



Ohio Revised Code

Section 2950.034 Prohibiting offender from establishing residence near school, child care facility.

Effective: October 3, 2023

Legislation: House Bill 33

(A) No person who has been convicted of, is convicted of, has pleaded guilty to, or pleads guilty to a sexually oriented offense or a child-victim oriented offense shall establish a residence or occupy residential premises within one thousand feet of any school premises, preschool or child care center premises, children's crisis care facility premises, or residential infant care center premises.

(B) If a person to whom division (A) of this section applies violates division (A) of this section by establishing a residence or occupying residential premises within one thousand feet of any school premises, preschool or child care center premises, children's crisis care facility premises, or residential infant care center premises, an owner or lessee of real property that is located within one thousand feet of those school premises, preschool or child care center premises, children's crisis care facility premises, or residential infant care center premises, or the prosecuting attorney, village solicitor, city or township director of law, similar chief legal officer of a municipal corporation or township, or official designated as a prosecutor in a municipal corporation that has jurisdiction over the place at which the person establishes the residence or occupies the residential premises in question, has a cause of action for injunctive relief against the person. The plaintiff shall not be required to prove irreparable harm in order to obtain the relief.

(C) As used in this section:

(1) "Child care center" has the same meaning as in section 5104.01 of the Revised Code.

(2) "Children's crisis care facility" has the same meaning as in section 5103.13 of the Revised Code.

(3) "Children's crisis care facility premises" means both of the following:

(a) The parcel of real property on which any children's crisis care facility is situated;



(b) Any grounds, play areas, and other facilities of a children's crisis care facility that are regularly used by the children served by the facility.

(4) "Preschool" means any public or private institution or center that provides early childhood instructional or educational services to children who are at least three years of age but less than six years of age and who are not enrolled in or are not eligible to be enrolled in kindergarten, whether or not those services are provided in a child care setting. "Preschool" does not include any place that is the permanent residence of the person who is providing the early childhood instructional or educational services to the children described in this division.

(5) "Preschool or child care center premises" means all of the following:

(a) Any building in which any preschool or child care center activities are conducted if the building has signage that indicates that the building houses a preschool or child care center, is clearly visible and discernable without obstruction, and meets any local zoning ordinances which may apply;

(b) The parcel of real property on which a preschool or child care center is situated if the parcel of real property has signage that indicates that a preschool or child care center is situated on the parcel, is clearly visible and discernable without obstruction, and meets any local zoning ordinances which may apply;

(c) Any grounds, play areas, and other facilities of a preschool or child care center that are regularly used by the children served by the preschool or child care center if the grounds, play areas, or other facilities have signage that indicates that they are regularly used by children served by the preschool or child care center, is clearly visible and discernable without obstruction, and meets any local zoning ordinances which may apply.

(6) "Residential infant care center" has the same meaning as in section 5103.60 of the Revised Code.

(7) "Residential infant care center premises" means both of the following:

(a) The parcel of real property on which any residential infant care center is situated;



(b) Any grounds, play areas, and other facilities of a residential infant care center that are regularly used by the children served by the center.