



H.B. 139

127th General Assembly
(As Introduced)

Reps. Skindell, Foley, Domenick, R. Hagan, Fende, S. Williams, Koziura, Hughes, Raussen, Luckie, Letson, DeGeeter, Harwood, B. Williams, Hottinger, J. McGregor, Chandler, D. Stewart, Strahorn, Miller, Lundy, Bolon, Brady, Brown

BILL SUMMARY

- Prohibits a probate court from ordering a change of name pursuant to the statutory procedure for applying for a name change in that court if the person requesting a name change has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing identity fraud or for committing a sexually oriented offense or child-victim oriented offense for which the person must register under the Sex Offender Registration and Notification Law.
- Specifies that the prohibition described in the previous dot point does not apply if the conviction, guilty plea, or adjudication was reversed on appeal.

CONTENT AND OPERATION

Prohibition against a change of name

The bill prohibits a probate court from ordering a change of name pursuant to the procedure in R.C. 2717.01 for applying for a name change if the person applying for a change of name has pleaded guilty to, been convicted of, or has been adjudicated a delinquent child for committing one of the following offenses (R.C. 2717.01(C)):

(1) A sexually oriented offense or a child-victim oriented offense and has a duty to register under the Sex Offender Registration and Notification Law (SORN Law);¹

(2) Identity fraud.

The bill specifies that this prohibition against issuing a change of name order does not apply if the person's guilty plea, conviction, or adjudication has been reversed on appeal.

The bill also specifies that the application for a change of name must require the applicant to state whether the applicant has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for identity fraud or has a duty to comply with the SORN Law's registration requirements because the applicant was convicted of, pleaded guilty to, or was adjudicated a delinquent child for a sexually oriented offense or a child-victim oriented offense.

Background: application for a change of name

Current law permits a person who desires a change of name to file an application in the probate court of the county in which the person resides. The application must state that the applicant has been a bona fide resident of that county for at least one year prior to the filing of the application, the cause for which the change of name is sought, and the requested new name. After an application is filed, notice of the application must be given once by publication in a newspaper of general circulation in the county at least 30 days before the probate court holds a hearing on the application. The notice must specify the court in which the application was filed, the case number, and the time of the hearing. At the hearing, the court may order a change of name if proof that proper notice was given and that the facts as stated in the application show reasonable and proper cause for changing the name of the applicant. (R.C. 2717.01.)

HISTORY

ACTION	DATE
Introduced	03-28-07

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¹ "Sexually oriented offense" and "child-victim oriented offense" are defined in R.C. 2950.01.