

As Passed by the House

131st General Assembly

Regular Session

2015-2016

Am. Sub. H. B. No. 63

Representatives Pelanda, Grossman

Cosponsors: Representatives Slaby, Boose, Maag, Becker, Buchy, Leland, Sears, Dever, Hill, Barnes, Fedor, Blessing, Boyd, Sheehy, Driehaus, Anielski, Antonio, Arndt, Baker, Brown, Burkley, Cupp, Derickson, DeVitis, Dovilla, Ginter, Hagan, Hall, Johnson, T., Kunze, LaTourette, Manning, McClain, O'Brien, M., Patmon, Patterson, Perales, Phillips, Reineke, Rezabek, Rogers, Schaffer, Scherer, Strahorn, Sweeney, Thompson

A BILL

To amend sections 2919.22, 3107.05, 3109.51, 1
4510.13, 4510.31, and 5101.13 and to enact 2
sections 3107.035, 3109.81, 3109.811, 3109.812, 3
3109.813, 3109.814, and 3109.815 of the Revised 4
Code regarding child rehoming and nonjudicial 5
grants of parental rights. 6

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

Section 1. That sections 2919.22, 3107.05, 3109.51, 7
4510.13, 4510.31, and 5101.13 be amended and sections 3107.035, 8
3109.81, 3109.811, 3109.812, 3109.813, 3109.814, and 3109.815 of 9
the Revised Code be enacted to read as follows: 10

Sec. 2919.22. (A) No person, who is the parent, guardian, 11
custodian, person having custody or control, or person in loco 12
parentis of a child under eighteen years of age or a mentally or 13
physically handicapped child under twenty-one years of age, 14
shall create a substantial risk to the health or safety of the 15

child, by violating a duty of care, protection, or support. It 16
is not a violation of a duty of care, protection, or support 17
under this division when the parent, guardian, custodian, or 18
person having custody or control of a child treats the physical 19
or mental illness or defect of the child by spiritual means 20
through prayer alone, in accordance with the tenets of a 21
recognized religious body. 22

(B) No person shall do any of the following to a child 23
under eighteen years of age or a mentally or physically 24
handicapped child under twenty-one years of age: 25

(1) Abuse the child; 26

(2) Torture or cruelly abuse the child; 27

(3) Administer corporal punishment or other physical 28
disciplinary measure, or physically restrain the child in a 29
cruel manner or for a prolonged period, which punishment, 30
discipline, or restraint is excessive under the circumstances 31
and creates a substantial risk of serious physical harm to the 32
child; 33

(4) Repeatedly administer unwarranted disciplinary 34
measures to the child, when there is a substantial risk that 35
such conduct, if continued, will seriously impair or retard the 36
child's mental health or development; 37

(5) Entice, coerce, permit, encourage, compel, hire, 38
employ, use, or allow the child to act, model, or in any other 39
way participate in, or be photographed for, the production, 40
presentation, dissemination, or advertisement of any material or 41
performance that the offender knows or reasonably should know is 42
obscene, is sexually oriented matter, or is nudity-oriented 43
matter; 44

(6) Allow the child to be on the same parcel of real property and within one hundred feet of, or, in the case of more than one housing unit on the same parcel of real property, in the same housing unit and within one hundred feet of, any act in violation of section 2925.04 or 2925.041 of the Revised Code when the person knows that the act is occurring, whether or not any person is prosecuted for or convicted of the violation of section 2925.04 or 2925.041 of the Revised Code that is the basis of the violation of this division;

(7) Sell or transfer, or arrange to sell or transfer, a child for anything of value;

(8) (a) (i) Receive or place a child in the custody of another person, with the intent that the child remain in the person's custody for more than one year;

(ii) Receive or place a child in the custody of another person, with the intent that the child remain in that person's custody for a reason other than a vacation or school sponsored function or activity or because of a parent's incarceration, military service, medical treatment, or incapacity.

(b) For purposes of division (B) (8) of this section, "receive or place a child in the custody of another person" means both of the following:

(i) To grant or be granted any of the parents', guardian's, or custodian's rights and responsibilities regarding the care, custody, and control of the child;

(ii) To have the child reside with the person.

(C) (1) No person shall operate a vehicle, streetcar, or trackless trolley within this state in violation of division (A) of section 4511.19 of the Revised Code when one or more children

under eighteen years of age are in the vehicle, streetcar, or 74
trackless trolley. Notwithstanding any other provision of law, a 75
person may be convicted at the same trial or proceeding of a 76
violation of this division and a violation of division (A) of 77
section 4511.19 of the Revised Code that constitutes the basis 78
of the charge of the violation of this division. For purposes of 79
sections 4511.191 to 4511.197 of the Revised Code and all 80
related provisions of law, a person arrested for a violation of 81
this division shall be considered to be under arrest for 82
operating a vehicle while under the influence of alcohol, a drug 83
of abuse, or a combination of them or for operating a vehicle 84
with a prohibited concentration of alcohol, a controlled 85
substance, or a metabolite of a controlled substance in the 86
whole blood, blood serum or plasma, breath, or urine. 87

(2) As used in division (C) (1) of this section: 88

(a) "Controlled substance" has the same meaning as in 89
section 3719.01 of the Revised Code. 90

(b) "Vehicle," "streetcar," and "trackless trolley" have 91
the same meanings as in section 4511.01 of the Revised Code. 92

(D) (1) Division (B) (5) of this section does not apply to 93
any material or performance that is produced, presented, or 94
disseminated for a bona fide medical, scientific, educational, 95
religious, governmental, judicial, or other proper purpose, by 96
or to a physician, psychologist, sociologist, scientist, 97
teacher, person pursuing bona fide studies or research, 98
librarian, member of the clergy, prosecutor, judge, or other 99
person having a proper interest in the material or performance. 100

(2) Mistake of age is not a defense to a charge under 101
division (B) (5) of this section. 102

(3) In a prosecution under division (B) (5) of this section, the trier of fact may infer that an actor, model, or participant in the material or performance involved is a juvenile if the material or performance, through its title, text, visual representation, or otherwise, represents or depicts the actor, model, or participant as a juvenile.

(4) As used in this division and division (B) (5) of this section:

(a) "Material," "performance," "obscene," and "sexual activity" have the same meanings as in section 2907.01 of the Revised Code.

(b) "Nudity-oriented matter" means any material or performance that shows a minor in a state of nudity and that, taken as a whole by the average person applying contemporary community standards, appeals to prurient interest.

(c) "Sexually oriented matter" means any material or performance that shows a minor participating or engaging in sexual activity, masturbation, or bestiality.

(E) Division (B) (8) of this section does not apply in any of the following situations:

(1) Voluntary delivery of a child, and that child's subsequent care in accordance with sections 2151.3515 to 2151.3530 of the Revised Code;

(2) The child is related by consanguinity or affinity within the fifth degree to the person receiving the child;

(3) Placement in accordance with Chapter 5103. of the Revised Code;

(4) Placement in accordance with any court order.

(F)(1) Whoever violates this section is guilty of endangering children. 131
132

(2) If the offender violates division (A) or (B)(1) of this section, endangering children is one of the following, and, in the circumstances described in division ~~(E)~~(F)(2)(e) of this section, that division applies: 133
134
135
136

(a) Except as otherwise provided in division ~~(E)~~(F)(2)(b), (c), or (d) of this section, a misdemeanor of the first degree; 137
138

(b) If the offender previously has been convicted of an offense under this section or of any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division ~~(E)~~(F)(2)(c) or (d) of this section, a felony of the fourth degree; 139
140
141
142
143

(c) If the violation is a violation of division (A) of this section and results in serious physical harm to the child involved, a felony of the third degree; 144
145
146

(d) If the violation is a violation of division (B)(1) of this section and results in serious physical harm to the child involved, a felony of the second degree. 147
148
149

(e) If the violation is a felony violation of division (B)(1) of this section and the offender also is convicted of or pleads guilty to a specification as described in section 2941.1422 of the Revised Code that was included in the indictment, count in the indictment, or information charging the offense, the court shall sentence the offender to a mandatory prison term as provided in division (B)(7) of section 2929.14 of the Revised Code and shall order the offender to make restitution as provided in division (B)(8) of section 2929.18 of the Revised Code. 150
151
152
153
154
155
156
157
158
159

(3) If the offender violates division (B) (2), (3), (4), or 160
(6) of this section, except as otherwise provided in this 161
division, endangering children is a felony of the third degree. 162
If the violation results in serious physical harm to the child 163
involved, or if the offender previously has been convicted of an 164
offense under this section or of any offense involving neglect, 165
abandonment, contributing to the delinquency of, or physical 166
abuse of a child, endangering children is a felony of the second 167
degree. If the offender violates division (B) (2), (3), or (4) of 168
this section and the offender also is convicted of or pleads 169
guilty to a specification as described in section 2941.1422 of 170
the Revised Code that was included in the indictment, count in 171
the indictment, or information charging the offense, the court 172
shall sentence the offender to a mandatory prison term as 173
provided in division (B) (7) of section 2929.14 of the Revised 174
Code and shall order the offender to make restitution as 175
provided in division (B) (8) of section 2929.18 of the Revised 176
Code. If the offender violates division (B) (6) of this section 177
and the drug involved is methamphetamine, the court shall impose 178
a mandatory prison term on the offender as follows: 179

(a) If the violation is a violation of division (B) (6) of 180
this section that is a felony of the third degree under division 181
~~(E)~~(F) (3) of this section and the drug involved is 182
methamphetamine, except as otherwise provided in this division, 183
the court shall impose as a mandatory prison term one of the 184
prison terms prescribed for a felony of the third degree that is 185
not less than two years. If the violation is a violation of 186
division (B) (6) of this section that is a felony of the third 187
degree under division ~~(E)~~(F) (3) of this section, if the drug 188
involved is methamphetamine, and if the offender previously has 189
been convicted of or pleaded guilty to a violation of division 190

(B) (6) of this section, a violation of division (A) of section 191
2925.04 of the Revised Code, or a violation of division (A) of 192
section 2925.041 of the Revised Code, the court shall impose as 193
a mandatory prison term one of the prison terms prescribed for a 194
felony of the third degree that is not less than five years. 195

(b) If the violation is a violation of division (B) (6) of 196
this section that is a felony of the second degree under 197
division ~~(E)~~ (F) (3) of this section and the drug involved is 198
methamphetamine, except as otherwise provided in this division, 199
the court shall impose as a mandatory prison term one of the 200
prison terms prescribed for a felony of the second degree that 201
is not less than three years. If the violation is a violation of 202
division (B) (6) of this section that is a felony of the second 203
degree under division ~~(E)~~ (F) (3) of this section, if the drug 204
involved is methamphetamine, and if the offender previously has 205
been convicted of or pleaded guilty to a violation of division 206
(B) (6) of this section, a violation of division (A) of section 207
2925.04 of the Revised Code, or a violation of division (A) of 208
section 2925.041 of the Revised Code, the court shall impose as 209
a mandatory prison term one of the prison terms prescribed for a 210
felony of the second degree that is not less than five years. 211

(4) If the offender violates division (B) (5) of this 212
section, endangering children is a felony of the second degree. 213
If the offender also is convicted of or pleads guilty to a 214
specification as described in section 2941.1422 of the Revised 215
Code that was included in the indictment, count in the 216
indictment, or information charging the offense, the court shall 217
sentence the offender to a mandatory prison term as provided in 218
division (B) (7) of section 2929.14 of the Revised Code and shall 219
order the offender to make restitution as provided in division 220
(B) (8) of section 2929.18 of the Revised Code. 221

(5) (a) If the offender violates division (B) (7) or (8) of this section for a first offense, endangering children is a felony of the fifth degree. 222
223
224

(b) If the offender previously has been convicted of an offense under division (B) (7) or (8) of this section and subsequently violates division (B) (7) or (8) of this section, endangering children is a felony of the fourth degree. 225
226
227
228

(6) If the offender violates division (C) of this section, the offender shall be punished as follows: 229
230

(a) Except as otherwise provided in division ~~(E) (5)~~ (F) (6) (b) or (c) of this section, endangering children in violation of division (C) of this section is a misdemeanor of the first degree. 231
232
233
234

(b) If the violation results in serious physical harm to the child involved or the offender previously has been convicted of an offense under this section or any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division ~~(E) (5)~~ (F) (6) (c) of this section, endangering children in violation of division (C) of this section is a felony of the fifth degree. 235
236
237
238
239
240
241
242

(c) If the violation results in serious physical harm to the child involved and if the offender previously has been convicted of a violation of division (C) of this section, section 2903.06 or 2903.08 of the Revised Code, section 2903.07 of the Revised Code as it existed prior to March 23, 2000, or section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, endangering children in violation of division 243
244
245
246
247
248
249
250

(C) of this section is a felony of the fourth degree. 251

(d) In addition to any term of imprisonment, fine, or 252
other sentence, penalty, or sanction it imposes upon the 253
offender pursuant to division ~~(E) (5)~~ (F) (6) (a), (b), or (c) of 254
this section or pursuant to any other provision of law and in 255
addition to any suspension of the offender's driver's or 256
commercial driver's license or permit or nonresident operating 257
privilege under Chapter 4506., 4509., 4510., or 4511. of the 258
Revised Code or under any other provision of law, the court also 259
may impose upon the offender a class seven suspension of the 260
offender's driver's or commercial driver's license or permit or 261
nonresident operating privilege from the range specified in 262
division (A) (7) of section 4510.02 of the Revised Code. 263

(e) In addition to any term of imprisonment, fine, or 264
other sentence, penalty, or sanction imposed upon the offender 265
pursuant to division ~~(E) (5)~~ (F) (6) (a), (b), (c), or (d) of this 266
section or pursuant to any other provision of law for the 267
violation of division (C) of this section, if as part of the 268
same trial or proceeding the offender also is convicted of or 269
pleads guilty to a separate charge charging the violation of 270
division (A) of section 4511.19 of the Revised Code that was the 271
basis of the charge of the violation of division (C) of this 272
section, the offender also shall be sentenced in accordance with 273
section 4511.19 of the Revised Code for that violation of 274
division (A) of section 4511.19 of the Revised Code. 275

~~(F)~~ (G) (1) (a) A court may require an offender to perform 276
not more than two hundred hours of supervised community service 277
work under the authority of an agency, subdivision, or 278
charitable organization. The requirement shall be part of the 279
community control sanction or sentence of the offender, and the 280

court shall impose the community service in accordance with and 281
subject to divisions ~~(F)~~(G)(1) (a) and (b) of this section. The 282
court may require an offender whom it requires to perform 283
supervised community service work as part of the offender's 284
community control sanction or sentence to pay the court a 285
reasonable fee to cover the costs of the offender's 286
participation in the work, including, but not limited to, the 287
costs of procuring a policy or policies of liability insurance 288
to cover the period during which the offender will perform the 289
work. If the court requires the offender to perform supervised 290
community service work as part of the offender's community 291
control sanction or sentence, the court shall do so in 292
accordance with the following limitations and criteria: 293

(i) The court shall require that the community service 294
work be performed after completion of the term of imprisonment 295
or jail term imposed upon the offender for the violation of 296
division (C) of this section, if applicable. 297

(ii) The supervised community service work shall be 298
subject to the limitations set forth in divisions (B) (1), (2), 299
and (3) of section 2951.02 of the Revised Code. 300

(iii) The community service work shall be supervised in 301
the manner described in division (B) (4) of section 2951.02 of 302
the Revised Code by an official or person with the 303
qualifications described in that division. The official or 304
person periodically shall report in writing to the court 305
concerning the conduct of the offender in performing the work. 306

(iv) The court shall inform the offender in writing that 307
if the offender does not adequately perform, as determined by 308
the court, all of the required community service work, the court 309
may order that the offender be committed to a jail or workhouse 310

for a period of time that does not exceed the term of 311
imprisonment that the court could have imposed upon the offender 312
for the violation of division (C) of this section, reduced by 313
the total amount of time that the offender actually was 314
imprisoned under the sentence or term that was imposed upon the 315
offender for that violation and by the total amount of time that 316
the offender was confined for any reason arising out of the 317
offense for which the offender was convicted and sentenced as 318
described in sections 2949.08 and 2967.191 of the Revised Code, 319
and that, if the court orders that the offender be so committed, 320
the court is authorized, but not required, to grant the offender 321
credit upon the period of the commitment for the community 322
service work that the offender adequately performed. 323

(b) If a court, pursuant to division ~~(F)~~(G) (1) (a) of this 324
section, orders an offender to perform community service work as 325
part of the offender's community control sanction or sentence 326
and if the offender does not adequately perform all of the 327
required community service work, as determined by the court, the 328
court may order that the offender be committed to a jail or 329
workhouse for a period of time that does not exceed the term of 330
imprisonment that the court could have imposed upon the offender 331
for the violation of division (C) of this section, reduced by 332
the total amount of time that the offender actually was 333
imprisoned under the sentence or term that was imposed upon the 334
offender for that violation and by the total amount of time that 335
the offender was confined for any reason arising out of the 336
offense for which the offender was convicted and sentenced as 337
described in sections 2949.08 and 2967.191 of the Revised Code. 338
The court may order that a person committed pursuant to this 339
division shall receive hour-for-hour credit upon the period of 340
the commitment for the community service work that the offender 341

adequately performed. No commitment pursuant to this division 342
shall exceed the period of the term of imprisonment that the 343
sentencing court could have imposed upon the offender for the 344
violation of division (C) of this section, reduced by the total 345
amount of time that the offender actually was imprisoned under 346
that sentence or term and by the total amount of time that the 347
offender was confined for any reason arising out of the offense 348
for which the offender was convicted and sentenced as described 349
in sections 2949.08 and 2967.191 of the Revised Code. 350

(2) Division ~~(F)~~(G) (1) of this section does not limit or 351
affect the authority of the court to suspend the sentence 352
imposed upon a misdemeanor offender and place the offender under 353
a community control sanction pursuant to section 2929.25 of the 354
Revised Code, to require a misdemeanor or felony offender to 355
perform supervised community service work in accordance with 356
division (B) of section 2951.02 of the Revised Code, or to place 357
a felony offender under a community control sanction. 358

~~(G)~~(H) (1) If a court suspends an offender's driver's or 359
commercial driver's license or permit or nonresident operating 360
privilege under division ~~(E)~~~~(5)~~(F) ~~(6)~~ (d) of this section, the 361
period of the suspension shall be consecutive to, and commence 362
after, the period of suspension of the offender's driver's or 363
commercial driver's license or permit or nonresident operating 364
privilege that is imposed under Chapter 4506., 4509., 4510., or 365
4511. of the Revised Code or under any other provision of law in 366
relation to the violation of division (C) of this section that 367
is the basis of the suspension under division ~~(E)~~~~(5)~~(F) ~~(6)~~ (d) of 368
this section or in relation to the violation of division (A) of 369
section 4511.19 of the Revised Code that is the basis for that 370
violation of division (C) of this section. 371

(2) An offender is not entitled to request, and the court shall not grant to the offender, limited driving privileges if the offender's license, permit, or privilege has been suspended under division ~~(E) (5)~~ (F) (6) (d) of this section and the offender, within the preceding six years, has been convicted of or pleaded guilty to three or more violations of one or more of the following:

(a) Division (C) of this section;

(b) Any equivalent offense, as defined in section 4511.181 of the Revised Code.

~~(H) (I)~~ (1) If a person violates division (C) of this section and if, at the time of the violation, there were two or more children under eighteen years of age in the motor vehicle involved in the violation, the offender may be convicted of a violation of division (C) of this section for each of the children, but the court may sentence the offender for only one of the violations.

(2) (a) If a person is convicted of or pleads guilty to a violation of division (C) of this section but the person is not also convicted of and does not also plead guilty to a separate charge charging the violation of division (A) of section 4511.19 of the Revised Code that was the basis of the charge of the violation of division (C) of this section, both of the following apply:

(i) For purposes of the provisions of section 4511.19 of the Revised Code that set forth the penalties and sanctions for a violation of division (A) of section 4511.19 of the Revised Code, the conviction of or plea of guilty to the violation of division (C) of this section shall not constitute a violation of

division (A) of section 4511.19 of the Revised Code; 401

(ii) For purposes of any provision of law that refers to a 402
conviction of or plea of guilty to a violation of division (A) 403
of section 4511.19 of the Revised Code and that is not described 404
in division ~~(H)~~(I)(2) (a) (i) of this section, the conviction of 405
or plea of guilty to the violation of division (C) of this 406
section shall constitute a conviction of or plea of guilty to a 407
violation of division (A) of section 4511.19 of the Revised 408
Code. 409

(b) If a person is convicted of or pleads guilty to a 410
violation of division (C) of this section and the person also is 411
convicted of or pleads guilty to a separate charge charging the 412
violation of division (A) of section 4511.19 of the Revised Code 413
that was the basis of the charge of the violation of division 414
(C) of this section, the conviction of or plea of guilty to the 415
violation of division (C) of this section shall not constitute, 416
for purposes of any provision of law that refers to a conviction 417
of or plea of guilty to a violation of division (A) of section 418
4511.19 of the Revised Code, a conviction of or plea of guilty 419
to a violation of division (A) of section 4511.19 of the Revised 420
Code. 421

~~(I)~~(J) As used in this section: 422

(1) "Community control sanction" has the same meaning as 423
in section 2929.01 of the Revised Code; 424

(2) "Limited driving privileges" has the same meaning as 425
in section 4501.01 of the Revised Code; 426

(3) "Methamphetamine" has the same meaning as in section 427
2925.01 of the Revised Code. 428

Sec. 3107.035. Any training that the department of job and 429

family services may require for a prospective adoptive parent 430
shall include instruction regarding divisions (B) (7) and (8) of 431
section 2919.22 and sections 3109.81 to 3109.813 of the Revised 432
Code. 433

Sec. 3107.05. (A) A petition for adoption shall be 434
prepared and filed according to the procedure for commencing an 435
action under the Rules of Civil Procedure. It shall include the 436
following information: 437

(1) The date and place of birth of the person to be 438
adopted, if known; 439

(2) The name of the person to be adopted, if known; 440

(3) The name to be used for the person to be adopted; 441

(4) The date of placement of a minor and the name of the 442
person placing the minor; 443

(5) The full name, age, place, and duration of residence 444
of the petitioner; 445

(6) The marital status of the petitioner, including the 446
date and place of marriage, if married; 447

(7) The relationship to the petitioner of the person to be 448
adopted; 449

(8) That the petitioner has facilities and resources 450
suitable to provide for the nurture and care of the person to be 451
adopted, and that it is the desire of the petitioner to 452
establish the relationship of parent and child with the person 453
to be adopted; 454

(9) A description and estimate of value of all property of 455
the person to be adopted; 456

(10) The name and address, if known, of any person whose consent to the adoption is required, but who has not consented, and facts that explain the lack of the consent normally required to the adoption;

(11) A certification by the petitioner that the petitioner is aware of the provisions of divisions (B) (7) and (8) of section 2919.22 and sections 3109.81 to 3109.813 of the Revised Code.

(B) A certified copy of the birth certificate of the person to be adopted, if available, and ordinary copies of the required consents, and relinquishments of consents, if any, shall be filed with the clerk.

Sec. 3109.51. As used in sections 3109.52 to ~~3109.80~~ 3109.815 of the Revised Code:

(A) "Child" means a person under eighteen years of age.

(B) "Custodian" means an individual with legal custody of a child.

(C) "Guardian" means an individual granted authority by a probate court pursuant to Chapter 2111. of the Revised Code to exercise parental rights over a child to the extent provided in the court's order and subject to the residual parental rights, privileges, and responsibilities of the child's parents.

(D) "Legal custody" and "residual parental rights, privileges, and responsibilities" have the same meanings as in section 2151.011 of the Revised Code.

Sec. 3109.81. As used in sections 3109.811 to 3109.813, "mandatory reporter" means any person listed in division (A) (1) (b) of section 2151.421 of the Revised Code.

Sec. 3109.811. (A) Except as provided in division (B) of 485
this section, when an attorney in fact under a document that 486
purports to grant to a person with whom a child is residing any 487
of the parent's, guardian's, or custodian's rights and 488
responsibilities regarding the care, physical control, and 489
custody of the child requests registration in a school, medical 490
treatment, or other services for a child and presents the 491
document as authority for requesting the services, the mandatory 492
reporter shall promptly investigate whether the child has been 493
placed with the attorney in fact due to a vacation, school 494
sponsored function or activity, or because of a parent's 495
incarceration, military service, medical treatment, or 496
incapacity. The mandatory reporter shall also investigate how 497
long the child has been placed with the attorney in fact. If the 498
mandatory reporter determines that the child has been placed for 499
more than one year or that the child has been placed for a 500
reason other than because of a vacation, school sponsored 501
function or activity, or because of a parent's incarceration, 502
military service, medical treatment, or incapacity, the 503
mandatory reporter shall promptly report the request, in 504
writing, to the public children services agency of the county in 505
which the child resides. The report shall include the name and 506
address of the attorney in fact and of the child, the child's 507
age, and the nature of the services requested. 508

(B) A mandatory reporter is not required to conduct an 509
investigation or make a report under division (A) of this 510
section if either of the following apply: 511

(1) The document presented appears to be a valid court 512
order, power of attorney given to a grandparent under section 513
3109.52 of the Revised Code, or caretaker authorization 514
affidavit executed under section 3109.65 of the Revised Code; 515

(2) The child has been placed in a situation as described 516
in division (E) of section 2919.22 of the Revised Code. 517

Sec. 3109.812. (A) Except as provided in division (B) of 518
this section, on receiving a report made under section 3109.811 519
of the Revised Code, a public children services agency shall 520
investigate the child's placement. 521

(1) The public children services agency shall determine 522
the extent of the investigation, based upon the facts in the 523
report under section 3109.811, the agency's familiarity with the 524
parties involved, and other factors it determines relevant. 525

(2) The investigation may include a criminal records 526
check, a check of court records for any child-related civil 527
proceedings, and, if the public children services agency 528
determines that the records check warrants it, a study following 529
standard protocols. 530

(B) A public children services agency is not required to 531
conduct an investigation under division (A) of this section if 532
the child has been placed in either of the following situations: 533

(1) For a designated period of less than one year due to a 534
vacation, school sponsored function or activity, or because of a 535
parent's incarceration, military service, medical treatment, or 536
incapacity; 537

(2) As described in division (E) of section 2919.22 of the 538
Revised Code. 539

Sec. 3109.813. If a public children services agency, after 540
an investigation conducted under section 3109.812 of the Revised 541
Code, determines that the placement of the child with the 542
attorney in fact is unsafe for the child, the agency shall file 543
a complaint with the juvenile court pursuant to section 2151.27 544

of the Revised Code. 545

Sec. 3109.814. The general assembly strongly recommends 546
that every board, commission, or agency that is created under 547
Title XLVII of the Revised Code and that is authorized to grant 548
licensure or certification to persons who may encounter a child 549
described in sections 3109.811 to 3109.813 of the Revised Code 550
in the normal course of their work adopt rules pursuant to 551
Chapter 119. of the Revised Code to require those persons, as a 552
condition of receiving or maintaining licensure or 553
certification, to receive training in the recognition and 554
handling of these cases in accordance with sections 3109.81 to 555
3109.813 of the Revised Code. 556

Sec. 3109.815. The department of job and family services 557
shall adopt rules pursuant to Chapter 119. of the Revised Code 558
establishing the following: 559

(A) Guidelines and procedures for public children services 560
agencies to conduct investigations under section 3109.812 of the 561
Revised Code; 562

(B) Criteria for determining if the placement of a child 563
is unsafe under section 3109.813 of the Revised Code. 564

Sec. 4510.13. (A) (1) Divisions (A) (2) to (9) of this 565
section apply to a judge or mayor regarding the suspension of, 566
or the grant of limited driving privileges during a suspension 567
of, an offender's driver's or commercial driver's license or 568
permit or nonresident operating privilege imposed under division 569
(G) or (H) of section 4511.19 of the Revised Code, under 570
division (B) or (C) of section 4511.191 of the Revised Code, or 571
under section 4510.07 of the Revised Code for a conviction of a 572
violation of a municipal OVI ordinance. 573

(2) No judge or mayor shall suspend the following portions 574
of the suspension of an offender's driver's or commercial 575
driver's license or permit or nonresident operating privilege 576
imposed under division (G) or (H) of section 4511.19 of the 577
Revised Code or under section 4510.07 of the Revised Code for a 578
conviction of a violation of a municipal OVI ordinance, provided 579
that division (A) (2) of this section does not limit a court or 580
mayor in crediting any period of suspension imposed pursuant to 581
division (B) or (C) of section 4511.191 of the Revised Code 582
against any time of judicial suspension imposed pursuant to 583
section 4511.19 or 4510.07 of the Revised Code, as described in 584
divisions (B) (2) and (C) (2) of section 4511.191 of the Revised 585
Code: 586

(a) The first six months of a suspension imposed under 587
division (G) (1) (a) of section 4511.19 of the Revised Code or of 588
a comparable length suspension imposed under section 4510.07 of 589
the Revised Code; 590

(b) The first year of a suspension imposed under division 591
(G) (1) (b) or (c) of section 4511.19 of the Revised Code or of a 592
comparable length suspension imposed under section 4510.07 of 593
the Revised Code; 594

(c) The first three years of a suspension imposed under 595
division (G) (1) (d) or (e) of section 4511.19 of the Revised Code 596
or of a comparable length suspension imposed under section 597
4510.07 of the Revised Code; 598

(d) The first sixty days of a suspension imposed under 599
division (H) of section 4511.19 of the Revised Code or of a 600
comparable length suspension imposed under section 4510.07 of 601
the Revised Code. 602

(3) No judge or mayor shall grant limited driving 603
privileges to an offender whose driver's or commercial driver's 604
license or permit or nonresident operating privilege has been 605
suspended under division (G) or (H) of section 4511.19 of the 606
Revised Code, under division (C) of section 4511.191 of the 607
Revised Code, or under section 4510.07 of the Revised Code for a 608
municipal OVI conviction if the offender, within the preceding 609
six years, has been convicted of or pleaded guilty to three or 610
more violations of one or more of the Revised Code sections, 611
municipal ordinances, statutes of the United States or another 612
state, or municipal ordinances of a municipal corporation of 613
another state that are identified in divisions ~~(G)~~ (H) (2) (b) to 614
(h) of section 2919.22 of the Revised Code. 615

Additionally, no judge or mayor shall grant limited 616
driving privileges to an offender whose driver's or commercial 617
driver's license or permit or nonresident operating privilege 618
has been suspended under division (B) of section 4511.191 of the 619
Revised Code if the offender, within the preceding six years, 620
has refused three previous requests to consent to a chemical 621
test of the person's whole blood, blood serum or plasma, breath, 622
or urine to determine its alcohol content. 623

(4) No judge or mayor shall grant limited driving 624
privileges for employment as a driver of commercial motor 625
vehicles to an offender whose driver's or commercial driver's 626
license or permit or nonresident operating privilege has been 627
suspended under division (G) or (H) of section 4511.19 of the 628
Revised Code, under division (B) or (C) of section 4511.191 of 629
the Revised Code, or under section 4510.07 of the Revised Code 630
for a municipal OVI conviction if the offender is disqualified 631
from operating a commercial motor vehicle, or whose license or 632
permit has been suspended, under section 3123.58 or 4506.16 of 633

the Revised Code. 634

(5) No judge or mayor shall grant limited driving 635
privileges to an offender whose driver's or commercial driver's 636
license or permit or nonresident operating privilege has been 637
suspended under division (G) or (H) of section 4511.19 of the 638
Revised Code, under division (C) of section 4511.191 of the 639
Revised Code, or under section 4510.07 of the Revised Code for a 640
conviction of a violation of a municipal OVI ordinance during 641
any of the following periods of time: 642

(a) The first fifteen days of a suspension imposed under 643
division (G) (1) (a) of section 4511.19 of the Revised Code or a 644
comparable length suspension imposed under section 4510.07 of 645
the Revised Code, or of a suspension imposed under division (C) 646
(1) (a) of section 4511.191 of the Revised Code. On or after the 647
sixteenth day of the suspension, the court may grant limited 648
driving privileges, but the court may require that the offender 649
shall not exercise the privileges unless the vehicles the 650
offender operates are equipped with immobilizing or disabling 651
devices that monitor the offender's alcohol consumption or any 652
other type of immobilizing or disabling devices, except as 653
provided in division (C) of section 4510.43 of the Revised Code. 654

(b) The first forty-five days of a suspension imposed 655
under division (C) (1) (b) of section 4511.191 of the Revised 656
Code. On or after the forty-sixth day of suspension, the court 657
may grant limited driving privileges, but the court may require 658
that the offender shall not exercise the privileges unless the 659
vehicles the offender operates are equipped with immobilizing or 660
disabling devices that monitor the offender's alcohol 661
consumption or any other type of immobilizing or disabling 662
devices, except as provided in division (C) of section 4510.43 663

of the Revised Code. 664

(c) The first sixty days of a suspension imposed under 665
division (H) of section 4511.19 of the Revised Code or a 666
comparable length suspension imposed under section 4510.07 of 667
the Revised Code. 668

(d) The first one hundred eighty days of a suspension 669
imposed under division (C) (1) (c) of section 4511.191 of the 670
Revised Code. On or after the one hundred eighty-first day of 671
suspension, the court may grant limited driving privileges, and 672
either of the following applies: 673

(i) If the underlying arrest is alcohol-related, the court 674
shall issue an order that, except as provided in division (C) of 675
section 4510.43 of the Revised Code, for the remainder of the 676
period of suspension the offender shall not exercise the 677
privileges unless the vehicles the offender operates are 678
equipped with a certified ignition interlock device. 679

(ii) If the underlying arrest is drug-related, the court 680
in its discretion may issue an order that, except as provided in 681
division (C) of section 4510.43 of the Revised Code, for the 682
remainder of the period of suspension the offender shall not 683
exercise the privileges unless the vehicles the offender 684
operates are equipped with a certified ignition interlock 685
device. 686

(e) The first forty-five days of a suspension imposed 687
under division (G) (1) (b) of section 4511.19 of the Revised Code 688
or a comparable length suspension imposed under section 4510.07 689
of the Revised Code. On or after the forty-sixth day of the 690
suspension, the court may grant limited driving privileges, and 691
either of the following applies: 692

(i) If the underlying conviction is alcohol-related, the court shall issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

(ii) If the underlying conviction is drug-related, the court in its discretion may issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

(f) The first one hundred eighty days of a suspension imposed under division (G) (1) (c) of section 4511.19 of the Revised Code or a comparable length suspension imposed under section 4510.07 of the Revised Code. On or after the one hundred eighty-first day of the suspension, the court may grant limited driving privileges, and either of the following applies:

(i) If the underlying conviction is alcohol-related, the court shall issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

(ii) If the underlying conviction is drug-related, the court in its discretion may issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender

operates are equipped with a certified ignition interlock 723
device. 724

(g) The first three years of a suspension imposed under 725
division (G) (1) (d) or (e) of section 4511.19 of the Revised Code 726
or a comparable length suspension imposed under section 4510.07 727
of the Revised Code, or of a suspension imposed under division 728
(C) (1) (d) of section 4511.191 of the Revised Code. On or after 729
the first three years of suspension, the court may grant limited 730
driving privileges, and either of the following applies: 731

(i) If the underlying conviction is alcohol-related, the 732
court shall issue an order that, except as provided in division 733
(C) of section 4510.43 of the Revised Code, for the remainder of 734
the period of suspension the offender shall not exercise the 735
privileges unless the vehicles the offender operates are 736
equipped with a certified ignition interlock device. 737

(ii) If the underlying conviction is drug-related, the 738
court in its discretion may issue an order that, except as 739
provided in division (C) of section 4510.43 of the Revised Code, 740
for the remainder of the period of suspension the offender shall 741
not exercise the privileges unless the vehicles the offender 742
operates are equipped with a certified ignition interlock 743
device. 744

(6) No judge or mayor shall grant limited driving 745
privileges to an offender whose driver's or commercial driver's 746
license or permit or nonresident operating privilege has been 747
suspended under division (B) of section 4511.191 of the Revised 748
Code during any of the following periods of time: 749

(a) The first thirty days of suspension imposed under 750
division (B) (1) (a) of section 4511.191 of the Revised Code; 751

(b) The first ninety days of suspension imposed under 752
division (B) (1) (b) of section 4511.191 of the Revised Code; 753

(c) The first year of suspension imposed under division 754
(B) (1) (c) of section 4511.191 of the Revised Code; 755

(d) The first three years of suspension imposed under 756
division (B) (1) (d) of section 4511.191 of the Revised Code. 757

(7) In any case in which a judge or mayor grants limited 758
driving privileges to an offender whose driver's or commercial 759
driver's license or permit or nonresident operating privilege 760
has been suspended under division (G) (1) (b), (c), (d), or (e) of 761
section 4511.19 of the Revised Code, under division (G) (1) (a) of 762
section 4511.19 of the Revised Code for a violation of division 763
(A) (1) (f), (g), (h), or (i) of that section, or under section 764
4510.07 of the Revised Code for a municipal OVI conviction for 765
which sentence would have been imposed under division (G) (1) (a) 766
(ii) or (G) (1) (b), (c), (d), or (e) of section 4511.19 of the 767
Revised Code had the offender been charged with and convicted of 768
a violation of section 4511.19 of the Revised Code instead of a 769
violation of the municipal OVI ordinance, the judge or mayor 770
shall impose as a condition of the privileges that the offender 771
must display on the vehicle that is driven subject to the 772
privileges restricted license plates that are issued under 773
section 4503.231 of the Revised Code, except as provided in 774
division (B) of that section. 775

(8) In any case in which the offender operates a motor 776
vehicle that is not equipped with an ignition interlock device, 777
circumvents the device, or tampers with the device or in any 778
case in which the court receives notice pursuant to section 779
4510.46 of the Revised Code that a certified ignition interlock 780
device required by an order issued under division (A) (5) (e), 781

(f), or (g) of this section prevented an offender from starting a motor vehicle, the following applies:

(a) If the offender was sentenced under division (G) (1) (b) of section 4511.19 of the Revised Code, on a first instance the court may require the offender to wear a monitor that provides continuous alcohol monitoring that is remote. On a second instance, the court shall require the offender to wear a monitor that provides continuous alcohol monitoring that is remote for a minimum of forty days. On a third instance or more, the court shall require the offender to wear a monitor that provides continuous alcohol monitoring that is remote for a minimum of sixty days.

(b) If the offender was sentenced under division (G) (1) (c), (d), or (e) of section 4511.19 of the Revised Code, on a first instance the court shall require the offender to wear a monitor that provides continuous alcohol monitoring that is remote for a minimum of forty days. On a second instance or more, the court shall require the offender to wear a monitor that provides continuous alcohol monitoring that is remote for a minimum of sixty days.

(9) In any case in which the court issues an order under this section prohibiting an offender from exercising limited driving privileges unless the vehicles the offender operates are equipped with an immobilizing or disabling device, including a certified ignition interlock device, or requires an offender to wear a monitor that provides continuous alcohol monitoring that is remote, the court shall impose an additional court cost of two dollars and fifty cents upon the offender. The court shall not waive the payment of the two dollars and fifty cents unless the court determines that the offender is indigent and waives

the payment of all court costs imposed upon the indigent 812
offender. The clerk of court shall transmit one hundred per cent 813
of this mandatory court cost collected during a month on or 814
before the twenty-third day of the following month to the state 815
treasury to be credited to the state highway safety fund created 816
under section 4501.06 of the Revised Code, to be used by the 817
department of public safety to cover costs associated with 818
maintaining the habitual OVI/OMWI offender registry created 819
under section 5502.10 of the Revised Code. In its discretion the 820
court may impose an additional court cost of two dollars and 821
fifty cents upon the offender. The clerk of court shall retain 822
this discretionary two dollar and fifty cent court cost, if 823
imposed, and shall deposit it in the court's special projects 824
fund that is established under division (E)(1) of section 825
2303.201, division (B)(1) of section 1901.26, or division (B)(1) 826
of section 1907.24 of the Revised Code. 827

(10) In any case in which the court issues an order under 828
this section prohibiting an offender from exercising limited 829
driving privileges unless the vehicles the offender operates are 830
equipped with an immobilizing or disabling device, including a 831
certified ignition interlock device, the court shall notify the 832
offender at the time the offender is granted limited driving 833
privileges that, in accordance with section 4510.46 of the 834
Revised Code, if the court receives notice that the device 835
prevented the offender from starting the motor vehicle because 836
the device was tampered with or circumvented or because the 837
analysis of the deep-lung breath sample or other method employed 838
by the device to measure the concentration by weight of alcohol 839
in the offender's breath indicated the presence of alcohol in 840
the offender's breath in a concentration sufficient to prevent 841
the device from permitting the motor vehicle to be started, the 842

court may increase the period of suspension of the offender's 843
driver's or commercial driver's license or permit or nonresident 844
operating privilege from that originally imposed by the court by 845
a factor of two and may increase the period of time during which 846
the offender will be prohibited from exercising any limited 847
driving privileges granted to the offender unless the vehicles 848
the offender operates are equipped with a certified ignition 849
interlock device by a factor of two. 850

(B) Any person whose driver's or commercial driver's 851
license or permit or nonresident operating privilege has been 852
suspended pursuant to section 4511.19 or 4511.191 of the Revised 853
Code or under section 4510.07 of the Revised Code for a 854
violation of a municipal OVI ordinance may file a petition for 855
limited driving privileges during the suspension. The person 856
shall file the petition in the court that has jurisdiction over 857
the place of arrest. Subject to division (A) of this section, 858
the court may grant the person limited driving privileges during 859
the period during which the suspension otherwise would be 860
imposed. However, the court shall not grant the privileges for 861
employment as a driver of a commercial motor vehicle to any 862
person who is disqualified from operating a commercial motor 863
vehicle under section 4506.16 of the Revised Code or during any 864
of the periods prescribed by division (A) of this section. 865

(C) (1) After a driver's or commercial driver's license or 866
permit or nonresident operating privilege has been suspended 867
pursuant to section 2903.06, 2903.08, 2903.11, 2907.24, 868
2921.331, 2923.02, 2929.02, 4511.19, 4511.251, 4549.02, 869
4549.021, or 5743.99 of the Revised Code, any provision of 870
Chapter 2925. of the Revised Code, or section 4510.07 of the 871
Revised Code for a violation of a municipal OVI ordinance, the 872
judge of the court or mayor of the mayor's court that suspended 873

the license, permit, or privilege shall cause the offender to 874
deliver to the court the license or permit. The judge, mayor, or 875
clerk of the court or mayor's court shall forward to the 876
registrar the license or permit together with notice of the 877
action of the court. 878

(2) A suspension of a commercial driver's license under 879
any section or chapter identified in division (C)(1) of this 880
section shall be concurrent with any period of suspension or 881
disqualification under section 3123.58 or 4506.16 of the Revised 882
Code. No person who is disqualified for life from holding a 883
commercial driver's license under section 4506.16 of the Revised 884
Code shall be issued a driver's license under this chapter 885
during the period for which the commercial driver's license was 886
suspended under this section, and no person whose commercial 887
driver's license is suspended under any section or chapter 888
identified in division (C)(1) of this section shall be issued a 889
driver's license under Chapter 4507. of the Revised Code during 890
the period of the suspension. 891

(3) No judge or mayor shall suspend any class one 892
suspension, or any portion of any class one suspension, imposed 893
under section 2903.04, 2903.06, 2903.08, or 2921.331 of the 894
Revised Code. No judge or mayor shall suspend the first thirty 895
days of any class two, class three, class four, class five, or 896
class six suspension imposed under section 2903.06, 2903.08, 897
2903.11, 2923.02, or 2929.02 of the Revised Code. 898

(D) The judge of the court or mayor of the mayor's court 899
shall credit any time during which an offender was subject to an 900
administrative suspension of the offender's driver's or 901
commercial driver's license or permit or nonresident operating 902
privilege imposed pursuant to section 4511.191 or 4511.192 of 903

the Revised Code or a suspension imposed by a judge, referee, or 904
mayor pursuant to division (B) (1) or (2) of section 4511.196 of 905
the Revised Code against the time to be served under a related 906
suspension imposed pursuant to any section or chapter identified 907
in division (C) (1) of this section. 908

(E) The judge or mayor shall notify the bureau of motor 909
vehicles of any determinations made pursuant to this section and 910
of any suspension imposed pursuant to any section or chapter 911
identified in division (C) (1) of this section. 912

(F) (1) If a court issues an immobilizing or disabling 913
device order under section 4510.43 of the Revised Code, the 914
order shall authorize the offender during the specified period 915
to operate a motor vehicle only if it is equipped with an 916
immobilizing or disabling device, except as provided in division 917
(C) of that section. The court shall provide the offender with a 918
copy of an immobilizing or disabling device order issued under 919
section 4510.43 of the Revised Code, and the offender shall use 920
the copy of the order in lieu of an Ohio driver's or commercial 921
driver's license or permit until the registrar or a deputy 922
registrar issues the offender a restricted license. 923

An order issued under section 4510.43 of the Revised Code 924
does not authorize or permit the offender to whom it has been 925
issued to operate a vehicle during any time that the offender's 926
driver's or commercial driver's license or permit is suspended 927
under any other provision of law. 928

(2) An offender may present an immobilizing or disabling 929
device order to the registrar or to a deputy registrar. Upon 930
presentation of the order to the registrar or a deputy 931
registrar, the registrar or deputy registrar shall issue the 932
offender a restricted license. A restricted license issued under 933

this division shall be identical to an Ohio driver's license, 934
except that it shall have printed on its face a statement that 935
the offender is prohibited during the period specified in the 936
court order from operating any motor vehicle that is not 937
equipped with an immobilizing or disabling device. The date of 938
commencement and the date of termination of the period of 939
suspension shall be indicated conspicuously upon the face of the 940
license. 941

Sec. 4510.31. (A) (1) Except as provided in division (C) (1) 942
or (2) of this section, the registrar of motor vehicles shall 943
suspend the probationary driver's license, restricted license, 944
or temporary instruction permit issued to any person when the 945
person has been convicted of, pleaded guilty to, or been 946
adjudicated in juvenile court of having committed, prior to the 947
person's eighteenth birthday, any of the following: 948

(a) Three separate violations of section 2903.06, 2903.08, 949
2921.331, 4511.12, 4511.13, 4511.191, 4511.20, 4511.201, 950
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 951
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the 952
Revised Code, section 4510.14 of the Revised Code involving a 953
suspension imposed under section 4511.191 or 4511.196 of the 954
Revised Code, section 2903.04 of the Revised Code in a case in 955
which the person would have been subject to the sanctions 956
described in division (D) of that section had the person been 957
convicted of the violation of that section, former section 958
2903.07 of the Revised Code, or any municipal ordinances 959
similarly relating to the offenses referred to in those 960
sections; 961

(b) One violation of section 4511.19 of the Revised Code 962
or a substantially similar municipal ordinance; 963

(c) Two separate violations of any of the Revised Code 964
sections referred to in division (A)(1)(a) of this section, or 965
any municipal ordinance that is substantially similar to any of 966
those sections. 967

(2) Any person whose license or permit is suspended under 968
division (A)(1)(a), (b), or (c) of this section shall mail or 969
deliver the person's probationary driver's license, restricted 970
license, or temporary instruction permit to the registrar within 971
fourteen days of notification of the suspension. The registrar 972
shall retain the license or permit during the period of the 973
suspension. A suspension pursuant to division (A)(1)(a) of this 974
section shall be a class C suspension, a suspension pursuant to 975
division (A)(1)(b) of this section shall be a class D 976
suspension, and a suspension pursuant to division (A)(1)(c) of 977
this section shall be a class E suspension, all for the periods 978
of time specified in division (B) of section 4510.02 of the 979
Revised Code. If the person's probationary driver's license, 980
restricted license, or temporary instruction permit is under 981
suspension on the date the court imposes sentence upon the 982
person for a violation described in division (A)(1)(b) of this 983
section, the suspension shall take effect on the next day 984
immediately following the end of that period of suspension. If 985
the person is sixteen years of age or older and pleads guilty to 986
or is convicted of a violation described in division (A)(1)(b) 987
of this section and the person does not have a current, valid 988
probationary driver's license, restricted license, or temporary 989
instruction permit, the registrar shall deny the issuance to the 990
person of a probationary driver's license, restricted license, 991
driver's license, commercial driver's license, or temporary 992
instruction permit, as the case may be, for six months beginning 993
on the date the court imposes sentence upon the person for the 994

violation. If the person has not attained the age of sixteen 995
years on the date the court imposes sentence upon the person for 996
the violation, the period of denial shall commence on the date 997
the person attains the age of sixteen years. 998

(3) The registrar shall suspend the person's license or 999
permit under division (A) of this section regardless of whether 1000
the disposition of the case in juvenile court occurred after the 1001
person's eighteenth birthday. 1002

(B) The registrar also shall impose a class D suspension 1003
for the period of time specified in division (B) (4) of section 1004
4510.02 of the Revised Code of the temporary instruction permit 1005
or probationary driver's license of any person under the age of 1006
eighteen who has been adjudicated an unruly child, delinquent 1007
child, or juvenile traffic offender for having committed any act 1008
that if committed by an adult would be a drug abuse offense or a 1009
violation of division (B) of section 2917.11 of the Revised 1010
Code. The registrar, in the registrar's discretion, may 1011
terminate the suspension if the child, at the discretion of the 1012
court, attends and satisfactorily completes a drug abuse or 1013
alcohol abuse education, intervention, or treatment program 1014
specified by the court. Any person whose temporary instruction 1015
permit or probationary driver's license is suspended under this 1016
division shall mail or deliver the person's permit or license to 1017
the registrar within fourteen days of notification of the 1018
suspension. The registrar shall retain the permit or license 1019
during the period of the suspension. 1020

(C) (1) (a) Except as provided in division (C) (1) (c) of this 1021
section, for any person who is convicted of, pleads guilty to, 1022
or is adjudicated in juvenile court of having committed a second 1023
or third violation of section 4511.12, 4511.13, 4511.20 to 1024

4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1025
4511.75 of the Revised Code or any similar municipal ordinances 1026
and whose license or permit is suspended under division (A) (1) 1027
(a) or (c) of this section, the court in which the second or 1028
third conviction, finding, plea, or adjudication resulting in 1029
the suspension was made, upon petition of the person, may grant 1030
the person limited driving privileges during the period during 1031
which the suspension otherwise would be imposed under division 1032
(A) (1) (a) or (c) of this section if the court finds reasonable 1033
cause to believe that the suspension will seriously affect the 1034
person's ability to continue in employment, educational 1035
training, vocational training, or treatment. In granting the 1036
limited driving privileges, the court shall specify the 1037
purposes, times, and places of the privileges and may impose any 1038
other conditions upon the person's driving a motor vehicle that 1039
the court considers reasonable and necessary. 1040

A court that grants limited driving privileges to a person 1041
under this division shall retain the person's probationary 1042
driver's license, restricted license, or temporary instruction 1043
permit during the period the license or permit is suspended and 1044
also during the period for which limited driving privileges are 1045
granted, and shall deliver to the person a permit card, in a 1046
form to be prescribed by the court, setting forth the date on 1047
which the limited driving privileges will become effective, the 1048
purposes for which the person may drive, the times and places at 1049
which the person may drive, and any other conditions imposed 1050
upon the person's use of a motor vehicle. 1051

The court immediately shall notify the registrar, in 1052
writing, of a grant of limited driving privileges under this 1053
division. The notification shall specify the date on which the 1054
limited driving privileges will become effective, the purposes 1055

for which the person may drive, the times and places at which 1056
the person may drive, and any other conditions imposed upon the 1057
person's use of a motor vehicle. The registrar shall not suspend 1058
the probationary driver's license, restricted license, or 1059
temporary instruction permit of any person pursuant to division 1060
(A) of this section during any period for which the person has 1061
been granted limited driving privileges as provided in this 1062
division, if the registrar has received the notification 1063
described in this division from the court. 1064

(b) Except as provided in division (C) (1) (c) of this 1065
section, in any case in which the temporary instruction permit 1066
or probationary driver's license of a person under eighteen 1067
years of age has been suspended under division (A) or (B) of 1068
this section or any other provision of law, the court may grant 1069
the person limited driving privileges for the purpose of the 1070
person's practicing of driving with the person's parent, 1071
guardian, or other custodian during the period of the 1072
suspension. Any grant of limited driving privileges under this 1073
division shall comply with division (D) of section 4510.021 of 1074
the Revised Code. 1075

(c) A court shall not grant limited driving privileges to 1076
a person identified in division (C) (1) (a) or (b) of this section 1077
if the person, within the preceding six years, has been 1078
convicted of, pleaded guilty to, or adjudicated in juvenile 1079
court of having committed three or more violations of one or 1080
more of the divisions or sections set forth in divisions ~~(G)~~(H) 1081
(2) (b) to (g) of section 2919.22 of the Revised Code. 1082

(2) (a) In a case in which a person is convicted of, pleads 1083
guilty to, or is adjudicated in juvenile court of having 1084
committed, prior to the person's eighteenth birthday, a second 1085

or third violation of section 4511.12, 4511.13, 4511.20 to 1086
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1087
4511.75 of the Revised Code or any similar municipal ordinances 1088
and division (A) (1) (a) or (c) of this section requires the 1089
registrar of motor vehicles to suspend the person's license or 1090
permit, the court in which the person is convicted of, pleads 1091
guilty to, or is adjudicated of having committed the second or 1092
third violation may elect to order the registrar of motor 1093
vehicles to waive the suspension if all of the following apply: 1094

(i) Prior to the date on which the court imposes sentence 1095
upon, or makes an order of disposition for, the person for the 1096
second or third violation, the person submits to the court a 1097
petition requesting the court to order the registrar to waive 1098
the prescribed suspension and describing the reasons why the 1099
person believes the suspension, if imposed, would seriously 1100
affect the person's ability to continue in employment, 1101
educational training, vocational training, or treatment. 1102

(ii) Prior to the date specified in division (C) (2) (a) (i) 1103
of this section, the person submits to the court satisfactory 1104
proof showing that the person successfully completed an advanced 1105
juvenile driver improvement program approved by the director of 1106
public safety under division (B) of section 4510.311 of the 1107
Revised Code after the date the person committed that second or 1108
third violation. 1109

(iii) Prior to imposing sentence upon, or making an order 1110
of disposition for, the person for the second or third 1111
violation, the court finds reasonable cause to believe that the 1112
suspension, if imposed, would seriously affect the person's 1113
ability to continue in employment, educational training, 1114
vocational training, or treatment. 1115

(iv) If the court is imposing sentence upon, or making an order of disposition for, the person for a third violation, the person did not submit to the court that imposed sentence upon, or made an order of disposition for, the person for the second violation a petition of the type described in division (C) (2) (a) (i) of this section, and the court that imposed sentence upon, or made an order of disposition for, the person for that second violation did not order the registrar of motor vehicles to waive the suspension of the person's license or permit required under division (A) (1) (c) of this section for the conviction of, plea of guilty to, or adjudication in juvenile court of having committed that second violation.

(b) If a court elects pursuant to division (C) (2) (a) of this section to order the registrar of motor vehicles to waive a suspension that otherwise is required under division (A) (1) (a) or (c) of this section, the court immediately shall send a written copy of the order to the registrar. Upon receipt of the written copy of the order, the registrar shall not suspend pursuant to division (A) (1) (a) or (c) of this section the probationary driver's license, restricted license, or temporary instruction permit of the person who is the subject of the order for the second or third violation for which the suspension otherwise would be imposed under that division.

(D) If a person who has been granted limited driving privileges under division (C) (1) of this section is convicted of, pleads guilty to, or is adjudicated in juvenile court of having committed, a violation of Chapter 4510. of the Revised Code, or a subsequent violation of any of the sections of the Revised Code listed in division (A) (1) (a) of this section or any similar municipal ordinance during the period for which the person was granted limited driving privileges, the court that

granted the limited driving privileges shall suspend the 1147
person's permit card. The court or the clerk of the court 1148
immediately shall forward the person's probationary driver's 1149
license, restricted license, or temporary instruction permit 1150
together with written notification of the court's action to the 1151
registrar. Upon receipt of the license or permit and 1152
notification, the registrar shall impose a class C suspension of 1153
the person's probationary driver's license, restricted license, 1154
or temporary instruction permit for the period of time specified 1155
in division (B) (3) of section 4510.02 of the Revised Code. The 1156
registrar shall retain the license or permit during the period 1157
of suspension, and no further limited driving privileges shall 1158
be granted during that period. 1159

(E) No application for a driver's or commercial driver's 1160
license shall be received from any person whose probationary 1161
driver's license, restricted license, or temporary instruction 1162
permit has been suspended under this section until each of the 1163
following has occurred: 1164

(1) The suspension period has expired; 1165

(2) A temporary instruction permit or commercial driver's 1166
license temporary instruction permit has been issued; 1167

(3) The person successfully completes a juvenile driver 1168
improvement program approved by the director of public safety 1169
under division (A) of section 4510.311 of the Revised Code; 1170

(4) The applicant has submitted to the examination for a 1171
driver's license as provided for in section 4507.11 or a 1172
commercial driver's license as provided in Chapter 4506. of the 1173
Revised Code. 1174

Sec. 5101.13. (A) The department of job and family 1175

services shall establish and maintain a uniform statewide 1176
automated child welfare information system in accordance with 1177
the requirements of 42 U.S.C.A. 674(a)(3)(C) and related federal 1178
regulations and guidelines. The information system shall contain 1179
records regarding any of the following: 1180

(1) (a) Investigations of children and families, and 1181
children's care in out-of-home care, in accordance with sections 1182
2151.421 and 5153.16 of the Revised Code; 1183

(b) Investigations and determinations under sections 1184
3109.812 and 3109.813 of the Revised Code. 1185

(2) Care and treatment provided to children and families; 1186

(3) Any other information related to children and families 1187
that state or federal law, regulation, or rule requires the 1188
department or a public children services agency to maintain. 1189

(B) The department shall plan implementation of the 1190
information system on a county-by-county basis and shall 1191
finalize statewide implementation by all public children 1192
services agencies as described in section 5153.02 of the Revised 1193
Code not later than January 1, 2008. 1194

(C) The department shall promptly notify all public 1195
children services agencies of the initiation and completion of 1196
statewide implementation of the statewide information system 1197
established under division (A) of this section. 1198

(D) The department may adopt rules, not later than June 1199
30, 2017, creating an intake type for unregulated child custody 1200
transfers in the statewide information system for records of 1201
investigations and determinations under division (A)(1)(b) of 1202
this section. 1203

<u>(E)</u> "Out-of-home care" has the same meaning as in section	1204
2151.011 of the Revised Code.	1205
Section 2. That existing sections 2919.22, 3107.05,	1206
3109.51, 4510.13, 4510.31, and 5101.13 of the Revised Code are	1207
hereby repealed.	1208