

**As Introduced**

**126th General Assembly  
Regular Session  
2005-2006**

**S. B. No. 341**

**Senators Dann, Fedor, Miller, D., Fingerhut**

**A BILL**

To enact section 3109.21 of the Revised Code to allow  
a child to use electronic communication as a  
method to supplement the contact between the child  
and a party who is subject to court-ordered  
parenting time, companionship, or visitation, or  
shared parenting arrangement.

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

**Section 1.** That section 3109.21 of the Revised Code be  
enacted to read as follows:

**Sec. 3109.21.** (A) As used in this section, "electronic  
communication" means communication facilitated by the use of  
methods of communication such as the telephone, electronic mail,  
instant messaging, video conferencing, or other wired or wireless  
technologies via the internet, or another medium of communication  
that allows a party who has been granted parenting time,  
companionship, or visitation rights to communicate with a child  
during times in which the child is not physically present with the  
party.

(B) When a court issues an order concerning parenting time,  
companionship, or visitation rights under section 2151.33,  
3109.051, 3109.11, 3109.12, 3113.31, or 3127.34 of the Revised  
Code, or when a court issues an order granting shared parenting

under section 3109.04 of the Revised Code, the court may grant, 22  
upon motion of either parent, or the person granted companionship 23  
or visitation rights, a reasonable amount of electronic 24  
communication between the child who is the subject of the order 25  
and the party to whom the order applies when the child is not in 26  
the physical presence of the party. In making its determination, 27  
the court shall consider whether electronic communication is in 28  
the child's best interest and whether equipment needed for the 29  
electronic communication is reasonably available to all parties 30  
subject to the order. 31

(C) The use of electronic communication shall not be used as 32  
a replacement or as a substitute for any parental right or 33  
responsibility, but only to supplement a parent's or other 34  
person's parenting time, companionship, or visitation with the 35  
child or time when the child who is the subject of a shared 36  
parenting arrangement is not physically present with one parent. 37

(D) The court shall not use the availability of electronic 38  
communication in either of the following ways: 39

(1) As a factor in the calculation of child support; 40

(2) As a factor in support of modification of parenting time, 41  
companionship, visitation rights, or a shared parenting 42  
arrangement, including the consideration of whether to modify an 43  
order granting parenting time, companionship, visitation rights, 44  
or a shared parenting arrangement when one parent or other person 45  
who is subject to the order intends to relocate to a residence 46  
other than the residence indicated in the order. 47