

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 374**

**Representatives Duffey, Cupp**

**Cosponsors: Representatives Hughes, Kick, Becker, Perales, Boggs, O'Brien**

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**A BILL**

To amend sections 2905.05 and 2950.01 of the 1  
Revised Code to create additional criminal 2  
prohibitions within the offense of criminal 3  
child enticement and to classify criminal child 4  
enticement as a tier I sex offense when 5  
committed by a registered sex offender. 6

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

**Section 1.** That sections 2905.05 and 2950.01 of the 7  
Revised Code be amended to read as follows: 8

**Sec. 2905.05.** (A) No person, by any means and without 9  
privilege to do so, shall knowingly solicit, coax, entice, or 10  
lure any child under fourteen years of age to accompany the 11  
person in any manner, including entering into any vehicle or 12  
onto any vessel, whether or not the offender knows the age of 13  
the child, if both of the following apply: 14

(1) The actor does not have the express or implied 15  
permission of the parent, guardian, or other legal custodian of 16  
the child in undertaking the activity. 17

(2) The actor is not a law enforcement officer, medic, 18

firefighter, or other person who regularly provides emergency services, and is not an employee or agent of, or a volunteer acting under the direction of, any board of education, or the actor is any of such persons, but, at the time the actor undertakes the activity, the actor is not acting within the scope of the actor's lawful duties in that capacity.

(B) No person, with a sexual motivation, shall violate division (A) of this section.

(C) No person, by any means and without privilege to do so, shall knowingly solicit, coax, entice, or lure any child under fourteen years of age to accompany the person in any manner, including entering into any vehicle or onto any vessel, whether or not the offender knows the age of the child, if all of the following apply:

(1) The person previously has been convicted of or pleaded guilty to a sexually oriented offense in this state or a substantially similar violation of a law of another state or the United States.

(2) The person has a duty to comply with sections 2950.04, 2950.041, and 2950.06 of the Revised Code.

(3) The person does not have the express or implied permission of the parent, guardian, or other legal custodian of the child in undertaking the activity.

(D) No person, by any means and without privilege to do so, shall knowingly solicit, coax, entice, or lure any child under fourteen years of age to accompany the person in any manner, including entering into any vehicle or onto any vessel, whether or not the offender knows the age of the child, if both divisions (A) (1) and (2) of this section apply and either of the

following applies: 48

(1) The person has no preexisting relationship with the 49  
child or the child's family. 50

(2) The act is of the same or similar character as two or 51  
more other violations of division (A) of this section committed 52  
by the person that are connected together, constitute parts of a 53  
common scheme or plan, or are part of a course of criminal 54  
conduct. 55

(E) No person, for any unlawful purpose other than, or in 56  
addition to, that proscribed by division (A) of this section, 57  
shall engage in any activity described in division (A) of this 58  
section. 59

~~(D)~~(F) It is an affirmative defense to a charge under 60  
division (A), (C), or (D) of this section that the actor 61  
undertook the activity in response to a bona fide emergency 62  
situation or that the actor undertook the activity in a 63  
reasonable belief that it was necessary to preserve the health, 64  
safety, or welfare of the child. 65

~~(E)~~(G) (1) Whoever violates division (A), (B), or (C) of 66  
this section is guilty of criminal child enticement, and the 67  
court shall sentence the offender as provided in divisions (G) 68  
(2) and (3) of this section. 69

(2) A violation of division (A), (B), (D), or (E) of this 70  
section is a misdemeanor of the first degree. If the offender 71  
previously has been convicted of a violation of division (A), 72  
(B), (D), or (E) of this section, ~~section 2907.02 or 2907.03 or~~ 73  
~~former section 2907.12 of the Revised Code, or section 2905.01~~ 74  
~~or 2907.05 of the Revised Code when the victim of that prior~~ 75  
~~offense was under seventeen years of age at the time of the~~ 76

offense or a violation of any substantially similar law of 77  
another state or the United States, criminal child enticement is 78  
a felony of the fifth degree. If the offender previously has 79  
been convicted of a violation of section 2905.01 of the Revised 80  
Code when the victim of that prior offense was under seventeen 81  
years of age at the time of the offense, criminal child 82  
enticement is a felony of the fourth degree. 83

(3) A violation of division (C) of this section is a 84  
felony of the fourth degree. 85

~~(F)~~ (H) As used in this section: 86

(1) "Sexual motivation" has the same meaning as in section 87  
2971.01 of the Revised Code. 88

(2) "Sexually oriented offense" has the same meaning as in 89  
section 2950.01 of the Revised Code. 90

(3) "Vehicle" has the same meaning as in section 4501.01 91  
of the Revised Code. 92

~~(3)~~ (4) "Vessel" has the same meaning as in section 93  
1546.01 of the Revised Code. 94

**Sec. 2950.01.** As used in this chapter, unless the context 95  
clearly requires otherwise: 96

(A) "Sexually oriented offense" means any of the following 97  
violations or offenses committed by a person, regardless of the 98  
person's age: 99

(1) A violation of section 2907.02, 2907.03, 2907.05, 100  
2907.06, 2907.07, 2907.08, 2907.21, 2907.22, 2907.32, 2907.321, 101  
2907.322, or 2907.323 of the Revised Code; 102

(2) A violation of section 2907.04 of the Revised Code 103

when the offender is less than four years older than the other 104  
person with whom the offender engaged in sexual conduct, the 105  
other person did not consent to the sexual conduct, and the 106  
offender previously has not been convicted of or pleaded guilty 107  
to a violation of section 2907.02, 2907.03, or 2907.04 of the 108  
Revised Code or a violation of former section 2907.12 of the 109  
Revised Code; 110

(3) A violation of section 2907.04 of the Revised Code 111  
when the offender is at least four years older than the other 112  
person with whom the offender engaged in sexual conduct or when 113  
the offender is less than four years older than the other person 114  
with whom the offender engaged in sexual conduct and the 115  
offender previously has been convicted of or pleaded guilty to a 116  
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 117  
Code or a violation of former section 2907.12 of the Revised 118  
Code; 119

(4) A violation of section 2903.01, 2903.02, or 2903.11 of 120  
the Revised Code when the violation was committed with a sexual 121  
motivation; 122

(5) A violation of division (A) of section 2903.04 of the 123  
Revised Code when the offender committed or attempted to commit 124  
the felony that is the basis of the violation with a sexual 125  
motivation; 126

(6) A violation of division (A) (3) of section 2903.211 of 127  
the Revised Code; 128

(7) A violation of division (A) (1), (2), (3), or (5) of 129  
section 2905.01 of the Revised Code when the offense is 130  
committed with a sexual motivation; 131

(8) A violation of division (A) (4) of section 2905.01 of 132

the Revised Code;	133
(9) A violation of division (B) of section 2905.01 of the Revised Code when the victim of the offense is under eighteen years of age and the offender is not a parent of the victim of the offense;	134 135 136 137
(10) A violation of division (B) of section 2903.03, of division (B) of section 2905.02, of division (B) of section 2905.03, of division (B) <u>or (C)</u> of section 2905.05, or of division (B) (5) of section 2919.22 of the Revised Code;	138 139 140 141
(11) A violation of section 2905.32 of the Revised Code when any of the following applies:	142 143
(a) The violation is a violation of division (A) (1) of that section and the offender knowingly recruited, lured, enticed, isolated, harbored, transported, provided, obtained, or maintained, or knowingly attempted to recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain, another person knowing that the person would be compelled to engage in sexual activity for hire, engage in a performance that was obscene, sexually oriented, or nudity oriented, or be a model or participant in the production of material that was obscene, sexually oriented, or nudity oriented.	144 145 146 147 148 149 150 151 152 153
(b) The violation is a violation of division (A) (2) of that section and the offender knowingly recruited, lured, enticed, isolated, harbored, transported, provided, obtained, or maintained, or knowingly attempted to recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain a person who is less than sixteen years of age or is a person with a developmental disability whom the offender knows or has reasonable cause to believe is a person with a developmental	154 155 156 157 158 159 160 161

disability for any purpose listed in divisions (A) (2) (a) to (c) 162  
of that section. 163

(c) The violation is a violation of division (A) (3) of 164  
that section, the offender knowingly recruited, lured, enticed, 165  
isolated, harbored, transported, provided, obtained, or 166  
maintained, or knowingly attempted to recruit, lure, entice, 167  
isolate, harbor, transport, provide, obtain, or maintain a 168  
person who is sixteen or seventeen years of age for any purpose 169  
listed in divisions (A) (2) (a) to (c) of that section, and the 170  
circumstances described in division (A) (5), (6), (7), (8), (9), 171  
(10), (11), (12), or (13) of section 2907.03 of the Revised Code 172  
apply with respect to the offender and the other person. 173

(12) A violation of any former law of this state, any 174  
existing or former municipal ordinance or law of another state 175  
or the United States, any existing or former law applicable in a 176  
military court or in an Indian tribal court, or any existing or 177  
former law of any nation other than the United States that is or 178  
was substantially equivalent to any offense listed in division 179  
(A) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of 180  
this section; 181

(13) A violation of division (A) (3) of section 2907.24 of 182  
the Revised Code; 183

(14) Any attempt to commit, conspiracy to commit, or 184  
complicity in committing any offense listed in division (A) (1), 185  
(2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), or 186  
(13) of this section. 187

(B) (1) "Sex offender" means, subject to division (B) (2) of 188  
this section, a person who is convicted of, pleads guilty to, 189  
has been convicted of, has pleaded guilty to, is adjudicated a 190

delinquent child for committing, or has been adjudicated a 191  
delinquent child for committing any sexually oriented offense. 192

(2) "Sex offender" does not include a person who is 193  
convicted of, pleads guilty to, has been convicted of, has 194  
pleaded guilty to, is adjudicated a delinquent child for 195  
committing, or has been adjudicated a delinquent child for 196  
committing a sexually oriented offense if the offense involves 197  
consensual sexual conduct or consensual sexual contact and 198  
either of the following applies: 199

(a) The victim of the sexually oriented offense was 200  
eighteen years of age or older and at the time of the sexually 201  
oriented offense was not under the custodial authority of the 202  
person who is convicted of, pleads guilty to, has been convicted 203  
of, has pleaded guilty to, is adjudicated a delinquent child for 204  
committing, or has been adjudicated a delinquent child for 205  
committing the sexually oriented offense. 206

(b) The victim of the offense was thirteen years of age or 207  
older, and the person who is convicted of, pleads guilty to, has 208  
been convicted of, has pleaded guilty to, is adjudicated a 209  
delinquent child for committing, or has been adjudicated a 210  
delinquent child for committing the sexually oriented offense is 211  
not more than four years older than the victim. 212

(c) "Child-victim oriented offense" means any of the 213  
following violations or offenses committed by a person, 214  
regardless of the person's age, when the victim is under 215  
eighteen years of age and is not a child of the person who 216  
commits the violation: 217

(1) A violation of division (A)(1), (2), (3), or (5) of 218  
section 2905.01 of the Revised Code when the violation is not 219



included in division (A) (7) of this section;	220
(2) A violation of division (A) of section 2905.02,	221
division (A) of section 2905.03, or division (A) of section	222
2905.05 of the Revised Code;	223
(3) A violation of any former law of this state, any	224
existing or former municipal ordinance or law of another state	225
or the United States, any existing or former law applicable in a	226
military court or in an Indian tribal court, or any existing or	227
former law of any nation other than the United States that is or	228
was substantially equivalent to any offense listed in division	229
(C) (1) or (2) of this section;	230
(4) Any attempt to commit, conspiracy to commit, or	231
complicity in committing any offense listed in division (C) (1),	232
(2), or (3) of this section.	233
(D) "Child-victim offender" means a person who is	234
convicted of, pleads guilty to, has been convicted of, has	235
pleaded guilty to, is adjudicated a delinquent child for	236
committing, or has been adjudicated a delinquent child for	237
committing any child-victim oriented offense.	238
(E) "Tier I sex offender/child-victim offender" means any	239
of the following:	240
(1) A sex offender who is convicted of, pleads guilty to,	241
has been convicted of, or has pleaded guilty to any of the	242
following sexually oriented offenses:	243
(a) A violation of section 2907.06, 2907.07, 2907.08,	244
2907.22, or 2907.32 of the Revised Code;	245
(b) A violation of section 2907.04 of the Revised Code	246
when the offender is less than four years older than the other	247

person with whom the offender engaged in sexual conduct, the 248  
other person did not consent to the sexual conduct, and the 249  
offender previously has not been convicted of or pleaded guilty 250  
to a violation of section 2907.02, 2907.03, or 2907.04 of the 251  
Revised Code or a violation of former section 2907.12 of the 252  
Revised Code; 253

(c) A violation of division (A) (1), (2), (3), or (5) of 254  
section 2907.05 of the Revised Code; 255

(d) A violation of division (A) (3) of section 2907.323 of 256  
the Revised Code; 257

(e) A violation of division (A) (3) of section 2903.211, of 258  
division (B) of section 2905.03, or of division (B) or (C) of 259  
section 2905.05 of the Revised Code; 260

(f) A violation of any former law of this state, any 261  
existing or former municipal ordinance or law of another state 262  
or the United States, any existing or former law applicable in a 263  
military court or in an Indian tribal court, or any existing or 264  
former law of any nation other than the United States, that is 265  
or was substantially equivalent to any offense listed in 266  
division (E) (1) (a), (b), (c), (d), or (e) of this section; 267

(g) Any attempt to commit, conspiracy to commit, or 268  
complicity in committing any offense listed in division (E) (1) 269  
(a), (b), (c), (d), (e), or (f) of this section. 270

(2) A child-victim offender who is convicted of, pleads 271  
guilty to, has been convicted of, or has pleaded guilty to a 272  
child-victim oriented offense and who is not within either 273  
category of child-victim offender described in division (F) (2) 274  
or (G) (2) of this section. 275

(3) A sex offender who is adjudicated a delinquent child 276

for committing or has been adjudicated a delinquent child for 277  
committing any sexually oriented offense and who a juvenile 278  
court, pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 279  
of the Revised Code, classifies a tier I sex offender/child- 280  
victim offender relative to the offense. 281

(4) A child-victim offender who is adjudicated a 282  
delinquent child for committing or has been adjudicated a 283  
delinquent child for committing any child-victim oriented 284  
offense and who a juvenile court, pursuant to section 2152.82, 285  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 286  
tier I sex offender/child-victim offender relative to the 287  
offense. 288

(F) "Tier II sex offender/child-victim offender" means any 289  
of the following: 290

(1) A sex offender who is convicted of, pleads guilty to, 291  
has been convicted of, or has pleaded guilty to any of the 292  
following sexually oriented offenses: 293

(a) A violation of section 2907.21, 2907.321, or 2907.322 294  
of the Revised Code; 295

(b) A violation of section 2907.04 of the Revised Code 296  
when the offender is at least four years older than the other 297  
person with whom the offender engaged in sexual conduct, or when 298  
the offender is less than four years older than the other person 299  
with whom the offender engaged in sexual conduct and the 300  
offender previously has been convicted of or pleaded guilty to a 301  
violation of section 2907.02, 2907.03, or 2907.04 of the Revised 302  
Code or former section 2907.12 of the Revised Code; 303

(c) A violation of division (A) (4) of section 2907.05, of 304  
division (A) (3) of section 2907.24, or of division (A) (1) or (2) 305

of section 2907.323 of the Revised Code; 306

(d) A violation of division (A) (1), (2), (3), or (5) of 307  
section 2905.01 of the Revised Code when the offense is 308  
committed with a sexual motivation; 309

(e) A violation of division (A) (4) of section 2905.01 of 310  
the Revised Code when the victim of the offense is eighteen 311  
years of age or older; 312

(f) A violation of division (B) of section 2905.02 or of 313  
division (B) (5) of section 2919.22 of the Revised Code; 314

(g) A violation of section 2905.32 of the Revised Code 315  
that is described in division (A) (11) (a), (b), or (c) of this 316  
section; 317

(h) A violation of any former law of this state, any 318  
existing or former municipal ordinance or law of another state 319  
or the United States, any existing or former law applicable in a 320  
military court or in an Indian tribal court, or any existing or 321  
former law of any nation other than the United States that is or 322  
was substantially equivalent to any offense listed in division 323  
(F) (1) (a), (b), (c), (d), (e), (f), or (g) of this section; 324

(i) Any attempt to commit, conspiracy to commit, or 325  
complicity in committing any offense listed in division (F) (1) 326  
(a), (b), (c), (d), (e), (f), (g), or (h) of this section; 327

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

(2) A child-victim offender who is convicted of, pleads 334  
guilty to, has been convicted of, or has pleaded guilty to any 335  
child-victim oriented offense when the child-victim oriented 336  
offense is committed after the child-victim offender previously 337  
has been convicted of, pleaded guilty to, or been adjudicated a 338  
delinquent child for committing any sexually oriented offense or 339  
child-victim oriented offense for which the offender was 340  
classified a tier I sex offender/child-victim offender. 341

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

(4) A child-victim offender who is adjudicated a 348  
delinquent child for committing or has been adjudicated a 349  
delinquent child for committing any child-victim oriented 350  
offense and whom a juvenile court, pursuant to section 2152.82, 351  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 352  
tier II sex offender/child-victim offender relative to the 353  
current offense. 354

(5) A sex offender or child-victim offender who is not in 355  
any category of tier II sex offender/child-victim offender set 356  
forth in division (F)(1), (2), (3), or (4) of this section, who 357  
prior to January 1, 2008, was adjudicated a delinquent child for 358  
committing a sexually oriented offense or child-victim oriented 359  
offense, and who prior to that date was determined to be a 360  
habitual sex offender or determined to be a habitual child- 361  
victim offender, unless either of the following applies: 362

(a) The sex offender or child-victim offender is 363

reclassified pursuant to section 2950.031 or 2950.032 of the Revised Code as a tier I sex offender/child-victim offender or a tier III sex offender/child-victim offender relative to the offense.

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

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

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

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

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

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

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

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

(f) A violation of division (B) of section 2905.01 of the

Revised Code when the victim of the offense is under eighteen 392  
years of age and the offender is not a parent of the victim of 393  
the offense; 394

(g) A violation of division (B) of section 2903.03 of the 395  
Revised Code; 396

(h) A violation of any former law of this state, any 397  
existing or former municipal ordinance or law of another state 398  
or the United States, any existing or former law applicable in a 399  
military court or in an Indian tribal court, or any existing or 400  
former law of any nation other than the United States that is or 401  
was substantially equivalent to any offense listed in division 402  
(G) (1) (a), (b), (c), (d), (e), (f), or (g) of this section; 403

(i) Any attempt to commit, conspiracy to commit, or 404  
complicity in committing any offense listed in division (G) (1) 405  
(a), (b), (c), (d), (e), (f), (g), or (h) of this section; 406

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

(2) A child-victim offender who is convicted of, pleads 414  
guilty to, has been convicted of, or has pleaded guilty to any 415  
child-victim oriented offense when the child-victim oriented 416  
offense is committed after the child-victim offender previously 417  
has been convicted of, pleaded guilty to, or been adjudicated a 418  
delinquent child for committing any sexually oriented offense or 419  
child-victim oriented offense for which the offender was 420

classified a tier II sex offender/child-victim offender or a 421  
tier III sex offender/child-victim offender. 422

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

(4) A child-victim offender who is adjudicated a 429  
delinquent child for committing or has been adjudicated a 430  
delinquent child for committing any child-victim oriented 431  
offense and whom a juvenile court, pursuant to section 2152.82, 432  
2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a 433  
tier III sex offender/child-victim offender relative to the 434  
current offense. 435

(5) A sex offender or child-victim offender who is not in 436  
any category of tier III sex offender/child-victim offender set 437  
forth in division (G) (1), (2), (3), or (4) of this section, who 438  
prior to January 1, 2008, was convicted of or pleaded guilty to 439  
a sexually oriented offense or child-victim oriented offense or 440  
was adjudicated a delinquent child for committing a sexually 441  
oriented offense or child-victim oriented offense and classified 442  
a juvenile offender registrant, and who prior to that date was 443  
adjudicated a sexual predator or adjudicated a child-victim 444  
predator, unless either of the following applies: 445

(a) The sex offender or child-victim offender is 446  
reclassified pursuant to section 2950.031 or 2950.032 of the 447  
Revised Code as a tier I sex offender/child-victim offender or a 448  
tier II sex offender/child-victim offender relative to the 449  
offense. 450



(b) The sex offender or child-victim offender is a 451  
delinquent child, and a juvenile court, pursuant to section 452  
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, 453  
classifies the child a tier I sex offender/child-victim offender 454  
or a tier II sex offender/child-victim offender relative to the 455  
offense. 456

(6) A sex offender who is convicted of, pleads guilty to, 457  
was convicted of, or pleaded guilty to a sexually oriented 458  
offense, if the sexually oriented offense and the circumstances 459  
in which it was committed are such that division (F) of section 460  
2971.03 of the Revised Code automatically classifies the 461  
offender as a tier III sex offender/child-victim offender; 462

(7) A sex offender or child-victim offender who is 463  
convicted of, pleads guilty to, was convicted of, pleaded guilty 464  
to, is adjudicated a delinquent child for committing, or was 465  
adjudicated a delinquent child for committing a sexually 466  
oriented offense or child-victim offense in another state, in a 467  
federal court, military court, or Indian tribal court, or in a 468  
court in any nation other than the United States if both of the 469  
following apply: 470

(a) Under the law of the jurisdiction in which the 471  
offender was convicted or pleaded guilty or the delinquent child 472  
was adjudicated, the offender or delinquent child is in a 473  
category substantially equivalent to a category of tier III sex 474  
offender/child-victim offender described in division (G) (1), 475  
(2), (3), (4), (5), or (6) of this section. 476

(b) Subsequent to the conviction, plea of guilty, or 477  
adjudication in the other jurisdiction, the offender or 478  
delinquent child resides, has temporary domicile, attends school 479  
or an institution of higher education, is employed, or intends 480

to reside in this state in any manner and for any period of time 481  
that subjects the offender or delinquent child to a duty to 482  
register or provide notice of intent to reside under section 483  
2950.04 or 2950.041 of the Revised Code. 484

(H) "Confinement" includes, but is not limited to, a 485  
community residential sanction imposed pursuant to section 486  
2929.16 or 2929.26 of the Revised Code. 487

(I) "Prosecutor" has the same meaning as in section 488  
2935.01 of the Revised Code. 489

(J) "Supervised release" means a release of an offender 490  
from a prison term, a term of imprisonment, or another type of 491  
confinement that satisfies either of the following conditions: 492

(1) The release is on parole, a conditional pardon, under 493  
a community control sanction, under transitional control, or 494  
under a post-release control sanction, and it requires the 495  
person to report to or be supervised by a parole officer, 496  
probation officer, field officer, or another type of supervising 497  
officer. 498

(2) The release is any type of release that is not 499  
described in division (J)(1) of this section and that requires 500  
the person to report to or be supervised by a probation officer, 501  
a parole officer, a field officer, or another type of 502  
supervising officer. 503

(K) "Sexually violent predator specification," "sexually 504  
violent predator," "sexually violent offense," "sexual 505  
motivation specification," "designated homicide, assault, or 506  
kidnapping offense," and "violent sex offense" have the same 507  
meanings as in section 2971.01 of the Revised Code. 508

(L) "Post-release control sanction" and "transitional 509

control" have the same meanings as in section 2967.01 of the Revised Code.

(M) "Juvenile offender registrant" means a person who is adjudicated a delinquent child for committing on or after January 1, 2002, a sexually oriented offense or a child-victim oriented offense, who is fourteen years of age or older at the time of committing the offense, and who a juvenile court judge, pursuant to an order issued under section 2152.82, 2152.83, 2152.84, 2152.85, or 2152.86 of the Revised Code, classifies a juvenile offender registrant and specifies has a duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code. "Juvenile offender registrant" includes a person who prior to January 1, 2008, was a "juvenile offender registrant" under the definition of the term in existence prior to January 1, 2008, and a person who prior to July 31, 2003, was a "juvenile sex offender registrant" under the former definition of that former term.

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

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

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

(b) A violation of section 2903.01, 2903.02, or 2905.01 of 540  
the Revised Code that was committed with a purpose to gratify 541  
the sexual needs or desires of the child; 542

(c) A violation of division (B) of section 2903.03 of the 543  
Revised Code. 544

(2) The person was fourteen, fifteen, sixteen, or 545  
seventeen years of age at the time of committing the act. 546

(3) A juvenile court judge, pursuant to an order issued 547  
under section 2152.86 of the Revised Code, classifies the person 548  
a juvenile offender registrant, specifies the person has a duty 549  
to comply with sections 2950.04, 2950.05, and 2950.06 of the 550  
Revised Code, and classifies the person a public registry- 551  
qualified juvenile offender registrant, and the classification 552  
of the person as a public registry-qualified juvenile offender 553  
registrant has not been terminated pursuant to division (D) of 554  
section 2152.86 of the Revised Code. 555

(O) "Secure facility" means any facility that is designed 556  
and operated to ensure that all of its entrances and exits are 557  
locked and under the exclusive control of its staff and to 558  
ensure that, because of that exclusive control, no person who is 559  
institutionalized or confined in the facility may leave the 560  
facility without permission or supervision. 561

(P) "Out-of-state juvenile offender registrant" means a 562  
person who is adjudicated a delinquent child in a court in 563  
another state, in a federal court, military court, or Indian 564  
tribal court, or in a court in any nation other than the United 565  
States for committing a sexually oriented offense or a child- 566  
victim oriented offense, who on or after January 1, 2002, moves 567  
to and resides in this state or temporarily is domiciled in this 568

state for more than five days, and who has a duty under section 569  
2950.04 or 2950.041 of the Revised Code to register in this 570  
state and the duty to otherwise comply with that applicable 571  
section and sections 2950.05 and 2950.06 of the Revised Code. 572  
"Out-of-state juvenile offender registrant" includes a person 573  
who prior to January 1, 2008, was an "out-of-state juvenile 574  
offender registrant" under the definition of the term in 575  
existence prior to January 1, 2008, and a person who prior to 576  
July 31, 2003, was an "out-of-state juvenile sex offender 577  
registrant" under the former definition of that former term. 578

(Q) "Juvenile court judge" includes a magistrate to whom 579  
the juvenile court judge confers duties pursuant to division (A) 580  
(15) of section 2151.23 of the Revised Code. 581

(R) "Adjudicated a delinquent child for committing a 582  
sexually oriented offense" includes a child who receives a 583  
serious youthful offender dispositional sentence under section 584  
2152.13 of the Revised Code for committing a sexually oriented 585  
offense. 586

(S) "School" and "school premises" have the same meanings 587  
as in section 2925.01 of the Revised Code. 588

(T) "Residential premises" means the building in which a 589  
residential unit is located and the grounds upon which that 590  
building stands, extending to the perimeter of the property. 591  
"Residential premises" includes any type of structure in which a 592  
residential unit is located, including, but not limited to, 593  
multi-unit buildings and mobile and manufactured homes. 594

(U) "Residential unit" means a dwelling unit for 595  
residential use and occupancy, and includes the structure or 596  
part of a structure that is used as a home, residence, or 597

sleeping place by one person who maintains a household or two or more persons who maintain a common household. "Residential unit" does not include a halfway house or a community-based correctional facility.

(V) "Multi-unit building" means a building in which is located more than twelve residential units that have entry doors that open directly into the unit from a hallway that is shared with one or more other units. A residential unit is not considered located in a multi-unit building if the unit does not have an entry door that opens directly into the unit from a hallway that is shared with one or more other units or if the unit is in a building that is not a multi-unit building as described in this division.

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

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

**Section 2.** That existing sections 2905.05 and 2950.01 of the Revised Code are hereby repealed.