



City of Columbus

Office of City Clerk
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Legislation Text

File #: 3022-2021, Version: 1

On September 27, 2021, Council passed 1663-2021, amending Chapter 2307 of the Columbus City Codes, adding sexual exploitation as an offense, along with appertaining language. In consultation with the Franklin County Municipal Court and Columbus City Attorney's office, Council is making two technical changes to the chapter for purposes of clarification and consistency. These changes are as follows:

- Correcting a number in 2307.231 (B)(2) from "2307.51" to "2307.251" so it is consistent with 2307.231 (B)(3)
- Clarifying possible actions taken by the court in the last stanzas in 2307.231 (B)(2) and (B)(3).

EMERGENCY DESIGNATION: Emergency action is requested in order to immediately make the technical changes to correct and clarify the intent of the amended chapter of the Columbus City Codes.

To amend section 2307.231 of Columbus City Codes pertaining to sexual activity for hire offenses to make technical corrections; to repeal existing section 2307.231, and to declare an emergency.

WHEREAS, on September 27, 2021, Council passed 1663-2021, amending Chapter 2307 of the Columbus City Codes, adding sexual exploitation as an offense, along with appertaining language; and

WHEREAS, in consultation with the Franklin County Municipal Court and Columbus City Attorney's office, Council is making two technical changes to the chapter for purposes of clarification and consistency; and

WHEREAS, an emergency exists in the usual daily operation of Columbus City Council, in that it is necessary to clarify language regarding the sexual activity for hire code for the immediate preservation of the public health, peace, property, safety, and welfare; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That section 2307.231 of Columbus City Codes is hereby amended as follows:

2307.231 Sexual Activity for Hire

(A) As used in this section, "sexual activity for hire" means 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.

(B) No person shall recklessly induce or entice another to engage in sexual activity for hire in exchange for the person giving anything of value to the other person.

Whoever violates division (B) of this section is guilty of engaging in sexual exploitation, an unclassified misdemeanor.

(1) In sentencing the offender under this section, the court shall consider requiring the offender to attend an education or treatment program aimed at preventing persons from inducing or enticing another to engage in sexual activity for hire. In addition to any other penalties imposed by the court, the offender may be subject to a fine of not less than three hundred dollars (\$300.00), and notwithstanding the fine specified in division (A)(2)(a) of section 2929.28 of the Ohio Revised Code for a misdemeanor of the first degree, the court may impose upon the offender a fine of not more than one thousand five hundred dollars (\$1500.00).

(2) If the offender, within the past five years, previously has been convicted of or pleaded guilty to a violation of this section, section 2307.23, section 2307.251 or any provision of Chapter 2907 of the Ohio Revised Code, in addition to any other penalties imposed by the court, the offender may be subject to a fine of not less than five hundred fifty dollars (\$550.00) and notwithstanding the fine specified in division (A)(2)(a) of section 2929.28 of the Ohio Revised Code for a misdemeanor of the first degree, the court may impose upon the offender a fine of not more than one thousand five hundred dollars (\$1500.00) and ~~may be required to serve not less than 10~~ no more than ten (10) days in jail.

(3) If the offender, within the past five years, previously has been convicted of or pleaded guilty to two or more violations of this section, section 2307.23, section 2307.251 or any provision of Chapter 2907 of the Ohio Revised Code, in addition to any other penalties imposed by the court, the offender may be subject to a fine of not less than eight hundred dollars (\$800) and notwithstanding the fine specified in division (A)(2)(a) of section 2929.28 of the Ohio Revised Code for a misdemeanor of the first degree, the court may impose upon the offender a fine of not more than one thousand five hundred dollars (\$1500.00) and ~~may be required to serve not less than 15~~ no more than fifteen (15) days in jail.

SECTION 2. That existing section 2307.231 of the Columbus City Codes is hereby repealed.

SECTION 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.