

As Introduced

**129th General Assembly
Regular Session
2011-2012**

S. B. No. 76

Senator Skindell

Cosponsors: Senators Bacon, Turner, Hughes, Smith, Brown

—

A B I L L

To amend section 2717.01 of the Revised Code to 1
prohibit a court from ordering a statutory change 2
of name for a person who has committed identity 3
fraud or who must register under the SORN Law for 4
having committed a sexually oriented offense or 5
child-victim oriented offense. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2717.01 of the Revised Code be 7
amended to read as follows: 8

Sec. 2717.01. (A) A person desiring a change of name may file 9
an application in the probate court of the county in which the 10
person resides. The application shall set forth that the applicant 11
has been a bona fide resident of that county for at least one year 12
prior to the filing of the application, the cause for which the 13
change of name is sought, and the requested new name. The 14
application shall require the applicant to state whether the 15
applicant has been convicted of, pleaded guilty to, or been 16
adjudicated a delinquent child for identity fraud or has a duty to 17
comply with section 2950.04 or 2950.041 of the Revised Code 18
because the applicant was convicted of, pleaded guilty to, or was 19

adjudicated a delinquent child for having committed a sexually oriented offense or a child-victim oriented offense. 20
21

Notice of the application shall be given once by publication 22
in a newspaper of general circulation in the county at least 23
thirty days before the hearing on the application. The notice 24
shall set forth the court in which the application was filed, the 25
case number, and the date and time of the hearing. 26

~~Upon~~ Except as provided by division (C) of this section, upon 27
proof that proper notice was given and that the facts set forth in 28
the application show reasonable and proper cause for changing the 29
name of the applicant, the court may order the change of name. 30

(B) An application for change of name may be made on behalf 31
of a minor by either of the minor's parents, a legal guardian, or 32
a guardian ad litem. When application is made on behalf of a 33
minor, in addition to the notice and proof required pursuant to 34
division (A) of this section, the consent of both living, legal 35
parents of the minor shall be filed, or notice of the hearing 36
shall be given to the parent or parents not consenting by 37
certified mail, return receipt requested. If there is no known 38
father of the minor, the notice shall be given to the person who 39
the mother of the minor alleges to be the father. If no father is 40
so alleged, or if either parent or the address of either parent is 41
unknown, notice pursuant to division (A) of this section shall be 42
sufficient as to the father or parent. 43

Any additional notice required by this division may be waived 44
in writing by any person entitled to the notice. 45

(C)(1) The court shall not order a change of name under 46
division (A) of this section if the person applying for a change 47
of name or for whom the application for a change of name is made 48
has a duty to comply with section 2950.04 or 2950.041 of the 49
Revised Code because the applicant or the person on whose behalf 50

the application for a change of name is made was convicted of, 51
pleaded guilty to, or was adjudicated a delinquent child for 52
having committed a sexually oriented offense or a child-victim 53
oriented offense. 54

(2) The court shall not order a change of name under division 55
(A) of this section if the person applying for a change of name or 56
for whom the application for a change of name is made has pleaded 57
guilty to, been convicted of, or been adjudicated a delinquent 58
child for committing a violation of section 2913.49 of the Revised 59
Code unless the guilty plea, conviction, or adjudication has been 60
reversed on appeal. 61

(3) As used in this division, "sexually oriented offense" and 62
"child-victim oriented offense" have the same meanings as in 63
section 2950.01 of the Revised Code. 64

Section 2. That existing section 2717.01 of the Revised Code 65
is hereby repealed. 66