



Ohio Revised Code

Section 2943.033 Court to advise defendant of possible firearm restrictions.

Effective: June 24, 2008

Legislation: House Bill 562 - 127th General Assembly

(A) As used in this section, "person living as a spouse" means a person who is living or has lived with the defendant in a common law marital relationship, who otherwise is cohabiting with the defendant, or who otherwise has cohabited with the defendant within five years prior to the date of the alleged commission of the act in question.

(B) The notice required under division (C) of this section shall be provided to a defendant when the alleged victim is any of the following:

- (1) A spouse, person living as a spouse, or former spouse of the defendant;
- (2) A parent or child of the defendant;
- (3) A parent or child of a spouse, person living as a spouse, or former spouse of the defendant;
- (4) The natural parent of any child of whom the defendant is the other natural or putative natural parent.

(C) Prior to accepting a guilty plea or plea of no contest to an indictment, information, or complaint that charges a person with a misdemeanor offense of violence, the court shall inform the defendant either personally or in writing that under 18 U.S.C. 922(g)(9) it may be unlawful for the person to ship, transport, purchase, or possess a firearm or ammunition as a result of any conviction for a misdemeanor offense of violence. The plea may not be vacated based on a failure to inform the person so charged regarding the restrictions under 18 U.S.C. 922(g)(9).
