

**As Introduced**

**126th General Assembly  
Regular Session  
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**H. B. No. 191**

**Representatives DeGeeter, Hartnett, Beatty, Cassell, Distel, Strahorn,  
McGregor, Perry, Martin, Trakas, Koziura, Brown, Reidelbach, Schaffer,  
Taylor, Allen, Webster, Flowers**

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**A B I L L**

To amend section 2950.99 of the Revised Code to make 1  
a violation of the prohibition under the Sex 2  
Offender Registration and Notification Law against 3  
certain offenders residing within 1,000 feet of 4  
any school premises a felony of the fifth degree. 5

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

**Section 1.** That section 2950.99 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 2950.99.** (A)(1)(a) Except as otherwise provided in 8  
division (A)(1)(b) of this section, whoever violates a prohibition 9  
in section 2950.04, 2950.041, 2950.05, or 2950.06 of the Revised 10  
Code shall be punished as follows: 11

(i) If the most serious sexually oriented offense or 12  
child-victim oriented offense that was the basis of the 13  
registration, notice of intent to reside, change of address 14  
notification, or address verification requirement that was 15  
violated under the prohibition is aggravated murder, murder, or a 16  
felony of the first, second, or third degree if committed by an 17  
adult or a comparable category of offense committed in another 18

jurisdiction, the offender is guilty of a felony of the third  
degree.

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(ii) If the most serious sexually oriented offense or  
child-victim oriented offense that was the basis of the  
registration, notice of intent to reside, change of address  
notification, or address verification requirement that was  
violated under the prohibition is a felony of the fourth or fifth  
degree if committed by an adult or a comparable category of  
offense committed in another jurisdiction, or if the most serious  
sexually oriented offense or child-victim oriented offense that  
was the basis of the registration, notice of intent to reside,  
change of address notification, or address verification  
requirement that was violated under the prohibition is a  
misdemeanor if committed by an adult or a comparable category of  
offense committed in another jurisdiction, the offender is guilty  
of a felony of the same degree or a misdemeanor of the same degree  
as the most serious sexually oriented offense or child-victim  
oriented offense that was the basis of the registration, notice of  
intent to reside, change of address, or address verification  
requirement that was violated under the prohibition or, if the  
most serious sexually oriented offense or child-victim oriented  
offense that was the basis of the registration, notice of intent  
to reside, change of address, or address verification requirement  
that was violated under the prohibition was a comparable category  
of offense committed in another jurisdiction, the offender is  
guilty of a felony of the same degree or a misdemeanor of the same  
degree as that offense committed in the other jurisdiction would  
constitute or would have constituted if it had been committed in  
this state.

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(b) If the offender previously has been convicted of or  
pleaded guilty to, or previously has been adjudicated a delinquent  
child for committing, a violation of a prohibition in section

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2950.04, 2950.041, 2950.05, or 2950.06 of the Revised Code, 51  
whoever violates a prohibition in section 2950.04, 2950.041, 52  
2950.05, or 2950.06 of the Revised Code shall be punished as 53  
follows: 54

(i) If the most serious sexually oriented offense or 55  
child-victim oriented offense that was the basis of the 56  
registration, notice of intent to reside, change of address 57  
notification, or address verification requirement that was 58  
violated under the prohibition is aggravated murder, murder, or a 59  
felony of the first, second, third, or fourth degree if committed 60  
by an adult or a comparable category of offense committed in 61  
another jurisdiction, the offender is guilty of a felony of the 62  
third degree. 63

(ii) If the most serious sexually oriented offense or 64  
child-victim oriented offense that was the basis of the 65  
registration, notice of intent to reside, change of address 66  
notification, or address verification requirement that was 67  
violated under the prohibition is a felony of the fifth degree if 68  
committed by an adult or a comparable category of offense 69  
committed in another jurisdiction, the offender is guilty of a 70  
felony of the fourth degree. 71

(iii) If the most serious sexually oriented offense or 72  
child-victim oriented offense that was the basis of the 73  
registration, notice of intent to reside, change of address 74  
notification, or address verification requirement that was 75  
violated under the prohibition is a misdemeanor of the first 76  
degree if committed by an adult or a comparable category of 77  
offense committed in another jurisdiction, the offender is guilty 78  
of a felony of the fifth degree. 79

(iv) If the most serious sexually oriented offense or 80  
child-victim oriented offense that was the basis of the 81

registration, notice of intent to reside, change of address 82  
notification, or address verification requirement that was 83  
violated under the prohibition is a misdemeanor other than a 84  
misdemeanor of the first degree if committed by an adult or a 85  
comparable category of offense committed in another jurisdiction, 86  
the offender is guilty of a misdemeanor that is one degree higher 87  
than the most serious sexually oriented offense or child-victim 88  
oriented offense that was the basis of the registration, change of 89  
address, or address verification requirement that was violated 90  
under the prohibition or, if the most serious sexually oriented 91  
offense or child-victim oriented offense that was the basis of the 92  
registration, notice of intent to reside, change of address, or 93  
address verification requirement that was violated under the 94  
prohibition was a comparable category of offense committed in 95  
another jurisdiction, the offender is guilty of a misdemeanor that 96  
is one degree higher than the most serious sexually oriented 97  
offense or child-victim oriented offense committed in the other 98  
jurisdiction would constitute or would have constituted if it had 99  
been committed in this state. 100

(2) In addition to any penalty or sanction imposed under 101  
division (A)(1) of this section or any other provision of law for 102  
a violation of a prohibition in section 2950.04, 2950.041, 103  
2950.05, or 2950.06 of the Revised Code, if the offender or 104  
delinquent child is subject to a community control sanction, is on 105  
parole, is subject to one or more post-release control sanctions, 106  
or is subject to any other type of supervised release at the time 107  
of the violation, the violation shall constitute a violation of 108  
the terms and conditions of the community control sanction, 109  
parole, post-release control sanction, or other type of supervised 110  
release. 111

(3) As used in division (A)(1) of this section, "comparable 112  
category of offense committed in another jurisdiction" means a 113

sexually oriented offense or child-victim oriented offense that 114  
was the basis of the registration, notice of intent to reside, 115  
change of address notification, or address verification 116  
requirement that was violated, that is a violation of an existing 117  
or former law of another state or the United States, an existing 118  
or former law applicable in a military court or in an Indian 119  
tribal court, or an existing or former law of any nation other 120  
than the United States, and that, if it had been committed in this 121  
state, would constitute or would have constituted aggravated 122  
murder, murder, or a felony of the first, second, or third degree 123  
for purposes of division (A)(1)(a)(i) of this section, a felony of 124  
the fourth or fifth degree or a misdemeanor for purposes of 125  
division (A)(1)(a)(ii) of this section, aggravated murder, murder, 126  
or a felony of the first, second, third, or fourth degree for 127  
purposes of division (A)(1)(b)(i) of this section, a felony of the 128  
fifth degree for purposes of division (A)(1)(b)(ii) of this 129  
section, a misdemeanor of the first degree for purposes of 130  
division (A)(1)(b)(iii) of this section, or a misdemeanor other 131  
than a misdemeanor of the first degree for purposes of division 132  
(A)(1)(b)(iv) of this section. 133

(B) If a person violates a prohibition in section 2950.04, 134  
2950.041, 2950.05, or 2950.06 of the Revised Code that applies to 135  
the person as a result of the person being adjudicated a 136  
delinquent child and being classified a juvenile offender 137  
registrant or as an out-of-state juvenile offender registrant, 138  
both of the following apply: 139

(1) If the violation occurs while the person is under 140  
eighteen years of age, the person is subject to proceedings under 141  
Chapter 2152. of the Revised Code based on the violation. 142

(2) If the violation occurs while the person is eighteen 143  
years of age or older, the person is subject to criminal 144  
prosecution based on the violation. 145

(C) Whoever violates division (C) of section 2950.13 of the Revised Code is guilty of a misdemeanor of the first degree.

(D) Whoever violates division (A) of section 2950.031 of the Revised Code is guilty of a felony of the fifth degree.

**Section 2.** That existing section 2950.99 of the Revised Code is hereby repealed.