

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. B. No. 348**

**Representative Miller, A.**

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**A BILL**

To amend sections 2903.214, 2919.26, and 3113.31 1  
and to enact section 2923.22 of the Revised Code 2  
to prohibit a person subject to a protection 3  
order from purchasing or receiving a firearm for 4  
the duration of the order. 5

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

**Section 1.** That sections 2903.214, 2919.26, and 3113.31 be 6  
amended and section 2923.22 of the Revised Code be enacted to 7  
read as follows: 8

**Sec. 2903.214.** (A) As used in this section: 9

(1) "Court" means the court of common pleas of the county 10  
in which the person to be protected by the protection order 11  
resides. 12

(2) "Victim advocate" means a person who provides support 13  
and assistance for a person who files a petition under this 14  
section. 15

(3) "Family or household member" has the same meaning as 16  
in section 3113.31 of the Revised Code. 17

(4) "Protection order issued by a court of another state" 18

has the same meaning as in section 2919.27 of the Revised Code. 19

(5) "Sexually oriented offense" has the same meaning as in 20  
section 2950.01 of the Revised Code. 21

(6) "Electronic monitoring" has the same meaning as in 22  
section 2929.01 of the Revised Code. 23

(7) "Companion animal" has the same meaning as in section 24  
959.131 of the Revised Code. 25

(B) The court has jurisdiction over all proceedings under 26  
this section. 27

(C) A person may seek relief under this section for the 28  
person, or any parent or adult household member may seek relief 29  
under this section on behalf of any other family or household 30  
member, by filing a petition with the court. The petition shall 31  
contain or state all of the following: 32

(1) An allegation that the respondent is eighteen years of 33  
age or older and engaged in a violation of section 2903.211 of 34  
the Revised Code against the person to be protected by the 35  
protection order or committed a sexually oriented offense 36  
against the person to be protected by the protection order, 37  
including a description of the nature and extent of the 38  
violation; 39

(2) If the petitioner seeks relief in the form of 40  
electronic monitoring of the respondent, an allegation that at 41  
any time preceding the filing of the petition the respondent 42  
engaged in conduct that would cause a reasonable person to 43  
believe that the health, welfare, or safety of the person to be 44  
protected was at risk, a description of the nature and extent of 45  
that conduct, and an allegation that the respondent presents a 46  
continuing danger to the person to be protected; 47

(3) A request for relief under this section. 48

(D) (1) If a person who files a petition pursuant to this 49  
section requests an ex parte order, the court shall hold an ex 50  
parte hearing as soon as possible after the petition is filed, 51  
but not later than the next day that the court is in session 52  
after the petition is filed. The court, for good cause shown at 53  
the ex parte hearing, may enter any temporary orders, with or 54  
without bond, that the court finds necessary for the safety and 55  
protection of the person to be protected by the order. Immediate 56  
and present danger to the person to be protected by the 57  
protection order constitutes good cause for purposes of this 58  
section. Immediate and present danger includes, but is not 59  
limited to, situations in which the respondent has threatened 60  
the person to be protected by the protection order with bodily 61  
harm or in which the respondent previously has been convicted of 62  
or pleaded guilty to a violation of section 2903.211 of the 63  
Revised Code or a sexually oriented offense against the person 64  
to be protected by the protection order. 65

(2) (a) If the court, after an ex parte hearing, issues a 66  
protection order described in division (E) of this section, the 67  
court shall schedule a full hearing for a date that is within 68  
ten court days after the ex parte hearing. The court shall give 69  
the respondent notice of, and an opportunity to be heard at, the 70  
full hearing. The court shall hold the full hearing on the date 71  
scheduled under this division unless the court grants a 72  
continuance of the hearing in accordance with this division. 73  
Under any of the following circumstances or for any of the 74  
following reasons, the court may grant a continuance of the full 75  
hearing to a reasonable time determined by the court: 76

(i) Prior to the date scheduled for the full hearing under 77

this division, the respondent has not been served with the 78  
petition filed pursuant to this section and notice of the full 79  
hearing. 80

(ii) The parties consent to the continuance. 81

(iii) The continuance is needed to allow a party to obtain 82  
counsel. 83

(iv) The continuance is needed for other good cause. 84

(b) An ex parte order issued under this section does not 85  
expire because of a failure to serve notice of the full hearing 86  
upon the respondent before the date set for the full hearing 87  
under division (D) (2) (a) of this section or because the court 88  
grants a continuance under that division. 89

(3) If a person who files a petition pursuant to this 90  
section does not request an ex parte order, or if a person 91  
requests an ex parte order but the court does not issue an ex 92  
parte order after an ex parte hearing, the court shall proceed 93  
as in a normal civil action and grant a full hearing on the 94  
matter. 95

(E) (1) (a) After an ex parte or full hearing, the court may 96  
issue any protection order, with or without bond, that contains 97  
terms designed to ensure the safety and protection of the person 98  
to be protected by the protection order, including, but not 99  
limited to, a requirement that the respondent refrain from 100  
entering the residence, school, business, or place of employment 101  
of the petitioner or family or household member. If the court 102  
includes a requirement that the respondent refrain from entering 103  
the residence, school, business, or place of employment of the 104  
petitioner or family or household member in the order, it also 105  
shall include in the order provisions of the type described in 106

division (E) (5) of this section. The court may include within a 107  
protection order issued under this section a term requiring that 108  
the respondent not remove, damage, hide, harm, or dispose of any 109  
companion animal owned or possessed by the person to be 110  
protected by the order, and may include within the order a term 111  
authorizing the person to be protected by the order to remove a 112  
companion animal owned by the person to be protected by the 113  
order from the possession of the respondent. 114

(b) After a full hearing, if the court considering a 115  
petition that includes an allegation of the type described in 116  
division (C) (2) of this section, or the court upon its own 117  
motion, finds upon clear and convincing evidence that the 118  
petitioner reasonably believed that the respondent's conduct at 119  
any time preceding the filing of the petition endangered the 120  
health, welfare, or safety of the person to be protected and 121  
that the respondent presents a continuing danger to the person 122  
to be protected, the court may order that the respondent be 123  
electronically monitored for a period of time and under the 124  
terms and conditions that the court determines are appropriate. 125  
Electronic monitoring shall be in addition to any other relief 126  
granted to the petitioner. 127

(2) (a) Any protection order issued pursuant to this 128  
section shall be valid until a date certain but not later than 129  
five years from the date of its issuance. 130

(b) Any protection order issued pursuant to this section 131  
may be renewed in the same manner as the original order was 132  
issued. 133

(3) A court may not issue a protection order that requires 134  
a petitioner to do or to refrain from doing an act that the 135  
court may require a respondent to do or to refrain from doing 136

under division (E) (1) of this section unless all of the 137  
following apply: 138

(a) The respondent files a separate petition for a 139  
protection order in accordance with this section. 140

(b) The petitioner is served with notice of the 141  
respondent's petition at least forty-eight hours before the 142  
court holds a hearing with respect to the respondent's petition, 143  
or the petitioner waives the right to receive this notice. 144

(c) If the petitioner has requested an ex parte order 145  
pursuant to division (D) of this section, the court does not 146  
delay any hearing required by that division beyond the time 147  
specified in that division in order to consolidate the hearing 148  
with a hearing on the petition filed by the respondent. 149

(d) After a full hearing at which the respondent presents 150  
evidence in support of the request for a protection order and 151  
the petitioner is afforded an opportunity to defend against that 152  
evidence, the court determines that the petitioner has committed 153  
a violation of section 2903.211 of the Revised Code against the 154  
person to be protected by the protection order issued pursuant 155  
to division (E) (3) of this section, has committed a sexually 156  
oriented offense against the person to be protected by the 157  
protection order issued pursuant to division (E) (3) of this 158  
section, or has violated a protection order issued pursuant to 159  
section 2903.213 of the Revised Code relative to the person to 160  
be protected by the protection order issued pursuant to division 161  
(E) (3) of this section. 162

(4) No protection order issued pursuant to this section 163  
shall in any manner affect title to any real property. 164

(5) (a) If the court issues a protection order under this 165

section that includes a requirement that the alleged offender 166  
refrain from entering the residence, school, business, or place 167  
of employment of the petitioner or a family or household member, 168  
the order shall clearly state that the order cannot be waived or 169  
nullified by an invitation to the alleged offender from the 170  
complainant to enter the residence, school, business, or place 171  
of employment or by the alleged offender's entry into one of 172  
those places otherwise upon the consent of the petitioner or 173  
family or household member. 174

(b) Division (E) (5) (a) of this section does not limit any 175  
discretion of a court to determine that an alleged offender 176  
charged with a violation of section 2919.27 of the Revised Code, 177  
with a violation of a municipal ordinance substantially 178  
equivalent to that section, or with contempt of court, which 179  
charge is based on an alleged violation of a protection order 180  
issued under this section, did not commit the violation or was 181  
not in contempt of court. 182

(F) (1) The court shall cause the delivery of a copy of any 183  
protection order that is issued under this section to the 184  
petitioner, to the respondent, and to all law enforcement 185  
agencies that have jurisdiction to enforce the order. The court 186  
shall direct that a copy of the order be delivered to the 187  
respondent on the same day that the order is entered. 188

(2) Upon the issuance of a protection order under this 189  
section, the court shall provide the parties to the order with 190  
the following notice orally or by form: 191

"NOTICE 192

As a result of this order, it may be unlawful for you to 193  
possess, receive, or purchase a firearm, including a rifle, 194

pistol, or revolver, or ammunition pursuant to state law under 195  
section 2923.22 of the Revised Code or federal law under 18 196  
U.S.C. 922(g) (8) for the duration of this order. If you have any 197  
questions whether this law makes it illegal for you to possess, 198  
receive, or purchase a firearm or ammunition, you should consult 199  
an attorney." 200

(3) All law enforcement agencies shall establish and 201  
maintain an index for the protection orders delivered to the 202  
agencies pursuant to division (F) (1) of this section. With 203  
respect to each order delivered, each agency shall note on the 204  
index the date and time that it received the order. 205

(4) Regardless of whether the petitioner has registered 206  
the protection order in the county in which the officer's agency 207  
has jurisdiction pursuant to division (M) of this section, any 208  
officer of a law enforcement agency shall enforce a protection 209  
order issued pursuant to this section by any court in this state 210  
in accordance with the provisions of the order, including 211  
removing the respondent from the premises, if appropriate. 212

(G) (1) Any proceeding under this section shall be 213  
conducted in accordance with the Rules of Civil Procedure, 214  
except that a protection order may be obtained under this 215  
section with or without bond. An order issued under this 216  
section, other than an ex parte order, that grants a protection 217  
order, or that refuses to grant a protection order, is a final, 218  
appealable order. The remedies and procedures provided in this 219  
section are in addition to, and not in lieu of, any other 220  
available civil or criminal remedies. 221

(2) If as provided in division (G) (1) of this section an 222  
order issued under this section, other than an ex parte order, 223  
refuses to grant a protection order, the court, on its own 224



motion, shall order that the ex parte order issued under this	225
section and all of the records pertaining to that ex parte order	226
be sealed after either of the following occurs:	227
(a) No party has exercised the right to appeal pursuant to	228
Rule 4 of the Rules of Appellate Procedure.	229
(b) All appellate rights have been exhausted.	230
(H) The filing of proceedings under this section does not	231
excuse a person from filing any report or giving any notice	232
required by section 2151.421 of the Revised Code or by any other	233
law.	234
(I) Any law enforcement agency that investigates an	235
alleged violation of section 2903.211 of the Revised Code or an	236
alleged commission of a sexually oriented offense shall provide	237
information to the victim and the family or household members of	238
the victim regarding the relief available under this section and	239
section 2903.213 of the Revised Code.	240
(J) (1) Subject to division (J) (2) of this section and	241
regardless of whether a protection order is issued or a consent	242
agreement is approved by a court of another county or by a court	243
of another state, no court or unit of state or local government	244
shall charge the petitioner any fee, cost, deposit, or money in	245
connection with the filing of a petition pursuant to this	246
section, in connection with the filing, issuance, registration,	247
modification, enforcement, dismissal, withdrawal, or service of	248
a protection order, consent agreement, or witness subpoena or	249
for obtaining a certified copy of a protection order or consent	250
agreement.	251
(2) Regardless of whether a protection order is issued or	252
a consent agreement is approved pursuant to this section, the	253

court may assess costs against the respondent in connection with	254
the filing, issuance, registration, modification, enforcement,	255
dismissal, withdrawal, or service of a protection order, consent	256
agreement, or witness subpoena or for obtaining a certified copy	257
of a protection order or consent agreement.	258
(K) (1) A person who violates a protection order issued	259
under this section is subject to the following sanctions:	260
(a) Criminal prosecution for a violation of section	261
2919.27 of the Revised Code, if the violation of the protection	262
order constitutes a violation of that section;	263
(b) Punishment for contempt of court.	264
(2) The punishment of a person for contempt of court for	265
violation of a protection order issued under this section does	266
not bar criminal prosecution of the person for a violation of	267
section 2919.27 of the Revised Code. However, a person punished	268
for contempt of court is entitled to credit for the punishment	269
imposed upon conviction of a violation of that section, and a	270
person convicted of a violation of that section shall not	271
subsequently be punished for contempt of court arising out of	272
the same activity.	273
(L) In all stages of a proceeding under this section, a	274
petitioner may be accompanied by a victim advocate.	275
(M) (1) A petitioner who obtains a protection order under	276
this section or a protection order under section 2903.213 of the	277
Revised Code may provide notice of the issuance or approval of	278
the order to the judicial and law enforcement officials in any	279
county other than the county in which the order is issued by	280
registering that order in the other county pursuant to division	281
(M) (2) of this section and filing a copy of the registered order	282

with a law enforcement agency in the other county in accordance 283  
with that division. A person who obtains a protection order 284  
issued by a court of another state may provide notice of the 285  
issuance of the order to the judicial and law enforcement 286  
officials in any county of this state by registering the order 287  
in that county pursuant to section 2919.272 of the Revised Code 288  
and filing a copy of the registered order with a law enforcement 289  
agency in that county. 290

(2) A petitioner may register a protection order issued 291  
pursuant to this section or section 2903.213 of the Revised Code 292  
in a county other than the county in which the court that issued 293  
the order is located in the following manner: 294

(a) The petitioner shall obtain a certified copy of the 295  
order from the clerk of the court that issued the order and 296  
present that certified copy to the clerk of the court of common 297  
pleas or the clerk of a municipal court or county court in the 298  
county in which the order is to be registered. 299

(b) Upon accepting the certified copy of the order for 300  
registration, the clerk of the court of common pleas, municipal 301  
court, or county court shall place an endorsement of 302  
registration on the order and give the petitioner a copy of the 303  
order that bears that proof of registration. 304

(3) The clerk of each court of common pleas, municipal 305  
court, or county court shall maintain a registry of certified 306  
copies of protection orders that have been issued by courts in 307  
other counties pursuant to this section or section 2903.213 of 308  
the Revised Code and that have been registered with the clerk. 309

(N) (1) If the court orders electronic monitoring of the 310  
respondent under this section, the court shall direct the 311

sheriff's office or any other appropriate law enforcement agency 312  
to install the electronic monitoring device and to monitor the 313  
respondent. Unless the court determines that the respondent is 314  
indigent, the court shall order the respondent to pay the cost 315  
of the installation and monitoring of the electronic monitoring 316  
device. If the court determines that the respondent is indigent 317  
and subject to the maximum amount allowable to be paid in any 318  
year from the fund and the rules promulgated by the attorney 319  
general under division (N) (2) of this section, the cost of the 320  
installation and monitoring of the electronic monitoring device 321  
may be paid out of funds from the reparations fund created 322  
pursuant to section 2743.191 of the Revised Code. The total 323  
amount of costs for the installation and monitoring of 324  
electronic monitoring devices paid pursuant to this division and 325  
sections 2151.34 and 2919.27 of the Revised Code from the 326  
reparations fund shall not exceed three hundred thousand dollars 327  
per year. 328

(2) The attorney general may promulgate rules pursuant to 329  
section 111.15 of the Revised Code to govern payments made from 330  
the reparations fund pursuant to this division and sections 331  
2151.34 and 2919.27 of the Revised Code. The rules may include 332  
reasonable limits on the total cost paid pursuant to this 333  
division and sections 2151.34 and 2919.27 of the Revised Code 334  
per respondent, the amount of the three hundred thousand dollars 335  
allocated to each county, and how invoices may be submitted by a 336  
county, court, or other entity. 337

**Sec. 2919.26.** (A) (1) Upon the filing of a complaint that 338  
alleges a violation of section 2909.06, 2909.07, 2911.12, or 339  
2911.211 of the Revised Code if the alleged victim of the 340  
violation was a family or household member at the time of the 341  
violation, a violation of a municipal ordinance that is 342

substantially similar to any of those sections if the alleged 343  
victim of the violation was a family or household member at the 344  
time of the violation, any offense of violence if the alleged 345  
victim of the offense was a family or household member at the 346  
time of the commission of the offense, or any sexually oriented 347  
offense if the alleged victim of the offense was a family or 348  
household member at the time of the commission of the offense, 349  
the complainant, the alleged victim, or a family or household 350  
member of an alleged victim may file, or, if in an emergency the 351  
alleged victim is unable to file, a person who made an arrest 352  
for the alleged violation or offense under section 2935.03 of 353  
the Revised Code may file on behalf of the alleged victim, a 354  
motion that requests the issuance of a temporary protection 355  
order as a pretrial condition of release of the alleged 356  
offender, in addition to any bail set under Criminal Rule 46. 357  
The motion shall be filed with the clerk of the court that has 358  
jurisdiction of the case at any time after the filing of the 359  
complaint. 360

(2) For purposes of section 2930.09 of the Revised Code, 361  
all stages of a proceeding arising out of a complaint alleging 362  
the commission of a violation, offense of violence, or sexually 363  
oriented offense described in division (A)(1) of this section, 364  
including all proceedings on a motion for a temporary protection 365  
order, are critical stages of the case, and a victim may be 366  
accompanied by a victim advocate or another person to provide 367  
support to the victim as provided in that section. 368

(B) The motion shall be prepared on a form that is 369  
provided by the clerk of the court, which form shall be 370  
substantially as follows: 371

"MOTION FOR TEMPORARY PROTECTION ORDER 372

..... Court	373
Name and address of court	374
State of Ohio	375
v.No. ....	376
.....	377
Name of Defendant	378
(name of person), moves the court to issue a temporary protection order	379
containing terms designed to ensure the safety and protection of the	380
complainant, alleged victim, and other family or household members, in	381
relation to the named defendant, pursuant to its authority to issue such	382
an order under section 2919.26 of the Revised Code.	383
A complaint, a copy of which has been attached to this	384
motion, has been filed in this court charging the named	385
defendant with ..... (name of the specified	386
violation, the offense of violence, or sexually oriented offense	387
charged) in circumstances in which the victim was a family or	388
household member in violation of (section of the Revised Code	389
designating the specified violation, offense of violence, or	390
sexually oriented offense charged), or charging the named	391
defendant with a violation of a municipal ordinance that is	392
substantially similar to ..... (section of	393
the Revised Code designating the specified violation, offense of	394
violence, or sexually oriented offense charged) involving a	395
family or household member.	396
I understand that I must appear before the court, at a	397
time set by the court within twenty-four hours after the filing	398
of this motion, for a hearing on the motion or that, if I am	399
unable to appear because of hospitalization or a medical	400

condition resulting from the offense alleged in the complaint, a 401  
person who can provide information about my need for a temporary 402  
protection order must appear before the court in lieu of my 403  
appearing in court. I understand that any temporary protection 404  
order granted pursuant to this motion is a pretrial condition of 405  
release and is effective only until the disposition of the 406  
criminal proceeding arising out of the attached complaint, or 407  
the issuance of a civil protection order or the approval of a 408  
consent agreement, arising out of the same activities as those 409  
that were the basis of the complaint, under section 3113.31 of 410  
the Revised Code. 411

..... 412

Signature of person 413

(or signature of the arresting officer who filed the motion on behalf of 414  
the alleged victim) 415

..... 416

Address of person (or office address of the arresting officer who filed 417  
the motion on behalf of the alleged victim)" 418

(C) (1) As soon as possible after the filing of a motion 419  
that requests the issuance of a temporary protection order, but 420  
not later than twenty-four hours after the filing of the motion, 421  
the court shall conduct a hearing to determine whether to issue 422  
the order. The person who requested the order shall appear 423  
before the court and provide the court with the information that 424  
it requests concerning the basis of the motion. If the person 425  
who requested the order is unable to appear and if the court 426  
finds that the failure to appear is because of the person's 427  
hospitalization or medical condition resulting from the offense 428  
alleged in the complaint, another person who is able to provide 429

the court with the information it requests may appear in lieu of 430  
the person who requested the order. If the court finds that the 431  
safety and protection of the complainant, alleged victim, or any 432  
other family or household member of the alleged victim may be 433  
impaired by the continued presence of the alleged offender, the 434  
court may issue a temporary protection order, as a pretrial 435  
condition of release, that contains terms designed to ensure the 436  
safety and protection of the complainant, alleged victim, or the 437  
family or household member, including a requirement that the 438  
alleged offender refrain from entering the residence, school, 439  
business, or place of employment of the complainant, alleged 440  
victim, or the family or household member. The court may include 441  
within a protection order issued under this section a term 442  
requiring that the alleged offender not remove, damage, hide, 443  
harm, or dispose of any companion animal owned or possessed by 444  
the complainant, alleged victim, or any other family or 445  
household member of the alleged victim, and may include within 446  
the order a term authorizing the complainant, alleged victim, or 447  
other family or household member of the alleged victim to remove 448  
a companion animal owned by the complainant, alleged victim, or 449  
other family or household member from the possession of the 450  
alleged offender. 451

(2) (a) If the court issues a temporary protection order 452  
that includes a requirement that the alleged offender refrain 453  
from entering the residence, school, business, or place of 454  
employment of the complainant, the alleged victim, or the family 455  
or household member, the order shall state clearly that the 456  
order cannot be waived or nullified by an invitation to the 457  
alleged offender from the complainant, alleged victim, or family 458  
or household member to enter the residence, school, business, or 459  
place of employment or by the alleged offender's entry into one 460



of those places otherwise upon the consent of the complainant, 461  
alleged victim, or family or household member. 462

(b) Division (C) (2) (a) of this section does not limit any 463  
discretion of a court to determine that an alleged offender 464  
charged with a violation of section 2919.27 of the Revised Code, 465  
with a violation of a municipal ordinance substantially 466  
equivalent to that section, or with contempt of court, which 467  
charge is based on an alleged violation of a temporary 468  
protection order issued under this section, did not commit the 469  
violation or was not in contempt of court. 470

(D) (1) Upon the filing of a complaint that alleges a 471  
violation of section 2909.06, 2909.07, 2911.12, or 2911.211 of 472  
the Revised Code if the alleged victim of the violation was a 473  
family or household member at the time of the violation, a 474  
violation of a municipal ordinance that is substantially similar 475  
to any of those sections if the alleged victim of the violation 476  
was a family or household member at the time of the violation, 477  
any offense of violence if the alleged victim of the offense was 478  
a family or household member at the time of the commission of 479  
the offense, or any sexually oriented offense if the alleged 480  
victim of the offense was a family or household member at the 481  
time of the commission of the offense, the court, upon its own 482  
motion, may issue a temporary protection order as a pretrial 483  
condition of release if it finds that the safety and protection 484  
of the complainant, alleged victim, or other family or household 485  
member of the alleged offender may be impaired by the continued 486  
presence of the alleged offender. 487

(2) If the court issues a temporary protection order under 488  
this section as an ex parte order, it shall conduct, as soon as 489  
possible after the issuance of the order, a hearing in the 490

presence of the alleged offender not later than the next day on 491  
which the court is scheduled to conduct business after the day 492  
on which the alleged offender was arrested or at the time of the 493  
appearance of the alleged offender pursuant to summons to 494  
determine whether the order should remain in effect, be 495  
modified, or be revoked. The hearing shall be conducted under 496  
the standards set forth in division (C) of this section. 497

(3) An order issued under this section shall contain only 498  
those terms authorized in orders issued under division (C) of 499  
this section. 500

(4) If a municipal court or a county court issues a 501  
temporary protection order under this section and if, subsequent 502  
to the issuance of the order, the alleged offender who is the 503  
subject of the order is bound over to the court of common pleas 504  
for prosecution of a felony arising out of the same activities 505  
as those that were the basis of the complaint upon which the 506  
order is based, notwithstanding the fact that the order was 507  
issued by a municipal court or county court, the order shall 508  
remain in effect, as though it were an order of the court of 509  
common pleas, while the charges against the alleged offender are 510  
pending in the court of common pleas, for the period of time 511  
described in division (E)(2) of this section, and the court of 512  
common pleas has exclusive jurisdiction to modify the order 513  
issued by the municipal court or county court. This division 514  
applies when the alleged offender is bound over to the court of 515  
common pleas as a result of the person waiving a preliminary 516  
hearing on the felony charge, as a result of the municipal court 517  
or county court having determined at a preliminary hearing that 518  
there is probable cause to believe that the felony has been 519  
committed and that the alleged offender committed it, as a 520  
result of the alleged offender having been indicted for the 521

felony, or in any other manner. 522

(E) A temporary protection order that is issued as a 523  
pretrial condition of release under this section: 524

(1) Is in addition to, but shall not be construed as a 525  
part of, any bail set under Criminal Rule 46; 526

(2) Is effective only until the occurrence of either of 527  
the following: 528

(a) The disposition, by the court that issued the order 529  
or, in the circumstances described in division (D)(4) of this 530  
section, by the court of common pleas to which the alleged 531  
offender is bound over for prosecution, of the criminal 532  
proceeding arising out of the complaint upon which the order is 533  
based; 534

(b) The issuance of a protection order or the approval of 535  
a consent agreement, arising out of the same activities as those 536  
that were the basis of the complaint upon which the order is 537  
based, under section 3113.31 of the Revised Code. 538

(3) Shall not be construed as a finding that the alleged 539  
offender committed the alleged offense, and shall not be 540  
introduced as evidence of the commission of the offense at the 541  
trial of the alleged offender on the complaint upon which the 542  
order is based. 543

(F) A person who meets the criteria for bail under 544  
Criminal Rule 46 and who, if required to do so pursuant to that 545  
rule, executes or posts bond or deposits cash or securities as 546  
bail, shall not be held in custody pending a hearing before the 547  
court on a motion requesting a temporary protection order. 548

(G) (1) A copy of any temporary protection order that is 549

issued under this section shall be issued by the court to the 550  
complainant, to the alleged victim, to the person who requested 551  
the order, to the defendant, and to all law enforcement agencies 552  
that have jurisdiction to enforce the order. The court shall 553  
direct that a copy of the order be delivered to the defendant on 554  
the same day that the order is entered. If a municipal court or 555  
a county court issues a temporary protection order under this 556  
section and if, subsequent to the issuance of the order, the 557  
defendant who is the subject of the order is bound over to the 558  
court of common pleas for prosecution as described in division 559  
(D) (4) of this section, the municipal court or county court 560  
shall direct that a copy of the order be delivered to the court 561  
of common pleas to which the defendant is bound over. 562

(2) Upon the issuance of a protection order under this 563  
section, the court shall provide the parties to the order with 564  
the following notice orally or by form: 565

"NOTICE 566

As a result of this protection order, it may be unlawful 567  
for you to possess, receive, or purchase a firearm, including a 568  
rifle, pistol, or revolver, or ammunition pursuant to state law 569  
under section 2923.22 of the Revised Code or federal law under 570  
18 U.S.C. 922(g) (8) for the duration of this order. If you have 571  
any questions whether this law makes it illegal for you to 572  
possess, receive, or purchase a firearm or ammunition, you 573  
should consult an attorney." 574

(3) All law enforcement agencies shall establish and 575  
maintain an index for the temporary protection orders delivered 576  
to the agencies pursuant to division (G) (1) of this section. 577  
With respect to each order delivered, each agency shall note on 578  
the index, the date and time of the receipt of the order by the 579

agency. 580

(4) A complainant, alleged victim, or other person who 581  
obtains a temporary protection order under this section may 582  
provide notice of the issuance of the temporary protection order 583  
to the judicial and law enforcement officials in any county 584  
other than the county in which the order is issued by 585  
registering that order in the other county in accordance with 586  
division (N) of section 3113.31 of the Revised Code and filing a 587  
copy of the registered protection order with a law enforcement 588  
agency in the other county in accordance with that division. 589

(5) Any officer of a law enforcement agency shall enforce 590  
a temporary protection order issued by any court in this state 591  
in accordance with the provisions of the order, including 592  
removing the defendant from the premises, regardless of whether 593  
the order is registered in the county in which the officer's 594  
agency has jurisdiction as authorized by division (G) (4) of this 595  
section. 596

(H) Upon a violation of a temporary protection order, the 597  
court may issue another temporary protection order, as a 598  
pretrial condition of release, that modifies the terms of the 599  
order that was violated. 600

(I) (1) As used in divisions (I) (1) and (2) of this 601  
section, "defendant" means a person who is alleged in a 602  
complaint to have committed a violation, offense of violence, or 603  
sexually oriented offense of the type described in division (A) 604  
of this section. 605

(2) If a complaint is filed that alleges that a person 606  
committed a violation, offense of violence, or sexually oriented 607  
offense of the type described in division (A) of this section, 608

the court may not issue a temporary protection order under this 609  
section that requires the complainant, the alleged victim, or 610  
another family or household member of the defendant to do or 611  
refrain from doing an act that the court may require the 612  
defendant to do or refrain from doing under a temporary 613  
protection order unless both of the following apply: 614

(a) The defendant has filed a separate complaint that 615  
alleges that the complainant, alleged victim, or other family or 616  
household member in question who would be required under the 617  
order to do or refrain from doing the act committed a violation 618  
or offense of violence of the type described in division (A) of 619  
this section. 620

(b) The court determines that both the complainant, 621  
alleged victim, or other family or household member in question 622  
who would be required under the order to do or refrain from 623  
doing the act and the defendant acted primarily as aggressors, 624  
that neither the complainant, alleged victim, or other family or 625  
household member in question who would be required under the 626  
order to do or refrain from doing the act nor the defendant 627  
acted primarily in self-defense, and, in accordance with the 628  
standards and criteria of this section as applied in relation to 629  
the separate complaint filed by the defendant, that it should 630  
issue the order to require the complainant, alleged victim, or 631  
other family or household member in question to do or refrain 632  
from doing the act. 633

(J) (1) Subject to division (J) (2) of this section and 634  
regardless of whether a protection order is issued or a consent 635  
agreement is approved by a court of another county or a court of 636  
another state, no court or unit of state or local government 637  
shall charge the movant any fee, cost, deposit, or money in 638

connection with the filing of a motion pursuant to this section, 639  
in connection with the filing, issuance, registration, 640  
modification, enforcement, dismissal, withdrawal, or service of 641  
a protection order, consent agreement, or witness subpoena or 642  
for obtaining a certified copy of a protection order or consent 643  
agreement. 644

(2) Regardless of whether a protection order is issued or 645  
a consent agreement is approved pursuant to this section, if the 646  
defendant is convicted the court may assess costs against the 647  
defendant in connection with the filing, issuance, registration, 648  
modification, enforcement, dismissal, withdrawal, or service of 649  
a protection order, consent agreement, or witness subpoena or 650  
for obtaining a certified copy of a protection order or consent 651  
agreement. 652

(K) As used in this section: 653

(1) "Companion animal" has the same meaning as in section 654  
959.131 of the Revised Code. 655

(2) "Sexually oriented offense" has the same meaning as in 656  
section 2950.01 of the Revised Code. 657

(3) "Victim advocate" means a person who provides support 658  
and assistance for a victim of an offense during court 659  
proceedings. 660

Sec. 2923.22. (A) No person shall knowingly purchase or 661  
receive any firearm if the person is currently subject to an ex 662  
parte order or civil protection order issued or a consent 663  
agreement approved pursuant to section 2903.214 or 3113.31 of 664  
the Revised Code or an ex parte order or temporary protection 665  
order issued pursuant to section 2903.213 or 2919.26 of the 666  
Revised Code for the duration of the order. 667

(B) Whoever violates this section is guilty of purchasing 668  
or receiving a firearm while subject to a protection order, a 669  
misdemeanor of the first degree on a first offense and a felony 670  
of the fifth degree on each subsequent offense. 671

**Sec. 3113.31.** (A) As used in this section: 672

(1) "Domestic violence" means any of the following: 673

(a) The occurrence of one or more of the following acts 674  
against a family or household member: 675

(i) Attempting to cause or recklessly causing bodily 676  
injury; 677

(ii) Placing another person by the threat of force in fear 678  
of imminent serious physical harm or committing a violation of 679  
section 2903.211 or 2911.211 of the Revised Code; 680

(iii) Committing any act with respect to a child that 681  
would result in the child being an abused child, as defined in 682  
section 2151.031 of the Revised Code; 683

(iv) Committing a sexually oriented offense. 684

(b) The occurrence of one or more of the acts identified 685  
in divisions (A) (1) (a) (i) to (iv) of this section against a 686  
person with whom the respondent is or was in a dating 687  
relationship. 688

(2) "Court" means the domestic relations division of the 689  
court of common pleas in counties that have a domestic relations 690  
division and the court of common pleas in counties that do not 691  
have a domestic relations division, or the juvenile division of 692  
the court of common pleas of the county in which the person to 693  
be protected by a protection order issued or a consent agreement 694  
approved under this section resides if the respondent is less 695



than eighteen years of age. 696

(3) "Family or household member" means any of the 697  
following: 698

(a) Any of the following who is residing with or has 699  
resided with the respondent: 700

(i) A spouse, a person living as a spouse, or a former 701  
spouse of the respondent; 702

(ii) A parent, a foster parent, or a child of the 703  
respondent, or another person related by consanguinity or 704  
affinity to the respondent; 705

(iii) A parent or a child of a spouse, person living as a 706  
spouse, or former spouse of the respondent, or another person 707  
related by consanguinity or affinity to a spouse, person living 708  
as a spouse, or former spouse of the respondent. 709

(b) The natural parent of any child of whom the respondent 710  
is the other natural parent or is the putative other natural 711  
parent. 712

(4) "Person living as a spouse" means a person who is 713  
living or has lived with the respondent in a common law marital 714  
relationship, who otherwise is cohabiting with the respondent, 715  
or who otherwise has cohabited with the respondent within five 716  
years prior to the date of the alleged occurrence of the act in 717  
question. 718

(5) "Victim advocate" means a person who provides support 719  
and assistance for a person who files a petition under this 720  
section. 721

(6) "Sexually oriented offense" has the same meaning as in 722  
section 2950.01 of the Revised Code. 723

(7) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.	724 725
(8) "Dating relationship" means a relationship between individuals who have, or have had, a relationship of a romantic or intimate nature. "Dating relationship" does not include a casual acquaintanceship or ordinary fraternization in a business or social context.	726 727 728 729 730
(9) "Person with whom the respondent is or was in a dating relationship" means an adult who, at the time of the conduct in question, is in a dating relationship with the respondent who also is an adult or who, within the twelve months preceding the conduct in question, has had a dating relationship with the respondent who also is an adult.	731 732 733 734 735 736
(B) The court has jurisdiction over all proceedings under this section. The petitioner's right to relief under this section is not affected by the petitioner's leaving the residence or household to avoid further domestic violence.	737 738 739 740
(C) A person may seek relief under this section on the person's own behalf, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state:	741 742 743 744 745
(1) An allegation that the respondent engaged in domestic violence against a family or household member of the respondent or against a person with whom the respondent is or was in a dating relationship, including a description of the nature and extent of the domestic violence;	746 747 748 749 750
(2) The relationship of the respondent to the petitioner, and to the victim if other than the petitioner;	751 752

(3) If the petition is for protection of a person with whom the respondent is or was in a dating relationship, the facts upon which the court may conclude that a dating relationship existed between the person to be protected and the respondent;

(4) A request for relief under this section.

(D) (1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing on the same day that the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, including, but not limited to, an order described in division (E) (1) (a), (b), or (c) of this section, that the court finds necessary to protect the family or household member or the person with whom the respondent is or was in a dating relationship from domestic violence. Immediate and present danger of domestic violence to the family or household member or to the person with whom the respondent is or was in a dating relationship constitutes good cause for purposes of this section. Immediate and present danger includes, but is not limited to, situations in which the respondent has threatened the family or household member or person with whom the respondent is or was in a dating relationship with bodily harm, in which the respondent has threatened the family or household member or person with whom the respondent is or was in a dating relationship with a sexually oriented offense, or in which the respondent previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for an offense that constitutes domestic violence against the family or household member or person with whom the respondent is or was in a dating relationship.

(2) (a) If the court, after an ex parte hearing, issues an order described in division (E) (1) (b) or (c) of this section, the court shall schedule a full hearing for a date that is within seven court days after the ex parte hearing. If any other type of protection order that is authorized under division (E) of this section is issued by the court after an ex parte hearing, the court shall schedule a full hearing for a date that is within ten court days after the ex parte hearing. The court shall give the respondent notice of, and an opportunity to be heard at, the full hearing. The court shall hold the full hearing on the date scheduled under this division unless the court grants a continuance of the hearing in accordance with this division. Under any of the following circumstances or for any of the following reasons, the court may grant a continuance of the full hearing to a reasonable time determined by the court:

(i) Prior to the date scheduled for the full hearing under this division, the respondent has not been served with the petition filed pursuant to this section and notice of the full hearing.

(ii) The parties consent to the continuance.

(iii) The continuance is needed to allow a party to obtain counsel.

(iv) The continuance is needed for other good cause.

(b) An ex parte order issued under this section does not expire because of a failure to serve notice of the full hearing upon the respondent before the date set for the full hearing under division (D) (2) (a) of this section or because the court grants a continuance under that division.

(3) If a person who files a petition pursuant to this 812  
section does not request an ex parte order, or if a person 813  
requests an ex parte order but the court does not issue an ex 814  
parte order after an ex parte hearing, the court shall proceed 815  
as in a normal civil action and grant a full hearing on the 816  
matter. 817

(E) (1) After an ex parte or full hearing, the court may 818  
grant any protection order, with or without bond, or approve any 819  
consent agreement to bring about a cessation of domestic 820  
violence against the family or household members or persons with 821  
whom the respondent is or was in a dating relationship. The 822  
order or agreement may: 823

(a) Direct the respondent to refrain from abusing or from 824  
committing sexually oriented offenses against the family or 825  
household members or persons with whom the respondent is or was 826  
in a dating relationship; 827

(b) With respect to a petition involving family or 828  
household members, grant possession of the residence or 829  
household to the petitioner or other family or household member, 830  
to the exclusion of the respondent, by evicting the respondent, 831  
when the residence or household is owned or leased solely by the 832  
petitioner or other family or household member, or by ordering 833  
the respondent to vacate the premises, when the residence or 834  
household is jointly owned or leased by the respondent, and the 835  
petitioner or other family or household member; 836

(c) With respect to a petition involving family or 837  
household members, when the respondent has a duty to support the 838  
petitioner or other family or household member living in the 839  
residence or household and the respondent is the sole owner or 840  
lessee of the residence or household, grant possession of the 841

residence or household to the petitioner or other family or 842  
household member, to the exclusion of the respondent, by 843  
ordering the respondent to vacate the premises, or, in the case 844  
of a consent agreement, allow the respondent to provide 845  
suitable, alternative housing; 846

(d) With respect to a petition involving family or 847  
household members, temporarily allocate parental rights and 848  
responsibilities for the care of, or establish temporary 849  
parenting time rights with regard to, minor children, if no 850  
other court has determined, or is determining, the allocation of 851  
parental rights and responsibilities for the minor children or 852  
parenting time rights; 853

(e) With respect to a petition involving family or 854  
household members, require the respondent to maintain support, 855  
if the respondent customarily provides for or contributes to the 856  
support of the family or household member, or if the respondent 857  
has a duty to support the petitioner or family or household 858  
member; 859

(f) Require the respondent, petitioner, victim of domestic 860  
violence, or any combination of those persons, to seek 861  
counseling; 862

(g) Require the respondent to refrain from entering the 863  
residence, school, business, or place of employment of the 864  
petitioner or, with respect to a petition involving family or 865  
household members, a family or household member; 866

(h) Grant other relief that the court considers equitable 867  
and fair, including, but not limited to, ordering the respondent 868  
to permit the use of a motor vehicle by the petitioner or, with 869  
respect to a petition involving family or household members, 870

other family or household members and the apportionment of 871  
household and family personal property; 872

(i) Require that the respondent not remove, damage, hide, 873  
harm, or dispose of any companion animal owned or possessed by 874  
the petitioner; 875

(j) Authorize the petitioner to remove a companion animal 876  
owned by the petitioner from the possession of the respondent; 877

(k) Require a wireless service transfer in accordance with 878  
sections 3113.45 to 3113.459 of the Revised Code. 879

(2) If a protection order has been issued pursuant to this 880  
section in a prior action involving the respondent and the 881  
petitioner or, with respect to a petition involving family or 882  
household members, one or more of the family or household 883  
members or victims, the court may include in a protection order 884  
that it issues a prohibition against the respondent returning to 885  
the residence or household. If it includes a prohibition against 886  
the respondent returning to the residence or household in the 887  
order, it also shall include in the order provisions of the type 888  
described in division (E) (7) of this section. This division does 889  
not preclude the court from including in a protection order or 890  
consent agreement, in circumstances other than those described 891  
in this division, a requirement that the respondent be evicted 892  
from or vacate the residence or household or refrain from 893  
entering the residence, school, business, or place of employment 894  
of the petitioner or, with respect to a petition involving 895  
family or household members, a family or household member, and, 896  
if the court includes any requirement of that type in an order 897  
or agreement, the court also shall include in the order 898  
provisions of the type described in division (E) (7) of this 899  
section. 900

(3) (a) Any protection order issued or consent agreement 901  
approved under this section shall be valid until a date certain, 902  
but not later than five years from the date of its issuance or 903  
approval, or not later than the date a respondent who is less 904  
than eighteen years of age attains nineteen years of age, unless 905  
modified or terminated as provided in division (E) (8) of this 906  
section. 907

(b) With respect to an order involving family or household 908  
members, subject to the limitation on the duration of an order 909  
or agreement set forth in division (E) (3) (a) of this section, 910  
any order under division (E) (1) (d) of this section shall 911  
terminate on the date that a court in an action for divorce, 912  
dissolution of marriage, or legal separation brought by the 913  
petitioner or respondent issues an order allocating parental 914  
rights and responsibilities for the care of children or on the 915  
date that a juvenile court in an action brought by the 916  
petitioner or respondent issues an order awarding legal custody 917  
of minor children. Subject to the limitation on the duration of 918  
an order or agreement set forth in division (E) (3) (a) of this 919  
section, any order under division (E) (1) (e) of this section 920  
shall terminate on the date that a court in an action for 921  
divorce, dissolution of marriage, or legal separation brought by 922  
the petitioner or respondent issues a support order or on the 923  
date that a juvenile court in an action brought by the 924  
petitioner or respondent issues a support order. 925

(c) Any protection order issued or consent agreement 926  
approved pursuant to this section may be renewed in the same 927  
manner as the original order or agreement was issued or 928  
approved. 929

(4) A court may not issue a protection order that requires 930



a petitioner to do or to refrain from doing an act that the court may require a respondent to do or to refrain from doing under division (E) (1) (a), (b), (c), (d), (e), (g), or (h) of this section unless all of the following apply:

(a) The respondent files a separate petition for a protection order in accordance with this section.

(b) The petitioner is served notice of the respondent's petition at least forty-eight hours before the court holds a hearing with respect to the respondent's petition, or the petitioner waives the right to receive this notice.

(c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay any hearing required by that division beyond the time specified in that division in order to consolidate the hearing with a hearing on the petition filed by the respondent.

(d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of domestic violence or has violated a temporary protection order issued pursuant to section 2919.26 of the Revised Code, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense.

(5) No protection order issued or consent agreement approved under this section shall in any manner affect title to any real property.

(6) (a) With respect to an order involving family or household members, if a petitioner, or the child of a

petitioner, who obtains a protection order or consent agreement 960  
pursuant to division (E) (1) of this section or a temporary 961  
protection order pursuant to section 2919.26 of the Revised Code 962  
and is the subject of a parenting time order issued pursuant to 963  
section 3109.051 or 3109.12 of the Revised Code or a visitation 964  
or companionship order issued pursuant to section 3109.051, 965  
3109.11, or 3109.12 of the Revised Code or division (E) (1) (d) of 966  
this section granting parenting time rights to the respondent, 967  
the court may require the public children services agency of the 968  
county in which the court is located to provide supervision of 969  
the respondent's exercise of parenting time or visitation or 970  
companionship rights with respect to the child for a period not 971  
to exceed nine months, if the court makes the following findings 972  
of fact: 973

(i) The child is in danger from the respondent; 974

(ii) No other person or agency is available to provide the 975  
supervision. 976

(b) A court that requires an agency to provide supervision 977  
pursuant to division (E) (6) (a) of this section shall order the 978  
respondent to reimburse the agency for the cost of providing the 979  
supervision, if it determines that the respondent has sufficient 980  
income or resources to pay that cost. 981

(7) (a) If a protection order issued or consent agreement 982  
approved under this section includes a requirement that the 983  
respondent be evicted from or vacate the residence or household 984  
or refrain from entering the residence, school, business, or 985  
place of employment of the petitioner or, with respect to a 986  
petition involving family or household members, a family or 987  
household member, the order or agreement shall state clearly 988  
that the order or agreement cannot be waived or nullified by an 989

invitation to the respondent from the petitioner or other family 990  
or household member to enter the residence, school, business, or 991  
place of employment or by the respondent's entry into one of 992  
those places otherwise upon the consent of the petitioner or 993  
other family or household member. 994

(b) Division (E) (7) (a) of this section does not limit any 995  
discretion of a court to determine that a respondent charged 996  
with a violation of section 2919.27 of the Revised Code, with a 997  
violation of a municipal ordinance substantially equivalent to 998  
that section, or with contempt of court, which charge is based 999  
on an alleged violation of a protection order issued or consent 1000  
agreement approved under this section, did not commit the 1001  
violation or was not in contempt of court. 1002

(8) (a) The court may modify or terminate as provided in 1003  
division (E) (8) of this section a protection order or consent 1004  
agreement that was issued after a full hearing under this 1005  
section. The court that issued the protection order or approved 1006  
the consent agreement shall hear a motion for modification or 1007  
termination of the protection order or consent agreement 1008  
pursuant to division (E) (8) of this section. 1009

(b) Either the petitioner or the respondent of the 1010  
original protection order or consent agreement may bring a 1011  
motion for modification or termination of a protection order or 1012  
consent agreement that was issued or approved after a full 1013  
hearing. The court shall require notice of the motion to be made 1014  
as provided by the Rules of Civil Procedure. If the petitioner 1015  
for the original protection order or consent agreement has 1016  
requested that the petitioner's address be kept confidential, 1017  
the court shall not disclose the address to the respondent of 1018  
the original protection order or consent agreement or any other 1019

person, except as otherwise required by law. The moving party 1020  
has the burden of proof to show, by a preponderance of the 1021  
evidence, that modification or termination of the protection 1022  
order or consent agreement is appropriate because either the 1023  
protection order or consent agreement is no longer needed or 1024  
because the terms of the original protection order or consent 1025  
agreement are no longer appropriate. 1026

(c) In considering whether to modify or terminate a 1027  
protection order or consent agreement issued or approved under 1028  
this section, the court shall consider all relevant factors, 1029  
including, but not limited to, the following: 1030

(i) Whether the petitioner consents to modification or 1031  
termination of the protection order or consent agreement; 1032

(ii) Whether the petitioner fears the respondent; 1033

(iii) The current nature of the relationship between the 1034  
petitioner and the respondent; 1035

(iv) The circumstances of the petitioner and respondent, 1036  
including the relative proximity of the petitioner's and 1037  
respondent's workplaces and residences and whether the 1038  
petitioner and respondent have minor children together; 1039

(v) Whether the respondent has complied with the terms and 1040  
conditions of the original protection order or consent 1041  
agreement; 1042

(vi) Whether the respondent has a continuing involvement 1043  
with illegal drugs or alcohol; 1044

(vii) Whether the respondent has been convicted of, 1045  
pleaded guilty to, or been adjudicated a delinquent child for an 1046  
offense of violence since the issuance of the protection order 1047

or approval of the consent agreement; 1048

(viii) Whether any other protection orders, consent 1049  
agreements, restraining orders, or no contact orders have been 1050  
issued against the respondent pursuant to this section, section 1051  
2919.26 of the Revised Code, any other provision of state law, 1052  
or the law of any other state; 1053

(ix) Whether the respondent has participated in any 1054  
domestic violence treatment, intervention program, or other 1055  
counseling addressing domestic violence and whether the 1056  
respondent has completed the treatment, program, or counseling; 1057

(x) The time that has elapsed since the protection order 1058  
was issued or since the consent agreement was approved; 1059

(xi) The age and health of the respondent; 1060

(xii) When the last incident of abuse, threat of harm, or 1061  
commission of a sexually oriented offense occurred or other 1062  
relevant information concerning the safety and protection of the 1063  
petitioner or other protected parties. 1064

(d) If a protection order or consent agreement is modified 1065  
or terminated as provided in division (E) (8) of this section, 1066  
the court shall issue copies of the modified or terminated order 1067  
or agreement as provided in division (F) of this section. A 1068  
petitioner may also provide notice of the modification or 1069  
termination to the judicial and law enforcement officials in any 1070  
county other than the county in which the order or agreement is 1071  
modified or terminated as provided in division (N) of this 1072  
section. 1073

(e) If the respondent moves for modification or 1074  
termination of a protection order or consent agreement pursuant 1075  
to this section and the court denies the motion, the court may 1076

assess costs against the respondent for the filing of the 1077  
motion. 1078

(9) Any protection order issued or any consent agreement 1079  
approved pursuant to this section shall include a provision that 1080  
the court will automatically seal all of the records of the 1081  
proceeding in which the order is issued or agreement approved on 1082  
the date the respondent attains the age of nineteen years unless 1083  
the petitioner provides the court with evidence that the 1084  
respondent has not complied with all of the terms of the 1085  
protection order or consent agreement. The protection order or 1086  
consent agreement shall specify the date when the respondent 1087  
attains the age of nineteen years. 1088

(F) (1) A copy of any protection order, or consent 1089  
agreement, that is issued, approved, modified, or terminated 1090  
under this section shall be issued by the court to the 1091  
petitioner, to the respondent, and to all law enforcement 1092  
agencies that have jurisdiction to enforce the order or 1093  
agreement. The court shall direct that a copy of an order be 1094  
delivered to the respondent on the same day that the order is 1095  
entered. 1096

(2) Upon the issuance of a protection order or the 1097  
approval of a consent agreement under this section, the court 1098  
shall provide the parties to the order or agreement with the 1099  
following notice orally or by form: 1100

"NOTICE 1101

As a result of this order or consent agreement, it may be 1102  
unlawful for you to possess, receive, or purchase a firearm, 1103  
including a rifle, pistol, or revolver, or ammunition pursuant 1104  
to state law under section 2923.22 of the Revised Code or 1105

federal law under 18 U.S.C. 922(g)(8) for the duration of this 1106  
order or consent agreement. If you have any questions whether 1107  
this law makes it illegal for you to possess, receive, or 1108  
purchase a firearm or ammunition, you should consult an 1109  
attorney." 1110

(3) All law enforcement agencies shall establish and 1111  
maintain an index for the protection orders and the approved 1112  
consent agreements delivered to the agencies pursuant to 1113  
division (F)(1) of this section. With respect to each order and 1114  
consent agreement delivered, each agency shall note on the index 1115  
the date and time that it received the order or consent 1116  
agreement. 1117

(4) Regardless of whether the petitioner has registered 1118  
the order or agreement in the county in which the officer's 1119  
agency has jurisdiction pursuant to division (N) of this 1120  
section, any officer of a law enforcement agency shall enforce a 1121  
protection order issued or consent agreement approved by any 1122  
court in this state in accordance with the provisions of the 1123  
order or agreement, including removing the respondent from the 1124  
premises, if appropriate. 1125

(G)(1) Any proceeding under this section shall be 1126  
conducted in accordance with the Rules of Civil Procedure, 1127  
except that an order under this section may be obtained with or 1128  
without bond. An order issued under this section, other than an 1129  
ex parte order, that grants a protection order or approves a 1130  
consent agreement, that refuses to grant a protection order or 1131  
approve a consent agreement that modifies or terminates a 1132  
protection order or consent agreement, or that refuses to modify 1133  
or terminate a protection order or consent agreement, is a 1134  
final, appealable order. The remedies and procedures provided in 1135

this section are in addition to, and not in lieu of, any other 1136  
available civil or criminal remedies. 1137

(2) If as provided in division (G) (1) of this section an 1138  
order issued under this section, other than an ex parte order, 1139  
refuses to grant a protection order, the court, on its own 1140  
motion, shall order that the ex parte order issued under this 1141  
section and all of the records pertaining to that ex parte order 1142  
be sealed after either of the following occurs: 1143

(a) No party has exercised the right to appeal pursuant to 1144  
Rule 4 of the Rules of Appellate Procedure. 1145

(b) All appellate rights have been exhausted. 1146

(H) The filing of proceedings under this section does not 1147  
excuse a person from filing any report or giving any notice 1148  
required by section 2151.421 of the Revised Code or by any other 1149  
law. When a petition under this section alleges domestic 1150  
violence against minor children, the court shall report the 1151  
fact, or cause reports to be made, to a county, township, or 1152  
municipal peace officer under section 2151.421 of the Revised 1153  
Code. 1154

(I) Any law enforcement agency that investigates a 1155  
domestic dispute shall provide information to the family or 1156  
household members involved, or the persons in the dating 1157  
relationship who are involved, whichever is applicable regarding 1158  
the relief available under this section and, for family or 1159  
household members, section 2919.26 of the Revised Code. 1160

(J) (1) Subject to divisions (E) (8) (e) and (J) (2) of this 1161  
section and regardless of whether a protection order is issued 1162  
or a consent agreement is approved by a court of another county 1163  
or a court of another state, no court or unit of state or local 1164



government shall charge the petitioner any fee, cost, deposit, 1165  
or money in connection with the filing of a petition pursuant to 1166  
this section or in connection with the filing, issuance, 1167  
registration, modification, enforcement, dismissal, withdrawal, 1168  
or service of a protection order, consent agreement, or witness 1169  
subpoena or for obtaining a certified copy of a protection order 1170  
or consent agreement. 1171

(2) Regardless of whether a protection order is issued or 1172  
a consent agreement is approved pursuant to this section, the 1173  
court may assess costs against the respondent in connection with 1174  
the filing, issuance, registration, modification, enforcement, 1175  
dismissal, withdrawal, or service of a protection order, consent 1176  
agreement, or witness subpoena or for obtaining a certified copy 1177  
of a protection order or consent agreement. 1178

(K) (1) The court shall comply with Chapters 3119., 3121., 1179  
3123., and 3125. of the Revised Code when it makes or modifies 1180  
an order for child support under this section. 1181

(2) If any person required to pay child support under an 1182  
order made under this section on or after April 15, 1985, or 1183  
modified under this section on or after December 31, 1986, is 1184  
found in contempt of court for failure to make support payments 1185  
under the order, the court that makes the finding, in addition 1186  
to any other penalty or remedy imposed, shall assess all court 1187  
costs arising out of the contempt proceeding against the person 1188  
and require the person to pay any reasonable attorney's fees of 1189  
any adverse party, as determined by the court, that arose in 1190  
relation to the act of contempt. 1191

(L) (1) A person who violates a protection order issued or 1192  
a consent agreement approved under this section is subject to 1193  
the following sanctions: 1194

(a) Criminal prosecution or a delinquent child proceeding 1195  
for a violation of section 2919.27 of the Revised Code, if the 1196  
violation of the protection order or consent agreement 1197  
constitutes a violation of that section; 1198

(b) Punishment for contempt of court. 1199

(2) The punishment of a person for contempt of court for 1200  
violation of a protection order issued or a consent agreement 1201  
approved under this section does not bar criminal prosecution of 1202  
the person or a delinquent child proceeding concerning the 1203  
person for a violation of section 2919.27 of the Revised Code. 1204  
However, a person punished for contempt of court is entitled to 1205  
credit for the punishment imposed upon conviction of or 1206  
adjudication as a delinquent child for a violation of that 1207  
section, and a person convicted of or adjudicated a delinquent 1208  
child for a violation of that section shall not subsequently be 1209  
punished for contempt of court arising out of the same activity. 1210

(M) In all stages of a proceeding under this section, a 1211  
petitioner may be accompanied by a victim advocate. 1212

(N) (1) A petitioner who obtains a protection order or 1213  
consent agreement under this section or a temporary protection 1214  
order under section 2919.26 of the Revised Code may provide 1215  
notice of the issuance or approval of the order or agreement to 1216  
the judicial and law enforcement officials in any county other 1217  
than the county in which the order is issued or the agreement is 1218  
approved by registering that order or agreement in the other 1219  
county pursuant to division (N) (2) of this section and filing a 1220  
copy of the registered order or registered agreement with a law 1221  
enforcement agency in the other county in accordance with that 1222  
division. A person who obtains a protection order issued by a 1223  
court of another state may provide notice of the issuance of the 1224

order to the judicial and law enforcement officials in any 1225  
county of this state by registering the order in that county 1226  
pursuant to section 2919.272 of the Revised Code and filing a 1227  
copy of the registered order with a law enforcement agency in 1228  
that county. 1229

(2) A petitioner may register a temporary protection 1230  
order, protection order, or consent agreement in a county other 1231  
than the county in which the court that issued the order or 1232  
approved the agreement is located in the following manner: 1233

(a) The petitioner shall obtain a certified copy of the 1234  
order or agreement from the clerk of the court that issued the 1235  
order or approved the agreement and present that certified copy 1236  
to the clerk of the court of common pleas or the clerk of a 1237  
municipal court or county court in the county in which the order 1238  
or agreement is to be registered. 1239

(b) Upon accepting the certified copy of the order or 1240  
agreement for registration, the clerk of the court of common 1241  
pleas, municipal court, or county court shall place an 1242  
endorsement of registration on the order or agreement and give 1243  
the petitioner a copy of the order or agreement that bears that 1244  
proof of registration. 1245

(3) The clerk of each court of common pleas, the clerk of 1246  
each municipal court, and the clerk of each county court shall 1247  
maintain a registry of certified copies of temporary protection 1248  
orders, protection orders, or consent agreements that have been 1249  
issued or approved by courts in other counties and that have 1250  
been registered with the clerk. 1251

(O) Nothing in this section prohibits the domestic 1252  
relations division of a court of common pleas in counties that 1253

have a domestic relations division or a court of common pleas in 1254  
counties that do not have a domestic relations division from 1255  
designating a minor child as a protected party on a protection 1256  
order or consent agreement. 1257

**Section 2.** That existing sections 2903.214, 2919.26, and 1258  
3113.31 of the Revised Code are hereby repealed. 1259