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## Substitute Bill Comparative Synopsis

**Sub. H.B. 431**

**133<sup>rd</sup> General Assembly**

House Criminal Justice

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_133_1975-5)
<b>Definition of “prostitution offense”</b>	
Defines a “prostitution offense” as a violation of a promoting prostitution offense or a violation of a soliciting offense if the offender offered to give the other person anything of value in exchange for engaging in sexual activity for hire ( <i>R.C. 109.96(A)(3) and 2907.22 and 2907.24, not in the bill</i> ).	Removes a violation of a promoting prostitution offense from the definition of “prostitution offense” ( <i>R.C. 109.96(A)(3) and 2907.22, not in the bill</i> ).

Previous Version (As Introduced)	Latest Version (I_133_1975-5)
<b>Conviction or plea of guilty that is overturned, expunged, or sealed</b>	
<p>Provides that if a prostitution offender’s conviction of or plea of guilty to a prostitution offense has been overturned, expunged, or sealed prior to the automatic removal from the sexual exploitation database as provided for in the bill, a prostitution offender may submit an application to have that conviction record removed from the sexual exploitation database <i>(R.C. 109.96(E)(2))</i>.</p> <p>Requires the Attorney General to remove that conviction record from the sexual exploitation database if the Attorney General approves the prostitution offender’s application to have that conviction record removed from the sexual exploitation database <i>(R.C. 109.96(E)(2))</i>.</p> <p>Requires the Attorney General to adopt rules and forms establishing procedures for a prostitution offender to submit an application to be removed from the sexual exploitation database and for the Attorney General to approve or deny a prostitution offender’s application to be removed from the sexual exploitation database <i>(R.C. 109.96(F))</i>.</p>	<p>Provides that if a prostitution offender’s conviction of or plea of guilty to a prostitution offense has been overturned, expunged, or sealed prior to the automatic removal from the sexual exploitation database as provided for in the bill, the court ordering the offense overturned, expunged, or sealed must order the clerk of courts to submit to the Attorney General an order to have that conviction record removed from the sexual exploitation database <i>(R.C. 109.96(E)(2))</i>.</p> <p>Requires the Attorney General, upon receipt of the order to have that conviction record removed from the sexual exploitation database, to remove that conviction record from the sexual exploitation database <i>(R.C. 109.96(E)(2))</i>.</p> <p>Requires the Attorney General to adopt rules and forms establishing procedures for a court to order a prostitution offender whose conviction of or plea of guilty to a prostitution offense has been overturned, expunged, or sealed to be removed from the sexual exploitation database <i>(R.C. 109.96(F))</i>.</p>
<b>Definition of “conviction record”</b>	
<p>Requires that a “conviction record” include a color photograph of the prostitution offender <i>(R.C. 109.96(A)(1)(c))</i>.</p> <p>Requires that a “conviction record” include the offense that the prostitution offender was convicted of or pleaded guilty to committing <i>(R.C. 109.96(A)(1)(d))</i>.</p>	<p>Requires that a “conviction record” include a color photograph of the prostitution offender only if a color photograph is available <i>(R.C. 109.96(A)(1)(c))</i>.</p> <p>Requires that a “conviction record” include the offense that the prostitution offender was convicted of or pleaded guilty to committing, identified by the Revised Code section containing the criminal prohibition and not including any specific division references <i>(R.C. 109.96(A)(1)(d))</i>.</p>