



**H.B. 217**  
126th General Assembly  
(As Introduced)

Rep. DeBose

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**BILL SUMMARY**

- Creates sex offender license plates and requires them to have a pink background.
- Requires all motor vehicles that are operated by sex offenders who are required to register a residence address with a county sheriff to display the license plates.

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**CONTENT AND OPERATION**

**Order requiring the display of sex offender license plates**

Under current law, an offender who is convicted of one or more specified sex-related offenses, upon release from incarceration, must register the offender's residence address with the county sheriff and renew this registration at certain intervals. This requirement lasts for a period ranging from ten years to life, and conviction automatically brings about the requirement. In contrast, certain less serious sex offenses (such as voyeurism) are in a category known as "presumptive registration-exempt sexually oriented offenses." An offender who commits one of these offenses is not subject to the registration requirements unless the sentencing court determines that they should apply to the offender.

Under the bill, in the case of an offender who is sentenced on or after the bill's effective date and is required to register, the sentencing court must issue an order prohibiting the offender from operating a motor vehicle upon the public roads and highways or any public or private property used by the public for purposes of vehicular travel or parking unless the vehicle displays the sex offender license plates the bill creates. The court must provide a copy of the order to the offender, and the order generally remains in effect for the same period of time that the offender is required to register a residence address. If an offender is convicted of a presumptive registration-exempt sexually oriented offense, the sentencing

court may issue such an order; if the court does so, it must include the duration in the order. (R.C. 2950.15(A)(1) and (2).)

The bill provides that not sooner than five years after imposition of an order, an offender who is subject to the order may file a petition in the municipal or county court in whose jurisdiction the offender resides requesting that the order be terminated. The court may deny the petition without a hearing or may conduct a hearing on the matter. In deciding whether to terminate the order, the court must consider all relevant factors, including public safety, the interests of justice, and the determinations, findings, and declarations of the General Assembly regarding sex offenders and child-victim offenders that are part of codified law. A court is not permitted to terminate the order if the person, within the duration of the order, has been convicted of any sexually oriented offense or presumptive registration-exempt sexually oriented offense. (R.C. 2950.15(B).)

The bill provides that a violation of such an order is a first-degree misdemeanor, which is punishable by a jail term of not more than 180 days, a fine of not more than \$1,000, or both.

### **Sex offender license plates**

Under the bill, when an applicant for a motor vehicle registration complies with all laws governing such registration and also presents the Registrar of Motor Vehicles with the court order requiring the display of sex offender license plates, the Registrar must issue sex offender license plates to the applicant. The license plates may be issued for any vehicle registered in the offender's name or for any vehicle the offender intends to operate.

Sex offender license plates must have a distinctive pink background color and carry a special serial number that is readily identified by law enforcement officers. The Registrar must designate the distinctive pink color and serial number to be used on sex offender license plates, which must remain the same from year to year and may not be displayed on any other motor vehicles.

The Bureau of Motor Vehicles must adopt rules providing for the decentralization of the issuance of sex offender license plates, and the rules must provide for their issuance by at least one agency in each county. (R.C. 4503.237(A).)

The bill prohibits any person operating a motor vehicle displaying sex offender license plates from knowingly disguising or obscuring the color of the license plates. Violation of this prohibition is a minor misdemeanor, which is punishable by a fine of not more than \$150. (R.C. 4503.237(B) and (C).)

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	04-26-05	p. 702

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