



ENACTMENT SUMMARY

House Bill 161

Eliminates spousal exception for certain sexual offenses

Effective August 9, 2024

On May 10, 2024, Governor DeWine signed into law House Bill 161 (Rep. Miranda and Rep. Hillyer), which eliminates the spousal exception for certain sexual offenses.

Under prior law, an exception existed for certain sexual offenses when committed against a person who is the spouse of the offender. Those offenses are:

- 2907.02 – Rape
- 2907.03 – Sexual battery
- 2907.04 – Unlawful sexual conduct with a minor
- 2907.05 – Gross sexual imposition
- 2907.06 – Sexual imposition
- 2907.07(B)(2) – Importuning

The bill eliminates the spousal exception for these offenses.

Additionally, the bill permits a spouse to testify against the other in a prosecution for the above-listed offenses.

The bill passed the Ohio House of Representatives by a vote of 75-1 on November 29, 2023 and the Ohio Senate by a vote of 32-0 on April 24, 2024. It was signed into law on May 10, 2024 and becomes effective on August 9, 2024.