

Fact Sheet Series for the 133rd General Assembly

House Bill 431 (Representatives Cindy Adams and Rick Carfagna, 2/13/2019)

Referred to House Civil Justice Committee

Create Sexual Exploitation Database

Under Current Law:

- Ohio does not maintain a database/registry specifically related to sexual exploitation (offenses related to the exchange of money for sex, and most often involving third party financial beneficiaries).
- Persons convicted of/pleaded guilty to 2907.22 Promoting Prostitution are required to register as Tier I Sex Offenders within Ohio's Sex Offender Registry.
- Persons convicted of/pleaded guilty to 2907.24(A)(3) Soliciting (when the victim is a minor or has a developmental disability, or the person soliciting the victim has previously tested positive for HIV) are required to register as Tier II Sex Offenders within Ohio's Sex Offender Registry.

This Bill Would:

- Require the Attorney General to establish and maintain a Sexual Exploitation Database
- Allocate \$170,000 to the database in its first fiscal year, and an additional \$20,000 in its second fiscal year.

Pursuant to this Bill:

- Convictions/guilty pleas for certain violations of 2907.22 Promoting Prostitution and 2907.24 Soliciting on or after the effective date would be compiled in the Attorney General's database.
- Conviction records would be sent by the respective clerk of court to the Attorney General's office for inclusion.
- Conviction records would include:
 - The prostitution offender's full legal name and last known address;
 - A color photograph of the prostitution offender;
 - The offense that the prostitution offender was convicted of/pleaded guilty to;
 - The date the offense was committed;
 - The county and municipality or township where the offense was committed.
- Conviction records would be removed automatically after five (5) years from the date of the offense or by application before such time if the conviction is overturned, sealed, or expunged.

Bill Definitions

- **Prostitution offender:** a person who was convicted of or pleaded guilty to a prostitution offense.
- **Prostitution offense:** a violation of either of the following:
 - A promoting prostitution offense;
 - A soliciting offense if the offender offered to give the other person anything of value in exchange for engaging in sexual activity for hire.
- **Sexual activity for hire:** an implicit or explicit agreement to provide sexual activity in exchange for anything of value paid to the person engaging in such sexual activity, to any person trafficking that person, or to any person associated with either such person.