

**As Reported by the House Finance Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. H. B. No. 302**

**Representative Perales**

**Cosponsors: Representatives Becker, Butler, Carfagna, Ginter, Green, Hoops, Kent, Lipps, Merrin, Miranda, O'Brien, Riedel, Leland, Rogers, Hambley, Roemer**

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**A BILL**

To amend section 2903.41 of the Revised Code to  
include certain child abuse-related offenses in  
the violent offender database, to name the act  
Jacob's Law, and to make an appropriation.

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

**Section 1.** That section 2903.41 of the Revised Code be  
amended to read as follows:

**Sec. 2903.41.** As used in sections 2903.41 to 2903.44 of  
the Revised Code:

(A) "Violent offender" means any of the following:

(1) A person who on or after the effective date of this  
section is convicted of or pleads guilty to any of the  
following:

(a) A violation of section 2903.01, 2903.02, 2903.03, or  
2905.01 of the Revised Code or a violation of section 2905.02 of  
the Revised Code that is a felony of the second degree;

(b) A violation of section 2903.15 or 2919.25 of the

Revised Code that was committed when the offender was eighteen 17  
years of age or older and that involved a victim who was under 18  
fourteen years of age at the time of the offense; 19

(c) Any attempt to commit, conspiracy to commit, or 20  
complicity in committing any offense listed in division (A) (1) 21  
(a) or (b) of this section. 22

(2) A person who on the effective date of this section has 23  
been convicted of or pleaded guilty to an offense listed in 24  
division (A) (1) of this section and is confined in a jail, 25  
workhouse, state correctional institution, or other institution, 26  
serving a prison term, term of imprisonment, or other term of 27  
confinement for the offense. 28

(B) "Community control sanction," "jail," and "prison" 29  
have the same meanings as in section 2929.01 of the Revised 30  
Code. 31

(C) "Out-of-state violent offender" means a person who is 32  
convicted of, pleads guilty to, has been convicted of, or has 33  
pleaded guilty to a violation of any existing or former 34  
municipal ordinance or law of another state or the United 35  
States, or any existing or former law applicable in a military 36  
court or in an Indian tribal court, that is or was substantially 37  
equivalent to any offense listed in division (A) (1) of this 38  
section. 39

(D) "Qualifying out-of-state violent offender" means an 40  
out-of-state violent offender who is aware of the existence of 41  
the violent offender database. 42

(E) "Post-release control sanction" and "supervised 43  
release" have the same meanings as in section 2950.01 of the 44  
Revised Code. 45

(F) "Change of address" means a change to a violent  
offender's or out-of-state violent offender's residence address,  
employment address, or school or institution of higher education  
address.

(G) "Violent offender database" means the database of  
violent offenders and out-of-state violent offenders that is  
established and maintained by the bureau of criminal  
identification and investigation under division (F) (2) of  
section 2903.43 of the Revised Code, that is operated by  
sheriffs under sections 2903.42 and 2903.43 of the Revised Code,  
and for which sheriffs obtain information from violent offenders  
and out-of-state violent offenders pursuant to sections 2903.42  
and 2903.43 of the Revised Code.

(H) "Violent offender database duties" and "VOD duties"  
mean the duty to enroll, duty to re-enroll, and duty to provide  
notice of a change of address imposed on a violent offender or a  
qualifying out-of-state violent offender under section 2903.42,  
2903.421, 2903.43, or 2903.44 of the Revised Code.

(I) "Ten-year enrollment period" means, for a violent  
offender who has violent offender database duties pursuant to  
section 2903.42 of the Revised Code or a qualifying out-of-state  
violent offender who has violent offender database duties  
pursuant to section 2903.421 of the Revised Code, ten years from  
the date on which the offender initially enrolls in the violent  
offender database.

(J) "Extended enrollment period" means, for a violent  
offender who has violent offender database duties pursuant to  
section 2903.42 of the Revised Code or a qualifying out-of-state  
violent offender who has violent offender database duties  
pursuant to section 2903.421 of the Revised Code, the offender's

enrollment period as extended pursuant to division (D) (2) of 76  
section 2903.43 of the Revised Code. 77

(K) "Prosecutor" means one of the following: 78

(1) As used in section 2903.42 of the Revised Code, the 79  
office of the prosecuting attorney who handled a violent 80  
offender's underlying case or the office of that prosecutor's 81  
successor. 82

(2) As used in sections 2903.421, 2903.43, and 2903.44 of 83  
the Revised Code, the office of the prosecuting attorney of the 84  
county in which a violent offender resides or of the county in 85  
which an out-of-state violent offender resides or occupies a 86  
dwelling. 87

**Section 2.** That existing section 2903.41 of the Revised 88  
Code is hereby repealed. 89

**Section 3.** This act shall be known as Jacob's Law. 90

**Section 4.** All items in this section are hereby 91  
appropriated as designated out of any moneys in the state 92  
treasury to the credit of the designated fund. For all 93  
appropriations made in this act, those in the first column are 94  
for fiscal year 2020 and those in the second column are for 95  
fiscal year 2021. The appropriations made in this act are in 96  
addition to any other appropriations made for the FY 2020-FY 97  
2021 biennium. 98

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|   |                                |                    |    |   |            |
|---|--------------------------------|--------------------|----|---|------------|
| B | General Revenue Fund           |                    |    |   |            |
| C | GRF 055321                     | Operating Expenses | \$ | 0 | \$ 100,000 |
| D | TOTAL GRF General Revenue Fund |                    | \$ | 0 | \$ 100,000 |
| E | TOTAL ALL BUDGET FUND GROUPS   |                    | \$ | 0 | \$ 100,000 |

VIOLENT OFFENDER DATABASE 100

Of the foregoing appropriation item 055321, Operating 101  
Expenses, \$100,000 in fiscal year 2021 shall be used for the 102  
violent offender database that the Bureau of Criminal 103  
Identification and Investigation is required to establish and 104  
maintain pursuant to division (F) (2) of section 2903.43 of the 105  
Revised Code. 106

**Section 5.** Within the limits set forth in this act, the 107  
Director of Budget and Management shall establish accounts 108  
indicating the source and amount of funds for each appropriation 109  
made in this act, and shall determine the form and manner in 110  
which appropriation accounts shall be maintained. Expenditures 111  
from appropriations contained in this act shall be accounted for 112  
as though made in the main operating appropriations act of the 113  
133rd General Assembly. 114

The appropriations made in this act are subject to all 115  
provisions of the main operating appropriations act of the 133rd 116  
General Assembly that are generally applicable to such 117  
appropriations. 118

**Section 6.** Sections 1, 2, and 3 of this act shall take 119  
effect six months after the effective date of this section. 120