revised Code.

(b) The state registry of sex offenders and child-victim offenders indicates that the person was convicted of or pleaded guilty to either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense in a criminal prosecution and was not sentenced to a serious youthful offender dispositional sentence for that offense.

(2) If a tenant allows occupancy in violation of this section or a person establishes a residence or occupies residential premises in violation of section 2950.034 of the Revised Code, the landlord for the residential premises that are the subject of the rental agreement or other tenancy may terminate the rental agreement or other tenancy of the tenant and all other occupants.

(B) If a landlord is authorized to terminate a rental agreement or other tenancy pursuant to division (A) of this section but does not so terminate the rental agreement or other tenancy, the

landlord is not liable in a tort or other civil action in damages for any injury, death, or loss to person or property that allegedly results from that decision.

(C) As used in this section, "children's crisis care facility premises" and "residential infant care center premises" have the same meanings as in section 2950.034 of the Revised Code.

SECTION 2. That existing sections 1923.02, 2950.034, 5103.13, 5103.131, 5103.132, 5321.03, and 5321.051 of the Revised Code are hereby repealed.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____