

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 1**

**Senator LaRose**

**Cosponsors: Senators Gardner, Hoagland, Bacon, Hottinger, Beagle, Oelslager,  
Yuko, Hite, Eklund, Manning, Burke, Terhar, Hackett**

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**A BILL**

To amend sections 2925.01, 2925.02, 1  
2925.03, 2925.04, 2925.05, 2925.11, 2925.13, 2  
2925.36, 2929.01, 2929.14, 2941.1410, 3719.41, 3  
3719.99, and 4729.99 of the Revised Code to 4  
increase penalties for drug trafficking 5  
violations, drug possession violations, and 6  
aggravated funding of drug trafficking when the 7  
drug involved in the offense is a fentanyl- 8  
related compound, to revise the manner of 9  
determining sentence for certain violations of 10  
the offense of permitting drug abuse, and to add 11  
lisdexamfetamine to the list of schedule II 12  
controlled substances. 13

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

**Section 1.** That sections 2925.01, 2925.02, 2925.03, 14  
2925.04, 2925.05, 2925.11, 2925.13, 2925.36, 2929.01, 2929.14, 15  
2941.1410, 3719.41, 3719.99, and 4729.99 of the Revised Code be 16  
amended to read as follows: 17

**Sec. 2925.01.** As used in this chapter: 18

(A) "Administer," "controlled substance," "controlled substance analog," "dispense," "distribute," "hypodermic," "manufacturer," "official written order," "person," "pharmacist," "pharmacy," "sale," "schedule I," "schedule II," "schedule III," "schedule IV," "schedule V," and "wholesaler" have the same meanings as in section 3719.01 of the Revised Code.

(B) "Drug dependent person" and "drug of abuse" have the same meanings as in section 3719.011 of the Revised Code.

(C) "Drug," "dangerous drug," "licensed health professional authorized to prescribe drugs," and "prescription" have the same meanings as in section 4729.01 of the Revised Code.

(D) "Bulk amount" of a controlled substance means any of the following:

(1) For any compound, mixture, preparation, or substance included in schedule I, schedule II, or schedule III, with the exception of any controlled substance~~analog~~analog, marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in division (D)(2) or (5) of this section, whichever of the following is applicable:

(a) An amount equal to or exceeding ten grams or twenty-five unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I opiate or opium derivative;

(b) An amount equal to or exceeding ten grams of a compound, mixture, preparation, or substance that is or contains any amount of raw or gum opium;

(c) An amount equal to or exceeding thirty grams or ten

unit doses of a compound, mixture, preparation, or substance 48  
that is or contains any amount of a schedule I hallucinogen 49  
other than tetrahydrocannabinol or lysergic acid amide, or a 50  
schedule I stimulant or depressant; 51

(d) An amount equal to or exceeding twenty grams or five 52  
times the maximum daily dose in the usual dose range specified 53  
in a standard pharmaceutical reference manual of a compound, 54  
mixture, preparation, or substance that is or contains any 55  
amount of a schedule II opiate or opium derivative; 56

(e) An amount equal to or exceeding five grams or ten unit 57  
doses of a compound, mixture, preparation, or substance that is 58  
or contains any amount of phencyclidine; 59

(f) An amount equal to or exceeding one hundred twenty 60  
grams or thirty times the maximum daily dose in the usual dose 61  
range specified in a standard pharmaceutical reference manual of 62  
a compound, mixture, preparation, or substance that is or 63  
contains any amount of a schedule II stimulant that is in a 64  
final dosage form manufactured by a person authorized by the 65  
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 66  
U.S.C.A. 301, as amended, and the federal drug abuse control 67  
laws, as defined in section 3719.01 of the Revised Code, that is 68  
or contains any amount of a schedule II depressant substance or 69  
a schedule II hallucinogenic substance; 70

(g) An amount equal to or exceeding three grams of a 71  
compound, mixture, preparation, or substance that is or contains 72  
any amount of a schedule II stimulant, or any of its salts or 73  
isomers, that is not in a final dosage form manufactured by a 74  
person authorized by the Federal Food, Drug, and Cosmetic Act 75  
and the federal drug abuse control laws. 76

(2) An amount equal to or exceeding one hundred twenty 77  
grams or thirty times the maximum daily dose in the usual dose 78  
range specified in a standard pharmaceutical reference manual of 79  
a compound, mixture, preparation, or substance that is or 80  
contains any amount of a schedule III or IV substance other than 81  
an anabolic steroid or a schedule III opiate or opium 82  
derivative; 83

(3) An amount equal to or exceeding twenty grams or five 84  
times the maximum daily dose in the usual dose range specified 85  
in a standard pharmaceutical reference manual of a compound, 86  
mixture, preparation, or substance that is or contains any 87  
amount of a schedule III opiate or opium derivative; 88

(4) An amount equal to or exceeding two hundred fifty 89  
milliliters or two hundred fifty grams of a compound, mixture, 90  
preparation, or substance that is or contains any amount of a 91  
schedule V substance; 92

(5) An amount equal to or exceeding two hundred solid 93  
dosage units, sixteen grams, or sixteen milliliters of a 94  
compound, mixture, preparation, or substance that is or contains 95  
any amount of a schedule III anabolic steroid. 96

(E) "Unit dose" means an amount or unit of a compound, 97  
mixture, or preparation containing a controlled substance that 98  
is separately identifiable and in a form that indicates that it 99  
is the amount or unit by which the controlled substance is 100  
separately administered to or taken by an individual. 101

(F) "Cultivate" includes planting, watering, fertilizing, 102  
or tilling. 103

(G) "Drug abuse offense" means any of the following: 104

(1) A violation of division (A) of section 2913.02 that 105

constitutes theft of drugs, or a violation of section 2925.02, 106  
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 107  
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, 108  
or 2925.37 of the Revised Code; 109

(2) A violation of an existing or former law of this or 110  
any other state or of the United States that is substantially 111  
equivalent to any section listed in division (G) (1) of this 112  
section; 113

(3) An offense under an existing or former law of this or 114  
any other state, or of the United States, of which planting, 115  
cultivating, harvesting, processing, making, manufacturing, 116  
producing, shipping, transporting, delivering, acquiring, 117  
possessing, storing, distributing, dispensing, selling, inducing 118  
another to use, administering to another, using, or otherwise 119  
dealing with a controlled substance is an element; 120

(4) A conspiracy to commit, attempt to commit, or 121  
complicity in committing or attempting to commit any offense 122  
under division (G) (1), (2), or (3) of this section. 123

(H) "Felony drug abuse offense" means any drug abuse 124  
offense that would constitute a felony under the laws of this 125  
state, any other state, or the United States. 126

(I) "Harmful intoxicant" does not include beer or 127  
intoxicating liquor but means any of the following: 128

(1) Any compound, mixture, preparation, or substance the 129  
gas, fumes, or vapor of which when inhaled can induce 130  
intoxication, excitement, giddiness, irrational behavior, 131  
depression, stupefaction, paralysis, unconsciousness, 132  
asphyxiation, or other harmful physiological effects, and 133  
includes, but is not limited to, any of the following: 134

(a) Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline, or other preparation containing a volatile organic solvent;	135 136 137 138
(b) Any aerosol propellant;	139
(c) Any fluorocarbon refrigerant;	140
(d) Any anesthetic gas.	141
(2) Gamma Butyrolactone;	142
(3) 1,4 Butanediol.	143
(J) "Manufacture" means to plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis, or compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incident to production.	144 145 146 147 148 149
(K) "Possess" or "possession" means having control over a thing or substance, but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.	150 151 152 153
(L) "Sample drug" means a drug or pharmaceutical preparation that would be hazardous to health or safety if used without the supervision of a licensed health professional authorized to prescribe drugs, or a drug of abuse, and that, at one time, had been placed in a container plainly marked as a sample by a manufacturer.	154 155 156 157 158 159
(M) "Standard pharmaceutical reference manual" means the current edition, with cumulative changes if any, of references that are approved by the state board of pharmacy.	160 161 162

(N) "Juvenile" means a person under eighteen years of age.	163
(O) "Counterfeit controlled substance" means any of the following:	164 165
(1) Any drug that bears, or whose container or label bears, a trademark, trade name, or other identifying mark used without authorization of the owner of rights to that trademark, trade name, or identifying mark;	166 167 168 169
(2) Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed, or distributed it;	170 171 172 173
(3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;	174 175 176
(4) Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size, and color, or its markings, labeling, packaging, distribution, or the price for which it is sold or offered for sale.	177 178 179 180 181
(P) An offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within one thousand feet of the boundaries of any school premises, regardless of whether the offender knows the offense is being committed on school premises, in a school building, or within one thousand feet of the boundaries of any school premises.	182 183 184 185 186 187 188
(Q) "School" means any school operated by a board of education, any community school established under Chapter 3314. of the Revised Code, or any nonpublic school for which the state	189 190 191

board of education prescribes minimum standards under section 192  
3301.07 of the Revised Code, whether or not any instruction, 193  
extracurricular activities, or training provided by the school 194  
is being conducted at the time a criminal offense is committed. 195

(R) "School premises" means either of the following: 196

(1) The parcel of real property on which any school is 197  
situated, whether or not any instruction, extracurricular 198  
activities, or training provided by the school is being 199  
conducted on the premises at the time a criminal offense is 200  
committed; 201

(2) Any other parcel of real property that is owned or 202  
leased by a board of education of a school, the governing 203  
authority of a community school established under Chapter 3314. 204  
of the Revised Code, or the governing body of a nonpublic school 205  
for which the state board of education prescribes minimum 206  
standards under section 3301.07 of the Revised Code and on which 207  
some of the instruction, extracurricular activities, or training 208  
of the school is conducted, whether or not any instruction, 209  
extracurricular activities, or training provided by the school 210  
is being conducted on the parcel of real property at the time a 211  
criminal offense is committed. 212

(S) "School building" means any building in which any of 213  
the instruction, extracurricular activities, or training 214  
provided by a school is conducted, whether or not any 215  
instruction, extracurricular activities, or training provided by 216  
the school is being conducted in the school building at the time 217  
a criminal offense is committed. 218

(T) "Disciplinary counsel" means the disciplinary counsel 219  
appointed by the board of commissioners on grievances and 220



discipline of the supreme court under the Rules for the 221  
Government of the Bar of Ohio. 222

(U) "Certified grievance committee" means a duly 223  
constituted and organized committee of the Ohio state bar 224  
association or of one or more local bar associations of the 225  
state of Ohio that complies with the criteria set forth in Rule 226  
V, section 6 of the Rules for the Government of the Bar of Ohio. 227

(V) "Professional license" means any license, permit, 228  
certificate, registration, qualification, admission, temporary 229  
license, temporary permit, temporary certificate, or temporary 230  
registration that is described in divisions (W) (1) to (36) of 231  
this section and that qualifies a person as a professionally 232  
licensed person. 233

(W) "Professionally licensed person" means any of the 234  
following: 235

(1) A person who has obtained a license as a manufacturer 236  
of controlled substances or a wholesaler of controlled 237  
substances under Chapter 3719. of the Revised Code; 238

(2) A person who has received a certificate or temporary 239  
certificate as a certified public accountant or who has 240  
registered as a public accountant under Chapter 4701. of the 241  
Revised Code and who holds an Ohio permit issued under that 242  
chapter; 243

(3) A person who holds a certificate of qualification to 244  
practice architecture issued or renewed and registered under 245  
Chapter 4703. of the Revised Code; 246

(4) A person who is registered as a landscape architect 247  
under Chapter 4703. of the Revised Code or who holds a permit as 248  
a landscape architect issued under that chapter; 249

(5) A person licensed under Chapter 4707. of the Revised Code;	250 251
(6) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;	252 253 254
(7) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;	255 256 257
(8) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license, advanced hair designer's license, advanced manicurist's license, advanced esthetician's license, advanced natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;	258 259 260 261 262 263 264 265 266 267 268
(9) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious intravenous sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental hygienist's teacher's certificate under Chapter 4715. of the Revised Code;	269 270 271 272 273 274
(10) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the	275 276 277 278

Revised Code;	279
(11) A person who has been licensed as a registered nurse	280
or practical nurse, or who has been issued a certificate for the	281
practice of nurse-midwifery under Chapter 4723. of the Revised	282
Code;	283
(12) A person who has been licensed to practice optometry	284
or to engage in optical dispensing under Chapter 4725. of the	285
Revised Code;	286
(13) A person licensed to act as a pawnbroker under	287
Chapter 4727. of the Revised Code;	288
(14) A person licensed to act as a precious metals dealer	289
under Chapter 4728. of the Revised Code;	290
(15) A person licensed as a pharmacist, a pharmacy intern,	291
a wholesale distributor of dangerous drugs, or a terminal	292
distributor of dangerous drugs under Chapter 4729. of the	293
Revised Code;	294
(16) A person who is authorized to practice as a physician	295
assistant under Chapter 4730. of the Revised Code;	296
(17) A person who has been issued a certificate to	297
practice medicine and surgery, osteopathic medicine and surgery,	298
a limited branch of medicine, or podiatry under Chapter 4731. of	299
the Revised Code;	300
(18) A person licensed as a psychologist or school	301
psychologist under Chapter 4732. of the Revised Code;	302
(19) A person registered to practice the profession of	303
engineering or surveying under Chapter 4733. of the Revised	304
Code;	305

(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	306 307
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	308 309
(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;	310 311
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	312 313
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	314 315
(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	316 317
(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;	318 319 320 321
(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;	322 323 324
(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;	325 326 327
(29) A person licensed and registered to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	328 329 330
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised	331 332

Code;	333
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	334 335 336
(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;	337 338 339 340 341 342
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	343 344
(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;	345 346 347
(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;	348 349
(36) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules.	350 351 352
(X) "Cocaine" means any of the following:	353
(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;	354 355
(2) Coca leaves or a salt, compound, derivative, or preparation of coca leaves, including ecgonine, a salt, isomer, or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine;	356 357 358 359

(3) A salt, compound, derivative, or preparation of a substance identified in division (X) (1) or (2) of this section that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.

(Y) "L.S.D." means lysergic acid diethylamide.

(Z) "Hashish" means the resin or a preparation of the resin contained in marihuana, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.

(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.

(BB) An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within one hundred feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender knows the offense is being committed within one hundred feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.

(CC) "Presumption for a prison term" or "presumption that a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised Code, that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code.

(DD) "Major drug offender" has the same meaning as in section 2929.01 of the Revised Code.

(EE) "Minor drug possession offense" means either of the

following:	389
(1) A violation of section 2925.11 of the Revised Code as it existed prior to July 1, 1996;	390 391
(2) A violation of section 2925.11 of the Revised Code as it exists on and after July 1, 1996, that is a misdemeanor or a felony of the fifth degree.	392 393 394
(FF) "Mandatory prison term" has the same meaning as in section 2929.01 of the Revised Code.	395 396
(GG) "Adulterate" means to cause a drug to be adulterated as described in section 3715.63 of the Revised Code.	397 398
(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.	399 400 401
(II) "Methamphetamine" means methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.	402 403 404 405 406
(JJ) "Lawful prescription" means a prescription that is issued for a legitimate medical purpose by a licensed health professional authorized to prescribe drugs, that is not altered or forged, and that was not obtained by means of deception or by the commission of any theft offense.	407 408 409 410 411
(KK) "Deception" and "theft offense" have the same meanings as in section 2913.01 of the Revised Code.	412 413
<u>(LL) "Fentanyl-related compound" means any of the following:</u>	414 415

<u>(1) Fentanyl;</u>	416
<u>(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);</u>	417 418 419
<u>(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N- phenylpropanamide);</u>	420 421
<u>(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-N- phenylpropanamide);</u>	422 423
<u>(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);</u>	424 425 426
<u>(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N- phenylpropanamide);</u>	427 428
<u>(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N- phenylpropanamide);</u>	429 430
<u>(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;</u>	431 432
<u>(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;</u>	433 434
<u>(10) Alfentanil;</u>	435
<u>(11) Carfentanil;</u>	436
<u>(12) Remifentanil;</u>	437
<u>(13) Sufentanil;</u>	438
<u>(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and</u>	439 440
<u>(15) A schedule I narcotic-opiate that meets the fentanyl</u>	441



pharmacophore requirements specified in division (A) (56) of 442  
section 3719.41 of the Revised Code, including acetylfentanyl, 443  
furanylfentanyl, valerylfentanyl, butyrylfentanyl, 444  
isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para- 445  
fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl. 446

**Sec. 2925.02.** (A) No person shall knowingly do any of the 447  
following: 448

(1) By force, threat, or deception, administer to another 449  
or induce or cause another to use a controlled substance; 450

(2) By any means, administer or furnish to another or 451  
induce or cause another to use a controlled substance with 452  
purpose to cause serious physical harm to the other person, or 453  
with purpose to cause the other person to become drug dependent; 454

(3) By any means, administer or furnish to another or 455  
induce or cause another to use a controlled substance, and 456  
thereby cause serious physical harm to the other person, or 457  
cause the other person to become drug dependent; 458

(4) By any means, do any of the following: 459

(a) Furnish or administer a controlled substance to a 460  
juvenile who is at least two years the offender's junior, when 461  
the offender knows the age of the juvenile or is reckless in 462  
that regard; 463

(b) Induce or cause a juvenile who is at least two years 464  
the offender's junior to use a controlled substance, when the 465  
offender knows the age of the juvenile or is reckless in that 466  
regard; 467

(c) Induce or cause a juvenile who is at least two years 468  
the offender's junior to commit a felony drug abuse offense, 469

when the offender knows the age of the juvenile or is reckless 470  
in that regard; 471

(d) Use a juvenile, whether or not the offender knows the 472  
age of the juvenile, to perform any surveillance activity that 473  
is intended to prevent the detection of the offender or any 474  
other person in the commission of a felony drug abuse offense or 475  
to prevent the arrest of the offender or any other person for 476  
the commission of a felony drug abuse offense. 477

(5) By any means, furnish or administer a controlled 478  
substance to a pregnant woman or induce or cause a pregnant 479  
woman to use a controlled substance, when the offender knows 480  
that the woman is pregnant or is reckless in that regard. 481

(B) Division (A) (1), (3), (4), or (5) of this section does 482  
not apply to manufacturers, wholesalers, licensed health 483  
professionals authorized to prescribe drugs, pharmacists, owners 484  
of pharmacies, and other persons whose conduct is in accordance 485  
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 486  
4741. of the Revised Code. 487

(C) Whoever violates this section is guilty of corrupting 488  
another with drugs. The penalty for the offense shall be 489  
determined as follows: 490

(1) If the offense is a violation of division (A) (1), (2), 491  
(3), or (4) of this section and the drug involved is any 492  
compound, mixture, preparation, or substance included in 493  
schedule I or II, with the exception of marihuana, 1-Pentyl-3- 494  
(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 495  
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 496  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5- 497  
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, the 498

offender shall be punished as follows: 499

(a) Except as otherwise provided in division (C) (1) (b) of 500  
this section, corrupting another with drugs committed in those 501  
circumstances is a felony of the second degree and, subject to 502  
division (E) of this section, the court shall impose as a 503  
mandatory prison term one of the prison terms prescribed for a 504  
felony of the second degree. 505

(b) If the offense was committed in the vicinity of a 506  
school, corrupting another with drugs committed in those 507  
circumstances is a felony of the first degree, and, subject to 508  
division (E) of this section, the court shall impose as a 509  
mandatory prison term one of the prison terms prescribed for a 510  
felony of the first degree. 511

(2) If the offense is a violation of division (A) (1), (2), 512  
(3), or (4) of this section and the drug involved is any 513  
compound, mixture, preparation, or substance included in 514  
schedule III, IV, or V, the offender shall be punished as 515  
follows: 516

(a) Except as otherwise provided in division (C) (2) (b) of 517  
this section, corrupting another with drugs committed in those 518  
circumstances is a felony of the second degree and there is a 519  
presumption for a prison term for the offense. 520

(b) If the offense was committed in the vicinity of a 521  
school, corrupting another with drugs committed in those 522  
circumstances is a felony of the second degree and the court 523  
shall impose as a mandatory prison term one of the prison terms 524  
prescribed for a felony of the second degree. 525

(3) If the offense is a violation of division (A) (1), (2), 526  
(3), or (4) of this section and the drug involved is marihuana, 527

1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 528  
1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 529  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5- 530  
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, the 531  
offender shall be punished as follows: 532

(a) Except as otherwise provided in division (C) (3) (b) of 533  
this section, corrupting another with drugs committed in those 534  
circumstances is a felony of the fourth degree and division (C) 535  
of section 2929.13 of the Revised Code applies in determining 536  
whether to impose a prison term on the offender. 537

(b) If the offense was committed in the vicinity of a 538  
school, corrupting another with drugs committed in those 539  
circumstances is a felony of the third degree and division (C) 540  
of section 2929.13 of the Revised Code applies in determining 541  
whether to impose a prison term on the offender. 542

(4) If the offense is a violation of division (A) (5) of 543  
this section and the drug involved is any compound, mixture, 544  
preparation, or substance included in schedule I or II, with the 545  
exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl- 546  
3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1- 547  
naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3- 548  
hydroxycyclohexyl]-phenol, and 5-(1,1-dimethyloctyl)-2-[(1R,3S)- 549  
3-hydroxycyclohexyl]-phenol, corrupting another with drugs is a 550  
felony of the first degree and, subject to division (E) of this 551  
section, the court shall impose as a mandatory prison term one 552  
of the prison terms prescribed for a felony of the first degree. 553

(5) If the offense is a violation of division (A) (5) of 554  
this section and the drug involved is any compound, mixture, 555  
preparation, or substance included in schedule III, IV, or V, 556  
corrupting another with drugs is a felony of the second degree 557

and the court shall impose as a mandatory prison term one of the 558  
prison terms prescribed for a felony of the second degree. 559

(6) If the offense is a violation of division (A) (5) of 560  
this section and the drug involved is marihuana, 1-Pentyl-3-(1- 561  
naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 562  
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 563  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5- 564  
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, 565  
corrupting another with drugs is a felony of the third degree 566  
and division (C) of section 2929.13 of the Revised Code applies 567  
in determining whether to impose a prison term on the offender. 568

(D) In addition to any prison term authorized or required 569  
by division (C) or (E) of this section and sections 2929.13 and 570  
2929.14 of the Revised Code and in addition to any other 571  
sanction imposed for the offense under this section or sections 572  
2929.11 to 2929.18 of the Revised Code, the court that sentences 573  
an offender who is convicted of or pleads guilty to a violation 574  
of division (A) of this section may suspend for not more than 575  
five years the offender's driver's or commercial driver's 576  
license or permit. However, if the offender pleaded guilty to or 577  
was convicted of a violation of section 4511.19 of the Revised 578  
Code or a substantially similar municipal ordinance or the law 579  
of another state or the United States arising out of the same 580  
set of circumstances as the violation, the court shall suspend 581  
the offender's driver's or commercial driver's license or permit 582  
for not more than five years. The court also shall do all of the 583  
following that are applicable regarding the offender: 584

(1) (a) If the violation is a felony of the first, second, 585  
or third degree, the court shall impose upon the offender the 586  
mandatory fine specified for the offense under division (B) (1) 587

of section 2929.18 of the Revised Code unless, as specified in 588  
that division, the court determines that the offender is 589  
indigent. 590

(b) Notwithstanding any contrary provision of section 591  
3719.21 of the Revised Code, any mandatory fine imposed pursuant 592  
to division (D) (1) (a) of this section and any fine imposed for a 593  
violation of this section pursuant to division (A) of section 594  
2929.18 of the Revised Code shall be paid by the clerk of the 595  
court in accordance with and subject to the requirements of, and 596  
shall be used as specified in, division (F) of section 2925.03 597  
of the Revised Code. 598

(c) If a person is charged with any violation of this 599  
section that is a felony of the first, second, or third degree, 600  
posts bail, and forfeits the bail, the forfeited bail shall be 601  
paid by the clerk of the court pursuant to division (D) (1) (b) of 602  
this section as if it were a fine imposed for a violation of 603  
this section. 604

(2) If the offender is a professionally licensed person, 605  
in addition to any other sanction imposed for a violation of 606  
this section, the court immediately shall comply with section 607  
2925.38 of the Revised Code. 608

(E) Notwithstanding the prison term otherwise authorized 609  
or required for the offense under division (C) of this section 610  
and sections 2929.13 and 2929.14 of the Revised Code, if the 611  
violation of division (A) of this section involves the sale, 612  
offer to sell, or possession of a schedule I or II controlled 613  
substance, with the exception of marihuana, 1-Pentyl-3-(1- 614  
naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 615  
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 616  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5- 617

(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 618  
if the court imposing sentence upon the offender finds that the 619  
offender as a result of the violation is a major drug offender 620  
and is guilty of a specification of the type described in 621  
division (A) of section 2941.1410 of the Revised Code, the 622  
court, in lieu of the prison term that otherwise is authorized 623  
or required, shall impose upon the offender the mandatory prison 624  
term specified in division (B) (3) (a) of section 2929.14 of the 625  
Revised Code. 626

(F) (1) If the sentencing court suspends the offender's 627  
driver's or commercial driver's license or permit under division 628  
(D) of this section, the offender, at any time after the 629  
expiration of two years from the day on which the offender's 630  
sentence was imposed or from the day on which the offender 631  
finally was released from a prison term under the sentence, 632  
whichever is later, may file a motion with the sentencing court 633  
requesting termination of the suspension. Upon the filing of the 634  
motion and the court's finding of good cause for the 635  
determination, the court may terminate the suspension. 636

(2) Any offender who received a mandatory suspension of 637  
the offender's driver's or commercial driver's license or permit 638  
under this section prior to ~~the effective date of this amendment~~ 639  
September 13, 2016, may file a motion with the sentencing court 640  
requesting the termination of the suspension. However, an 641  
offender who pleaded guilty to or was convicted of a violation 642  
of section 4511.19 of the Revised Code or a substantially 643  
similar municipal ordinance or law of another state or the 644  
United States that arose out of the same set of circumstances as 645  
the violation for which the offender's license or permit was 646  
suspended under this section shall not file such a motion. 647

Upon the filing of a motion under division (F) (2) of this section, the sentencing court, in its discretion, may terminate the suspension.

**Sec. 2925.03.** (A) No person shall knowingly do any of the following:

(1) Sell or offer to sell a controlled substance or a controlled substance analog;

(2) Prepare for shipment, ship, transport, deliver, prepare for distribution, or distribute a controlled substance or a controlled substance analog, when the offender knows or has reasonable cause to believe that the controlled substance or a controlled substance analog is intended for sale or resale by the offender or another person.

(B) This section does not apply to any of the following:

(1) Manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 4741. of the Revised Code;

(2) If the offense involves an anabolic steroid, any person who is conducting or participating in a research project involving the use of an anabolic steroid if the project has been approved by the United States food and drug administration;

(3) Any person who sells, offers for sale, prescribes, dispenses, or administers for livestock or other nonhuman species an anabolic steroid that is expressly intended for administration through implants to livestock or other nonhuman species and approved for that purpose under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301,



as amended, and is sold, offered for sale, prescribed, 677  
dispensed, or administered for that purpose in accordance with 678  
that act. 679

(C) Whoever violates division (A) of this section is 680  
guilty of one of the following: 681

(1) If the drug involved in the violation is any compound, 682  
mixture, preparation, or substance included in schedule I or 683  
schedule II, with the exception of marihuana, cocaine, L.S.D., 684  
heroin, any fentanyl-related compound, hashish, and any 685  
controlled substance ~~analog~~ analog, whoever violates division 686  
(A) of this section is guilty of aggravated trafficking in 687  
drugs. The penalty for the offense shall be determined as 688  
follows: 689

(a) Except as otherwise provided in division (C) (1) (b), 690  
(c), (d), (e), or (f) of this section, aggravated trafficking in 691  
drugs is a felony of the fourth degree, and division (C) of 692  
section 2929.13 of the Revised Code applies in determining 693  
whether to impose a prison term on the offender. 694

(b) Except as otherwise provided in division (C) (1) (c), 695  
(d), (e), or (f) of this section, if the offense was committed 696  
in the vicinity of a school or in the vicinity of a juvenile, 697  
aggravated trafficking in drugs is a felony of the third degree, 698  
and division (C) of section 2929.13 of the Revised Code applies 699  
in determining whether to impose a prison term on the offender. 700

(c) Except as otherwise provided in this division, if the 701  
amount of the drug involved equals or exceeds the bulk amount 702  
but is less than five times the bulk amount, aggravated 703  
trafficking in drugs is a felony of the third degree, and, 704  
except as otherwise provided in this division, there is a 705

presumption for a prison term for the offense. If aggravated 706  
trafficking in drugs is a felony of the third degree under this 707  
division and if the offender two or more times previously has 708  
been convicted of or pleaded guilty to a felony drug abuse 709  
offense, the court shall impose as a mandatory prison term one 710  
of the prison terms prescribed for a felony of the third degree. 711  
If the amount of the drug involved is within that range and if 712  
the offense was committed in the vicinity of a school or in the 713  
vicinity of a juvenile, aggravated trafficking in drugs is a 714  
felony of the second degree, and the court shall impose as a 715  
mandatory prison term one of the prison terms prescribed for a 716  
felony of the second degree. 717

(d) Except as otherwise provided in this division, if the 718  
amount of the drug involved equals or exceeds five times the 719  
bulk amount but is less than fifty times the bulk amount, 720  
aggravated trafficking in drugs is a felony of the second 721  
degree, and the court shall impose as a mandatory prison term 722  
one of the prison terms prescribed for a felony of the second 723  
degree. If the amount of the drug involved is within that range 724  
and if the offense was committed in the vicinity of a school or 725  
in the vicinity of a juvenile, aggravated trafficking in drugs 726  
is a felony of the first degree, and the court shall impose as a 727  
mandatory prison term one of the prison terms prescribed for a 728  
felony of the first degree. 729

(e) If the amount of the drug involved equals or exceeds 730  
fifty times the bulk amount but is less than one hundred times 731  
the bulk amount and regardless of whether the offense was 732  
committed in the vicinity of a school or in the vicinity of a 733  
juvenile, aggravated trafficking in drugs is a felony of the 734  
first degree, and the court shall impose as a mandatory prison 735  
term one of the prison terms prescribed for a felony of the 736

first degree. 737

(f) If the amount of the drug involved equals or exceeds 738  
one hundred times the bulk amount and regardless of whether the 739  
offense was committed in the vicinity of a school or in the 740  
vicinity of a juvenile, aggravated trafficking in drugs is a 741  
felony of the first degree, the offender is a major drug 742  
offender, and the court shall impose as a mandatory prison term 743  
the maximum prison term prescribed for a felony of the first 744  
degree. 745

(2) If the drug involved in the violation is any compound, 746  
mixture, preparation, or substance included in schedule III, IV, 747  
or V, whoever violates division (A) of this section is guilty of 748  
trafficking in drugs. The penalty for the offense shall be 749  
determined as follows: 750

(a) Except as otherwise provided in division (C) (2) (b), 751  
(c), (d), or (e) of this section, trafficking in drugs is a 752  
felony of the fifth degree, and division (B) of section 2929.13 753  
of the Revised Code applies in determining whether to impose a 754  
prison term on the offender. 755

(b) Except as otherwise provided in division (C) (2) (c), 756  
(d), or (e) of this section, if the offense was committed in the 757  
vicinity of a school or in the vicinity of a juvenile, 758  
trafficking in drugs is a felony of the fourth degree, and 759  
division (C) of section 2929.13 of the Revised Code applies in 760  
determining whether to impose a prison term on the offender. 761

(c) Except as otherwise provided in this division, if the 762  
amount of the drug involved equals or exceeds the bulk amount 763  
but is less than five times the bulk amount, trafficking in 764  
drugs is a felony of the fourth degree, and division (B) of 765

section 2929.13 of the Revised Code applies in determining 766  
whether to impose a prison term for the offense. If the amount 767  
of the drug involved is within that range and if the offense was 768  
committed in the vicinity of a school or in the vicinity of a 769  
juvenile, trafficking in drugs is a felony of the third degree, 770  
and there is a presumption for a prison term for the offense. 771

(d) Except as otherwise provided in this division, if the 772  
amount of the drug involved equals or exceeds five times the 773  
bulk amount but is less than fifty times the bulk amount, 774  
trafficking in drugs is a felony of the third degree, and there 775  
is a presumption for a prison term for the offense. If the 776  
amount of the drug involved is within that range and if the 777  
offense was committed in the vicinity of a school or in the 778  
vicinity of a juvenile, trafficking in drugs is a felony of the 779  
second degree, and there is a presumption for a prison term for 780  
the offense. 781

(e) Except as otherwise provided in this division, if the 782  
amount of the drug involved equals or exceeds fifty times the 783  
bulk amount, trafficking in drugs is a felony of the second 784  
degree, and the court shall impose as a mandatory prison term 785  
one of the prison terms prescribed for a felony of the second 786  
degree. If the amount of the drug involved equals or exceeds 787  
fifty times the bulk amount and if the offense was committed in 788  
the vicinity of a school or in the vicinity of a juvenile, 789  
trafficking in drugs is a felony of the first degree, and the 790  
court shall impose as a mandatory prison term one of the prison 791  
terms prescribed for a felony of the first degree. 792

(3) If the drug involved in the violation is marihuana or 793  
a compound, mixture, preparation, or substance containing 794  
marihuana other than hashish, whoever violates division (A) of 795

this section is guilty of trafficking in marihuana. The penalty 796  
for the offense shall be determined as follows: 797

(a) Except as otherwise provided in division (C) (3) (b), 798  
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 799  
marihuana is a felony of the fifth degree, and division (B) of 800  
section 2929.13 of the Revised Code applies in determining 801  
whether to impose a prison term on the offender. 802

(b) Except as otherwise provided in division (C) (3) (c), 803  
(d), (e), (f), (g), or (h) of this section, if the offense was 804  
committed in the vicinity of a school or in the vicinity of a 805  
juvenile, trafficking in marihuana is a felony of the fourth 806  
degree, and division (B) of section 2929.13 of the Revised Code 807  
applies in determining whether to impose a prison term on the 808  
offender. 809

(c) Except as otherwise provided in this division, if the 810  
amount of the drug involved equals or exceeds two hundred grams 811  
but is less than one thousand grams, trafficking in marihuana is 812  
a felony of the fourth degree, and division (B) of section 813  
2929.13 of the Revised Code applies in determining whether to 814  
impose a prison term on the offender. If the amount of the drug 815  
involved is within that range and if the offense was committed 816  
in the vicinity of a school or in the vicinity of a juvenile, 817  
trafficking in marihuana is a felony of the third degree, and 818  
division (C) of section 2929.13 of the Revised Code applies in 819  
determining whether to impose a prison term on the offender. 820

(d) Except as otherwise provided in this division, if the 821  
amount of the drug involved equals or exceeds one thousand grams 822  
but is less than five thousand grams, trafficking in marihuana 823  
is a felony of the third degree, and division (C) of section 824  
2929.13 of the Revised Code applies in determining whether to 825

impose a prison term on the offender. If the amount of the drug 826  
involved is within that range and if the offense was committed 827  
in the vicinity of a school or in the vicinity of a juvenile, 828  
trafficking in marihuana is a felony of the second degree, and 829  
there is a presumption that a prison term shall be imposed for 830  
the offense. 831

(e) Except as otherwise provided in this division, if the 832  
amount of the drug involved equals or exceeds five thousand 833  
grams but is less than twenty thousand grams, trafficking in 834  
marihuana is a felony of the third degree, and there is a 835  
presumption that a prison term shall be imposed for the offense. 836  
If the amount of the drug involved is within that range and if 837  
the offense was committed in the vicinity of a school or in the 838  
vicinity of a juvenile, trafficking in marihuana is a felony of 839  
the second degree, and there is a presumption that a prison term 840  
shall be imposed for the offense. 841

(f) Except as otherwise provided in this division, if the 842  
amount of the drug involved equals or exceeds twenty thousand 843  
grams but is less than forty thousand grams, trafficking in 844  
marihuana is a felony of the second degree, and the court shall 845  
impose a mandatory prison term of five, six, seven, or eight 846  
years. If the amount of the drug involved is within that range 847  
and if the offense was committed in the vicinity of a school or 848  
in the vicinity of a juvenile, trafficking in marihuana is a 849  
felony of the first degree, and the court shall impose as a 850  
mandatory prison term the maximum prison term prescribed for a 851  
felony of the first degree. 852

(g) Except as otherwise provided in this division, if the 853  
amount of the drug involved equals or exceeds forty thousand 854  
grams, trafficking in marihuana is a felony of the second 855

degree, and the court shall impose as a mandatory prison term 856  
the maximum prison term prescribed for a felony of the second 857  
degree. If the amount of the drug involved equals or exceeds 858  
forty thousand grams and if the offense was committed in the 859  
vicinity of a school or in the vicinity of a juvenile, 860  
trafficking in marihuana is a felony of the first degree, and 861  
the court shall impose as a mandatory prison term the maximum 862  
prison term prescribed for a felony of the first degree. 863

(h) Except as otherwise provided in this division, if the 864  
offense involves a gift of twenty grams or less of marihuana, 865  
trafficking in marihuana is a minor misdemeanor upon a first 866  
offense and a misdemeanor of the third degree upon a subsequent 867  
offense. If the offense involves a gift of twenty grams or less 868  
of marihuana and if the offense was committed in the vicinity of 869  
a school or in the vicinity of a juvenile, trafficking in 870  
marihuana is a misdemeanor of the third degree. 871

(4) If the drug involved in the violation is cocaine or a 872  
compound, mixture, preparation, or substance containing cocaine, 873  
whoever violates division (A) of this section is guilty of 874  
trafficking in cocaine. The penalty for the offense shall be 875  
determined as follows: 876

(a) Except as otherwise provided in division (C) (4) (b), 877  
(c), (d), (e), (f), or (g) of this section, trafficking in 878  
cocaine is a felony of the fifth degree, and division (B) of 879  
section 2929.13 of the Revised Code applies in determining 880  
whether to impose a prison term on the offender. 881

(b) Except as otherwise provided in division (C) (4) (c), 882  
(d), (e), (f), or (g) of this section, if the offense was 883  
committed in the vicinity of a school or in the vicinity of a 884  
juvenile, trafficking in cocaine is a felony of the fourth 885

degree, and division (C) of section 2929.13 of the Revised Code 886  
applies in determining whether to impose a prison term on the 887  
offender. 888

(c) Except as otherwise provided in this division, if the 889  
amount of the drug involved equals or exceeds five grams but is 890  
less than ten grams of cocaine, trafficking in cocaine is a 891  
felony of the fourth degree, and division (B) of section 2929.13 892  
of the Revised Code applies in determining whether to impose a 893  
prison term for the offense. If the amount of the drug involved 894  
is within that range and if the offense was committed in the 895  
vicinity of a school or in the vicinity of a juvenile, 896  
trafficking in cocaine is a felony of the third degree, and 897  
there is a presumption for a prison term for the offense. 898

(d) Except as otherwise provided in this division, if the 899  
amount of the drug involved equals or exceeds ten grams but is 900  
less than twenty grams of cocaine, trafficking in cocaine is a 901  
felony of the third degree, and, except as otherwise provided in 902  
this division, there is a presumption for a prison term for the 903  
offense. If trafficking in cocaine is a felony of the third 904  
degree under this division and if the offender two or more times 905  
previously has been convicted of or pleaded guilty to a felony 906  
drug abuse offense, the court shall impose as a mandatory prison 907  
term one of the prison terms prescribed for a felony of the 908  
third degree. If the amount of the drug involved is within that 909  
range and if the offense was committed in the vicinity of a 910  
school or in the vicinity of a juvenile, trafficking in cocaine 911  
is a felony of the second degree, and the court shall impose as 912  
a mandatory prison term one of the prison terms prescribed for a 913  
felony of the second degree. 914

(e) Except as otherwise provided in this division, if the 915



amount of the drug involved equals or exceeds twenty grams but 916  
is less than twenty-seven grams of cocaine, trafficking in 917  
cocaine is a felony of the second degree, and the court shall 918  
impose as a mandatory prison term one of the prison terms 919  
prescribed for a felony of the second degree. If the amount of 920  
the drug involved is within that range and if the offense was 921  
committed in the vicinity of a school or in the vicinity of a 922  
juvenile, trafficking in cocaine is a felony of the first 923  
degree, and the court shall impose as a mandatory prison term 924  
one of the prison terms prescribed for a felony of the first 925  
degree. 926

(f) If the amount of the drug involved equals or exceeds 927  
twenty-seven grams but is less than one hundred grams of cocaine 928  
and regardless of whether the offense was committed in the 929  
vicinity of a school or in the vicinity of a juvenile, 930  
trafficking in cocaine is a felony of the first degree, and the 931  
court shall impose as a mandatory prison term one of the prison 932  
terms prescribed for a felony of the first degree. 933

(g) If the amount of the drug involved equals or exceeds 934  
one hundred grams of cocaine and regardless of whether the 935  
offense was committed in the vicinity of a school or in the 936  
vicinity of a juvenile, trafficking in cocaine is a felony of 937  
the first degree, the offender is a major drug offender, and the 938  
court shall impose as a mandatory prison term the maximum prison 939  
term prescribed for a felony of the first degree. 940

(5) If the drug involved in the violation is L.S.D. or a 941  
compound, mixture, preparation, or substance containing L.S.D., 942  
whoever violates division (A) of this section is guilty of 943  
trafficking in L.S.D. The penalty for the offense shall be 944  
determined as follows: 945

(a) Except as otherwise provided in division (C) (5) (b), 946  
(c), (d), (e), (f), or (g) of this section, trafficking in 947  
L.S.D. is a felony of the fifth degree, and division (B) of 948  
section 2929.13 of the Revised Code applies in determining 949  
whether to impose a prison term on the offender. 950

(b) Except as otherwise provided in division (C) (5) (c), 951  
(d), (e), (f), or (g) of this section, if the offense was 952  
committed in the vicinity of a school or in the vicinity of a 953  
juvenile, trafficking in L.S.D. is a felony of the fourth 954  
degree, and division (C) of section 2929.13 of the Revised Code 955  
applies in determining whether to impose a prison term on the 956  
offender. 957

(c) Except as otherwise provided in this division, if the 958  
amount of the drug involved equals or exceeds ten unit doses but 959  
is less than fifty unit doses of L.S.D. in a solid form or 960  
equals or exceeds one gram but is less than five grams of L.S.D. 961  
in a liquid concentrate, liquid extract, or liquid distillate 962  
form, trafficking in L.S.D. is a felony of the fourth degree, 963  
and division (B) of section 2929.13 of the Revised Code applies 964  
in determining whether to impose a prison term for the offense. 965  
If the amount of the drug involved is within that range and if 966  
the offense was committed in the vicinity of a school or in the 967  
vicinity of a juvenile, trafficking in L.S.D. is a felony of the 968  
third degree, and there is a presumption for a prison term for 969  
the offense. 970

(d) Except as otherwise provided in this division, if the 971  
amount of the drug involved equals or exceeds fifty unit doses 972  
but is less than two hundred fifty unit doses of L.S.D. in a 973  
solid form or equals or exceeds five grams but is less than 974  
twenty-five grams of L.S.D. in a liquid concentrate, liquid 975

extract, or liquid distillate form, trafficking in L.S.D. is a 976  
felony of the third degree, and, except as otherwise provided in 977  
this division, there is a presumption for a prison term for the 978  
offense. If trafficking in L.S.D. is a felony of the third 979  
degree under this division and if the offender two or more times 980  
previously has been convicted of or pleaded guilty to a felony 981  
drug abuse offense, the court shall impose as a mandatory prison 982  
term one of the prison terms prescribed for a felony of the 983  
third degree. If the amount of the drug involved is within that 984  
range and if the offense was committed in the vicinity of a 985  
school or in the vicinity of a juvenile, trafficking in L.S.D. 986  
is a felony of the second degree, and the court shall impose as 987  
a mandatory prison term one of the prison terms prescribed for a 988  
felony of the second degree. 989

(e) Except as otherwise provided in this division, if the 990  
amount of the drug involved equals or exceeds two hundred fifty 991  
unit doses but is less than one thousand unit doses of L.S.D. in 992  
a solid form or equals or exceeds twenty-five grams but is less 993  
than one hundred grams of L.S.D. in a liquid concentrate, liquid 994  
extract, or liquid distillate form, trafficking in L.S.D. is a 995  
felony of the second degree, and the court shall impose as a 996  
mandatory prison term one of the prison terms prescribed for a 997  
felony of the second degree. If the amount of the drug involved 998  
is within that range and if the offense was committed in the 999  
vicinity of a school or in the vicinity of a juvenile, 1000  
trafficking in L.S.D. is a felony of the first degree, and the 1001  
court shall impose as a mandatory prison term one of the prison 1002  
terms prescribed for a felony of the first degree. 1003

(f) If the amount of the drug involved equals or exceeds 1004  
one thousand unit doses but is less than five thousand unit 1005  
doses of L.S.D. in a solid form or equals or exceeds one hundred 1006

grams but is less than five hundred grams of L.S.D. in a liquid 1007  
concentrate, liquid extract, or liquid distillate form and 1008  
regardless of whether the offense was committed in the vicinity 1009  
of a school or in the vicinity of a juvenile, trafficking in 1010  
L.S.D. is a felony of the first degree, and the court shall 1011  
impose as a mandatory prison term one of the prison terms 1012  
prescribed for a felony of the first degree. 1013

(g) If the amount of the drug involved equals or exceeds 1014  
five thousand unit doses of L.S.D. in a solid form or equals or 1015  
exceeds five hundred grams of L.S.D. in a liquid concentrate, 1016  
liquid extract, or liquid distillate form and regardless of 1017  
whether the offense was committed in the vicinity of a school or 1018  
in the vicinity of a juvenile, trafficking in L.S.D. is a felony 1019  
of the first degree, the offender is a major drug offender, and 1020  
the court shall impose as a mandatory prison term the maximum 1021  
prison term prescribed for a felony of the first degree. 1022

(6) If the drug involved in the violation is heroin or a 1023  
compound, mixture, preparation, or substance containing heroin, 1024  
whoever violates division (A) of this section is guilty of 1025  
trafficking in heroin. The penalty for the offense shall be 1026  
determined as follows: 1027

(a) Except as otherwise provided in division (C) (6) (b), 1028  
(c), (d), (e), (f), or (g) of this section, trafficking in 1029  
heroin is a felony of the fifth degree, and division (B) of 1030  
section 2929.13 of the Revised Code applies in determining 1031  
whether to impose a prison term on the offender. 1032

(b) Except as otherwise provided in division (C) (6) (c), 1033  
(d), (e), (f), or (g) of this section, if the offense was 1034  
committed in the vicinity of a school or in the vicinity of a 1035  
juvenile, trafficking in heroin is a felony of the fourth 1036

degree, and division (C) of section 2929.13 of the Revised Code 1037  
applies in determining whether to impose a prison term on the 1038  
offender. 1039

(c) Except as otherwise provided in this division, if the 1040  
amount of the drug involved equals or exceeds ten unit doses but 1041  
is less than fifty unit doses or equals or exceeds one gram but 1042  
is less than five grams, trafficking in heroin is a felony of 1043  
the fourth degree, and division (B) of section 2929.13 of the 1044  
Revised Code applies in determining whether to impose a prison 1045  
term for the offense. If the amount of the drug involved is 1046  
within that range and if the offense was committed in the 1047  
vicinity of a school or in the vicinity of a juvenile, 1048  
trafficking in heroin is a felony of the third degree, and there 1049  
is a presumption for a prison term for the offense. 1050

(d) Except as otherwise provided in this division, if the 1051  
amount of the drug involved equals or exceeds fifty unit doses 1052  
but is less than one hundred unit doses or equals or exceeds 1053  
five grams but is less than ten grams, trafficking in heroin is 1054  
a felony of the third degree, and there is a presumption for a 1055  
prison term for the offense. If the amount of the drug involved 1056  
is within that range and if the offense was committed in the 1057  
vicinity of a school or in the vicinity of a juvenile, 1058  
trafficking in heroin is a felony of the second degree, and 1059  
there is a presumption for a prison term for the offense. 1060

(e) Except as otherwise provided in this division, if the 1061  
amount of the drug involved equals or exceeds one hundred unit 1062  
doses but is less than five hundred unit doses or equals or 1063  
exceeds ten grams but is less than fifty grams, trafficking in 1064  
heroin is a felony of the second degree, and the court shall 1065  
impose as a mandatory prison term one of the prison terms 1066

prescribed for a felony of the second degree. If the amount of 1067  
the drug involved is within that range and if the offense was 1068  
committed in the vicinity of a school or in the vicinity of a 1069  
juvenile, trafficking in heroin is a felony of the first degree, 1070  
and the court shall impose as a mandatory prison term one of the 1071  
prison terms prescribed for a felony of the first degree. 1072

(f) If the amount of the drug involved equals or exceeds 1073  
five hundred unit doses but is less than one thousand unit doses 1074  
or equals or exceeds fifty grams but is less than one hundred 1075  
grams and regardless of whether the offense was committed in the 1076  
vicinity of a school or in the vicinity of a juvenile, 1077  
trafficking in heroin is a felony of the first degree, and the 1078  
court shall impose as a mandatory prison term one of the prison 1079  
terms prescribed for a felony of the first degree. 1080

(g) If the amount of the drug involved equals or exceeds 1081  
one thousand unit doses or equals or exceeds one hundred grams 1082  
and regardless of whether the offense was committed in the 1083  
vicinity of a school or in the vicinity of a juvenile, 1084  
trafficking in heroin is a felony of the first degree, the 1085  
offender is a major drug offender, and the court shall impose as 1086  
a mandatory prison term the maximum prison term prescribed for a 1087  
felony of the first degree. 1088

(7) If the drug involved in the violation is hashish or a 1089  
compound, mixture, preparation, or substance containing hashish, 1090  
whoever violates division (A) of this section is guilty of 1091  
trafficking in hashish. The penalty for the offense shall be 1092  
determined as follows: 1093

(a) Except as otherwise provided in division (C) (7) (b), 1094  
(c), (d), (e), (f), or (g) of this section, trafficking in 1095  
hashish is a felony of the fifth degree, and division (B) of 1096

section 2929.13 of the Revised Code applies in determining 1097  
whether to impose a prison term on the offender. 1098

(b) Except as otherwise provided in division (C) (7) (c), 1099  
(d), (e), (f), or (g) of this section, if the offense was 1100  
committed in the vicinity of a school or in the vicinity of a 1101  
juvenile, trafficking in hashish is a felony of the fourth 1102  
degree, and division (B) of section 2929.13 of the Revised Code 1103  
applies in determining whether to impose a prison term on the 1104  
offender. 1105

(c) Except as otherwise provided in this division, if the 1106  
amount of the drug involved equals or exceeds ten grams but is 1107  
less than fifty grams of hashish in a solid form or equals or 1108  
exceeds two grams but is less than ten grams of hashish in a 1109  
liquid concentrate, liquid extract, or liquid distillate form, 1110  
trafficking in hashish is a felony of the fourth degree, and 1111  
division (B) of section 2929.13 of the Revised Code applies in 1112  
determining whether to impose a prison term on the offender. If 1113  
the amount of the drug involved is within that range and if the 1114  
offense was committed in the vicinity of a school or in the 1115  
vicinity of a juvenile, trafficking in hashish is a felony of 1116  
the third degree, and division (C) of section 2929.13 of the 1117  
Revised Code applies in determining whether to impose a prison 1118  
term on the offender. 1119

(d) Except as otherwise provided in this division, if the 1120  
amount of the drug involved equals or exceeds fifty grams but is 1121  
less than two hundred fifty grams of hashish in a solid form or 1122  
equals or exceeds ten grams but is less than fifty grams of 1123  
hashish in a liquid concentrate, liquid extract, or liquid 1124  
distillate form, trafficking in hashish is a felony of the third 1125  
degree, and division (C) of section 2929.13 of the Revised Code 1126

applies in determining whether to impose a prison term on the 1127  
offender. If the amount of the drug involved is within that 1128  
range and if the offense was committed in the vicinity of a 1129  
school or in the vicinity of a juvenile, trafficking in hashish 1130  
is a felony of the second degree, and there is a presumption 1131  
that a prison term shall be imposed for the offense. 1132

(e) Except as otherwise provided in this division, if the 1133  
amount of the drug involved equals or exceeds two hundred fifty 1134  
grams but is less than one thousand grams of hashish in a solid 1135  
form or equals or exceeds fifty grams but is less than two 1136  
hundred grams of hashish in a liquid concentrate, liquid 1137  
extract, or liquid distillate form, trafficking in hashish is a 1138  
felony of the third degree, and there is a presumption that a 1139  
prison term shall be imposed for the offense. If the amount of 1140  
the drug involved is within that range and if the offense was 1141  
committed in the vicinity of a school or in the vicinity of a 1142  
juvenile, trafficking in hashish is a felony of the second 1143  
degree, and there is a presumption that a prison term shall be 1144  
imposed for the offense. 1145

(f) Except as otherwise provided in this division, if the 1146  
amount of the drug involved equals or exceeds one thousand grams 1147  
but is less than two thousand grams of hashish in a solid form 1148  
or equals or exceeds two hundred grams but is less than four 1149  
hundred grams of hashish in a liquid concentrate, liquid 1150  
extract, or liquid distillate form, trafficking in hashish is a 1151  
felony of the second degree, and the court shall impose a 1152  
mandatory prison term of five, six, seven, or eight years. If 1153  
the amount of the drug involved is within that range and if the 1154  
offense was committed in the vicinity of a school or in the 1155  
vicinity of a juvenile, trafficking in hashish is a felony of 1156  
the first degree, and the court shall impose as a mandatory 1157



prison term the maximum prison term prescribed for a felony of 1158  
the first degree. 1159

(g) Except as otherwise provided in this division, if the 1160  
amount of the drug involved equals or exceeds two thousand grams 1161  
of hashish in a solid form or equals or exceeds four hundred 1162  
grams of hashish in a liquid concentrate, liquid extract, or 1163  
liquid distillate form, trafficking in hashish is a felony of 1164  
the second degree, and the court shall impose as a mandatory 1165  
prison term the maximum prison term prescribed for a felony of 1166  
the second degree. If the amount of the drug involved equals or 1167  
exceeds two thousand grams of hashish in a solid form or equals 1168  
or exceeds four hundred grams of hashish in a liquid 1169  
concentrate, liquid extract, or liquid distillate form and if 1170  
the offense was committed in the vicinity of a school or in the 1171  
vicinity of a juvenile, trafficking in hashish is a felony of 1172  
the first degree, and the court shall impose as a mandatory 1173  
prison term the maximum prison term prescribed for a felony of 1174  
the first degree. 1175

(8) If the drug involved in the violation is a controlled 1176  
substance analog or compound, mixture, preparation, or substance 1177  
that contains a controlled substance analog, whoever violates 1178  
division (A) of this section is guilty of trafficking in a 1179  
controlled substance analog. The penalty for the offense shall 1180  
be determined as follows: 1181

(a) Except as otherwise provided in division (C) (8) (b), 1182  
(c), (d), (e), (f), or (g) of this section, trafficking in a 1183  
controlled substance analog is a felony of the fifth degree, and 1184  
division (C) of section 2929.13 of the Revised Code applies in 1185  
determining whether to impose a prison term on the offender. 1186

(b) Except as otherwise provided in division (C) (8) (c), 1187

(d), (e), (f), or (g) of this section, if the offense was 1188  
committed in the vicinity of a school or in the vicinity of a 1189  
juvenile, trafficking in a controlled substance analog is a 1190  
felony of the fourth degree, and division (C) of section 2929.13 1191  
of the Revised Code applies in determining whether to impose a 1192  
prison term on the offender. 1193

(c) Except as otherwise provided in this division, if the 1194  
amount of the drug involved equals or exceeds ten grams but is 1195  
less than twenty grams, trafficking in a controlled substance 1196  
analog is a felony of the fourth degree, and division (B) of 1197  
section 2929.13 of the Revised Code applies in determining 1198  
whether to impose a prison term for the offense. If the amount 1199  
of the drug involved is within that range and if the offense was 1200  
committed in the vicinity of a school or in the vicinity of a 1201  
juvenile, trafficking in a controlled substance analog is a 1202  
felony of the third degree, and there is a presumption for a 1203  
prison term for the offense. 1204

(d) Except as otherwise provided in this division, if the 1205  
amount of the drug involved equals or exceeds twenty grams but 1206  
is less than thirty grams, trafficking in a controlled substance 1207  
analog is a felony of the third degree, and there is a 1208  
presumption for a prison term for the offense. If the amount of 1209  
the drug involved is within that range and if the offense was 1210  
committed in the vicinity of a school or in the vicinity of a 1211  
juvenile, trafficking in a controlled substance analog is a 1212  
felony of the second degree, and there is a presumption for a 1213  
prison term for the offense. 1214

(e) Except as otherwise provided in this division, if the 1215  
amount of the drug involved equals or exceeds thirty grams but 1216  
is less than forty grams, trafficking in a controlled substance 1217

analog is a felony of the second degree, and the court shall 1218  
impose as a mandatory prison term one of the prison terms 1219  
prescribed for a felony of the second degree. If the amount of 1220  
the drug involved is within that range and if the offense was 1221  
committed in the vicinity of a school or in the vicinity of a 1222  
juvenile, trafficking in a controlled substance analog is a 1223  
felony of the first degree, and the court shall impose as a 1224  
mandatory prison term one of the prison terms prescribed for a 1225  
felony of the first degree. 1226

(f) If the amount of the drug involved equals or exceeds 1227  
forty grams but is less than fifty grams and regardless of 1228  
whether the offense was committed in the vicinity of a school or 1229  
in the vicinity of a juvenile, trafficking in a controlled 1230  
substance analog is a felony of the first degree, and the court 1231  
shall impose as a mandatory prison term one of the prison terms 1232  
prescribed for a felony of the first degree. 1233

(g) If the amount of the drug involved equals or exceeds 1234  
fifty grams and regardless of whether the offense was committed 1235  
in the vicinity of a school or in the vicinity of a juvenile, 1236  
trafficking in a controlled substance analog is a felony of the 1237  
first degree, the offender is a major drug offender, and the 1238  
court shall impose as a mandatory prison term the maximum prison 1239  
term prescribed for a felony of the first degree. 1240

(9) If the drug involved in the violation is a fentanyl- 1241  
related compound or a compound, mixture, preparation, or 1242  
substance containing a fentanyl-related compound, whoever 1243  
violates division (A) of this section is guilty of trafficking 1244  
in a fentanyl-related compound. The penalty for the offense 1245  
shall be determined as follows: 1246

(a) Except as otherwise provided in division (C) (9) (b), 1247

(c), (d), (e), (f), (g), or (h) of this section, trafficking in 1248  
a fentanyl-related compound is a felony of the fifth degree, and 1249  
division (B) of section 2929.13 of the Revised Code applies in 1250  
determining whether to impose a prison term on the offender. 1251

(b) Except as otherwise provided in division (C) (9) (c), 1252  
(d), (e), (f), (g), or (h) of this section, if the offense was 1253  
committed in the vicinity of a school or in the vicinity of a 1254  
juvenile, trafficking in a fentanyl-related compound is a felony 1255  
of the fourth degree, and division (C) of section 2929.13 of the 1256  
Revised Code applies in determining whether to impose a prison 1257  
term on the offender. 1258

(c) Except as otherwise provided in this division, if the 1259  
amount of the drug involved equals or exceeds ten unit doses but 1260  
is less than fifty unit doses or equals or exceeds one gram but 1261  
is less than five grams, trafficking in a fentanyl-related 1262  
compound is a felony of the fourth degree, and division (B) of 1263  
section 2929.13 of the Revised Code applies in determining 1264  
whether to impose a prison term for the offense. If the amount 1265  
of the drug involved is within that range and if the offense was 1266  
committed in the vicinity of a school or in the vicinity of a 1267  
juvenile, trafficking in a fentanyl-related compound is a felony 1268  
of the third degree, and there is a presumption for a prison 1269  
term for the offense. 1270

(d) Except as otherwise provided in this division, if the 1271  
amount of the drug involved equals or exceeds fifty unit doses 1272  
but is less than one hundred unit doses or equals or exceeds 1273  
five grams but is less than ten grams, trafficking in a 1274  
fentanyl-related compound is a felony of the third degree, and 1275  
there is a presumption for a prison term for the offense. If the 1276  
amount of the drug involved is within that range and if the 1277

offense was committed in the vicinity of a school or in the 1278  
vicinity of a juvenile, trafficking in a fentanyl-related 1279  
compound is a felony of the second degree, and there is a 1280  
presumption for a prison term for the offense. 1281

(e) Except as otherwise provided in this division, if the 1282  
amount of the drug involved equals or exceeds one hundred unit 1283  
doses but is less than two hundred unit doses or equals or 1284  
exceeds ten grams but is less than twenty grams, trafficking in 1285  
a fentanyl-related compound is a felony of the second degree, 1286  
and the court shall impose as a mandatory prison term one of the 1287  
prison terms prescribed for a felony of the second degree. If 1288  
the amount of the drug involved is within that range and if the 1289  
offense was committed in the vicinity of a school or in the 1290  
vicinity of a juvenile, trafficking in a fentanyl-related 1291  
compound is a felony of the first degree, and the court shall 1292  
impose as a mandatory prison term one of the prison terms 1293  
prescribed for a felony of the first degree. 1294

(f) If the amount of the drug involved equals or exceeds 1295  
two hundred unit doses but is less than five hundred unit doses 1296  
or equals or exceeds twenty grams but is less than fifty grams 1297  
and regardless of whether the offense was committed in the 1298  
vicinity of a school or in the vicinity of a juvenile, 1299  
trafficking in a fentanyl-related compound is a felony of the 1300  
first degree, and the court shall impose as a mandatory prison 1301  
term one of the prison terms prescribed for a felony of the 1302  
first degree. 1303

(g) If the amount of the drug involved equals or exceeds 1304  
five hundred unit doses but is less than one thousand unit doses 1305  
or equals or exceeds fifty grams but is less than one hundred 1306  
grams and regardless of whether the offense was committed in the 1307

vicinity of a school or in the vicinity of a juvenile, 1308  
trafficking in a fentanyl-related compound is a felony of the 1309  
first degree, and the court shall impose as a mandatory prison 1310  
term the maximum prison term prescribed for a felony of the 1311  
first degree. 1312

(h) If the amount of the drug involved equals or exceeds 1313  
one thousand unit doses or equals or exceeds one hundred grams 1314  
and regardless of whether the offense was committed in the 1315  
vicinity of a school or in the vicinity of a juvenile, 1316  
trafficking in a fentanyl-related compound is a felony of the 1317  
first degree, the offender is a major drug offender, and the 1318  
court shall impose as a mandatory prison term the maximum prison 1319  
term prescribed for a felony of the first degree. 1320

(D) In addition to any prison term authorized or required 1321  
by division (C) of this section and sections 2929.13 and 2929.14 1322  
of the Revised Code, and in addition to any other sanction 1323  
imposed for the offense under this section or sections 2929.11 1324  
to 2929.18 of the Revised Code, the court that sentences an 1325  
offender who is convicted of or pleads guilty to a violation of 1326  
division (A) of this section may suspend the driver's or 1327  
commercial driver's license or permit of the offender in 1328  
accordance with division (G) of this section. However, if the 1329  
offender pleaded guilty to or was convicted of a violation of 1330  
section 4511.19 of the Revised Code or a substantially similar 1331  
municipal ordinance or the law of another state or the United 1332  
States arising out of the same set of circumstances as the 1333  
violation, the court shall suspend the offender's driver's or 1334  
commercial driver's license or permit in accordance with 1335  
division (G) of this section. If applicable, the court also 1336  
shall do the following: 1337

(1) If the violation of division (A) of this section is a felony of the first, second, or third degree, the court shall impose upon the offender the mandatory fine specified for the offense under division (B) (1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. Except as otherwise provided in division (H) (1) of this section, a mandatory fine or any other fine imposed for a violation of this section is subject to division (F) of this section. If a person is charged with a violation of this section that is a felony of the first, second, or third degree, posts bail, and forfeits the bail, the clerk of the court shall pay the forfeited bail pursuant to divisions (D) (1) and (F) of this section, as if the forfeited bail was a fine imposed for a violation of this section. If any amount of the forfeited bail remains after that payment and if a fine is imposed under division (H) (1) of this section, the clerk of the court shall pay the remaining amount of the forfeited bail pursuant to divisions (H) (2) and (3) of this section, as if that remaining amount was a fine imposed under division (H) (1) of this section.

(2) If the offender is a professionally licensed person, the court immediately shall comply with section 2925.38 of the Revised Code.

(E) When a person is charged with the sale of or offer to sell a bulk amount or a multiple of a bulk amount of a controlled substance, the jury, or the court trying the accused, shall determine the amount of the controlled substance involved at the time of the offense and, if a guilty verdict is returned, shall return the findings as part of the verdict. In any such case, it is unnecessary to find and return the exact amount of the controlled substance involved, and it is sufficient if the

finding and return is to the effect that the amount of the 1369  
controlled substance involved is the requisite amount, or that 1370  
the amount of the controlled substance involved is less than the 1371  
requisite amount. 1372

(F) (1) Notwithstanding any contrary provision of section 1373  
3719.21 of the Revised Code and except as provided in division 1374  
(H) of this section, the clerk of the court shall pay any 1375  
mandatory fine imposed pursuant to division (D) (1) of this 1376  
section and any fine other than a mandatory fine that is imposed 1377  
for a violation of this section pursuant to division (A) or (B) 1378  
(5) of section 2929.18 of the Revised Code to the county, 1379  
township, municipal corporation, park district, as created 1380  
pursuant to section 511.18 or 1545.04 of the Revised Code, or 1381  
state law enforcement agencies in this state that primarily were 1382  
responsible for or involved in making the arrest of, and in 1383  
prosecuting, the offender. However, the clerk shall not pay a 1384  
mandatory fine so imposed to a law enforcement agency unless the 1385  
agency has adopted a written internal control policy under 1386  
division (F) (2) of this section that addresses the use of the 1387  
fine moneys that it receives. Each agency shall use the 1388  
mandatory fines so paid to subsidize the agency's law 1389  
enforcement efforts that pertain to drug offenses, in accordance 1390  
with the written internal control policy adopted by the 1391  
recipient agency under division (F) (2) of this section. 1392

(2) Prior to receiving any fine moneys under division (F) 1393  
(1) of this section or division (B) of section 2925.42 of the 1394  
Revised Code, a law enforcement agency shall adopt a written 1395  
internal control policy that addresses the agency's use and 1396  
disposition of all fine moneys so received and that provides for 1397  
the keeping of detailed financial records of the receipts of 1398  
those fine moneys, the general types of expenditures made out of 1399



those fine moneys, and the specific amount of each general type 1400  
of expenditure. The policy shall not provide for or permit the 1401  
identification of any specific expenditure that is made in an 1402  
ongoing investigation. All financial records of the receipts of 1403  
those fine moneys, the general types of expenditures made out of 1404  
those fine moneys, and the specific amount of each general type 1405  
of expenditure by an agency are public records open for 1406  
inspection under section 149.43 of the Revised Code. 1407  
Additionally, a written internal control policy adopted under 1408  
this division is such a public record, and the agency that 1409  
adopted it shall comply with it. 1410

(3) As used in division (F) of this section: 1411

(a) "Law enforcement agencies" includes, but is not 1412  
limited to, the state board of pharmacy and the office of a 1413  
prosecutor. 1414

(b) "Prosecutor" has the same meaning as in section 1415  
2935.01 of the Revised Code. 1416

(G) (1) If the sentencing court suspends the offender's 1417  
driver's or commercial driver's license or permit under division 1418  
(D) of this section or any other provision of this chapter, the 1419  
court shall suspend the license, by order, for not more than 1420  
five years. If an offender's driver's or commercial driver's 1421  
license or permit is suspended pursuant to this division, the 1422  
offender, at any time after the expiration of two years from the 1423  
day on which the offender's sentence was imposed or from the day 1424  
on which the offender finally was released from a prison term 1425  
under the sentence, whichever is later, may file a motion with 1426  
the sentencing court requesting termination of the suspension; 1427  
upon the filing of such a motion and the court's finding of good 1428  
cause for the termination, the court may terminate the 1429

suspension. 1430

(2) Any offender who received a mandatory suspension of 1431  
the offender's driver's or commercial driver's license or permit 1432  
under this section prior to ~~the effective date of this amendment~~ 1433  
September 13, 2016, may file a motion with the sentencing court 1434  
requesting the termination of the suspension. However, an 1435  
offender who pleaded guilty to or was convicted of a violation 1436  
of section 4511.19 of the Revised Code or a substantially 1437  
similar municipal ordinance or law of another state or the 1438  
United States that arose out of the same set of circumstances as 1439  
the violation for which the offender's license or permit was 1440  
suspended under this section shall not file such a motion. 1441

Upon the filing of a motion under division (G)(2) of this 1442  
section, the sentencing court, in its discretion, may terminate 1443  
the suspension. 1444

(H)(1) In addition to any prison term authorized or 1445  
required by division (C) of this section and sections 2929.13 1446  
and 2929.14 of the Revised Code, in addition to any other 1447  
penalty or sanction imposed for the offense under this section 1448  
or sections 2929.11 to 2929.18 of the Revised Code, and in 1449  
addition to the forfeiture of property in connection with the 1450  
offense as prescribed in Chapter 2981. of the Revised Code, the 1451  
court that sentences an offender who is convicted of or pleads 1452  
guilty to a violation of division (A) of this section may impose 1453  
upon the offender an additional fine specified for the offense 1454  
in division (B)(4) of section 2929.18 of the Revised Code. A 1455  
fine imposed under division (H)(1) of this section is not 1456  
subject to division (F) of this section and shall be used solely 1457  
for the support of one or more eligible community addiction 1458  
services providers in accordance with divisions (H)(2) and (3) 1459

of this section. 1460

(2) The court that imposes a fine under division (H) (1) of 1461  
this section shall specify in the judgment that imposes the fine 1462  
one or more eligible community addiction services providers for 1463  
the support of which the fine money is to be used. No community 1464  
addiction services provider shall receive or use money paid or 1465  
collected in satisfaction of a fine imposed under division (H) 1466  
(1) of this section unless the services provider is specified in 1467  
the judgment that imposes the fine. No community addiction 1468  
services provider shall be specified in the judgment unless the 1469  
services provider is an eligible community addiction services 1470  
provider and, except as otherwise provided in division (H) (2) of 1471  
this section, unless the services provider is located in the 1472  
county in which the court that imposes the fine is located or in 1473  
a county that is immediately contiguous to the county in which 1474  
that court is located. If no eligible community addiction 1475  
services provider is located in any of those counties, the 1476  
judgment may specify an eligible community addiction services 1477  
provider that is located anywhere within this state. 1478

(3) Notwithstanding any contrary provision of section 1479  
3719.21 of the Revised Code, the clerk of the court shall pay 1480  
any fine imposed under division (H) (1) of this section to the 1481  
eligible community addiction services provider specified 1482  
pursuant to division (H) (2) of this section in the judgment. The 1483  
eligible community addiction services provider that receives the 1484  
fine moneys shall use the moneys only for the alcohol and drug 1485  
addiction services identified in the application for 1486  
certification of services under section 5119.36 of the Revised 1487  
Code or in the application for a license under section 5119.391 1488  
of the Revised Code filed with the department of mental health 1489  
and addiction services by the community addiction services 1490

provider specified in the judgment. 1491

(4) Each community addiction services provider that 1492  
receives in a calendar year any fine moneys under division (H) 1493  
(3) of this section shall file an annual report covering that 1494  
calendar year with the court of common pleas and the board of 1495  
county commissioners of the county in which the services 1496  
provider is located, with the court of common pleas and the 1497  
board of county commissioners of each county from which the 1498  
services provider received the moneys if that county is 1499  
different from the county in which the services provider is 1500  
located, and with the attorney general. The community addiction 1501  
services provider shall file the report no later than the first 1502  
day of March in the calendar year following the calendar year in 1503  
which the services provider received the fine moneys. The report 1504  
shall include statistics on the number of persons served by the 1505  
community addiction services provider, identify the types of 1506  
alcohol and drug addiction services provided to those persons, 1507  
and include a specific accounting of the purposes for which the 1508  
fine moneys received were used. No information contained in the 1509  
report shall identify, or enable a person to determine the 1510  
identity of, any person served by the community addiction 1511  
services provider. Each report received by a court of common 1512  
pleas, a board of county commissioners, or the attorney general 1513  
is a public record open for inspection under section 149.43 of 1514  
the Revised Code. 1515

(5) As used in divisions (H) (1) to (5) of this section: 1516

(a) "Community addiction services provider" and "alcohol 1517  
and drug addiction services" have the same meanings as in 1518  
section 5119.01 of the Revised Code. 1519

(b) "Eligible community addiction services provider" means 1520

a community addiction services provider, as defined in section 1521  
5119.01 of the Revised Code, or a community addiction services 1522  
provider that maintains a methadone treatment program licensed 1523  
under section 5119.391 of the Revised Code. 1524

(I) As used in this section, "drug" includes any substance 1525  
that is represented to be a drug. 1526

(J) It is an affirmative defense to a charge of 1527  
trafficking in a controlled substance analog under division (C) 1528  
(8) of this section that the person charged with violating that 1529  
offense sold or offered to sell, or prepared for shipment, 1530  
shipped, transported, delivered, prepared for distribution, or 1531  
distributed an item described in division (HH) (2) (a), (b), or 1532  
(c) of section 3719.01 of the Revised Code. 1533

**Sec. 2925.04.** (A) No person shall knowingly cultivate 1534  
marihuana or knowingly manufacture or otherwise engage in any 1535  
part of the production of a controlled substance. 1536

(B) This section does not apply to any person listed in 1537  
division (B) (1), (2), or (3) of section 2925.03 of the Revised 1538  
Code to the extent and under the circumstances described in 1539  
those divisions. 1540

(C) (1) Whoever commits a violation of division (A) of this 1541  
section that involves any drug other than marihuana is guilty of 1542  
illegal manufacture of drugs, and whoever commits a violation of 1543  
division (A) of this section that involves marihuana is guilty 1544  
of illegal cultivation of marihuana. 1545

(2) Except as otherwise provided in this division, if the 1546  
drug involved in the violation of division (A) of this section 1547  
is any compound, mixture, preparation, or substance included in 1548  
schedule I or II, with the exception of methamphetamine or 1549

marihuana, illegal manufacture of drugs is a felony of the 1550  
second degree, and, subject to division (E) of this section, the 1551  
court shall impose as a mandatory prison term one of the prison 1552  
terms prescribed for a felony of the second degree. 1553

If the drug involved in the violation is any compound, 1554  
mixture, preparation, or substance included in schedule I or II, 1555  
with the exception of methamphetamine or marihuana, and if the 1556  
offense was committed in the vicinity of a juvenile or in the 1557  
vicinity of a school, illegal manufacture of drugs is a felony 1558  
of the first degree, and, subject to division (E) of this 1559  
section, the court shall impose as a mandatory prison term one 1560  
of the prison terms prescribed for a felony of the first degree. 1561

(3) If the drug involved in the violation of division (A) 1562  
of this section is methamphetamine, the penalty for the 1563  
violation shall be determined as follows: 1564

(a) Except as otherwise provided in division (C) (3) (b) of 1565  
this section, if the drug involved in the violation is 1566  
methamphetamine, illegal manufacture of drugs is a felony of the 1567  
second degree, and, subject to division (E) of this section, the 1568  
court shall impose a mandatory prison term on the offender 1569  
determined in accordance with this division. Except as otherwise 1570  
provided in this division, the court shall impose as a mandatory 1571  
prison term one of the prison terms prescribed for a felony of 1572  
the second degree that is not less than three years. If the 1573  
offender previously has been convicted of or pleaded guilty to a 1574  
violation of division (A) of this section, a violation of 1575  
division (B) (6) of section 2919.22 of the Revised Code, or a 1576  
violation of division (A) of section 2925.041 of the Revised 1577  
Code, the court shall impose as a mandatory prison term one of 1578  
the prison terms prescribed for a felony of the second degree 1579

that is not less than five years. 1580

(b) If the drug involved in the violation is 1581  
methamphetamine and if the offense was committed in the vicinity 1582  
of a juvenile, in the vicinity of a school, or on public 1583  
premises, illegal manufacture of drugs is a felony of the first 1584  
degree, and, subject to division (E) of this section, the court 1585  
shall impose a mandatory prison term on the offender determined 1586  
in accordance with this division. Except as otherwise provided 1587  
in this division, the court shall impose as a mandatory prison 1588  
term one of the prison terms prescribed for a felony of the 1589  
first degree that is not less than four years. If the offender 1590  
previously has been convicted of or pleaded guilty to a 1591  
violation of division (A) of this section, a violation of 1592  
division (B) (6) of section 2919.22 of the Revised Code, or a 1593  
violation of division (A) of section 2925.041 of the Revised 1594  
Code, the court shall impose as a mandatory prison term one of 1595  
the prison terms prescribed for a felony of the first degree 1596  
that is not less than five years. 1597

(4) If the drug involved in the violation of division (A) 1598  
of this section is any compound, mixture, preparation, or 1599  
substance included in schedule III, IV, or V, illegal 1600  
manufacture of drugs is a felony of the third degree or, if the 1601  
offense was committed in the vicinity of a school or in the 1602  
vicinity of a juvenile, a felony of the second degree, and there 1603  
is a presumption for a prison term for the offense. 1604

(5) If the drug involved in the violation is marihuana, 1605  
the penalty for the offense shall be determined as follows: 1606

(a) Except as otherwise provided in division (C) (5) (b), 1607  
(c), (d), (e), or (f) of this section, illegal cultivation of 1608  
marihuana is a minor misdemeanor or, if the offense was 1609

committed in the vicinity of a school or in the vicinity of a juvenile, a misdemeanor of the fourth degree.

(b) If the amount of marihuana involved equals or exceeds one hundred grams but is less than two hundred grams, illegal cultivation of marihuana is a misdemeanor of the fourth degree or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a misdemeanor of the third degree.

(c) If the amount of marihuana involved equals or exceeds two hundred grams but is less than one thousand grams, illegal cultivation of marihuana is a felony of the fifth degree or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(d) If the amount of marihuana involved equals or exceeds one thousand grams but is less than five thousand grams, illegal cultivation of marihuana is a felony of the third degree or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a felony of the second degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(e) If the amount of marihuana involved equals or exceeds five thousand grams but is less than twenty thousand grams, illegal cultivation of marihuana is a felony of the third degree or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a felony of the second degree, and there is a presumption for a prison term for the offense.

(f) Except as otherwise provided in this division, if the



amount of marihuana involved equals or exceeds twenty thousand 1639  
grams, illegal cultivation of marihuana is a felony of the 1640  
second degree, and the court shall impose as a mandatory prison 1641  
term the maximum prison term prescribed for a felony of the 1642  
second degree. If the amount of the drug involved equals or 1643  
exceeds twenty thousand grams and if the offense was committed 1644  
in the vicinity of a school or in the vicinity of a juvenile, 1645  
illegal cultivation of marihuana is a felony of the first 1646  
degree, and the court shall impose as a mandatory prison term 1647  
the maximum prison term prescribed for a felony of the first 1648  
degree. 1649

(D) In addition to any prison term authorized or required 1650  
by division (C) or (E) of this section and sections 2929.13 and 1651  
2929.14 of the Revised Code and in addition to any other 1652  
sanction imposed for the offense under this section or sections 1653  
2929.11 to 2929.18 of the Revised Code, the court that sentences 1654  
an offender who is convicted of or pleads guilty to a violation 1655  
of division (A) of this section may suspend the offender's 1656  
driver's or commercial driver's license or permit in accordance 1657  
with division (G) of section 2925.03 of the Revised Code. 1658  
However, if the offender pleaded guilty to or was convicted of a 1659  
violation of section 4511.19 of the Revised Code or a 1660  
substantially similar municipal ordinance or the law of another 1661  
state or the United States arising out of the same set of 1662  
circumstances as the violation, the court shall suspend the 1663  
offender's driver's or commercial driver's license or permit in 1664  
accordance with division (G) of section 2925.03 of the Revised 1665  
Code. If applicable, the court also shall do the following: 1666

(1) If the violation of division (A) of this section is a 1667  
felony of the first, second, or third degree, the court shall 1668  
impose upon the offender the mandatory fine specified for the 1669

offense under division (B) (1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. The clerk of the court shall pay a mandatory fine or other fine imposed for a violation of this section pursuant to division (A) of section 2929.18 of the Revised Code in accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine as specified in division (F) of section 2925.03 of the Revised Code. If a person is charged with a violation of this section that is a felony of the first, second, or third degree, posts bail, and forfeits the bail, the clerk shall pay the forfeited bail as if the forfeited bail were a fine imposed for a violation of this section.

(2) If the offender is a professionally licensed person, the court immediately shall comply with section 2925.38 of the Revised Code.

(E) Notwithstanding the prison term otherwise authorized or required for the offense under division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, if the violation of division (A) of this section involves the sale, offer to sell, or possession of a schedule I or II controlled substance, with the exception of marihuana, and if the court imposing sentence upon the offender finds that the offender as a result of the violation is a major drug offender and is guilty of a specification of the type described in division (A) of section 2941.1410 of the Revised Code, the court, in lieu of the prison term otherwise authorized or required, shall impose upon the offender the mandatory prison term specified in division (B) (3) of section 2929.14 of the Revised Code.

(F) It is an affirmative defense, as provided in section

2901.05 of the Revised Code, to a charge under this section for 1700  
a fifth degree felony violation of illegal cultivation of 1701  
marihuana that the marihuana that gave rise to the charge is in 1702  
an amount, is in a form, is prepared, compounded, or mixed with 1703  
substances that are not controlled substances in a manner, or is 1704  
possessed or cultivated under any other circumstances that 1705  
indicate that the marihuana was solely for personal use. 1706

Notwithstanding any contrary provision of division (F) of 1707  
this section, if, in accordance with section 2901.05 of the 1708  
Revised Code, a person who is charged with a violation of 1709  
illegal cultivation of marihuana that is a felony of the fifth 1710  
degree sustains the burden of going forward with evidence of and 1711  
establishes by a preponderance of the evidence the affirmative 1712  
defense described in this division, the person may be prosecuted 1713  
for and may be convicted of or plead guilty to a misdemeanor 1714  
violation of illegal cultivation of marihuana. 1715

(G) Arrest or conviction for a minor misdemeanor violation 1716  
of this section does not constitute a criminal record and need 1717  
not be reported by the person so arrested or convicted in 1718  
response to any inquiries about the person's criminal record, 1719  
including any inquiries contained in an application for 1720  
employment, a license, or any other right or privilege or made 1721  
in connection with the person's appearance as a witness. 1722

(H) (1) If the sentencing court suspends the offender's 1723  
driver's or commercial driver's license or permit under this 1724  
section in accordance with division (G) of section 2925.03 of 1725  
the Revised Code, the offender may request termination of, and 1726  
the court may terminate, the suspension of the offender in 1727  
accordance with that division. 1728

(2) Any offender who received a mandatory suspension of 1729

the offender's driver's or commercial driver's license or permit 1730  
under this section prior to ~~the effective date of this amendment~~ 1731  
September 13, 2016, may file a motion with the sentencing court 1732  
requesting the termination of the suspension. However, an 1733  
offender who pleaded guilty to or was convicted of a violation 1734  
of section 4511.19 of the Revised Code or a substantially 1735  
similar municipal ordinance or law of another state or the 1736  
United States that arose out of the same set of circumstances as 1737  
the violation for which the offender's license or permit was 1738  
suspended under this section shall not file such a motion. 1739

Upon the filing of a motion under division (H) (2) of this 1740  
section, the sentencing court, in its discretion, may terminate 1741  
the suspension. 1742

**Sec. 2925.05.** (A) No person shall knowingly provide money 1743  
or other items of value to another person with the purpose that 1744  
the recipient of the money or items of value use them to obtain 1745  
any controlled substance for the purpose of violating section 1746  
2925.04 of the Revised Code or for the purpose of selling or 1747  
offering to sell the controlled substance in the following 1748  
amount: 1749

(1) If the drug to be sold or offered for sale is any 1750  
compound, mixture, preparation, or substance included in 1751  
schedule I or II, with the exception of marihuana, cocaine, 1752  
L.S.D., heroin, any fentanyl-related compound, and hashish, or 1753  
schedule III, IV, or V, an amount of the drug that equals or 1754  
exceeds the bulk amount of the drug; 1755

(2) If the drug to be sold or offered for sale is 1756  
marihuana or a compound, mixture, preparation, or substance 1757  
other than hashish containing marihuana, an amount of the 1758  
marihuana that equals or exceeds two hundred grams; 1759

(3) If the drug to be sold or offered for sale is cocaine 1760  
or a compound, mixture, preparation, or substance containing 1761  
cocaine, an amount of the cocaine that equals or exceeds five 1762  
grams; 1763

(4) If the drug to be sold or offered for sale is L.S.D. 1764  
or a compound, mixture, preparation, or substance containing 1765  
L.S.D., an amount of the L.S.D. that equals or exceeds ten unit 1766  
doses if the L.S.D. is in a solid form or equals or exceeds one 1767  
gram if the L.S.D. is in a liquid concentrate, liquid extract, 1768  
or liquid distillate form; 1769

(5) If the drug to be sold or offered for sale is heroin 1770  
or a fentanyl-related compound, or a compound, mixture, 1771  
preparation, or substance containing heroin or a fentanyl- 1772  
related compound, an amount ~~of the heroin~~ that equals or exceeds 1773  
ten unit doses or equals or exceeds one gram; 1774

(6) If the drug to be sold or offered for sale is hashish 1775  
or a compound, mixture, preparation, or substance containing 1776  
hashish, an amount of the hashish that equals or exceeds ten 1777  
grams if the hashish is in a solid form or equals or exceeds two 1778  
grams if the hashish is in a liquid concentrate, liquid extract, 1779  
or liquid distillate form. 1780

(B) This section does not apply to any person listed in 1781  
division (B) (1), (2), or (3) of section 2925.03 of the Revised 1782  
Code to the extent and under the circumstances described in 1783  
those divisions. 1784

(C) (1) If the drug involved in the violation is any 1785  
compound, mixture, preparation, or substance included in 1786  
schedule I or II, with the exception of marihuana, whoever 1787  
violates division (A) of this section is guilty of aggravated 1788

funding of drug trafficking, a felony of the first degree, and, 1789  
subject to division (E) of this section, the court shall impose 1790  
as a mandatory prison term one of the prison terms prescribed 1791  
for a felony of the first degree. 1792

(2) If the drug involved in the violation is any compound, 1793  
mixture, preparation, or substance included in schedule III, IV, 1794  
or V, whoever violates division (A) of this section is guilty of 1795  
funding of drug trafficking, a felony of the second degree, and 1796  
the court shall impose as a mandatory prison term one of the 1797  
prison terms prescribed for a felony of the second degree. 1798

(3) If the drug involved in the violation is marihuana, 1799  
whoever violates division (A) of this section is guilty of 1800  
funding of marihuana trafficking, a felony of the third degree, 1801  
and, except as otherwise provided in this division, there is a 1802  
presumption for a prison term for the offense. If funding of 1803  
marihuana trafficking is a felony of the third degree under this 1804  
division and if the offender two or more times previously has 1805  
been convicted of or pleaded guilty to a felony drug abuse 1806  
offense, the court shall impose as a mandatory prison term one 1807  
of the prison terms prescribed for a felony of the third degree. 1808

(D) In addition to any prison term authorized or required 1809  
by division (C) or (E) of this section and sections 2929.13 and 1810  
2929.14 of the Revised Code and in addition to any other 1811  
sanction imposed for the offense under this section or sections 1812  
2929.11 to 2929.18 of the Revised Code, the court that sentences 1813  
an offender who is convicted of or pleads guilty to a violation 1814  
of division (A) of this section may suspend the offender's 1815  
driver's or commercial driver's license or permit in accordance 1816  
with division (G) of section 2925.03 of the Revised Code. 1817  
However, if the offender pleaded guilty to or was convicted of a 1818

violation of section 4511.19 of the Revised Code or a 1819  
substantially similar municipal ordinance or the law of another 1820  
state or the United States arising out of the same set of 1821  
circumstances as the violation, the court shall suspend the 1822  
offender's driver's or commercial driver's license or permit in 1823  
accordance with division (G) of section 2925.03 of the Revised 1824  
Code. If applicable, the court also shall do the following: 1825

(1) The court shall impose the mandatory fine specified 1826  
for the offense under division (B) (1) of section 2929.18 of the 1827  
Revised Code unless, as specified in that division, the court 1828  
determines that the offender is indigent. The clerk of the court 1829  
shall pay a mandatory fine or other fine imposed for a violation 1830  
of this section pursuant to division (A) of section 2929.18 of 1831  
the Revised Code in accordance with and subject to the 1832  
requirements of division (F) of section 2925.03 of the Revised 1833  
Code. The agency that receives the fine shall use the fine in 1834  
accordance with division (F) of section 2925.03 of the Revised 1835  
Code. If a person is charged with a violation of this section, 1836  
posts bail, and forfeits the bail, the forfeited bail shall be 1837  
paid as if the forfeited bail were a fine imposed for a 1838  
violation of this section. 1839

(2) If the offender is a professionally licensed person, 1840  
the court immediately shall comply with section 2925.38 of the 1841  
Revised Code. 1842

(E) Notwithstanding the prison term otherwise authorized 1843  
or required for the offense under division (C) of this section 1844  
and sections 2929.13 and 2929.14 of the Revised Code, if the 1845  
violation of division (A) of this section involves the sale, 1846  
offer to sell, or possession of a schedule I or II controlled 1847  
substance, with the exception of marihuana, ~~and if one of the~~ 1848

following applies: 1849

(1) If the drug involved in the violation is a fentanyl- 1850  
related compound, the offense is a felony of the first degree, 1851  
the offender is a major drug offender, and the court shall 1852  
impose as a mandatory prison term the maximum prison term 1853  
prescribed for a felony of the first degree. 1854

(2) If division (E)(1) of this section does not apply and 1855  
the court imposing sentence upon the offender finds that the 1856  
offender as a result of the violation is a major drug offender 1857  
and is guilty of a specification of the type described in 1858  
division (A) of section 2941.1410 of the Revised Code, the 1859  
court, in lieu of the prison term otherwise authorized or 1860  
required, shall impose upon the offender the mandatory prison 1861  
term specified in division (B) (3) of section 2929.14 of the 1862  
Revised Code. 1863

(F) (1) If the sentencing court suspends the offender's 1864  
driver's or commercial driver's license or permit under this 1865  
section in accordance with division (G) of section 2925.03 of 1866  
the Revised Code, the offender may request termination of, and 1867  
the court may terminate, the suspension in accordance with that 1868  
division. 1869

(2) Any offender who received a mandatory suspension of 1870  
the offender's driver's or commercial driver's license or permit 1871  
under this section prior to ~~the effective date of this amendment~~ 1872  
September 13, 2016, may file a motion with the sentencing court 1873  
requesting the termination of the suspension. However, an 1874  
offender who pleaded guilty to or was convicted of a violation 1875  
of section 4511.19 of the Revised Code or a substantially 1876  
similar municipal ordinance or law of another state or the 1877  
United States that arose out of the same set of circumstances as 1878



the violation for which the offender's license or permit was 1879  
suspended under this section shall not file such a motion. 1880

Upon the filing of a motion under division (F) (2) of this 1881  
section, the sentencing court, in its discretion, may terminate 1882  
the suspension. 1883

**Sec. 2925.11.** (A) No person shall knowingly obtain, 1884  
possess, or use a controlled substance or a controlled substance 1885  
analog. 1886

(B) (1) This section does not apply to any of the 1887  
following: 1888

(a) Manufacturers, licensed health professionals 1889  
authorized to prescribe drugs, pharmacists, owners of 1890  
pharmacies, and other persons whose conduct was in accordance 1891  
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 1892  
4741. of the Revised Code; 1893

(b) If the offense involves an anabolic steroid, any 1894  
person who is conducting or participating in a research project 1895  
involving the use of an anabolic steroid if the project has been 1896  
approved by the United States food and drug administration; 1897

(c) Any person who sells, offers for sale, prescribes, 1898  
dispenses, or administers for livestock or other nonhuman 1899  
species an anabolic steroid that is expressly intended for 1900  
administration through implants to livestock or other nonhuman 1901  
species and approved for that purpose under the "Federal Food, 1902  
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, 1903  
as amended, and is sold, offered for sale, prescribed, 1904  
dispensed, or administered for that purpose in accordance with 1905  
that act; 1906

(d) Any person who obtained the controlled substance 1907

pursuant to a lawful prescription issued by a licensed health professional authorized to prescribe drugs.	1908 1909
(2) (a) As used in division (B) (2) of this section:	1910
(i) "Community addiction services provider" has the same meaning as in section 5119.01 of the Revised Code.	1911 1912
(ii) "Community control sanction" and "drug treatment program" have the same meanings as in section 2929.01 of the Revised Code.	1913 1914 1915
(iii) "Health care facility" has the same meaning as in section 2919.16 of the Revised Code.	1916 1917
(iv) "Minor drug possession offense" means a violation of this section that is a misdemeanor or a felony of the fifth degree.	1918 1919 1920
(v) "Post-release control sanction" has the same meaning as in section 2967.28 of the Revised Code.	1921 1922
(vi) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.	1923 1924
(vii) "Public agency" has the same meaning as in section 2930.01 of the Revised Code.	1925 1926
(viii) "Qualified individual" means a person who is not on community control or post-release control and is a person acting in good faith who seeks or obtains medical assistance for another person who is experiencing a drug overdose, a person who experiences a drug overdose and who seeks medical assistance for that overdose, or a person who is the subject of another person seeking or obtaining medical assistance for that overdose as described in division (B) (2) (b) of this section.	1927 1928 1929 1930 1931 1932 1933 1934

(ix) "Seek or obtain medical assistance" includes, but is not limited to making a 9-1-1 call, contacting in person or by telephone call an on-duty peace officer, or transporting or presenting a person to a health care facility.

(b) Subject to division (B) (2) (f) of this section, a qualified individual shall not be arrested, charged, prosecuted, convicted, or penalized pursuant to this chapter for a minor drug possession offense if all of the following apply:

(i) The evidence of the obtaining, possession, or use of the controlled substance or controlled substance analog that would be the basis of the offense was obtained as a result of the qualified individual seeking the medical assistance or experiencing an overdose and needing medical assistance.

(ii) Subject to division (B) (2) (g) of this section, within thirty days after seeking or obtaining the medical assistance, the qualified individual seeks and obtains a screening and receives a referral for treatment from a community addiction services provider or a properly credentialed addiction treatment professional.

(iii) Subject to division (B) (2) (g) of this section, the qualified individual who obtains a screening and receives a referral for treatment under division (B) (2) (b) (ii) of this section, upon the request of any prosecuting attorney, submits documentation to the prosecuting attorney that verifies that the qualified individual satisfied the requirements of that division. The documentation shall be limited to the date and time of the screening obtained and referral received.

(c) If a person is found to be in violation of any community control sanction and if the violation is a result of

either of the following, the court shall first consider ordering 1964  
the person's participation or continued participation in a drug 1965  
treatment program or mitigating the penalty specified in section 1966  
2929.13, 2929.15, or 2929.25 of the Revised Code, whichever is 1967  
applicable, after which the court has the discretion either to 1968  
order the person's participation or continued participation in a 1969  
drug treatment program or to impose the penalty with the 1970  
mitigating factor specified in any of those applicable sections: 1971

(i) Seeking or obtaining medical assistance in good faith 1972  
for another person who is experiencing a drug overdose; 1973

(ii) Experiencing a drug overdose and seeking medical 1974  
assistance for that overdose or being the subject of another 1975  
person seeking or obtaining medical assistance for that overdose 1976  
as described in division (B) (2) (b) of this section. 1977

(d) If a person is found to be in violation of any post- 1978  
release control sanction and if the violation is a result of 1979  
either of the following, the court or the parole board shall 1980  
first consider ordering the person's participation or continued 1981  
participation in a drug treatment program or mitigating the 1982  
penalty specified in section 2929.141 or 2967.28 of the Revised 1983  
Code, whichever is applicable, after which the court or the 1984  
parole board has the discretion either to order the person's 1985  
participation or continued participation in a drug treatment 1986  
program or to impose the penalty with the mitigating factor 1987  
specified in either of those applicable sections: 1988

(i) Seeking or obtaining medical assistance in good faith 1989  
for another person who is experiencing a drug overdose; 1990

(ii) Experiencing a drug overdose and seeking medical 1991  
assistance for that emergency or being the subject of another 1992

person seeking or obtaining medical assistance for that overdose as described in division (B) (2) (b) of this section.	1993 1994
(e) Nothing in division (B) (2) (b) of this section shall be construed to do any of the following:	1995 1996
(i) Limit the admissibility of any evidence in connection with the investigation or prosecution of a crime with regards to a defendant who does not qualify for the protections of division (B) (2) (b) of this section or with regards to any crime other than a minor drug possession offense committed by a person who qualifies for protection pursuant to division (B) (2) (b) of this section for a minor drug possession offense;	1997 1998 1999 2000 2001 2002 2003
(ii) Limit any seizure of evidence or contraband otherwise permitted by law;	2004 2005
(iii) Limit or abridge the authority of a peace officer to detain or take into custody a person in the course of an investigation or to effectuate an arrest for any offense except as provided in that division;	2006 2007 2008 2009
(iv) Limit, modify, or remove any immunity from liability available pursuant to law in effect prior to <del>the effective date of this amendment</del> <u>September 13, 2016,</u> to any public agency or to an employee of any public agency.	2010 2011 2012 2013
(f) Division (B) (2) (b) of this section does not apply to any person who twice previously has been granted an immunity under division (B) (2) (b) of this section. No person shall be granted an immunity under division (B) (2) (b) of this section more than two times.	2014 2015 2016 2017 2018
(g) Nothing in this section shall compel any qualified individual to disclose protected health information in a way that conflicts with the requirements of the "Health Insurance	2019 2020 2021

Portability and Accountability Act of 1996," 104 Pub. L. No. 2022  
191, 110 Stat. 2021, 42 U.S.C. 1320d et seq., as amended, and 2023  
regulations promulgated by the United States department of 2024  
health and human services to implement the act or the 2025  
requirements of 42 C.F.R. Part 2. 2026

(C) Whoever violates division (A) of this section is 2027  
guilty of one of the following: 2028

(1) If the drug involved in the violation is a compound, 2029  
mixture, preparation, or substance included in schedule I or II, 2030  
with the exception of marihuana, cocaine, L.S.D., heroin, any 2031  
fentanyl-related compound, hashish, and any controlled substance 2032  
~~analogs~~ analog, whoever violates division (A) of this section is 2033  
guilty of aggravated possession of drugs. The penalty for the 2034  
offense shall be determined as follows: 2035

(a) Except as otherwise provided in division (C) (1) (b), 2036  
(c), (d), or (e) of this section, aggravated possession of drugs 2037  
is a felony of the fifth degree, and division (B) of section 2038  
2929.13 of the Revised Code applies in determining whether to 2039  
impose a prison term on the offender. 2040

(b) If the amount of the drug involved equals or exceeds 2041  
the bulk amount but is less than five times the bulk amount, 2042  
aggravated possession of drugs is a felony of the third degree, 2043  
and there is a presumption for a prison term for the offense. 2044

(c) If the amount of the drug involved equals or exceeds 2045  
five times the bulk amount but is less than fifty times the bulk 2046  
amount, aggravated possession of drugs is a felony of the second 2047  
degree, and the court shall impose as a mandatory prison term 2048  
one of the prison terms prescribed for a felony of the second 2049  
degree. 2050

(d) If the amount of the drug involved equals or exceeds 2051  
fifty times the bulk amount but is less than one hundred times 2052  
the bulk amount, aggravated possession of drugs is a felony of 2053  
the first degree, and the court shall impose as a mandatory 2054  
prison term one of the prison terms prescribed for a felony of 2055  
the first degree. 2056

(e) If the amount of the drug involved equals or exceeds 2057  
one hundred times the bulk amount, aggravated possession of 2058  
drugs is a felony of the first degree, the offender is a major 2059  
drug offender, and the court shall impose as a mandatory prison 2060  
term the maximum prison term prescribed for a felony of the 2061  
first degree. 2062

(2) If the drug involved in the violation is a compound, 2063  
mixture, preparation, or substance included in schedule III, IV, 2064  
or V, whoever violates division (A) of this section is guilty of 2065  
possession of drugs. The penalty for the offense shall be 2066  
determined as follows: 2067

(a) Except as otherwise provided in division (C) (2) (b), 2068  
(c), or (d) of this section, possession of drugs is a 2069  
misdemeanor of the first degree or, if the offender previously 2070  
has been convicted of a drug abuse offense, a felony of the 2071  
fifth degree. 2072

(b) If the amount of the drug involved equals or exceeds 2073  
the bulk amount but is less than five times the bulk amount, 2074  
possession of drugs is a felony of the fourth degree, and 2075  
division (C) of section 2929.13 of the Revised Code applies in 2076  
determining whether to impose a prison term on the offender. 2077

(c) If the amount of the drug involved equals or exceeds 2078  
five times the bulk amount but is less than fifty times the bulk 2079

amount, possession of drugs is a felony of the third degree, and 2080  
there is a presumption for a prison term for the offense. 2081

(d) If the amount of the drug involved equals or exceeds 2082  
fifty times the bulk amount, possession of drugs is a felony of 2083  
the second degree, and the court shall impose upon the offender 2084  
as a mandatory prison term one of the prison terms prescribed 2085  
for a felony of the second degree. 2086

(3) If the drug involved in the violation is marihuana or 2087  
a compound, mixture, preparation, or substance containing 2088  
marihuana other than hashish, whoever violates division (A) of 2089  
this section is guilty of possession of marihuana. The penalty 2090  
for the offense shall be determined as follows: 2091

(a) Except as otherwise provided in division (C) (3) (b), 2092  
(c), (d), (e), (f), or (g) of this section, possession of 2093  
marihuana is a minor misdemeanor. 2094

(b) If the amount of the drug involved equals or exceeds 2095  
one hundred grams but is less than two hundred grams, possession 2096  
of marihuana is a misdemeanor of the fourth degree. 2097

(c) If the amount of the drug involved equals or exceeds 2098  
two hundred grams but is less than one thousand grams, 2099  
possession of marihuana is a felony of the fifth degree, and 2100  
division (B) of section 2929.13 of the Revised Code applies in 2101  
determining whether to impose a prison term on the offender. 2102

(d) If the amount of the drug involved equals or exceeds 2103  
one thousand grams but is less than five thousand grams, 2104  
possession of marihuana is a felony of the third degree, and 2105  
division (C) of section 2929.13 of the Revised Code applies in 2106  
determining whether to impose a prison term on the offender. 2107

(e) If the amount of the drug involved equals or exceeds 2108



five thousand grams but is less than twenty thousand grams, 2109  
possession of marihuana is a felony of the third degree, and 2110  
there is a presumption that a prison term shall be imposed for 2111  
the offense. 2112

(f) If the amount of the drug involved equals or exceeds 2113  
twenty thousand grams but is less than forty thousand grams, 2114  
possession of marihuana is a felony of the second degree, and 2115  
the court shall impose a mandatory prison term of five, six, 2116  
seven, or eight years. 2117

(g) If the amount of the drug involved equals or exceeds 2118  
forty thousand grams, possession of marihuana is a felony of the 2119  
second degree, and the court shall impose as a mandatory prison 2120  
term the maximum prison term prescribed for a felony of the 2121  
second degree. 2122

(4) If the drug involved in the violation is cocaine or a 2123  
compound, mixture, preparation, or substance containing cocaine, 2124  
whoever violates division (A) of this section is guilty of 2125  
possession of cocaine. The penalty for the offense shall be 2126  
determined as follows: 2127

(a) Except as otherwise provided in division (C) (4) (b), 2128  
(c), (d), (e), or (f) of this section, possession of cocaine is 2129  
a felony of the fifth degree, and division (B) of section 2130  
2929.13 of the Revised Code applies in determining whether to 2131  
impose a prison term on the offender. 2132

(b) If the amount of the drug involved equals or exceeds 2133  
five grams but is less than ten grams of cocaine, possession of 2134  
cocaine is a felony of the fourth degree, and division (B) of 2135  
section 2929.13 of the Revised Code applies in determining 2136  
whether to impose a prison term on the offender. 2137

(c) If the amount of the drug involved equals or exceeds 2138  
ten grams but is less than twenty grams of cocaine, possession 2139  
of cocaine is a felony of the third degree, and, except as 2140  
otherwise provided in this division, there is a presumption for 2141  
a prison term for the offense. If possession of cocaine is a 2142  
felony of the third degree under this division and if the 2143  
offender two or more times previously has been convicted of or 2144  
pleaded guilty to a felony drug abuse offense, the court shall 2145  
impose as a mandatory prison term one of the prison terms 2146  
prescribed for a felony of the third degree. 2147

(d) If the amount of the drug involved equals or exceeds 2148  
twenty grams but is less than twenty-seven grams of cocaine, 2149  
possession of cocaine is a felony of the second degree, and the 2150  
court shall impose as a mandatory prison term one of the prison 2151  
terms prescribed for a felony of the second degree. 2152

(e) If the amount of the drug involved equals or exceeds 2153  
twenty-seven grams but is less than one hundred grams of 2154  
cocaine, possession of cocaine is a felony of the first degree, 2155  
and the court shall impose as a mandatory prison term one of the 2156  
prison terms prescribed for a felony of the first degree. 2157

(f) If the amount of the drug involved equals or exceeds 2158  
one hundred grams of cocaine, possession of cocaine is a felony 2159  
of the first degree, the offender is a major drug offender, and 2160  
the court shall impose as a mandatory prison term the maximum 2161  
prison term prescribed for a felony of the first degree. 2162

(5) If the drug involved in the violation is L.S.D., 2163  
whoever violates division (A) of this section is guilty of 2164  
possession of L.S.D. The penalty for the offense shall be 2165  
determined as follows: 2166

(a) Except as otherwise provided in division (C) (5) (b), 2167  
(c), (d), (e), or (f) of this section, possession of L.S.D. is a 2168  
felony of the fifth degree, and division (B) of section 2929.13 2169  
of the Revised Code applies in determining whether to impose a 2170  
prison term on the offender. 2171

(b) If the amount of L.S.D. involved equals or exceeds ten 2172  
unit doses but is less than fifty unit doses of L.S.D. in a 2173  
solid form or equals or exceeds one gram but is less than five 2174  
grams of L.S.D. in a liquid concentrate, liquid extract, or 2175  
liquid distillate form, possession of L.S.D. is a felony of the 2176  
fourth degree, and division (C) of section 2929.13 of the 2177  
Revised Code applies in determining whether to impose a prison 2178  
term on the offender. 2179

(c) If the amount of L.S.D. involved equals or exceeds 2180  
fifty unit doses, but is less than two hundred fifty unit doses 2181  
of L.S.D. in a solid form or equals or exceeds five grams but is 2182  
less than twenty-five grams of L.S.D. in a liquid concentrate, 2183  
liquid extract, or liquid distillate form, possession of L.S.D. 2184  
is a felony of the third degree, and there is a presumption for 2185  
a prison term for the offense. 2186

(d) If the amount of L.S.D. involved equals or exceeds two 2187  
hundred fifty unit doses but is less than one thousand unit 2188  
doses of L.S.D. in a solid form or equals or exceeds twenty-five 2189  
grams but is less than one hundred grams of L.S.D. in a liquid 2190  
concentrate, liquid extract, or liquid distillate form, 2191  
possession of L.S.D. is a felony of the second degree, and the 2192  
court shall impose as a mandatory prison term one of the prison 2193  
terms prescribed for a felony of the second degree. 2194

(e) If the amount of L.S.D. involved equals or exceeds one 2195  
thousand unit doses but is less than five thousand unit doses of 2196

L.S.D. in a solid form or equals or exceeds one hundred grams 2197  
but is less than five hundred grams of L.S.D. in a liquid 2198  
concentrate, liquid extract, or liquid distillate form, 2199  
possession of L.S.D. is a felony of the first degree, and the 2200  
court shall impose as a mandatory prison term one of the prison 2201  
terms prescribed for a felony of the first degree. 2202

(f) If the amount of L.S.D. involved equals or exceeds 2203  
five thousand unit doses of L.S.D. in a solid form or equals or 2204  
exceeds five hundred grams of L.S.D. in a liquid concentrate, 2205  
liquid extract, or liquid distillate form, possession of L.S.D. 2206  
is a felony of the first degree, the offender is a major drug 2207  
offender, and the court shall impose as a mandatory prison term 2208  
the maximum prison term prescribed for a felony of the first 2209  
degree. 2210

(6) If the drug involved in the violation is heroin or a 2211  
compound, mixture, preparation, or substance containing heroin, 2212  
whoever violates division (A) of this section is guilty of 2213  
possession of heroin. The penalty for the offense shall be 2214  
determined as follows: 2215

(a) Except as otherwise provided in division (C) (6) (b), 2216  
(c), (d), (e), or (f) of this section, possession of heroin is a 2217  
felony of the fifth degree, and division (B) of section 2929.13 2218  
of the Revised Code applies in determining whether to impose a 2219  
prison term on the offender. 2220

(b) If the amount of the drug involved equals or exceeds 2221  
ten unit doses but is less than fifty unit doses or equals or 2222  
exceeds one gram but is less than five grams, possession of 2223  
heroin is a felony of the fourth degree, and division (C) of 2224  
section 2929.13 of the Revised Code applies in determining 2225  
whether to impose a prison term on the offender. 2226

(c) If the amount of the drug involved equals or exceeds 2227  
fifty unit doses but is less than one hundred unit doses or 2228  
equals or exceeds five grams but is less than ten grams, 2229  
possession of heroin is a felony of the third degree, and there 2230  
is a presumption for a prison term for the offense. 2231

(d) If the amount of the drug involved equals or exceeds 2232  
one hundred unit doses but is less than five hundred unit doses 2233  
or equals or exceeds ten grams but is less than fifty grams, 2234  
possession of heroin is a felony of the second degree, and the 2235  
court shall impose as a mandatory prison term one of the prison 2236  
terms prescribed for a felony of the second degree. 2237

(e) If the amount of the drug involved equals or exceeds 2238  
five hundred unit doses but is less than one thousand unit doses 2239  
or equals or exceeds fifty grams but is less than one hundred 2240  
grams, possession of heroin is a felony of the first degree, and 2241  
the court shall impose as a mandatory prison term one of the 2242  
prison terms prescribed for a felony of the first degree. 2243

(f) If the amount of the drug involved equals or exceeds 2244  
one thousand unit doses or equals or exceeds one hundred grams, 2245  
possession of heroin is a felony of the first degree, the 2246  
offender is a major drug offender, and the court shall impose as 2247  
a mandatory prison term the maximum prison term prescribed for a 2248  
felony of the first degree. 2249

(7) If the drug involved in the violation is hashish or a 2250  
compound, mixture, preparation, or substance containing hashish, 2251  
whoever violates division (A) of this section is guilty of 2252  
possession of hashish. The penalty for the offense shall be 2253  
determined as follows: 2254

(a) Except as otherwise provided in division (C) (7) (b), 2255

(c), (d), (e), (f), or (g) of this section, possession of 2256  
hashish is a minor misdemeanor. 2257

(b) If the amount of the drug involved equals or exceeds 2258  
five grams but is less than ten grams of hashish in a solid form 2259  
or equals or exceeds one gram but is less than two grams of 2260  
hashish in a liquid concentrate, liquid extract, or liquid 2261  
distillate form, possession of hashish is a misdemeanor of the 2262  
fourth degree. 2263

(c) If the amount of the drug involved equals or exceeds 2264  
ten grams but is less than fifty grams of hashish in a solid 2265  
form or equals or exceeds two grams but is less than ten grams 2266  
of hashish in a liquid concentrate, liquid extract, or liquid 2267  
distillate form, possession of hashish is a felony of the fifth 2268  
degree, and division (B) of section 2929.13 of the Revised Code 2269  
applies in determining whether to impose a prison term on the 2270  
offender. 2271

(d) If the amount of the drug involved equals or exceeds 2272  
fifty grams but is less than two hundred fifty grams of hashish 2273  
in a solid form or equals or exceeds ten grams but is less than 2274  
fifty grams of hashish in a liquid concentrate, liquid extract, 2275  
or liquid distillate form, possession of hashish is a felony of 2276  
the third degree, and division (C) of section 2929.13 of the 2277  
Revised Code applies in determining whether to impose a prison 2278  
term on the offender. 2279

(e) If the amount of the drug involved equals or exceeds 2280  
two hundred fifty grams but is less than one thousand grams of 2281  
hashish in a solid form or equals or exceeds fifty grams but is 2282  
less than two hundred grams of hashish in a liquid concentrate, 2283  
liquid extract, or liquid distillate form, possession of hashish 2284  
is a felony of the third degree, and there is a presumption that 2285

a prison term shall be imposed for the offense. 2286

(f) If the amount of the drug involved equals or exceeds 2287  
one thousand grams but is less than two thousand grams of 2288  
hashish in a solid form or equals or exceeds two hundred grams 2289  
but is less than four hundred grams of hashish in a liquid 2290  
concentrate, liquid extract, or liquid distillate form, 2291  
possession of hashish is a felony of the second degree, and the 2292  
court shall impose a mandatory prison term of five, six, seven, 2293  
or eight years. 2294

(g) If the amount of the drug involved equals or exceeds 2295  
two thousand grams of hashish in a solid form or equals or 2296  
exceeds four hundred grams of hashish in a liquid concentrate, 2297  
liquid extract, or liquid distillate form, possession of hashish 2298  
is a felony of the second degree, and the court shall impose as 2299  
a mandatory prison term the maximum prison term prescribed for a 2300  
felony of the second degree. 2301

(8) If the drug involved is a controlled substance analog 2302  
or compound, mixture, preparation, or substance that contains a 2303  
controlled substance analog, whoever violates division (A) of 2304  
this section is guilty of possession of a controlled substance 2305  
analog. The penalty for the offense shall be determined as 2306  
follows: 2307

(a) Except as otherwise provided in division (C) (8) (b), 2308  
(c), (d), (e), or (f) of this section, possession of a 2309  
controlled substance analog is a felony of the fifth degree, and 2310  
division (B) of section 2929.13 of the Revised Code applies in 2311  
determining whether to impose a prison term on the offender. 2312

(b) If the amount of the drug involved equals or exceeds 2313  
ten grams but is less than twenty grams, possession of a 2314

controlled substance analog is a felony of the fourth degree, 2315  
and there is a presumption for a prison term for the offense. 2316

(c) If the amount of the drug involved equals or exceeds 2317  
twenty grams but is less than thirty grams, possession of a 2318  
controlled substance analog is a felony of the third degree, and 2319  
there is a presumption for a prison term for the offense. 2320

(d) If the amount of the drug involved equals or exceeds 2321  
thirty grams but is less than forty grams, possession of a 2322  
controlled substance analog is a felony of the second degree, 2323  
and the court shall impose as a mandatory prison term one of the 2324  
prison terms prescribed for a felony of the second degree. 2325

(e) If the amount of the drug involved equals or exceeds 2326  
forty grams but is less than fifty grams, possession of a 2327  
controlled substance analog is a felony of the first degree, and 2328  
the court shall impose as a mandatory prison term one of the 2329  
prison terms prescribed for a felony of the first degree. 2330

(f) If the amount of the drug involved equals or exceeds 2331  
fifty grams, possession of a controlled substance analog is a 2332  
felony of the first degree, the offender is a major drug 2333  
offender, and the court shall impose as a mandatory prison term 2334  
the maximum prison term prescribed for a felony of the first 2335  
degree. 2336

(9) If the drug involved in the violation is a fentanyl- 2337  
related compound, or a compound, mixture, preparation, or 2338  
substance containing a fentanyl-related compound, whoever 2339  
violates division (A) of this section is guilty of possession of 2340  
a fentanyl-related compound. The penalty for the offense shall 2341  
be determined as follows: 2342

(a) Except as otherwise provided in division (C) (9) (b), 2343



(c), (d), (e), (f), or (g) of this section, possession of a 2344  
fentanyl-related compound is a felony of the fifth degree, and 2345  
division (B) of section 2929.13 of the Revised Code applies in 2346  
determining whether to impose a prison term on the offender. 2347

(b) If the amount of the drug involved equals or exceeds 2348  
ten unit doses but is less than fifty unit doses or equals or 2349  
exceeds one gram but is less than five grams, possession of a 2350  
fentanyl-related compound is a felony of the fourth degree, and 2351  
division (C) of section 2929.13 of the Revised Code applies in 2352  
determining whether to impose a prison term on the offender. 2353

(c) If the amount of the drug involved equals or exceeds 2354  
fifty unit doses but is less than one hundred unit doses or 2355  
equals or exceeds five grams but is less than ten grams, 2356  
possession of a fentanyl-related compound is a felony of the 2357  
third degree, and there is a presumption for a prison term for 2358  
the offense. 2359

(d) If the amount of the drug involved equals or exceeds 2360  
one hundred unit doses but is less than two hundred unit doses 2361  
or equals or exceeds ten grams but is less than twenty grams, 2362  
possession of a fentanyl-related compound is a felony of the 2363  
second degree, and the court shall impose as a mandatory prison 2364  
term one of the prison terms prescribed for a felony of the 2365  
second degree. 2366

(e) If the amount of the drug involved equals or exceeds 2367  
two hundred unit doses but is less than five hundred unit doses 2368  
or equals or exceeds twenty grams but is less than fifty grams, 2369  
possession of a fentanyl-related compound is a felony of the 2370  
first degree, and the court shall impose as a mandatory prison 2371  
term one of the prison terms prescribed for a felony of the 2372  
first degree. 2373

(f) If the amount of the drug involved equals or exceeds 2374  
five hundred unit doses but is less than one thousand unit doses 2375  
or equals or exceeds fifty grams but is less than one hundred 2376  
grams, possession of a fentanyl-related compound is a felony of 2377  
the first degree, and the court shall impose the mandatory 2378  
maximum prison term. 2379

(g) If the amount of the drug involved equals or exceeds 2380  
one thousand unit doses or equals or exceeds one hundred grams, 2381  
possession of a fentanyl-related compound is a felony of the 2382  
first degree, the offender is a major drug offender, and the 2383  
court shall impose as a mandatory prison term the maximum prison 2384  
term prescribed for a felony of the first degree. 2385

(D) Arrest or conviction for a minor misdemeanor violation 2386  
of this section does not constitute a criminal record and need 2387  
not be reported by the person so arrested or convicted in 2388  
response to any inquiries about the person's criminal record, 2389  
including any inquiries contained in any application for 2390  
employment, license, or other right or privilege, or made in 2391  
connection with the person's appearance as a witness. 2392

(E) In addition to any prison term or jail term authorized 2393  
or required by division (C) of this section and sections 2394  
2929.13, 2929.14, 2929.22, 2929.24, and 2929.25 of the Revised 2395  
Code and in addition to any other sanction that is imposed for 2396  
the offense under this section, sections 2929.11 to 2929.18, or 2397  
sections 2929.21 to 2929.28 of the Revised Code, the court that 2398  
sentences an offender who is convicted of or pleads guilty to a 2399  
violation of division (A) of this section may suspend the 2400  
offender's driver's or commercial driver's license or permit for 2401  
not more than five years. However, if the offender pleaded 2402  
guilty to or was convicted of a violation of section 4511.19 of 2403

the Revised Code or a substantially similar municipal ordinance 2404  
or the law of another state or the United States arising out of 2405  
the same set of circumstances as the violation, the court shall 2406  
suspend the offender's driver's or commercial driver's license 2407  
or permit for not more than five years. If applicable, the court 2408  
also shall do the following: 2409

(1) (a) If the violation is a felony of the first, second, 2410  
or third degree, the court shall impose upon the offender the 2411  
mandatory fine specified for the offense under division (B) (1) 2412  
of section 2929.18 of the Revised Code unless, as specified in 2413  
that division, the court determines that the offender is 2414  
indigent. 2415

(b) Notwithstanding any contrary provision of section 2416  
3719.21 of the Revised Code, the clerk of the court shall pay a 2417  
mandatory fine or other fine imposed for a violation of this 2418  
section pursuant to division (A) of section 2929.18 of the 2419  
Revised Code in accordance with and subject to the requirements 2420  
of division (F) of section 2925.03 of the Revised Code. The 2421  
agency that receives the fine shall use the fine as specified in 2422  
division (F) of section 2925.03 of the Revised Code. 2423

(c) If a person is charged with a violation of this 2424  
section that is a felony of the first, second, or third degree, 2425  
posts bail, and forfeits the bail, the clerk shall pay the 2426  
forfeited bail pursuant to division (E) (1) (b) of this section as 2427  
if it were a mandatory fine imposed under division (E) (1) (a) of 2428  
this section. 2429

(2) If the offender is a professionally licensed person, 2430  
in addition to any other sanction imposed for a violation of 2431  
this section, the court immediately shall comply with section 2432  
2925.38 of the Revised Code. 2433

(F) It is an affirmative defense, as provided in section 2434  
2901.05 of the Revised Code, to a charge of a fourth degree 2435  
felony violation under this section that the controlled 2436  
substance that gave rise to the charge is in an amount, is in a 2437  
form, is prepared, compounded, or mixed with substances that are 2438  
not controlled substances in a manner, or is possessed under any 2439  
other circumstances, that indicate that the substance was 2440  
possessed solely for personal use. Notwithstanding any contrary 2441  
provision of this section, if, in accordance with section 2442  
2901.05 of the Revised Code, an accused who is charged with a 2443  
fourth degree felony violation of division (C) (2), (4), (5), or 2444  
(6) of this section sustains the burden of going forward with 2445  
evidence of and establishes by a preponderance of the evidence 2446  
the affirmative defense described in this division, the accused 2447  
may be prosecuted for and may plead guilty to or be convicted of 2448  
a misdemeanor violation of division (C) (2) of this section or a 2449  
fifth degree felony violation of division (C) (4), (5), or (6) of 2450  
this section respectively. 2451

(G) When a person is charged with possessing a bulk amount 2452  
or multiple of a bulk amount, division (E) of section 2925.03 of 2453  
the Revised Code applies regarding the determination of the 2454  
amount of the controlled substance involved at the time of the 2455  
offense. 2456

(H) It is an affirmative defense to a charge of possession 2457  
of a controlled substance analog under division (C) (8) of this 2458  
section that the person charged with violating that offense 2459  
obtained, possessed, or used an item described in division (HH) 2460  
(2) (a), (b), or (c) of section 3719.01 of the Revised Code. 2461

(I) Any offender who received a mandatory suspension of 2462  
the offender's driver's or commercial driver's license or permit 2463

under this section prior to ~~the effective date of this amendment~~ 2464  
September 13, 2016, may file a motion with the sentencing court 2465  
requesting the termination of the suspension. However, an 2466  
offender who pleaded guilty to or was convicted of a violation 2467  
of section 4511.19 of the Revised Code or a substantially 2468  
similar municipal ordinance or law of another state or the 2469  
United States that arose out of the same set of circumstances as 2470  
the violation for which the offender's license or permit was 2471  
suspended under this section shall not file such a motion. 2472

Upon the filing of a motion under division (I) of this 2473  
section, the sentencing court, in its discretion, may terminate 2474  
the suspension. 2475

**Sec. 2925.13.** (A) No person who is the owner, operator, or 2476  
person in charge of a locomotive, watercraft, aircraft, or other 2477  
vehicle, as defined in division (A) of section 4501.01 of the 2478  
Revised Code, shall knowingly permit the vehicle to be used for 2479  
the commission of a felony drug abuse offense. 2480

(B) No person who is the owner, lessee, or occupant, or 2481  
who has custody, control, or supervision, of premises or real 2482  
estate, including vacant land, shall knowingly permit the 2483  
premises or real estate, including vacant land, to be used for 2484  
the commission of a felony drug abuse offense by another person. 2485

(C) (1) Whoever violates this section is guilty of 2486  
permitting drug abuse. 2487

(2) Except as provided in division (C) (3) of this section, 2488  
permitting drug abuse is a misdemeanor of the first degree. 2489

(3) Permitting drug abuse is a felony of the fifth degree, 2490  
and division (C) of section 2929.13 of the Revised Code applies 2491  
in determining whether to impose a prison term on the offender, 2492

if ~~the~~ either of the following applies: 2493

(a) The felony drug abuse offense in question is a 2494  
violation of section 2925.02 ~~or~~, 2925.03, or 2925.04 of the 2495  
Revised Code. 2496

(b) The felony drug abuse offense in question is a 2497  
violation of section 2925.041 of the Revised Code and the 2498  
offender had actual knowledge, at the time the offender 2499  
permitted the vehicle, premises, or real estate to be used as 2500  
described in division (A) or (B) of this section, that the 2501  
person who assembled or possessed the chemicals in question in 2502  
violation of section 2925.041 of the Revised Code had assembled 2503  
or possessed them with the intent to manufacture a controlled 2504  
substance in schedule I or II in violation of section 2925.04 of 2505  
the Revised Code. 2506

(D) (1) In addition to any prison term authorized or 2507  
required by division (C) of this section and sections 2929.13 2508  
and 2929.14 of the Revised Code and in addition to any other 2509  
sanction imposed for the offense under this section or sections 2510  
2929.11 to 2929.18 of the Revised Code, the court that sentences 2511  
a person who is convicted of or pleads guilty to a violation of 2512  
division (A) of this section may suspend for not more than five 2513  
years the offender's driver's or commercial driver's license or 2514  
permit. However, if the offender pleaded guilty to or was 2515  
convicted of a violation of section 4511.19 of the Revised Code 2516  
or a substantially similar municipal ordinance or the law of 2517  
another state or the United States arising out of the same set 2518  
of circumstances as the violation, the court shall suspend the 2519  
offender's driver's or commercial driver's license or permit for 2520  
not more than five years. 2521

If the offender is a professionally licensed person, in 2522

addition to any other sanction imposed for a violation of this 2523  
section, the court immediately shall comply with section 2925.38 2524  
of the Revised Code. 2525

(2) Any offender who received a mandatory suspension of 2526  
the offender's driver's or commercial driver's license or permit 2527  
under this section prior to ~~the effective date of this amendment~~ 2528  
September 13, 2016, may file a motion with the sentencing court 2529  
requesting the termination of the suspension. However, an 2530  
offender who pleaded guilty to or was convicted of a violation 2531  
of section 4511.19 of the Revised Code or a substantially 2532  
similar municipal ordinance or law of another state or the 2533  
United States that arose out of the same set of circumstances as 2534  
the violation for which the offender's license or permit was 2535  
suspended under this section shall not file such a motion. 2536

Upon the filing of a motion under division (D) (2) of this 2537  
section, the sentencing court, in its discretion, may terminate 2538  
the suspension. 2539

(E) Notwithstanding any contrary provision of section 2540  
3719.21 of the Revised Code, the clerk of the court shall pay a 2541  
fine imposed for a violation of this section pursuant to 2542  
division (A) of section 2929.18 of the Revised Code in 2543  
accordance with and subject to the requirements of division (F) 2544  
of section 2925.03 of the Revised Code. The agency that receives 2545  
the fine shall use the fine as specified in division (F) of 2546  
section 2925.03 of the Revised Code. 2547

(F) Any premises or real estate that is permitted to be 2548  
used in violation of division (B) of this section constitutes a 2549  
nuisance subject to abatement pursuant to Chapter 3767. of the 2550  
Revised Code. 2551

**Sec. 2925.36.** (A) No person shall knowingly furnish 2552  
another a sample drug. 2553

(B) Division (A) of this section does not apply to 2554  
manufacturers, wholesalers, pharmacists, owners of pharmacies, 2555  
licensed health professionals authorized to prescribe drugs, and 2556  
other persons whose conduct is in accordance with Chapters 2557  
3719., 4715., 4723., 4725., 4729., 4730., 4731., and 4741. of 2558  
the Revised Code. 2559

(C) (1) Whoever violates this section is guilty of illegal 2560  
dispensing of drug samples. 2561

(2) If the drug involved in the offense is a compound, 2562  
mixture, preparation, or substance included in schedule I or II, 2563  
with the exception of marihuana, the penalty for the offense 2564  
shall be determined as follows: 2565

(a) Except as otherwise provided in division (C) (2) (b) of 2566  
this section, illegal dispensing of drug samples is a felony of 2567  
the fifth degree, and, subject to division (E) of this section, 2568  
division (C) of section 2929.13 of the Revised Code applies in 2569  
determining whether to impose a prison term on the offender. 2570

(b) If the offense was committed in the vicinity of a 2571  
school or in the vicinity of a juvenile, illegal dispensing of 2572  
drug samples is a felony of the fourth degree, and, subject to 2573  
division (E) of this section, division (C) of section 2929.13 of 2574  
the Revised Code applies in determining whether to impose a 2575  
prison term on the offender. 2576

(3) If the drug involved in the offense is a dangerous 2577  
drug or a compound, mixture, preparation, or substance included 2578  
in schedule III, IV, or V, or is marihuana, the penalty for the 2579  
offense shall be determined as follows: 2580



(a) Except as otherwise provided in division (C) (3) (b) of 2581  
this section, illegal dispensing of drug samples is a 2582  
misdemeanor of the second degree. 2583

(b) If the offense was committed in the vicinity of a 2584  
school or in the vicinity of a juvenile, illegal dispensing of 2585  
drug samples is a misdemeanor of the first degree. 2586

(D) (1) In addition to any prison term authorized or 2587  
required by division (C) or (E) of this section and sections 2588  
2929.13 and 2929.14 of the Revised Code and in addition to any 2589  
other sanction imposed for the offense under this section or 2590  
sections 2929.11 to 2929.18 of the Revised Code, the court that 2591  
sentences an offender who is convicted of or pleads guilty to a 2592  
violation of division (A) of this section may suspend for not 2593  
more than five years the offender's driver's or commercial 2594  
driver's license or permit. However, if the offender pleaded 2595  
guilty to or was convicted of a violation of section 4511.19 of 2596  
the Revised Code or a substantially similar municipal ordinance 2597  
or the law of another state or the United States arising out of 2598  
the same set of circumstances as the violation, the court shall 2599  
suspend the offender's driver's or commercial driver's license 2600  
or permit for not more than five years. 2601

If the offender is a professionally licensed person, in 2602  
addition to any other sanction imposed for a violation of this 2603  
section, the court immediately shall comply with section 2925.38 2604  
of the Revised Code. 2605

(2) Any offender who received a mandatory suspension of 2606  
the offender's driver's or commercial driver's license or permit 2607  
under this section prior to ~~the effective date of this amendment~~ 2608  
September 13, 2016, may file a motion with the sentencing court 2609  
requesting the termination of the suspension. However, an 2610

offender who pleaded guilty to or was convicted of a violation 2611  
of section 4511.19 of the Revised Code or a substantially 2612  
similar municipal ordinance or law of another state or the 2613  
United States that arose out of the same set of circumstances as 2614  
the violation for which the offender's license or permit was 2615  
suspended under this section shall not file such a motion. 2616

Upon the filing of a motion under division (D) (2) of this 2617  
section, the sentencing court, in its discretion, may terminate 2618  
the suspension. 2619

(E) Notwithstanding the prison term authorized or required 2620  
by division (C) of this section and sections 2929.13 and 2929.14 2621  
of the Revised Code, if the violation of division (A) of this 2622  
section involves the sale, offer to sell, or possession of a 2623  
schedule I or II controlled substance, with the exception of 2624  
marihuana, and if the court imposing sentence upon the offender 2625  
finds that the offender as a result of the violation is a major 2626  
drug offender and is guilty of a specification of the type 2627  
described in division (A) of section 2941.1410 of the Revised 2628  
Code, the court, in lieu of the prison term otherwise authorized 2629  
or required, shall impose upon the offender the mandatory prison 2630  
term specified in division (B) (3) (a) of section 2929.14 of the 2631  
Revised Code. 2632

(F) Notwithstanding any contrary provision of section 2633  
3719.21 of the Revised Code, the clerk of the court shall pay a 2634  
fine imposed for a violation of this section pursuant to 2635  
division (A) of section 2929.18 of the Revised Code in 2636  
accordance with and subject to the requirements of division (F) 2637  
of section 2925.03 of the Revised Code. The agency that receives 2638  
the fine shall use the fine as specified in division (F) of 2639  
section 2925.03 of the Revised Code. 2640

<b>Sec. 2929.01.</b> As used in this chapter:	2641
(A) (1) "Alternative residential facility" means, subject to division (A) (2) of this section, any facility other than an offender's home or residence in which an offender is assigned to live and that satisfies all of the following criteria:	2642 2643 2644 2645
(a) It provides programs through which the offender may seek or maintain employment or may receive education, training, treatment, or habilitation.	2646 2647 2648
(b) It has received the appropriate license or certificate for any specialized education, training, treatment, habilitation, or other service that it provides from the government agency that is responsible for licensing or certifying that type of education, training, treatment, habilitation, or service.	2649 2650 2651 2652 2653 2654
(2) "Alternative residential facility" does not include a community-based correctional facility, jail, halfway house, or prison.	2655 2656 2657
(B) "Basic probation supervision" means a requirement that the offender maintain contact with a person appointed to supervise the offender in accordance with sanctions imposed by the court or imposed by the parole board pursuant to section 2967.28 of the Revised Code. "Basic probation supervision" includes basic parole supervision and basic post-release control supervision.	2658 2659 2660 2661 2662 2663 2664
(C) "Cocaine," " <u>fentanyl-related compound</u> ," "hashish," "L.S.D.," and "unit dose" have the same meanings as in section 2925.01 of the Revised Code.	2665 2666 2667
(D) "Community-based correctional facility" means a community-based correctional facility and program or district	2668 2669

community-based correctional facility and program developed 2670  
pursuant to sections 2301.51 to 2301.58 of the Revised Code. 2671

(E) "Community control sanction" means a sanction that is 2672  
not a prison term and that is described in section 2929.15, 2673  
2929.16, 2929.17, or 2929.18 of the Revised Code or a sanction 2674  
that is not a jail term and that is described in section 2675  
2929.26, 2929.27, or 2929.28 of the Revised Code. "Community 2676  
control sanction" includes probation if the sentence involved 2677  
was imposed for a felony that was committed prior to July 1, 2678  
1996, or if the sentence involved was imposed for a misdemeanor 2679  
that was committed prior to January 1, 2004. 2680

(F) "Controlled substance," "marihuana," "schedule I," and 2681  
"schedule II" have the same meanings as in section 3719.01 of 2682  
the Revised Code. 2683

(G) "Curfew" means a requirement that an offender during a 2684  
specified period of time be at a designated place. 2685

(H) "Day reporting" means a sanction pursuant to which an 2686  
offender is required each day to report to and leave a center or 2687  
other approved reporting location at specified times in order to 2688  
participate in work, education or training, treatment, and other 2689  
approved programs at the center or outside the center. 2690

(I) "Deadly weapon" has the same meaning as in section 2691  
2923.11 of the Revised Code. 2692

(J) "Drug and alcohol use monitoring" means a program 2693  
under which an offender agrees to submit to random chemical 2694  
analysis of the offender's blood, breath, or urine to determine 2695  
whether the offender has ingested any alcohol or other drugs. 2696

(K) "Drug treatment program" means any program under which 2697  
a person undergoes assessment and treatment designed to reduce 2698

or completely eliminate the person's physical or emotional 2699  
reliance upon alcohol, another drug, or alcohol and another drug 2700  
and under which the person may be required to receive assessment 2701  
and treatment on an outpatient basis or may be required to 2702  
reside at a facility other than the person's home or residence 2703  
while undergoing assessment and treatment. 2704

(L) "Economic loss" means any economic detriment suffered 2705  
by a victim as a direct and proximate result of the commission 2706  
of an offense and includes any loss of income due to lost time 2707  
at work because of any injury caused to the victim, and any 2708  
property loss, medical cost, or funeral expense incurred as a 2709  
result of the commission of the offense. "Economic loss" does 2710  
not include non-economic loss or any punitive or exemplary 2711  
damages. 2712

(M) "Education or training" includes study at, or in 2713  
conjunction with a program offered by, a university, college, or 2714  
technical college or vocational study and also includes the 2715  
completion of primary school, secondary school, and literacy 2716  
curricula or their equivalent. 2717

(N) "Firearm" has the same meaning as in section 2923.11 2718  
of the Revised Code. 2719

(O) "Halfway house" means a facility licensed by the 2720  
division of parole and community services of the department of 2721  
rehabilitation and correction pursuant to section 2967.14 of the 2722  
Revised Code as a suitable facility for the care and treatment 2723  
of adult offenders. 2724

(P) "House arrest" means a period of confinement of an 2725  
offender that is in the offender's home or in other premises 2726  
specified by the sentencing court or by the parole board 2727

pursuant to section 2967.28 of the Revised Code and during which 2728  
all of the following apply: 2729

(1) The offender is required to remain in the offender's 2730  
home or other specified premises for the specified period of 2731  
confinement, except for periods of time during which the 2732  
offender is at the offender's place of employment or at other 2733  
premises as authorized by the sentencing court or by the parole 2734  
board. 2735

(2) The offender is required to report periodically to a 2736  
person designated by the court or parole board. 2737

(3) The offender is subject to any other restrictions and 2738  
requirements that may be imposed by the sentencing court or by 2739  
the parole board. 2740

(Q) "Intensive probation supervision" means a requirement 2741  
that an offender maintain frequent contact with a person 2742  
appointed by the court, or by the parole board pursuant to 2743  
section 2967.28 of the Revised Code, to supervise the offender 2744  
while the offender is seeking or maintaining necessary 2745  
employment and participating in training, education, and 2746  
treatment programs as required in the court's or parole board's 2747  
order. "Intensive probation supervision" includes intensive 2748  
parole supervision and intensive post-release control 2749  
supervision. 2750

(R) "Jail" means a jail, workhouse, minimum security jail, 2751  
or other residential facility used for the confinement of 2752  
alleged or convicted offenders that is operated by a political 2753  
subdivision or a combination of political subdivisions of this 2754  
state. 2755

(S) "Jail term" means the term in a jail that a sentencing 2756

court imposes or is authorized to impose pursuant to section 2757  
2929.24 or 2929.25 of the Revised Code or pursuant to any other 2758  
provision of the Revised Code that authorizes a term in a jail 2759  
for a misdemeanor conviction. 2760

(T) "Mandatory jail term" means the term in a jail that a 2761  
sentencing court is required to impose pursuant to division (G) 2762  
of section 1547.99 of the Revised Code, division (E) of section 2763  
2903.06 or division (D) of section 2903.08 of the Revised Code, 2764  
division (E) or (G) of section 2929.24 of the Revised Code, 2765  
division (B) of section 4510.14 of the Revised Code, or division 2766  
(G) of section 4511.19 of the Revised Code or pursuant to any 2767  
other provision of the Revised Code that requires a term in a 2768  
jail for a misdemeanor conviction. 2769

(U) "Delinquent child" has the same meaning as in section 2770  
2152.02 of the Revised Code. 2771

(V) "License violation report" means a report that is made 2772  
by a sentencing court, or by the parole board pursuant to 2773  
section 2967.28 of the Revised Code, to the regulatory or 2774  
licensing board or agency that issued an offender a professional 2775  
license or a license or permit to do business in this state and 2776  
that specifies that the offender has been convicted of or 2777  
pleaded guilty to an offense that may violate the conditions 2778  
under which the offender's professional license or license or 2779  
permit to do business in this state was granted or an offense 2780  
for which the offender's professional license or license or 2781  
permit to do business in this state may be revoked or suspended. 2782

(W) "Major drug offender" means an offender who is 2783  
convicted of or pleads guilty to the possession of, sale of, or 2784  
offer to sell any drug, compound, mixture, preparation, or 2785  
substance that consists of or contains at least one thousand 2786

grams of hashish; at least one hundred grams of cocaine; at 2787  
least one thousand unit doses or one hundred grams of heroin; at 2788  
least five thousand unit doses of L.S.D. or five hundred grams 2789  
of L.S.D. in a liquid concentrate, liquid extract, or liquid 2790  
distillate form; at least fifty grams of a controlled substance 2791  
analog; at least one thousand unit doses or one hundred grams of 2792  
a fentanyl-related compound; or at least one hundred times the 2793  
amount of any other schedule I or II controlled substance other 2794  
than marihuana that is necessary to commit a felony of the third 2795  
degree pursuant to section 2925.03, 2925.04, 2925.05, or 2925.11 2796  
of the Revised Code that is based on the possession of, sale of, 2797  
or offer to sell the controlled substance. 2798

(X) "Mandatory prison term" means any of the following: 2799

(1) Subject to division (X) (2) of this section, the term 2800  
in prison that must be imposed for the offenses or circumstances 2801  
set forth in divisions (F) (1) to (8) or (F) (12) to (18) of 2802  
section 2929.13 and division (B) of section 2929.14 of the 2803  
Revised Code. Except as provided in sections 2925.02, 2925.03, 2804  
2925.04, 2925.05, and 2925.11 of the Revised Code, unless the 2805  
maximum or another specific term is required under section 2806  
2929.14 or 2929.142 of the Revised Code, a mandatory prison term 2807  
described in this division may be any prison term authorized for 2808  
the level of offense. 2809

(2) The term of sixty or one hundred twenty days in prison 2810  
that a sentencing court is required to impose for a third or 2811  
fourth degree felony OVI offense pursuant to division (G) (2) of 2812  
section 2929.13 and division (G) (1) (d) or (e) of section 4511.19 2813  
of the Revised Code or the term of one, two, three, four, or 2814  
five years in prison that a sentencing court is required to 2815  
impose pursuant to division (G) (2) of section 2929.13 of the 2816



Revised Code.	2817
(3) The term in prison imposed pursuant to division (A) of section 2971.03 of the Revised Code for the offenses and in the circumstances described in division (F)(11) of section 2929.13 of the Revised Code or pursuant to division (B)(1)(a), (b), or (c), (B)(2)(a), (b), or (c), or (B)(3)(a), (b), (c), or (d) of section 2971.03 of the Revised Code and that term as modified or terminated pursuant to section 2971.05 of the Revised Code.	2818 2819 2820 2821 2822 2823 2824
(Y) "Monitored time" means a period of time during which an offender continues to be under the control of the sentencing court or parole board, subject to no conditions other than leading a law-abiding life.	2825 2826 2827 2828
(Z) "Offender" means a person who, in this state, is convicted of or pleads guilty to a felony or a misdemeanor.	2829 2830
(AA) "Prison" means a residential facility used for the confinement of convicted felony offenders that is under the control of the department of rehabilitation and correction but does not include a violation sanction center operated under authority of section 2967.141 of the Revised Code.	2831 2832 2833 2834 2835
(BB) "Prison term" includes either of the following sanctions for an offender:	2836 2837
(1) A stated prison term;	2838
(2) A term in a prison shortened by, or with the approval of, the sentencing court pursuant to section 2929.143, 2929.20, 2967.26, 5120.031, 5120.032, or 5120.073 of the Revised Code.	2839 2840 2841
(CC) "Repeat violent offender" means a person about whom both of the following apply:	2842 2843
(1) The person is being sentenced for committing or for	2844

complicity in committing any of the following: 2845

(a) Aggravated murder, murder, any felony of the first or 2846  
second degree that is an offense of violence, or an attempt to 2847  
commit any of these offenses if the attempt is a felony of the 2848  
first or second degree; 2849

(b) An offense under an existing or former law of this 2850  
state, another state, or the United States that is or was 2851  
substantially equivalent to an offense described in division 2852  
(CC) (1) (a) of this section. 2853

(2) The person previously was convicted of or pleaded 2854  
guilty to an offense described in division (CC) (1) (a) or (b) of 2855  
this section. 2856

(DD) "Sanction" means any penalty imposed upon an offender 2857  
who is convicted of or pleads guilty to an offense, as 2858  
punishment for the offense. "Sanction" includes any sanction 2859  
imposed pursuant to any provision of sections 2929.14 to 2929.18 2860  
or 2929.24 to 2929.28 of the Revised Code. 2861

(EE) "Sentence" means the sanction or combination of 2862  
sanctions imposed by the sentencing court on an offender who is 2863  
convicted of or pleads guilty to an offense. 2864

(FF) "Stated prison term" means the prison term, mandatory 2865  
prison term, or combination of all prison terms and mandatory 2866  
prison terms imposed by the sentencing court pursuant to section 2867  
2929.14, 2929.142, or 2971.03 of the Revised Code or under 2868  
section 2919.25 of the Revised Code. "Stated prison term" 2869  
includes any credit received by the offender for time spent in 2870  
jail awaiting trial, sentencing, or transfer to prison for the 2871  
offense and any time spent under house arrest or house arrest 2872  
with electronic monitoring imposed after earning credits 2873

pursuant to section 2967.193 of the Revised Code. If an offender 2874  
is serving a prison term as a risk reduction sentence under 2875  
sections 2929.143 and 5120.036 of the Revised Code, "stated 2876  
prison term" includes any period of time by which the prison 2877  
term imposed upon the offender is shortened by the offender's 2878  
successful completion of all assessment and treatment or 2879  
programming pursuant to those sections. 2880

(GG) "Victim-offender mediation" means a reconciliation or 2881  
mediation program that involves an offender and the victim of 2882  
the offense committed by the offender and that includes a 2883  
meeting in which the offender and the victim may discuss the 2884  
offense, discuss restitution, and consider other sanctions for 2885  
the offense. 2886

(HH) "Fourth degree felony OVI offense" means a violation 2887  
of division (A) of section 4511.19 of the Revised Code that, 2888  
under division (G) of that section, is a felony of the fourth 2889  
degree. 2890

(II) "Mandatory term of local incarceration" means the 2891  
term of sixty or one hundred twenty days in a jail, a community- 2892  
based correctional facility, a halfway house, or an alternative 2893  
residential facility that a sentencing court may impose upon a 2894  
person who is convicted of or pleads guilty to a fourth degree 2895  
felony OVI offense pursuant to division (G)(1) of section 2896  
2929.13 of the Revised Code and division (G)(1)(d) or (e) of 2897  
section 4511.19 of the Revised Code. 2898

(JJ) "Designated homicide, assault, or kidnapping 2899  
offense," "violent sex offense," "sexual motivation 2900  
specification," "sexually violent offense," "sexually violent 2901  
predator," and "sexually violent predator specification" have 2902  
the same meanings as in section 2971.01 of the Revised Code. 2903

(KK) "Sexually oriented offense," "child-victim oriented offense," and "tier III sex offender/child-victim offender" have the same meanings as in section 2950.01 of the Revised Code.

(LL) An offense is "committed in the vicinity of a child" if the offender commits the offense within thirty feet of or within the same residential unit as a child who is under eighteen years of age, regardless of whether the offender knows the age of the child or whether the offender knows the offense is being committed within thirty feet of or within the same residential unit as the child and regardless of whether the child actually views the commission of the offense.

(MM) "Family or household member" has the same meaning as in section 2919.25 of the Revised Code.

(NN) "Motor vehicle" and "manufactured home" have the same meanings as in section 4501.01 of the Revised Code.

(OO) "Detention" and "detention facility" have the same meanings as in section 2921.01 of the Revised Code.

(PP) "Third degree felony OVI offense" means a violation of division (A) of section 4511.19 of the Revised Code that, under division (G) of that section, is a felony of the third degree.

(QQ) "Random drug testing" has the same meaning as in section 5120.63 of the Revised Code.

(RR) "Felony sex offense" has the same meaning as in section 2967.28 of the Revised Code.

(SS) "Body armor" has the same meaning as in section 2941.1411 of the Revised Code.

(TT) "Electronic monitoring" means monitoring through the

use of an electronic monitoring device. 2932

(UU) "Electronic monitoring device" means any of the 2933  
following: 2934

(1) Any device that can be operated by electrical or 2935  
battery power and that conforms with all of the following: 2936

(a) The device has a transmitter that can be attached to a 2937  
person, that will transmit a specified signal to a receiver of 2938  
the type described in division (UU) (1) (b) of this section if the 2939  
transmitter is removed from the person, turned off, or altered 2940  
in any manner without prior court approval in relation to 2941  
electronic monitoring or without prior approval of the 2942  
department of rehabilitation and correction in relation to the 2943  
use of an electronic monitoring device for an inmate on 2944  
transitional control or otherwise is tampered with, that can 2945  
transmit continuously and periodically a signal to that receiver 2946  
when the person is within a specified distance from the 2947  
receiver, and that can transmit an appropriate signal to that 2948  
receiver if the person to whom it is attached travels a 2949  
specified distance from that receiver. 2950

(b) The device has a receiver that can receive 2951  
continuously the signals transmitted by a transmitter of the 2952  
type described in division (UU) (1) (a) of this section, can 2953  
transmit continuously those signals by a wireless or landline 2954  
telephone connection to a central monitoring computer of the 2955  
type described in division (UU) (1) (c) of this section, and can 2956  
transmit continuously an appropriate signal to that central 2957  
monitoring computer if the device has been turned off or altered 2958  
without prior court approval or otherwise tampered with. The 2959  
device is designed specifically for use in electronic 2960  
monitoring, is not a converted wireless phone or another 2961

tracking device that is clearly not designed for electronic 2962  
monitoring, and provides a means of text-based or voice 2963  
communication with the person. 2964

(c) The device has a central monitoring computer that can 2965  
receive continuously the signals transmitted by a wireless or 2966  
landline telephone connection by a receiver of the type 2967  
described in division (UU) (1) (b) of this section and can monitor 2968  
continuously the person to whom an electronic monitoring device 2969  
of the type described in division (UU) (1) (a) of this section is 2970  
attached. 2971

(2) Any device that is not a device of the type described 2972  
in division (UU) (1) of this section and that conforms with all 2973  
of the following: 2974

(a) The device includes a transmitter and receiver that 2975  
can monitor and determine the location of a subject person at 2976  
any time, or at a designated point in time, through the use of a 2977  
central monitoring computer or through other electronic means. 2978

(b) The device includes a transmitter and receiver that 2979  
can determine at any time, or at a designated point in time, 2980  
through the use of a central monitoring computer or other 2981  
electronic means the fact that the transmitter is turned off or 2982  
altered in any manner without prior approval of the court in 2983  
relation to the electronic monitoring or without prior approval 2984  
of the department of rehabilitation and correction in relation 2985  
to the use of an electronic monitoring device for an inmate on 2986  
transitional control or otherwise is tampered with. 2987

(3) Any type of technology that can adequately track or 2988  
determine the location of a subject person at any time and that 2989  
is approved by the director of rehabilitation and correction, 2990

including, but not limited to, any satellite technology, voice 2991  
tracking system, or retinal scanning system that is so approved. 2992

(VV) "Non-economic loss" means nonpecuniary harm suffered 2993  
by a victim of an offense as a result of or related to the 2994  
commission of the offense, including, but not limited to, pain 2995  
and suffering; loss of society, consortium, companionship, care, 2996  
assistance, attention, protection, advice, guidance, counsel, 2997  
instruction, training, or education; mental anguish; and any 2998  
other intangible loss. 2999

(WW) "Prosecutor" has the same meaning as in section 3000  
2935.01 of the Revised Code. 3001

(XX) "Continuous alcohol monitoring" means the ability to 3002  
automatically test and periodically transmit alcohol consumption 3003  
levels and tamper attempts at least every hour, regardless of 3004  
the location of the person who is being monitored. 3005

(YY) A person is "adjudicated a sexually violent predator" 3006  
if the person is convicted of or pleads guilty to a violent sex 3007  
offense and also is convicted of or pleads guilty to a sexually 3008  
violent predator specification that was included in the 3009  
indictment, count in the indictment, or information charging 3010  
that violent sex offense or if the person is convicted of or 3011  
pleads guilty to a designated homicide, assault, or kidnapping 3012  
offense and also is convicted of or pleads guilty to both a 3013  
sexual motivation specification and a sexually violent predator 3014  
specification that were included in the indictment, count in the 3015  
indictment, or information charging that designated homicide, 3016  
assault, or kidnapping offense. 3017

(ZZ) An offense is "committed in proximity to a school" if 3018  
the offender commits the offense in a school safety zone or 3019

within five hundred feet of any school building or the 3020  
boundaries of any school premises, regardless of whether the 3021  
offender knows the offense is being committed in a school safety 3022  
zone or within five hundred feet of any school building or the 3023  
boundaries of any school premises. 3024

(AAA) "Human trafficking" means a scheme or plan to which 3025  
all of the following apply: 3026

(1) Its object is one or more of the following: 3027

(a) To subject a victim or victims to involuntary 3028  
servitude, as defined in section 2905.31 of the Revised Code or 3029  
to compel a victim or victims to engage in sexual activity for 3030  
hire, to engage in a performance that is obscene, sexually 3031  
oriented, or nudity oriented, or to be a model or participant in 3032  
the production of material that is obscene, sexually oriented, 3033  
or nudity oriented; 3034

(b) To facilitate, encourage, or recruit a victim who is 3035  
less than sixteen years of age or is a person with a 3036  
developmental disability, or victims who are less than sixteen 3037  
years of age or are persons with developmental disabilities, for 3038  
any purpose listed in divisions (A) (2) (a) to (c) of section 3039  
2905.32 of the Revised Code; 3040

(c) To facilitate, encourage, or recruit a victim who is 3041  
sixteen or seventeen years of age, or victims who are sixteen or 3042  
seventeen years of age, for any purpose listed in divisions (A) 3043  
(2) (a) to (c) of section 2905.32 of the Revised Code, if the 3044  
circumstances described in division (A) (5), (6), (7), (8), (9), 3045  
(10), (11), (12), or (13) of section 2907.03 of the Revised Code 3046  
apply with respect to the person engaging in the conduct and the 3047  
victim or victims. 3048



(2) It involves at least two felony offenses, whether or 3049  
not there has been a prior conviction for any of the felony 3050  
offenses, to which all of the following apply: 3051

(a) Each of the felony offenses is a violation of section 3052  
2905.01, 2905.02, 2905.32, 2907.21, 2907.22, or 2923.32, 3053  
division (A) (1) or (2) of section 2907.323, or division (B) (1), 3054  
(2), (3), (4), or (5) of section 2919.22 of the Revised Code or 3055  
is a violation of a law of any state other than this state that 3056  
is substantially similar to any of the sections or divisions of 3057  
the Revised Code identified in this division. 3058

(b) At least one of the felony offenses was committed in 3059  
this state. 3060

(c) The felony offenses are related to the same scheme or 3061  
plan and are not isolated instances. 3062

(BBB) "Material," "nudity," "obscene," "performance," and 3063  
"sexual activity" have the same meanings as in section 2907.01 3064  
of the Revised Code. 3065

(CCC) "Material that is obscene, sexually oriented, or 3066  
nudity oriented" means any material that is obscene, that shows 3067  
a person participating or engaging in sexual activity, 3068  
masturbation, or bestiality, or that shows a person in a state 3069  
of nudity. 3070

(DDD) "Performance that is obscene, sexually oriented, or 3071  
nudity oriented" means any performance that is obscene, that 3072  
shows a person participating or engaging in sexual activity, 3073  
masturbation, or bestiality, or that shows a person in a state 3074  
of nudity. 3075

**Sec. 2929.14.** (A) Except as provided in division (B) (1), 3076  
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 3077

(E), (G), (H), (J), or (K) of this section or in division (D) (6) 3078  
of section 2919.25 of the Revised Code and except in relation to 3079  
an offense for which a sentence of death or life imprisonment is 3080  
to be imposed, if the court imposing a sentence upon an offender 3081  
for a felony elects or is required to impose a prison term on 3082  
the offender pursuant to this chapter, the court shall impose a 3083  
definite prison term that shall be one of the following: 3084

(1) For a felony of the first degree, the prison term 3085  
shall be three, four, five, six, seven, eight, nine, ten, or 3086  
eleven years. 3087

(2) For a felony of the second degree, the prison term 3088  
shall be two, three, four, five, six, seven, or eight years. 3089

(3) (a) For a felony of the third degree that is a 3090  
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 3091  
2907.05, or 3795.04 of the Revised Code or that is a violation 3092  
of section 2911.02 or 2911.12 of the Revised Code if the 3093  
offender previously has been convicted of or pleaded guilty in 3094  
two or more separate proceedings to two or more violations of 3095  
section 2911.01, 2911.02, 2911.11, or 2911.12 of the Revised 3096  
Code, the prison term shall be twelve, eighteen, twenty-four, 3097  
thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty 3098  
months. 3099

(b) For a felony of the third degree that is not an 3100  
offense for which division (A) (3) (a) of this section applies, 3101  
the prison term shall be nine, twelve, eighteen, twenty-four, 3102  
thirty, or thirty-six months. 3103

(4) For a felony of the fourth degree, the prison term 3104  
shall be six, seven, eight, nine, ten, eleven, twelve, thirteen, 3105  
fourteen, fifteen, sixteen, seventeen, or eighteen months. 3106

(5) For a felony of the fifth degree, the prison term 3107  
shall be six, seven, eight, nine, ten, eleven, or twelve months. 3108

(B) (1) (a) Except as provided in division (B) (1) (e) of this 3109  
section, if an offender who is convicted of or pleads guilty to 3110  
a felony also is convicted of or pleads guilty to a 3111  
specification of the type described in section 2941.141, 3112  
2941.144, or 2941.145 of the Revised Code, the court shall 3113  
impose on the offender one of the following prison terms: 3114

(i) A prison term of six years if the specification is of 3115  
the type described in division (A) of section 2941.144 of the 3116  
Revised Code that charges the offender with having a firearm 3117  
that is an automatic firearm or that was equipped with a firearm 3118  
muffler or suppressor on or about the offender's person or under 3119  
the offender's control while committing the offense; 3120

(ii) A prison term of three years if the specification is 3121  
of the type described in division (A) of section 2941.145 of the 3122  
Revised Code that charges the offender with having a firearm on 3123  
or about the offender's person or under the offender's control 3124  
while committing the offense and displaying the firearm, 3125  
brandishing the firearm, indicating that the offender possessed 3126  
the firearm, or using it to facilitate the offense; 3127

(iii) A prison term of one year if the specification is of 3128  
the type described in division (A) of section 2941.141 of the 3129  
Revised Code that charges the offender with having a firearm on 3130  
or about the offender's person or under the offender's control 3131  
while committing the offense; 3132

(iv) A prison term of nine years if the specification is 3133  
of the type described in division (D) of section 2941.144 of the 3134  
Revised Code that charges the offender with having a firearm 3135

that is an automatic firearm or that was equipped with a firearm 3136  
muffler or suppressor on or about the offender's person or under 3137  
the offender's control while committing the offense and 3138  
specifies that the offender previously has been convicted of or 3139  
pleaded guilty to a specification of the type described in 3140  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 3141  
the Revised Code; 3142

(v) A prison term of fifty-four months if the 3143  
specification is of the type described in division (D) of 3144  
section 2941.145 of the Revised Code that charges the offender 3145  
with having a firearm on or about the offender's person or under 3146  
the offender's control while committing the offense and 3147  
displaying the firearm, brandishing the firearm, indicating that 3148  
the offender possessed the firearm, or using the firearm to 3149  
facilitate the offense and that the offender previously has been 3150  
convicted of or pleaded guilty to a specification of the type 3151  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 3152  
2941.1412 of the Revised Code; 3153

(vi) A prison term of eighteen months if the specification 3154  
is of the type described in division (D) of section 2941.141 of 3155  
the Revised Code that charges the offender with having a firearm 3156  
on or about the offender's person or under the offender's 3157  
control while committing the offense and that the offender 3158  
previously has been convicted of or pleaded guilty to a 3159  
specification of the type described in section 2941.141, 3160  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 3161

(b) If a court imposes a prison term on an offender under 3162  
division (B)(1)(a) of this section, the prison term shall not be 3163  
reduced pursuant to section 2967.19, section 2929.20, section 3164  
2967.193, or any other provision of Chapter 2967. or Chapter 3165

5120. of the Revised Code. Except as provided in division (B) (1) 3166  
(g) of this section, a court shall not impose more than one 3167  
prison term on an offender under division (B) (1) (a) of this 3168  
section for felonies committed as part of the same act or 3169  
transaction. 3170

(c) (i) Except as provided in division (B) (1) (e) of this 3171  
section, if an offender who is convicted of or pleads guilty to 3172  
a violation of section 2923.161 of the Revised Code or to a 3173  
felony that includes, as an essential element, purposely or 3174  
knowingly causing or attempting to cause the death of or 3175  
physical harm to another, also is convicted of or pleads guilty 3176  
to a specification of the type described in division (A) of 3177  
section 2941.146 of the Revised Code that charges the offender 3178  
with committing the offense by discharging a firearm from a 3179  
motor vehicle other than a manufactured home, the court, after 3180  
imposing a prison term on the offender for the violation of 3181  
section 2923.161 of the Revised Code or for the other felony 3182  
offense under division (A), (B) (2), or (B) (3) of this section, 3183  
shall impose an additional prison term of five years upon the 3184  
offender that shall not be reduced pursuant to section 2929.20, 3185  
section 2967.19, section 2967.193, or any other provision of 3186  
Chapter 2967. or Chapter 5120. of the Revised Code. 3187

(ii) Except as provided in division (B) (1) (e) of this 3188  
section, if an offender who is convicted of or pleads guilty to 3189  
a violation of section 2923.161 of the Revised Code or to a 3190  
felony that includes, as an essential element, purposely or 3191  
knowingly causing or attempting to cause the death of or 3192  
physical harm to another, also is convicted of or pleads guilty 3193  
to a specification of the type described in division (C) of 3194  
section 2941.146 of the Revised Code that charges the offender 3195  
with committing the offense by discharging a firearm from a 3196

motor vehicle other than a manufactured home and that the 3197  
offender previously has been convicted of or pleaded guilty to a 3198  
specification of the type described in section 2941.141, 3199  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 3200  
the court, after imposing a prison term on the offender for the 3201  
violation of section 2923.161 of the Revised Code or for the 3202  
other felony offense under division (A), (B) (2), or (3) of this 3203  
section, shall impose an additional prison term of ninety months 3204  
upon the offender that shall not be reduced pursuant to section 3205  
2929.20, 2967.19, 2967.193, or any other provision of Chapter 3206  
2967. or Chapter 5120. of the Revised Code. 3207

(iii) A court shall not impose more than one additional 3208  
prison term on an offender under division (B) (1) (c) of this 3209  
section for felonies committed as part of the same act or 3210  
transaction. If a court imposes an additional prison term on an 3211  
offender under division (B) (1) (c) of this section relative to an 3212  
offense, the court also shall impose a prison term under 3213  
division (B) (1) (a) of this section relative to the same offense, 3214  
provided the criteria specified in that division for imposing an 3215  
additional prison term are satisfied relative to the offender 3216  
and the offense. 3217

(d) If an offender who is convicted of or pleads guilty to 3218  
an offense of violence that is a felony also is convicted of or 3219  
pleads guilty to a specification of the type described in 3220  
section 2941.1411 of the Revised Code that charges the offender 3221  
with wearing or carrying body armor while committing the felony 3222  
offense of violence, the court shall impose on the offender a 3223  
prison term of two years. The prison term so imposed, subject to 3224  
divisions (C) to (I) of section 2967.19 of the Revised Code, 3225  
shall not be reduced pursuant to section 2929.20, section 3226  
2967.19, section 2967.193, or any other provision of Chapter 3227

2967. or Chapter 5120. of the Revised Code. A court shall not 3228  
impose more than one prison term on an offender under division 3229  
(B) (1) (d) of this section for felonies committed as part of the 3230  
same act or transaction. If a court imposes an additional prison 3231  
term under division (B) (1) (a) or (c) of this section, the court 3232  
is not precluded from imposing an additional prison term under 3233  
division (B) (1) (d) of this section. 3234

(e) The court shall not impose any of the prison terms 3235  
described in division (B) (1) (a) of this section or any of the 3236  
additional prison terms described in division (B) (1) (c) of this 3237  
section upon an offender for a violation of section 2923.12 or 3238  
2923.123 of the Revised Code. The court shall not impose any of 3239  
the prison terms described in division (B) (1) (a) or (b) of this 3240  
section upon an offender for a violation of section 2923.122 3241  
that involves a deadly weapon that is a firearm other than a 3242  
dangerous ordnance, section 2923.16, or section 2923.121 of the 3243  
Revised Code. The court shall not impose any of the prison terms 3244  
described in division (B) (1) (a) of this section or any of the 3245  
additional prison terms described in division (B) (1) (c) of this 3246  
section upon an offender for a violation of section 2923.13 of 3247  
the Revised Code unless all of the following apply: 3248

(i) The offender previously has been convicted of 3249  
aggravated murder, murder, or any felony of the first or second 3250  
degree. 3251

(ii) Less than five years have passed since the offender 3252  
was released from prison or post-release control, whichever is 3253  
later, for the prior offense. 3254

(f) (i) If an offender is convicted of or pleads guilty to 3255  
a felony that includes, as an essential element, causing or 3256  
attempting to cause the death of or physical harm to another and 3257

also is convicted of or pleads guilty to a specification of the 3258  
type described in division (A) of section 2941.1412 of the 3259  
Revised Code that charges the offender with committing the 3260  
offense by discharging a firearm at a peace officer as defined 3261  
in section 2935.01 of the Revised Code or a corrections officer, 3262  
as defined in section 2941.1412 of the Revised Code, the court, 3263  
after imposing a prison term on the offender for the felony 3264  
offense under division (A), (B) (2), or (B) (3) of this section, 3265  
shall impose an additional prison term of seven years upon the 3266  
offender that shall not be reduced pursuant to section 2929.20, 3267  
section 2967.19, section 2967.193, or any other provision of 3268  
Chapter 2967. or Chapter 5120. of the Revised Code. 3269

(ii) If an offender is convicted of or pleads guilty to a 3270  
felony that includes, as an essential element, causing or 3271  
attempting to cause the death of or physical harm to another and 3272  
also is convicted of or pleads guilty to a specification of the 3273  
type described in division (B) of section 2941.1412 of the 3274  
Revised Code that charges the offender with committing the 3275  
offense by discharging a firearm at a peace officer, as defined 3276  
in section 2935.01 of the Revised Code, or a corrections 3277  
officer, as defined in section 2941.1412 of the Revised Code, 3278  
and that the offender previously has been convicted of or 3279  
pleaded guilty to a specification of the type described in 3280  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 3281  
the Revised Code, the court, after imposing a prison term on the 3282  
offender for the felony offense under division (A), (B) (2), or 3283  
(3) of this section, shall impose an additional prison term of 3284  
one hundred twenty-six months upon the offender that shall not 3285  
be reduced pursuant to section 2929.20, 2967.19, 2967.193, or 3286  
any other provision of Chapter 2967. or 5120. of the Revised 3287  
Code. 3288



(iii) If an offender is convicted of or pleads guilty to two or more felonies that include, as an essential element, causing or attempting to cause the death or physical harm to another and also is convicted of or pleads guilty to a specification of the type described under division (B)(1)(f) of this section in connection with two or more of the felonies of which the offender is convicted or to which the offender pleads guilty, the sentencing court shall impose on the offender the prison term specified under division (B)(1)(f) of this section for each of two of the specifications of which the offender is convicted or to which the offender pleads guilty and, in its discretion, also may impose on the offender the prison term specified under that division for any or all of the remaining specifications. If a court imposes an additional prison term on an offender under division (B)(1)(f) of this section relative to an offense, the court shall not impose a prison term under division (B)(1)(a) or (c) of this section relative to the same offense.

(g) If an offender is convicted of or pleads guilty to two or more felonies, if one or more of those felonies are aggravated murder, murder, attempted aggravated murder, attempted murder, aggravated robbery, felonious assault, or rape, and if the offender is convicted of or pleads guilty to a specification of the type described under division (B)(1)(a) of this section in connection with two or more of the felonies, the sentencing court shall impose on the offender the prison term specified under division (B)(1)(a) of this section for each of the two most serious specifications of which the offender is convicted or to which the offender pleads guilty and, in its discretion, also may impose on the offender the prison term specified under that division for any or all of the remaining

specifications. 3320

(2) (a) If division (B) (2) (b) of this section does not 3321  
apply, the court may impose on an offender, in addition to the 3322  
longest prison term authorized or required for the offense, an 3323  
additional definite prison term of one, two, three, four, five, 3324  
six, seven, eight, nine, or ten years if all of the following 3325  
criteria are met: 3326

(i) The offender is convicted of or pleads guilty to a 3327  
specification of the type described in section 2941.149 of the 3328  
Revised Code that the offender is a repeat violent offender. 3329

(ii) The offense of which the offender currently is 3330  
convicted or to which the offender currently pleads guilty is 3331  
aggravated murder and the court does not impose a sentence of 3332  
death or life imprisonment without parole, murder, terrorism and 3333  
the court does not impose a sentence of life imprisonment 3334  
without parole, any felony of the first degree that is an 3335  
offense of violence and the court does not impose a sentence of 3336  
life imprisonment without parole, or any felony of the second 3337  
degree that is an offense of violence and the trier of fact 3338  
finds that the offense involved an attempt to cause or a threat 3339  
to cause serious physical harm to a person or resulted in 3340  
serious physical harm to a person. 3341

(iii) The court imposes the longest prison term for the 3342  
offense that is not life imprisonment without parole. 3343

(iv) The court finds that the prison terms imposed 3344  
pursuant to division (B) (2) (a) (iii) of this section and, if 3345  
applicable, division (B) (1) or (3) of this section are 3346  
inadequate to punish the offender and protect the public from 3347  
future crime, because the applicable factors under section 3348

2929.12 of the Revised Code indicating a greater likelihood of 3349  
recidivism outweigh the applicable factors under that section 3350  
indicating a lesser likelihood of recidivism. 3351

(v) The court finds that the prison terms imposed pursuant 3352  
to division (B)(2)(a)(iii) of this section and, if applicable, 3353  
division (B)(1) or (3) of this section are demeaning to the 3354  
seriousness of the offense, because one or more of the factors 3355  
under section 2929.12 of the Revised Code indicating that the 3356  
offender's conduct is more serious than conduct normally 3357  
constituting the offense are present, and they outweigh the 3358  
applicable factors under that section indicating that the 3359  
offender's conduct is less serious than conduct normally 3360  
constituting the offense. 3361

(b) The court shall impose on an offender the longest 3362  
prison term authorized or required for the offense and shall 3363  
impose on the offender an additional definite prison term of 3364  
one, two, three, four, five, six, seven, eight, nine, or ten 3365  
years if all of the following criteria are met: 3366

(i) The offender is convicted of or pleads guilty to a 3367  
specification of the type described in section 2941.149 of the 3368  
Revised Code that the offender is a repeat violent offender. 3369

(ii) The offender within the preceding twenty years has 3370  
been convicted of or pleaded guilty to three or more offenses 3371  
described in division (CC)(1) of section 2929.01 of the Revised 3372  
Code, including all offenses described in that division of which 3373  
the offender is convicted or to which the offender pleads guilty 3374  
in the current prosecution and all offenses described in that 3375  
division of which the offender previously has been convicted or 3376  
to which the offender previously pleaded guilty, whether 3377  
prosecuted together or separately. 3378

(iii) The offense or offenses of which the offender 3379  
currently is convicted or to which the offender currently pleads 3380  
guilty is aggravated murder and the court does not impose a 3381  
sentence of death or life imprisonment without parole, murder, 3382  
terrorism and the court does not impose a sentence of life 3383  
imprisonment without parole, any felony of the first degree that 3384  
is an offense of violence and the court does not impose a 3385  
sentence of life imprisonment without parole, or any felony of 3386  
the second degree that is an offense of violence and the trier 3387  
of fact finds that the offense involved an attempt to cause or a 3388  
threat to cause serious physical harm to a person or resulted in 3389  
serious physical harm to a person. 3390

(c) For purposes of division (B) (2) (b) of this section, 3391  
two or more offenses committed at the same time or as part of 3392  
the same act or event shall be considered one offense, and that 3393  
one offense shall be the offense with the greatest penalty. 3394

(d) A sentence imposed under division (B) (2) (a) or (b) of 3395  
this section shall not be reduced pursuant to section 2929.20, 3396  
section 2967.19, or section 2967.193, or any other provision of 3397  
Chapter 2967. or Chapter 5120. of the Revised Code. The offender 3398  
shall serve an additional prison term imposed under this section 3399  
consecutively to and prior to the prison term imposed for the 3400  
underlying offense. 3401

(e) When imposing a sentence pursuant to division (B) (2) 3402  
(a) or (b) of this section, the court shall state its findings 3403  
explaining the imposed sentence. 3404

(3) Except when an offender commits a violation of section 3405  
2903.01 or 2907.02 of the Revised Code and the penalty imposed 3406  
for the violation is life imprisonment or commits a violation of 3407  
section 2903.02 of the Revised Code, if the offender commits a 3408

violation of section 2925.03 or 2925.11 of the Revised Code and 3409  
that section classifies the offender as a major drug offender, 3410  
if the offender commits a violation of section 2925.05 of the 3411  
Revised Code and division (E)(1) of that section classifies the 3412  
offender as a major drug offender, if the offender commits a 3413  
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 3414  
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 3415  
division (C) or (D) of section 3719.172, division (E) of section 3416  
4729.51, or division (J) of section 4729.54 of the Revised Code 3417  
that includes the sale, offer to sell, or possession of a 3418  
schedule I or II controlled substance, with the exception of 3419  
marihuana, and the court imposing sentence upon the offender 3420  
finds that the offender is guilty of a specification of the type 3421  
described in division (A) of section 2941.1410 of the Revised 3422  
Code charging that the offender is a major drug offender, if the 3423  
court imposing sentence upon an offender for a felony finds that 3424  
the offender is guilty of corrupt activity with the most serious 3425  
offense in the pattern of corrupt activity being a felony of the 3426  
first degree, or if the offender is guilty of an attempted 3427  
violation of section 2907.02 of the Revised Code and, had the 3428  
offender completed the violation of section 2907.02 of the 3429  
Revised Code that was attempted, the offender would have been 3430  
subject to a sentence of life imprisonment or life imprisonment 3431  
without parole for the violation of section 2907.02 of the 3432  
Revised Code, the court shall impose upon the offender for the 3433  
felony violation a mandatory prison term of the maximum prison 3434  
term prescribed for a felony of the first degree that, subject 3435  
to divisions (C) to (I) of section 2967.19 of the Revised Code, 3436  
cannot be reduced pursuant to section 2929.20, section 2967.19, 3437  
or any other provision of Chapter 2967. or 5120. of the Revised 3438  
Code. 3439

(4) If the offender is being sentenced for a third or 3440  
fourth degree felony OVI offense under division (G) (2) of 3441  
section 2929.13 of the Revised Code, the sentencing court shall 3442  
impose upon the offender a mandatory prison term in accordance 3443  
with that division. In addition to the mandatory prison term, if 3444  
the offender is being sentenced for a fourth degree felony OVI 3445  
offense, the court, notwithstanding division (A) (4) of this 3446  
section, may sentence the offender to a definite prison term of 3447  
not less than six months and not more than thirty months, and if 3448  
the offender is being sentenced for a third degree felony OVI 3449  
offense, the sentencing court may sentence the offender to an 3450  
additional prison term of any duration specified in division (A) 3451  
(3) of this section. In either case, the additional prison term 3452  
imposed shall be reduced by the sixty or one hundred twenty days 3453  
imposed upon the offender as the mandatory prison term. The 3454  
total of the additional prison term imposed under division (B) 3455  
(4) of this section plus the sixty or one hundred twenty days 3456  
imposed as the mandatory prison term shall equal a definite term 3457  
in the range of six months to thirty months for a fourth degree 3458  
felony OVI offense and shall equal one of the authorized prison 3459  
terms specified in division (A) (3) of this section for a third 3460  
degree felony OVI offense. If the court imposes an additional 3461  
prison term under division (B) (4) of this section, the offender 3462  
shall serve the additional prison term after the offender has 3463  
served the mandatory prison term required for the offense. In 3464  
addition to the mandatory prison term or mandatory and 3465  
additional prison term imposed as described in division (B) (4) 3466  
of this section, the court also may sentence the offender to a 3467  
community control sanction under section 2929.16 or 2929.17 of 3468  
the Revised Code, but the offender shall serve all of the prison 3469  
terms so imposed prior to serving the community control 3470  
sanction. 3471

If the offender is being sentenced for a fourth degree 3472  
felony OVI offense under division (G) (1) of section 2929.13 of 3473  
the Revised Code and the court imposes a mandatory term of local 3474  
incarceration, the court may impose a prison term as described 3475  
in division (A) (1) of that section. 3476

(5) If an offender is convicted of or pleads guilty to a 3477  
violation of division (A) (1) or (2) of section 2903.06 of the 3478  
Revised Code and also is convicted of or pleads guilty to a 3479  
specification of the type described in section 2941.1414 of the 3480  
Revised Code that charges that the victim of the offense is a 3481  
peace officer, as defined in section 2935.01 of the Revised 3482  
Code, or an investigator of the bureau of criminal 3483  
identification and investigation, as defined in section 2903.11 3484  
of the Revised Code, the court shall impose on the offender a 3485  
prison term of five years. If a court imposes a prison term on 3486  
an offender under division (B) (5) of this section, the prison 3487  
term, subject to divisions (C) to (I) of section 2967.19 of the 3488  
Revised Code, shall not be reduced pursuant to section 2929.20, 3489  
section 2967.19, section 2967.193, or any other provision of 3490  
Chapter 2967. or Chapter 5120. of the Revised Code. A court 3491  
shall not impose more than one prison term on an offender under 3492  
division (B) (5) of this section for felonies committed as part 3493  
of the same act. 3494

(6) If an offender is convicted of or pleads guilty to a 3495  
violation of division (A) (1) or (2) of section 2903.06 of the 3496  
Revised Code and also is convicted of or pleads guilty to a 3497  
specification of the type described in section 2941.1415 of the 3498  
Revised Code that charges that the offender previously has been 3499  
convicted of or pleaded guilty to three or more violations of 3500  
division (A) or (B) of section 4511.19 of the Revised Code or an 3501  
equivalent offense, as defined in section 2941.1415 of the 3502

Revised Code, or three or more violations of any combination of 3503  
those divisions and offenses, the court shall impose on the 3504  
offender a prison term of three years. If a court imposes a 3505  
prison term on an offender under division (B) (6) of this 3506  
section, the prison term, subject to divisions (C) to (I) of 3507  
section 2967.19 of the Revised Code, shall not be reduced 3508  
pursuant to section 2929.20, section 2967.19, section 2967.193, 3509  
or any other provision of Chapter 2967. or Chapter 5120. of the 3510  
Revised Code. A court shall not impose more than one prison term 3511  
on an offender under division (B) (6) of this section for 3512  
felonies committed as part of the same act. 3513

(7) (a) If an offender is convicted of or pleads guilty to 3514  
a felony violation of section 2905.01, 2905.02, 2907.21, 3515  
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323, 3516  
or division (B) (1), (2), (3), (4), or (5) of section 2919.22 of 3517  
the Revised Code and also is convicted of or pleads guilty to a 3518  
specification of the type described in section 2941.1422 of the 3519  
Revised Code that charges that the offender knowingly committed 3520  
the offense in furtherance of human trafficking, the court shall 3521  
impose on the offender a mandatory prison term that is one of 3522  
the following: 3523

(i) If the offense is a felony of the first degree, a 3524  
definite prison term of not less than five years and not greater 3525  
than ten years; 3526

(ii) If the offense is a felony of the second or third 3527  
degree, a definite prison term of not less than three years and 3528  
not greater than the maximum prison term allowed for the offense 3529  
by division (A) of section 2929.14 of the Revised Code; 3530

(iii) If the offense is a felony of the fourth or fifth 3531  
degree, a definite prison term that is the maximum prison term 3532



allowed for the offense by division (A) of section 2929.14 of 3533  
the Revised Code. 3534

(b) Subject to divisions (C) to (I) of section 2967.19 of 3535  
the Revised Code, the prison term imposed under division (B) (7) 3536  
(a) of this section shall not be reduced pursuant to section 3537  
2929.20, section 2967.19, section 2967.193, or any other 3538  
provision of Chapter 2967. of the Revised Code. A court shall 3539  
not impose more than one prison term on an offender under 3540  
division (B) (7) (a) of this section for felonies committed as 3541  
part of the same act, scheme, or plan. 3542

(8) If an offender is convicted of or pleads guilty to a 3543  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 3544  
Revised Code and also is convicted of or pleads guilty to a 3545  
specification of the type described in section 2941.1423 of the 3546  
Revised Code that charges that the victim of the violation was a 3547  
woman whom the offender knew was pregnant at the time of the 3548  
violation, notwithstanding the range of prison terms prescribed 3549  
in division (A) of this section for felonies of the same degree 3550  
as the violation, the court shall impose on the offender a 3551  
mandatory prison term that is either a definite prison term of 3552  
six months or one of the prison terms prescribed in section 3553  
2929.14 of the Revised Code for felonies of the same degree as 3554  
the violation. 3555

(9) If an offender is convicted of or pleads guilty to a 3556  
felony violation of section 2925.03, 2925.05, or 2925.11 of the 3557  
Revised Code, if the drug involved in the violation is a 3558  
fentanyl-related compound or a compound, mixture, preparation, 3559  
or substance containing a fentanyl-related compound, and if the 3560  
offender also is convicted of or pleads guilty to a 3561  
specification of the type described in division (B) of section 3562

2941.1410 of the Revised Code that charges that the offender is 3563  
a major drug offender, in addition to any other penalty imposed 3564  
for the violation, the court shall impose on the offender a 3565  
mandatory prison term of three, four, five, six, seven, or eight 3566  
years. If a court imposes a prison term on an offender under 3567  
division (B) (9) of this section, the prison term, subject to 3568  
divisions (C) to (I) of section 2967.19 of the Revised Code, 3569  
shall not be reduced pursuant to section 2929.20, 2967.19, or 3570  
2967.193, or any other provision of Chapter 2967. or 5120. of 3571  
the Revised Code. A court shall not impose more than one prison 3572  
term on an offender under division (B) (9) of this section for 3573  
felonies committed as part of the same act. 3574

(C) (1) (a) Subject to division (C) (1) (b) of this section, 3575  
if a mandatory prison term is imposed upon an offender pursuant 3576  
to division (B) (1) (a) of this section for having a firearm on or 3577  
about the offender's person or under the offender's control 3578  
while committing a felony, if a mandatory prison term is imposed 3579  
upon an offender pursuant to division (B) (1) (c) of this section 3580  
for committing a felony specified in that division by 3581  
discharging a firearm from a motor vehicle, or if both types of 3582  
mandatory prison terms are imposed, the offender shall serve any 3583  
mandatory prison term imposed under either division 3584  
consecutively to any other mandatory prison term imposed under 3585  
either division or under division (B) (1) (d) of this section, 3586  
consecutively to and prior to any prison term imposed for the 3587  
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 3588  
this section or any other section of the Revised Code, and 3589  
consecutively to any other prison term or mandatory prison term 3590  
previously or subsequently imposed upon the offender. 3591

(b) If a mandatory prison term is imposed upon an offender 3592  
pursuant to division (B) (1) (d) of this section for wearing or 3593

carrying body armor while committing an offense of violence that 3594  
is a felony, the offender shall serve the mandatory term so 3595  
imposed consecutively to any other mandatory prison term imposed 3596  
under that division or under division (B) (1) (a) or (c) of this 3597  
section, consecutively to and prior to any prison term imposed 3598  
for the underlying felony under division (A), (B) (2), or (B) (3) 3599  
of this section or any other section of the Revised Code, and 3600  
consecutively to any other prison term or mandatory prison term 3601  
previously or subsequently imposed upon the offender. 3602

(c) If a mandatory prison term is imposed upon an offender 3603  
pursuant to division (B) (1) (f) of this section, the offender 3604  
shall serve the mandatory prison term so imposed consecutively 3605  
to and prior to any prison term imposed for the underlying 3606  
felony under division (A), (B) (2), or (B) (3) of this section or 3607  
any other section of the Revised Code, and consecutively to any 3608  
other prison term or mandatory prison term previously or 3609  
subsequently imposed upon the offender. 3610

(d) If a mandatory prison term is imposed upon an offender 3611  
pursuant to division (B) (7) or (8) of this section, the offender 3612  
shall serve the mandatory prison term so imposed consecutively 3613  
to any other mandatory prison term imposed under that division 3614  
or under any other provision of law and consecutively to any 3615  
other prison term or mandatory prison term previously or 3616  
subsequently imposed upon the offender. 3617

(e) If a mandatory prison term is imposed upon an offender 3618  
pursuant to division (B) (9) of this section, the offender shall 3619  
serve the mandatory prison term consecutively to any other 3620  
mandatory prison term imposed under that division, consecutively 3621  
to and prior to any prison term imposed for the underlying 3622  
felony, and consecutively to any other prison term or mandatory 3623

prison term previously or subsequently imposed upon the 3624  
offender. 3625

(2) If an offender who is an inmate in a jail, prison, or 3626  
other residential detention facility violates section 2917.02, 3627  
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 3628  
(2) of section 2921.34 of the Revised Code, if an offender who 3629  
is under detention at a detention facility commits a felony 3630  
violation of section 2923.131 of the Revised Code, or if an 3631  
offender who is an inmate in a jail, prison, or other 3632  
residential detention facility or is under detention at a 3633  
detention facility commits another felony while the offender is 3634  
an escapee in violation of division (A) (1) or (2) of section 3635  
2921.34 of the Revised Code, any prison term imposed upon the 3636  
offender for one of those violations shall be served by the 3637  
offender consecutively to the prison term or term of 3638  
imprisonment the offender was serving when the offender 3639  
committed that offense and to any other prison term previously 3640  
or subsequently imposed upon the offender. 3641

(3) If a prison term is imposed for a violation of 3642  
division (B) of section 2911.01 of the Revised Code, a violation 3643  
of division (A) of section 2913.02 of the Revised Code in which 3644  
the stolen property is a firearm or dangerous ordnance, or a 3645  
felony violation of division (B) of section 2921.331 of the 3646  
Revised Code, the offender shall serve that prison term 3647  
consecutively to any other prison term or mandatory prison term 3648  
previously or subsequently imposed upon the offender. 3649

(4) If multiple prison terms are imposed on an offender 3650  
for convictions of multiple offenses, the court may require the 3651  
offender to serve the prison terms consecutively if the court 3652  
finds that the consecutive service is necessary to protect the 3653

public from future crime or to punish the offender and that 3654  
consecutive sentences are not disproportionate to the 3655  
seriousness of the offender's conduct and to the danger the 3656  
offender poses to the public, and if the court also finds any of 3657  
the following: 3658

(a) The offender committed one or more of the multiple 3659  
offenses while the offender was awaiting trial or sentencing, 3660  
was under a sanction imposed pursuant to section 2929.16, 3661  
2929.17, or 2929.18 of the Revised Code, or was under post- 3662  
release control for a prior offense. 3663

(b) At least two of the multiple offenses were committed 3664  
as part of one or more courses of conduct, and the harm caused 3665  
by two or more of the multiple offenses so committed was so 3666  
great or unusual that no single prison term for any of the 3667  
offenses committed as part of any of the courses of conduct 3668  
adequately reflects the seriousness of the offender's conduct. 3669

(c) The offender's history of criminal conduct 3670  
demonstrates that consecutive sentences are necessary to protect 3671  
the public from future crime by the offender. 3672

(5) If a mandatory prison term is imposed upon an offender 3673  
pursuant to division (B) (5) or (6) of this section, the offender 3674  
shall serve the mandatory prison term consecutively to and prior 3675  
to any prison term imposed for the underlying violation of 3676  
division (A) (1) or (2) of section 2903.06 of the Revised Code 3677  
pursuant to division (A) of this section or section 2929.142 of 3678  
the Revised Code. If a mandatory prison term is imposed upon an 3679  
offender pursuant to division (B) (5) of this section, and if a 3680  
mandatory prison term also is imposed upon the offender pursuant 3681  
to division (B) (6) of this section in relation to the same 3682  
violation, the offender shall serve the mandatory prison term 3683

imposed pursuant to division (B) (5) of this section 3684  
consecutively to and prior to the mandatory prison term imposed 3685  
pursuant to division (B) (6) of this section and consecutively to 3686  
and prior to any prison term imposed for the underlying 3687  
violation of division (A) (1) or (2) of section 2903.06 of the 3688  
Revised Code pursuant to division (A) of this section or section 3689  
2929.142 of the Revised Code. 3690

(6) Any prison term imposed for a violation of section 3691  
2903.04 of the Revised Code that is based on a violation of 3692  
section 2925.03, 2925.05, or 2925.11 of the Revised Code shall 3693  
run consecutively to any prison term imposed for the violation 3694  
of section 2925.03, 2925.05, or 2925.11 of the Revised Code. 3695

(7) When consecutive prison terms are imposed pursuant to 3696  
division (C) (1), (2), (3), (4), ~~or~~ (5), or (6) or division (H) 3697  
(1) or (2) of this section, the term to be served is the 3698  
aggregate of all of the terms so imposed. 3699

(D) (1) If a court imposes a prison term for a felony of 3700  
the first degree, for a felony of the second degree, for a 3701  
felony sex offense, or for a felony of the third degree that is 3702  
not a felony sex offense and in the commission of which the 3703  
offender caused or threatened to cause physical harm to a 3704  
person, it shall include in the sentence a requirement that the 3705  
offender be subject to a period of post-release control after 3706  
the offender's release from imprisonment, in accordance with 3707  
that division. If a court imposes a sentence including a prison 3708  
term of a type described in this division on or after July 11, 3709  
2006, the failure of a court to include a post-release control 3710  
requirement in the sentence pursuant to this division does not 3711  
negate, limit, or otherwise affect the mandatory period of post- 3712  
release control that is required for the offender under division 3713

(B) of section 2967.28 of the Revised Code. Section 2929.191 of 3714  
the Revised Code applies if, prior to July 11, 2006, a court 3715  
imposed a sentence including a prison term of a type described 3716  
in this division and failed to include in the sentence pursuant 3717  
to this division a statement regarding post-release control. 3718

(2) If a court imposes a prison term for a felony of the 3719  
third, fourth, or fifth degree that is not subject to division 3720  
(D)(1) of this section, it shall include in the sentence a 3721  
requirement that the offender be subject to a period of post- 3722  
release control after the offender's release from imprisonment, 3723  
in accordance with that division, if the parole board determines 3724  
that a period of post-release control is necessary. Section 3725  
2929.191 of the Revised Code applies if, prior to July 11, 2006, 3726  
a court imposed a sentence including a prison term of a type 3727  
described in this division and failed to include in the sentence 3728  
pursuant to this division a statement regarding post-release 3729  
control. 3730

(E) The court shall impose sentence upon the offender in 3731  
accordance with section 2971.03 of the Revised Code, and Chapter 3732  
2971. of the Revised Code applies regarding the prison term or 3733  
term of life imprisonment without parole imposed upon the 3734  
offender and the service of that term of imprisonment if any of 3735  
the following apply: 3736

(1) A person is convicted of or pleads guilty to a violent 3737  
sex offense or a designated homicide, assault, or kidnapping 3738  
offense, and, in relation to that offense, the offender is 3739  
adjudicated a sexually violent predator. 3740

(2) A person is convicted of or pleads guilty to a 3741  
violation of division (A)(1)(b) of section 2907.02 of the 3742  
Revised Code committed on or after January 2, 2007, and either 3743

the court does not impose a sentence of life without parole when 3744  
authorized pursuant to division (B) of section 2907.02 of the 3745  
Revised Code, or division (B) of section 2907.02 of the Revised 3746  
Code provides that the court shall not sentence the offender 3747  
pursuant to section 2971.03 of the Revised Code. 3748

(3) A person is convicted of or pleads guilty to attempted 3749  
rape committed on or after January 2, 2007, and a specification 3750  
of the type described in section 2941.1418, 2941.1419, or 3751  
2941.1420 of the Revised Code. 3752

(4) A person is convicted of or pleads guilty to a 3753  
violation of section 2905.01 of the Revised Code committed on or 3754  
after January 1, 2008, and that section requires the court to 3755  
sentence the offender pursuant to section 2971.03 of the Revised 3756  
Code. 3757

(5) A person is convicted of or pleads guilty to 3758  
aggravated murder committed on or after January 1, 2008, and 3759  
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 3760  
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 3761  
(d) of section 2929.03, or division (A) or (B) of section 3762  
2929.06 of the Revised Code requires the court to sentence the 3763  
offender pursuant to division (B) (3) of section 2971.03 of the 3764  
Revised Code. 3765

(6) A person is convicted of or pleads guilty to murder 3766  
committed on or after January 1, 2008, and division (B) (2) of 3767  
section 2929.02 of the Revised Code requires the court to 3768  
sentence the offender pursuant to section 2971.03 of the Revised 3769  
Code. 3770

(F) If a person who has been convicted of or pleaded 3771  
guilty to a felony is sentenced to a prison term or term of 3772



imprisonment under this section, sections 2929.02 to 2929.06 of 3773  
the Revised Code, section 2929.142 of the Revised Code, section 3774  
2971.03 of the Revised Code, or any other provision of law, 3775  
section 5120.163 of the Revised Code applies regarding the 3776  
person while the person is confined in a state correctional 3777  
institution. 3778

(G) If an offender who is convicted of or pleads guilty to 3779  
a felony that is an offense of violence also is convicted of or 3780  
pleads guilty to a specification of the type described in 3781  
section 2941.142 of the Revised Code that charges the offender 3782  
with having committed the felony while participating in a 3783  
criminal gang, the court shall impose upon the offender an 3784  
additional prison term of one, two, or three years. 3785

(H) (1) If an offender who is convicted of or pleads guilty 3786  
to aggravated murder, murder, or a felony of the first, second, 3787  
or third degree that is an offense of violence also is convicted 3788  
of or pleads guilty to a specification of the type described in 3789  
section 2941.143 of the Revised Code that charges the offender 3790  
with having committed the offense in a school safety zone or 3791  
towards a person in a school safety zone, the court shall impose 3792  
upon the offender an additional prison term of two years. The 3793  
offender shall serve the additional two years consecutively to 3794  
and prior to the prison term imposed for the underlying offense. 3795

(2) (a) If an offender is convicted of or pleads guilty to 3796  
a felony violation of section 2907.22, 2907.24, 2907.241, or 3797  
2907.25 of the Revised Code and to a specification of the type 3798  
described in section 2941.1421 of the Revised Code and if the 3799  
court imposes a prison term on the offender for the felony 3800  
violation, the court may impose upon the offender an additional 3801  
prison term as follows: 3802

(i) Subject to division (H) (2) (a) (ii) of this section, an additional prison term of one, two, three, four, five, or six months;

(ii) If the offender previously has been convicted of or pleaded guilty to one or more felony or misdemeanor violations of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of the Revised Code and also was convicted of or pleaded guilty to a specification of the type described in section 2941.1421 of the Revised Code regarding one or more of those violations, an additional prison term of one, two, three, four, five, six, seven, eight, nine, ten, eleven, or twelve months.

(b) In lieu of imposing an additional prison term under division (H) (2) (a) of this section, the court may directly impose on the offender a sanction that requires the offender to wear a real-time processing, continual tracking electronic monitoring device during the period of time specified by the court. The period of time specified by the court shall equal the duration of an additional prison term that the court could have imposed upon the offender under division (H) (2) (a) of this section. A sanction imposed under this division shall commence on the date specified by the court, provided that the sanction shall not commence until after the offender has served the prison term imposed for the felony violation of section 2907.22, 2907.24, 2907.241, or 2907.25 of the Revised Code and any residential sanction imposed for the violation under section 2929.16 of the Revised Code. A sanction imposed under this division shall be considered to be a community control sanction for purposes of section 2929.15 of the Revised Code, and all provisions of the Revised Code that pertain to community control sanctions shall apply to a sanction imposed under this division, except to the extent that they would by their nature be clearly

inapplicable. The offender shall pay all costs associated with a 3834  
sanction imposed under this division, including the cost of the 3835  
use of the monitoring device. 3836

(I) At the time of sentencing, the court may recommend the 3837  
offender for placement in a program of shock incarceration under 3838  
section 5120.031 of the Revised Code or for placement in an 3839  
intensive program prison under section 5120.032 of the Revised 3840  
Code, disapprove placement of the offender in a program of shock 3841  
incarceration or an intensive program prison of that nature, or 3842  
make no recommendation on placement of the offender. In no case 3843  
shall the department of rehabilitation and correction place the 3844  
offender in a program or prison of that nature unless the 3845  
department determines as specified in section 5120.031 or 3846  
5120.032 of the Revised Code, whichever is applicable, that the 3847  
offender is eligible for the placement. 3848

If the court disapproves placement of the offender in a 3849  
program or prison of that nature, the department of 3850  
rehabilitation and correction shall not place the offender in 3851  
any program of shock incarceration or intensive program prison. 3852

If the court recommends placement of the offender in a 3853  
program of shock incarceration or in an intensive program 3854  
prison, and if the offender is subsequently placed in the 3855  
recommended program or prison, the department shall notify the 3856  
court of the placement and shall include with the notice a brief 3857  
description of the placement. 3858

If the court recommends placement of the offender in a 3859  
program of shock incarceration or in an intensive program prison 3860  
and the department does not subsequently place the offender in 3861  
the recommended program or prison, the department shall send a 3862  
notice to the court indicating why the offender was not placed 3863

in the recommended program or prison. 3864

If the court does not make a recommendation under this 3865  
division with respect to an offender and if the department 3866  
determines as specified in section 5120.031 or 5120.032 of the 3867  
Revised Code, whichever is applicable, that the offender is 3868  
eligible for placement in a program or prison of that nature, 3869  
the department shall screen the offender and determine if there 3870  
is an available program of shock incarceration or an intensive 3871  
program prison for which the offender is suited. If there is an 3872  
available program of shock incarceration or an intensive program 3873  
prison for which the offender is suited, the department shall 3874  
notify the court of the proposed placement of the offender as 3875  
specified in section 5120.031 or 5120.032 of the Revised Code 3876  
and shall include with the notice a brief description of the 3877  
placement. The court shall have ten days from receipt of the 3878  
notice to disapprove the placement. 3879

(J) If a person is convicted of or pleads guilty to 3880  
aggravated vehicular homicide in violation of division (A) (1) of 3881  
section 2903.06 of the Revised Code and division (B) (2) (c) of 3882  
that section applies, the person shall be sentenced pursuant to 3883  
section 2929.142 of the Revised Code. 3884

(K) (1) The court shall impose an additional mandatory 3885  
prison term of two, three, four, five, six, seven, eight, nine, 3886  
ten, or eleven years on an offender who is convicted of or 3887  
pleads guilty to a violent felony offense if the offender also 3888  
is convicted of or pleads guilty to a specification of the type 3889  
described in section 2941.1424 of the Revised Code that charges 3890  
that the offender is a violent career criminal and had a firearm 3891  
on or about the offender's person or under the offender's 3892  
control while committing the presently charged violent felony 3893

offense and displayed or brandished the firearm, indicated that 3894  
the offender possessed a firearm, or used the firearm to 3895  
facilitate the offense. The offender shall serve the prison term 3896  
imposed under this division consecutively to and prior to the 3897  
prison term imposed for the underlying offense. The prison term 3898  
shall not be reduced pursuant to section 2929.20 or 2967.19 or 3899  
any other provision of Chapter 2967. or 5120. of the Revised 3900  
Code. A court may not impose more than one sentence under 3901  
division (B) (2) (a) of this section and this division for acts 3902  
committed as part of the same act or transaction. 3903

(2) As used in division (K) (1) of this section, "violent 3904  
career criminal" and "violent felony offense" have the same 3905  
meanings as in section 2923.132 of the Revised Code. 3906

**Sec. 2941.1410.** (A) Except as provided in sections 2925.03 3907  
and 2925.11 and division (E) (1) of section 2925.05 of the 3908  
Revised Code, the determination by a court that an offender is a 3909  
major drug offender is precluded unless the indictment, count in 3910  
the indictment, or information charging the offender specifies 3911  
that the offender is a major drug offender. The specification 3912  
shall be stated at the end of the body of the indictment, count, 3913  
or information, and shall be stated in substantially the 3914  
following form: 3915

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 3916  
Grand Jurors (or insert the person's or prosecuting attorney's 3917  
name when appropriate) further find and specify that (set forth 3918  
that the offender is a major drug offender)." 3919

(B) Imposition of a three, four, five, six, seven, or 3920  
eight-year mandatory prison term upon an offender under division 3921  
(B) (9) of section 2929.14 of the Revised Code, pursuant to 3922  
determination by a court that an offender is a major drug 3923

offender, is precluded unless the indictment, count in the 3924  
indictment, or information charging the offender with the 3925  
violation of section 2925.03, 2925.05, or 2925.11 of the Revised 3926  
Code specifies that the offender is a major drug offender and 3927  
that the drug involved in the violation is a fentanyl-related 3928  
compound or a compound, mixture, preparation, or substance 3929  
containing a fentanyl-related compound. The specification shall 3930  
be stated at the end of the body of the indictment, count, or 3931  
information, and shall be stated in substantially the following 3932  
form: 3933

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 3934  
Grand Jurors (or insert the person's or prosecuting attorney's 3935  
name when appropriate) further find and specify that (set forth 3936  
that the offender is a major drug offender and the drug involved 3937  
in the violation is a fentanyl-related compound or a compound, 3938  
mixture, preparation, or substance containing a fentanyl-related 3939  
compound)." 3940

(C) The court shall determine the issue of whether an 3941  
offender is a major drug offender. 3942

~~(C)~~ (D) As used in this section, "major drug offender" has 3943  
the same meaning as in section 2929.01 of the Revised Code. 3944

**Sec. 3719.41.** Controlled substance schedules I, II, III, 3945  
IV, and V are hereby established, which schedules include the 3946  
following, subject to amendment pursuant to section 3719.43 or 3947  
3719.44 of the Revised Code. 3948

SCHEDULE I 3949

(A) Narcotics-opiates 3950

Any of the following opiates, including their isomers, 3951  
esters, ethers, salts, and salts of isomers, esters, and ethers, 3952

unless specifically excepted under federal drug abuse control	3953
laws, whenever the existence of these isomers, esters, ethers,	3954
and salts is possible within the specific chemical designation:	3955
(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-	3956
phenethyl)-4-piperidinyl]-N-phenylacetamide);	3957
(2) Acetylmethadol;	3958
(3) Allylprodine;	3959
(4) Alphacetylmethadol (except levo-alphacetylmethadol,	3960
also known as levo-alpha-acetylmethadol, levomethadyl acetate,	3961
or LAAM);	3962
(5) Alphameprodine;	3963
(6) Alphamethadol;	3964
(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-	3965
phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-	3966
phenylethyl)-4-(N-propanilido) piperidine);	3967
(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-	3968
thienyl)ethyl-4-piperidinyl]-N- phenylpropanamide);	3969
(9) Benzethidine;	3970
(10) Betacetylmethadol;	3971
(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-	3972
piperidinyl]-N- phenylpropanamide);	3973
(12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-	3974
hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-	3975
phenylpropanamide);	3976
(13) Betameprodine;	3977
(14) Betamethadol;	3978

(15) Betaprodine;	3979
(16) Clonitazene;	3980
(17) Dextromoramide;	3981
(18) Diampromide;	3982
(19) Diethylthiambutene;	3983
(20) Difenoxin;	3984
(21) Dimenoxadol;	3985
(22) Dimepheptanol;	3986
(23) Dimethylthiambutene;	3987
(24) Dioxaphetyl butyrate;	3988
(25) Dipipanone;	3989
(26) Ethylmethylthiambutene;	3990
(27) Etonitazene;	3991
(28) Etoxeridine;	3992
(29) Furethidine;	3993
(30) Hydroxypethidine;	3994
(31) Ketobemidone;	3995
(32) Levomoramide;	3996
(33) Levophenacymorphan;	3997
(34) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4- piperidyl]-N- phenylpropanamide);	3998 3999
(35) 3-methylthiofentanyl (N-[3-methyl-1-[2- (thienyl)ethyl]-4-piperidinyl]-N- phenylpropanamide);	4000 4001



(36) Morpheridine;	4002
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);	4003
(38) Noracymethadol;	4004
(39) Norlevorphanol;	4005
(40) Normethadone;	4006
(41) Norpipanone;	4007
(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;	4008 4009
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine;	4010
(44) Phenadoxone;	4011
(45) Phenampromide;	4012
(46) Phenomorphan;	4013
(47) Phenoperidine;	4014
(48) Piritramide;	4015
(49) Proheptazine;	4016
(50) Properidine;	4017
(51) Propiram;	4018
(52) Racemoramide;	4019
(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;	4020 4021
(54) Tilidine;	4022
(55) Trimeperidine.	4023
<u>(56) Except as otherwise provided in this section, any</u>	4024

compound that meets all of the following fentanyl pharmacophore 4025  
requirements to bind at the mu receptor, as identified by a 4026  
report from an established forensic laboratory: 4027

(a) A chemical scaffold consisting of both of the 4028  
following: 4029

(i) A five, six, or seven member ring structure containing 4030  
a nitrogen, whether or not further substituted; 4031

(ii) An attached nitrogen to the ring, whether or not that 4032  
nitrogen is enclosed in a ring structure, including an attached 4033  
aromatic ring or other lipophilic group to that nitrogen; 4034

(b) A polar functional group attached to the chemical 4035  
scaffold, including but not limited to, a hydroxyl, ketone, 4036  
amide, or ester; 4037

(c) An alkyl or aryl substitution off the ring nitrogen of 4038  
the chemical scaffold; and 4039

(d) The compound has not been approved for medical use by 4040  
the United States food and drug administration. 4041

(B) Narcotics-opium derivatives 4042

Any of the following opium derivatives, including their 4043  
salts, isomers, and salts of isomers, unless specifically 4044  
excepted under federal drug abuse control laws, whenever the 4045  
existence of these salts, isomers, and salts of isomers is 4046  
possible within the specific chemical designation: 4047

(1) Acetorphine; 4048

(2) Acetyldihydrocodeine; 4049

(3) Benzylmorphine; 4050

(4) Codeine methylbromide; 4051

(5) Codeine-n-oxide;	4052
(6) Cyprenorphine;	4053
(7) Desomorphine;	4054
(8) Dihydromorphine;	4055
(9) Drotebanol;	4056
(10) Etorphine (except hydrochloride salt);	4057
(11) Heroin;	4058
(12) Hydromorphenol;	4059
(13) Methyldesorphine;	4060
(14) Methyldihydromorphine;	4061
(15) Morphine methylbromide;	4062
(16) Morphine methylsulfonate;	4063
(17) Morphine-n-oxide;	4064
(18) Myrophine;	4065
(19) Nicocodeine;	4066
(20) Nicomorphine;	4067
(21) Normorphine;	4068
(22) Pholcodine;	4069
(23) Thebacon.	4070
(C) Hallucinogens	4071
Any material, compound, mixture, or preparation that	4072
contains any quantity of the following hallucinogenic	4073
substances, including their salts, isomers, and salts of	4074

isomers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation. For the purposes of this division only, "isomer" includes the optical isomers, position isomers, and geometric isomers.

(1) Alpha-ethyltryptamine (some trade or other names: etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; alpha-ET; and AET);

(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA);

(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus);

(4) 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);

(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);

(6) 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);

(7) 5-methoxy-3,4-methylenedioxy-amphetamine;

(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM" and "STP");

(9) 3,4-methylenedioxy amphetamine (MDA);

(10) 3,4-methylenedioxyamphetamine (MDMA);	4102
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);	4103 4104 4105
(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);	4106 4107 4108
(13) 3,4,5-trimethoxy amphetamine;	4109
(14) Bufotenine (some trade or other names: 3-(beta- dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5- indolol; N, N-dimethylserotonin; 5-hydroxy-N, N- dimethyltryptamine; mappine);	4110 4111 4112 4113
(15) Diethyltryptamine (some trade or other names: N, N- diethyltryptamine; DET);	4114 4115
(16) Dimethyltryptamine (some trade or other names: DMT);	4116
(17) Ibogaine (some trade or other names: 7-ethyl- 6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano- 5H- pyrido[1',2':1,2] azepino [5, 4-b] indole; tabernanthe iboga);	4117 4118 4119
(18) Lysergic acid diethylamide;	4120
(19) Marihuana;	4121
(20) Mescaline;	4122
(21) Parahexyl (some trade or other names: 3-hexyl-1- hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H- dibenzo[b,d]pyran; synhexyl);	4123 4124 4125
(22) Peyote (meaning all parts of the plant presently classified botanically as "Lophophora williamsii Lemaire," whether growing or not, the seeds of that plant, any extract	4126 4127 4128

from any part of that plant, and every compound, manufacture,	4129
salts, derivative, mixture, or preparation of that plant, its	4130
seeds, or its extracts);	4131
(23) N-ethyl-3-piperidyl benzilate;	4132
(24) N-methyl-3-piperidyl benzilate;	4133
(25) Psilocybin;	4134
(26) Psilocyn;	4135
(27) Tetrahydrocannabinols (synthetic equivalents of the	4136
substances contained in the plant, or in the resinous	4137
extractives of Cannabis, sp. and/or synthetic substances,	4138
derivatives, and their isomers with similar chemical structure	4139
and pharmacological activity such as the following: delta-1-cis	4140
or trans tetrahydrocannabinol, and their optical isomers; delta-	4141
6-cis or trans tetrahydrocannabinol, and their optical isomers;	4142
delta-3,4-cis or trans tetrahydrocannabinol, and its optical	4143
isomers. (Since nomenclature of these substances is not	4144
internationally standardized, compounds of these structures,	4145
regardless of numerical designation of atomic positions, are	4146
covered.);	4147
(28) Ethylamine analog of phencyclidine (some trade or	4148
other names: N-ethyl-1-phenylcyclohexylamine; (1-	4149
phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;	4150
cyclohexamine; PCE);	4151
(29) Pyrrolidine analog of phencyclidine (some trade or	4152
other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP);	4153
(30) Thiophene analog of phencyclidine (some trade or	4154
other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl	4155
analog of phencyclidine; TPCP; TCP);	4156

(31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;	4157
(32) Hashish;	4158
(33) Salvia divinorum;	4159
(34) Salvinorin A;	4160
(35) (1-pentylindol-3-yl)-(2,2,3,3- tetramethylcyclopropyl)methanone (UR-144);	4161 4162
(36) 1-pentyl-3-(1-adamantoyl)indole (AB-001);	4163
(37) N-adamantyl-1-pentylindole-3-carboxamide;	4164
(38) N-adamantyl-1-pentylindazole-3-carboxamide (AKB48);	4165
(39) 2-ethylamino-2-(3-methoxyphenyl)cyclohexanone (methoxetamine);	4166 4167
(40) N,N-diallyl-5-methoxytryptamine (5MeO-DALT);	4168
(41) [1-(5-fluoropentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-fluoropentyl-UR-144; XLR11);	4169 4170
(42) [1-(5-chloropentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-chloropentyl-UR-144);	4171 4172
(43) [1-(5-bromopentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-bromopentyl-UR-144);	4173 4174
(44) {1-[2-(4-morpholinyl)ethyl]indol-3-yl}-(2,2,3,3- tetramethylcyclopropyl)methanone (A-796,260);	4175 4176
(45) 1-[(N-methylpiperidin-2-yl)methyl]-3-(1- adamantoyl)indole (AM1248);	4177 4178
(46) N-adamantyl-1-(5-fluoropentylindole)-3-carboxamide;	4179
(47) 5-(2-aminopropyl)benzofuran (5-APB);	4180

(48) 6-(2-aminopropyl)benzofuran (6-APB);	4181
(49) 5-(2-aminopropyl)-2,3-dihydrobenzofuran (5-APDB);	4182
(50) 6-(2-aminopropyl)-2,3-dihydrobenzofuran (6-APDB);	4183
(51) Benzothiophenylcyclohexylpiperidine (BTCP);	4184
(52) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);	4185
(53) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);	4186
(54) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);	4187
(55) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);	4188
(56) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C- T-2);	4189 4190
(57) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);	4191 4192
(58) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);	4193
(59) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);	4194
(60) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C- P);	4195 4196
(61) 4-methoxymethamphetamine (PMMA);	4197
(62) 5,6 - Methylenedioxy-2-aminoindane (MDAI);	4198
(63) 5-iodo-2-aminoindane (5-IAI);	4199
(64) 2-(4-iodo-2,5-dimethoxyphenyl)-N- [(2- methoxyphenyl)methyl]ethanamine (25I-NBOMe);	4200 4201
(65) Diphenylprolinol (diphenyl(pyrrolidin-2-yl)methanol, D2PM);	4202 4203
(66) Desoxypipradrol (2-benzhydrylpiperidine);	4204



(67) Synthetic cannabinoids - unless specifically excepted 4205  
or unless listed in another schedule, any material, compound, 4206  
mixture, or preparation that contains any quantity of a 4207  
synthetic cannabinoid found to be in any of the following 4208  
chemical groups or any of those groups which contain any 4209  
synthetic cannabinoid salts, isomers, or salts of isomers, 4210  
whenever the existence of such salts, isomers, or salts of 4211  
isomers is possible within the specific chemical groups: 4212

(a) Naphthoylindoles: any compound containing a 3-(1- 4213  
naphthoyl)indole structure with or without substitution at the 4214  
nitrogen atom of the indole ring by an alkyl, haloalkyl, 4215  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 4216  
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 4217  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 4218  
or 2-(4-morpholinyl)ethyl group, whether or not further 4219  
substituted on the indole ring to any extent or whether or not 4220  
substituted on the naphthyl group to any extent. 4221  
Naphthoylindoles include, but are not limited to, 1-[2-(4- 4222  
morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200); 1-(5- 4223  
fluoropentyl)-3-(1-naphthoyl)indole (AM2201), 1-pentyl-3-(1- 4224  
naphthoyl)indole (JWH-018), and 1-butyl-3-(1-naphthoyl)indole 4225  
(JWH-073). 4226

(b) Naphthylmethylindoles: any compound containing a 1H- 4227  
indol-3-yl-(1-naphthyl)methane structure with or without 4228  
substitution at the nitrogen atom of the indole ring by an 4229  
alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 4230  
(N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin- 4231  
2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3- 4232  
morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or 4233  
not further substituted on the indole ring to any extent or 4234  
whether or not substituted on the naphthyl group to any extent. 4235

Naphthylmethylindoles include, but are not limited to, (1-  
4236  
penty lindol-3-yl) (1-naphthyl)methane (JWH-175). 4237

(c) Naphthoylpyrroles: any compound containing a 3-(1-  
4238  
naphthoyl)pyrrole structure with or without substitution at the 4239  
nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, 4240  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-  
4241  
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 4242  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 4243  
or 2-(4-morpholinyl)ethyl group, whether or not further 4244  
substituted on the pyrrole ring to any extent or whether or not 4245  
substituted on the naphthyl group to any extent. 4246  
Naphthoylpyrroles include, but are not limited to, 1-hexyl-2-  
4247  
phenyl-4-(1-naphthoyl)pyrrole (JWH-147). 4248

(d) Naphthylmethylindenes: any compound containing a 4249  
naphthylmethylideneindene structure with or without substitution 4250  
at the 3-position of the indene ring by an alkyl, haloalkyl, 4251  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-  
4252  
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 4253  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 4254  
or 2-(4-morpholinyl)ethyl group, whether or not further 4255  
substituted on the indene group to any extent or whether or not 4256  
substituted on the naphthyl group to any extent. 4257  
Naphthylmethylindenes include, but are not limited to, (1-[(3-  
4258  
penty l)-1H-inden-1-ylidene)methyl]naphthalene (JWH-176). 4259

(e) Phenylacetylindoles: any compound containing a 3- 4260  
phenylacetylindole structure with or without substitution at the 4261  
nitrogen atom of the indole ring by an alkyl, haloalkyl, 4262  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-  
4263  
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 4264  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 4265

or 2-(4-morpholinyl)ethyl group, whether or not further 4266  
substituted on the indole ring to any extent or whether or not 4267  
substituted on the phenyl group to any extent. 4268

Phenylacetylindoles include, but are not limited to, 1-pentyl-3- 4269  
(2-methoxyphenylacetyl)indole (JWH-250), and 1-(2- 4270  
cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8); 1- 4271  
pentyl-3-(2-chlorophenylacetyl)indole (JWH-203). 4272

(f) Cyclohexylphenols: any compound containing a 2-(3- 4273  
hydroxycyclohexyl)phenol structure with or without substitution 4274  
at the 5-position of the phenolic ring by an alkyl, haloalkyl, 4275  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 4276  
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 4277  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 4278  
or 2-(4-morpholinyl)ethyl group, whether or not further 4279  
substituted on the cyclohexyl group to any extent. 4280

Cyclohexylphenols include, but are not limited to, 5-(1,1- 4281  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (some 4282  
trade or other names: CP-47,497) and 5-(1,1-dimethyloctyl)-2- 4283  
[(1R,3S)-3-hydroxycyclohexyl]-phenol (some trade or other names: 4284  
cannabicyclohexanol; CP-47,497 C8 homologue). 4285

(g) Benzoylindoles: any compound containing a 3-(1- 4286  
benzoyl)indole structure with or without substitution at the 4287  
nitrogen atom of the indole ring by an alkyl, haloalkyl, 4288  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 4289  
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 4290  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl 4291  
or 2-(4-morpholinyl)ethyl group, whether or not further 4292  
substituted on the indole ring to any extent or whether or not 4293  
substituted on the phenyl group to any extent. Benzoylindoles 4294  
include, but are not limited to, 1-pentyl-3-(4- 4295  
methoxybenzoyl)indole (RCS-4), 1-[2-(4-morpholinyl)ethyl]-2- 4296

methyl-3-(4-methoxybenzoyl)indole (Pravadoline or WIN 48, 098).	4297
(D) Depressants	4298
Any material, compound, mixture, or preparation that	4299
contains any quantity of the following substances having a	4300
depressant effect on the central nervous system, including their	4301
salts, isomers, and salts of isomers, unless specifically	4302
excepted under federal drug abuse control laws, whenever the	4303
existence of these salts, isomers, and salts of isomers is	4304
possible within the specific chemical designation:	4305
(1) Mecloqualone;	4306
(2) Methaqualone.	4307
(E) Stimulants	4308
Unless specifically excepted or unless listed in another	4309
schedule, any material, compound, mixture, or preparation that	4310
contains any quantity of the following substances having a	4311
stimulant effect on the central nervous system, including their	4312
salts, isomers, and salts of isomers:	4313
(1) Aminorex (some other names: aminoxaphen; 2-amino-5-	4314
phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine);	4315
(2) Fenethylline;	4316
(3) (+/-)cis-4-methylaminorex ((+/-)cis-4,5-dihydro-4-	4317
methyl-5-phenyl-2-oxazolamine);	4318
(4) N-ethylamphetamine;	4319
(5) N,N-dimethylamphetamine (also known as N,N-alpha-	4320
trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine);	4321
(6) N-methyl-1-(thiophen-2-yl) propan-2-amine	4322
(Methiopropamine);	4323

(7) Substituted cathinones - any compound except bupropion 4324  
or compounds listed under a different schedule, structurally 4325  
derived from 2-aminopropan-1-one by substitution at the 1- 4326  
position with either phenyl, naphthyl, or thiophene ring 4327  
systems, whether or not the compound is further modified in any 4328  
of the following ways: 4329

(a) By substitution in the ring system to any extent with 4330  
alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide 4331  
substituents, whether or not further substituted in the ring 4332  
system by one or more other univalent substituents; 4333

(b) By substitution at the 3-position with an acyclic 4334  
alkyl substituent; 4335

(c) By substitution at the 2-amino nitrogen atom with 4336  
alkyl, dialkyl, benzyl, or methoxybenzyl groups; 4337

(d) By inclusion of the 2-amino nitrogen atom in a cyclic 4338  
structure. 4339

Examples of substituted cathinones include, but are not 4340  
limited to, methyldone (3,4-methylenedioxy-methcathinone), MDPV 4341  
(3,4-methylenedioxy-pyrovalerone), mephedrone (4- 4342  
methyldone), 4-methoxymethcathinone, 4- 4343  
fluoromethcathinone, 3-fluoromethcathinone, Pentadone (2- 4344  
(methylamino)-1-phenyl-1-pentanone), pentylone (1-(1,3- 4345  
benzodioxol-5-yl)-2-(methylamino)-1-pentanone), 2-(1- 4346  
pyrrolidinyl)-1-(4-methylphenyl)-1-propanone, alpha-PVP (1- 4347  
phenyl-2-(1-pyrrolidinyl)-1-pentanone), cathinone (2-amino-1- 4348  
phenyl-1-propanone), and methcathinone (2-(methylamino)- 4349  
propylphenone). 4350

SCHEDULE II 4351

(A) Narcotics-opium and opium derivatives 4352

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:

- (a) Raw opium;
- (b) Opium extracts;
- (c) Opium fluid extracts;
- (d) Powdered opium;
- (e) Granulated opium;
- (f) Tincture of opium;
- (g) Codeine;
- (h) Ethylmorphine;
- (i) Etorphine hydrochloride;
- (j) Hydrocodone;
- (k) Hydromorphone;
- (l) Metopon;
- (m) Morphine;
- (n) Oxycodone;

(o) Oxymorphone;	4378
(p) Thebaine.	4379
(2) Any salt, compound, derivative, or preparation thereof	4380
that is chemically equivalent to or identical with any of the	4381
substances referred to in division (A) (1) of this schedule,	4382
except that these substances shall not include the isoquinoline	4383
alkaloids of opium;	4384
(3) Opium poppy and poppy straw;	4385
(4) Coca leaves and any salt, compound, derivative, or	4386
preparation of coca leaves (including cocaine and ecgonine,	4387
their salts, isomers, and derivatives, and salts of those	4388
isomers and derivatives), and any salt, compound, derivative, or	4389
preparation thereof that is chemically equivalent to or	4390
identical with any of these substances, except that the	4391
substances shall not include decocainized coca leaves or	4392
extraction of coca leaves, which extractions do not contain	4393
cocaine or ecgonine;	4394
(5) Concentrate of poppy straw (the crude extract of poppy	4395
straw in either liquid, solid, or powder form that contains the	4396
phenanthrene alkaloids of the opium poppy).	4397
(B) Narcotics-opiates	4398
Unless specifically excepted under federal drug abuse	4399
control laws or unless listed in another schedule, any of the	4400
following opiates, including their isomers, esters, ethers,	4401
salts, and salts of isomers, esters, and ethers, whenever the	4402
existence of these isomers, esters, ethers, and salts is	4403
possible within the specific chemical designation, but excluding	4404
dextrorphan and levopropoxyphene:	4405

(1) Alfentanil;	4406
(2) Alphaprodine;	4407
(3) Anileridine;	4408
(4) Bezitramide;	4409
(5) Bulk dextropropoxyphene (non-dosage forms);	4410
(6) Carfentanil;	4411
(7) Dihydrocodeine;	4412
(8) Diphenoxylate;	4413
(9) Fentanyl;	4414
(10) Isomethadone;	4415
(11) Levo-alpha-acetylmethadol (some other names: levo- alpha-acetylmethadol; levomethadyl acetate; LAAM);	4416 4417
(12) Levomethorphan;	4418
(13) Levorphanol;	4419
(14) Metazocine;	4420
(15) Methadone;	4421
(16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4- diphenyl butane;	4422 4423
(17) Moramide-intermediate, 2-methyl-3-morpholino-1,1- diphenylpropane-carboxylic acid;	4424 4425
(18) Pethidine (meperidine);	4426
(19) Pethidine-intermediate-A, 4-cyano-1-methyl-4- phenylpiperidine;	4427 4428
(20) Pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-	4429



carboxylate;	4430
(21) Pethidine-intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;	4431
	4432
(22) Phenazocine;	4433
(23) Piminodine;	4434
(24) Racemethorphan;	4435
(25) Racemorphan;	4436
(26) Remifentanil;	4437
(27) Sufentanil.	4438
(C) Stimulants	4439
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system:	4440
	4441
	4442
	4443
	4444
(1) Amphetamine, its salts, its optical isomers, and salts of its optical isomers;	4445
	4446
(2) Methamphetamine, its salts, its isomers, and salts of its isomers;	4447
	4448
(3) Methylphenidate;	4449
(4) Phenmetrazine and its salts;	4450
<u>(5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.</u>	4451
	4452
(D) Depressants	4453
Unless specifically excepted under federal drug abuse	4454

control laws or unless listed in another schedule, any material,	4455
compound, mixture, or preparation that contains any quantity of	4456
the following substances having a depressant effect on the	4457
central nervous system, including their salts, isomers, and	4458
salts of isomers, whenever the existence of these salts,	4459
isomers, and salts of isomers is possible within the specific	4460
chemical designation:	4461
(1) Amobarbital;	4462
(2) Gamma-hydroxy-butyrate;	4463
(3) Glutethimide;	4464
(4) Pentobarbital;	4465
(5) Phencyclidine (some trade or other names: 1-(1-	4466
phenylcyclohexyl)piperidine; PCP);	4467
(6) Secobarbital;	4468
(7) 1-aminophenylcyclohexane and all N-mono-substituted	4469
and/or all N-N-disubstituted analogs including, but not limited	4470
to, the following:	4471
(a) 1-phenylcyclohexylamine;	4472
(b) (1-phenylcyclohexyl) methylamine;	4473
(c) (1-phenylcyclohexyl) dimethylamine;	4474
(d) (1-phenylcyclohexyl) methylethylamine;	4475
(e) (1-phenylcyclohexyl) isopropylamine;	4476
(f) 1-(1-phenylcyclohexyl) morpholine.	4477
(E) Hallucinogenic substances	4478
(1) Nabilone (another name for nabilone: (+)-trans-3-(1,1-	4479

dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one). 4480  
4481

(F) Immediate precursors 4482

Unless specifically excepted under federal drug abuse 4483  
control laws or unless listed in another schedule, any material, 4484  
compound, mixture, or preparation that contains any quantity of 4485  
the following substances: 4486

(1) Immediate precursor to amphetamine and 4487  
methamphetamine: 4488

(a) Phenylacetone (some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone); 4489  
4490

(2) Immediate precursors to phencyclidine (PCP): 4491

(a) 1-phenylcyclohexylamine; 4492

(b) 1-piperidinocyclohexanecarbonitrile (PCC). 4493

SCHEDULE III 4494

(A) Stimulants 4495

Unless specifically excepted under federal drug abuse 4496  
control laws or unless listed in another schedule, any material, 4497  
compound, mixture, or preparation that contains any quantity of 4498  
the following substances having a stimulant effect on the 4499  
central nervous system, including their salts, their optical 4500  
isomers, position isomers, or geometric isomers, and salts of 4501  
these isomers, whenever the existence of these salts, isomers, 4502  
and salts of isomers is possible within the specific chemical 4503  
designation: 4504

(1) All stimulant compounds, mixtures, and preparations 4505  
included in schedule III pursuant to the federal drug abuse 4506

control laws and regulations adopted under those laws;	4507
(2) Benzphetamine;	4508
(3) Chlorphentermine;	4509
(4) Clortermine;	4510
(5) Phendimetrazine.	4511
(B) Depressants	4512
Unless specifically excepted under federal drug abuse	4513
control laws or unless listed in another schedule, any material,	4514
compound, mixture, or preparation that contains any quantity of	4515
the following substances having a depressant effect on the	4516
central nervous system:	4517
(1) Any compound, mixture, or preparation containing	4518
amobarbital, secobarbital, pentobarbital, or any salt of any of	4519
these drugs, and one or more other active medicinal ingredients	4520
that are not listed in any schedule;	4521
(2) Any suppository dosage form containing amobarbital,	4522
secobarbital, pentobarbital, or any salt of any of these drugs	4523
and approved by the food and drug administration for marketing	4524
only as a suppository;	4525
(3) Any substance that contains any quantity of a	4526
derivative of barbituric acid or any salt of a derivative of	4527
barbituric acid;	4528
(4) Chlorhexadol;	4529
(5) Ketamine, its salts, isomers, and salts of isomers	4530
(some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-	4531
(methylamino)-cyclohexanone);	4532
(6) Lysergic acid;	4533

(7) Lysergic acid amide;	4534
(8) Methyprylon;	4535
(9) Sulfondiethylmethane;	4536
(10) Sulfonethylmethane;	4537
(11) Sulfonmethane;	4538
(12) Tiletamine, zolazepam, or any salt of tiletamine or zolazepam (some trade or other names for a tiletamine-zolazepam combination product: Telazol); (some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone); (some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8- dihydro-1,3,8-trimethylpyrazolo-[3, 4-e][1,4]-diazepin-7(1H)- one; flupyrazapon).	4539 4540 4541 4542 4543 4544 4545
(C) Narcotic antidotes	4546
(1) Nalorphine.	4547
(D) Narcotics-narcotic preparations	4548
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	4549 4550 4551 4552 4553 4554
(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;	4555 4556 4557
(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic	4558 4559 4560

amounts;	4561
(3) Not more than 300 milligrams of dihydrocodeinone per	4562
100 milliliters or not more than 15 milligrams per dosage unit,	4563
with a fourfold or greater quantity of an isoquinoline alkaloid	4564
of opium;	4565
(4) Not more than 300 milligrams of dihydrocodeinone per	4566
100 milliliters or not more than 15 milligrams per dosage unit,	4567
with one or more active, nonnarcotic ingredients in recognized	4568
therapeutic amounts;	4569
(5) Not more than 1.8 grams of dihydrocodeine per 100	4570
milliliters or not more than 90 milligrams per dosage unit, with	4571
one or more active, nonnarcotic ingredients in recognized	4572
therapeutic amounts;	4573
(6) Not more than 300 milligrams of ethylmorphine per 100	4574
milliliters or not more than 15 milligrams per dosage unit, with	4575
one or more active, nonnarcotic ingredients in recognized	4576
therapeutic amounts;	4577
(7) Not more than 500 milligrams of opium per 100	4578
milliliters or per 100 grams or not more than 25 milligrams per	4579
dosage unit, with one or more active, nonnarcotic ingredients in	4580
recognized therapeutic amounts;	4581
(8) Not more than 50 milligrams of morphine per 100	4582
milliliters or per 100 grams, with one or more active,	4583
nonnarcotic ingredients in recognized therapeutic amounts.	4584
(E) Anabolic steroids	4585
Unless specifically excepted under federal drug abuse	4586
control laws or unless listed in another schedule, any material,	4587
compound, mixture, or preparation that contains any quantity of	4588

the following substances, including their salts, esters, 4589  
isomers, and salts of esters and isomers, whenever the existence 4590  
of these salts, esters, and isomers is possible within the 4591  
specific chemical designation: 4592

(1) Anabolic steroids. Except as otherwise provided in 4593  
division (E)(1) of schedule III, "anabolic steroids" means any 4594  
drug or hormonal substance that is chemically and 4595  
pharmacologically related to testosterone (other than estrogens, 4596  
progestins, and corticosteroids) and that promotes muscle 4597  
growth. "Anabolic steroids" does not include an anabolic steroid 4598  
that is expressly intended for administration through implants 4599  
to cattle or other nonhuman species and that has been approved 4600  
by the United States secretary of health and human services for 4601  
that administration, unless a person prescribes, dispenses, or 4602  
distributes this type of anabolic steroid for human use. 4603  
"Anabolic steroid" includes, but is not limited to, the 4604  
following: 4605

- (a) Boldenone; 4606
- (b) Chlorotestosterone (4-chlortestosterone); 4607
- (c) Clostebol; 4608
- (d) Dehydrochlormethyltestosterone; 4609
- (e) Dihydrotestosterone (4-dihydrotestosterone); 4610
- (f) Drostanolone; 4611
- (g) Ethylestrenol; 4612
- (h) Fluoxymesterone; 4613
- (i) Formebolone (formebolone); 4614
- (j) Mesterolone; 4615

(k) Methandienone;	4616
(l) Methandranone;	4617
(m) Methandriol;	4618
(n) Methandrostenolone;	4619
(o) Methenolone;	4620
(p) Methyltestosterone;	4621
(q) Mibolerone;	4622
(r) Nandrolone;	4623
(s) Norethandrolone;	4624
(t) Oxandrolone;	4625
(u) Oxymesterone;	4626
(v) Oxymetholone;	4627
(w) Stanolone;	4628
(x) Stanozolol;	4629
(y) Testolactone;	4630
(z) Testosterone;	4631
(aa) Trenbolone;	4632
(bb) Any salt, ester, isomer, or salt of an ester or isomer of a drug or hormonal substance described or listed in division (E) (1) of schedule III if the salt, ester, or isomer promotes muscle growth.	4633 4634 4635 4636
(F) Hallucinogenic substances	4637
(1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug	4638 4639



administration approved drug product (some other names for 4640  
dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro- 6,6,9-trimethyl- 4641  
3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)- 4642  
tetrahydrocannabinol). 4643

SCHEDULE IV 4644

(A) Narcotic drugs 4645

Unless specifically excepted by federal drug abuse control 4646  
laws or unless listed in another schedule, any material, 4647  
compound, mixture, or preparation that contains any of the 4648  
following narcotic drugs, or their salts calculated as the free 4649  
anhydrous base or alkaloid, in limited quantities as set forth 4650  
below: 4651

(1) Not more than one milligram of difenoxin and not less 4652  
than 25 micrograms of atropine sulfate per dosage unit; 4653

(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2- 4654  
diphenyl-3-methyl-2- propionoxybutane) [final dosage forms]. 4655

(B) Depressants 4656

Unless specifically excepted under federal drug abuse 4657  
control laws or unless listed in another schedule, any material, 4658  
compound, mixture, or preparation that contains any quantity of 4659  
the following substances, including their salts, isomers, and 4660  
salts of isomers, whenever the existence of these salts, 4661  
isomers, and salts of isomers is possible within the specific 4662  
chemical designation: 4663

(1) Alprazolam; 4664

(2) Barbital; 4665

(3) Bromazepam; 4666

(4) Camazepam;	4667
(5) Chloral betaine;	4668
(6) Chloral hydrate;	4669
(7) Chlordiazepoxide;	4670
(8) Clobazam;	4671
(9) Clonazepam;	4672
(10) Clorazepate;	4673
(11) Clotiazepam;	4674
(12) Cloxazolam;	4675
(13) Delorazepam;	4676
(14) Diazepam;	4677
(15) Estazolam;	4678
(16) Ethchlorvynol;	4679
(17) Ethinamate;	4680
(18) Ethyl loflazepate;	4681
(19) Fludiazepam;	4682
(20) Flunitrazepam;	4683
(21) Flurazepam;	4684
(22) Halazepam;	4685
(23) Haloxazolam;	4686
(24) Ketazolam;	4687
(25) Loprazolam;	4688

(26) Lorazepam;	4689
(27) Lormetazepam;	4690
(28) Mebutamate;	4691
(29) Medazepam;	4692
(30) Meprobamate;	4693
(31) Methohexital;	4694
(32) Methylphenobarbital (mephobarbital);	4695
(33) Midazolam;	4696
(34) Nimetazepam;	4697
(35) Nitrazepam;	4698
(36) Nordiazepam;	4699
(37) Oxazepam;	4700
(38) Oxazolam;	4701
(39) Paraldehyde;	4702
(40) Petrichloral;	4703
(41) Phenobarbital;	4704
(42) Pinazepam;	4705
(43) Prazepam;	4706
(44) Quazepam;	4707
(45) Temazepam;	4708
(46) Tetrazepam;	4709
(47) Triazolam;	4710

(48) Zaleplon;	4711
(49) Zolpidem.	4712
(C) Fenfluramine	4713
Any material, compound, mixture, or preparation that	4714
contains any quantity of the following substances, including	4715
their salts, their optical isomers, position isomers, or	4716
geometric isomers, and salts of these isomers, whenever the	4717
existence of these salts, isomers, and salts of isomers is	4718
possible within the specific chemical designation:	4719
(1) Fenfluramine.	4720
(D) Stimulants	4721
Unless specifically excepted under federal drug abuse	4722
control laws or unless listed in another schedule, any material,	4723
compound, mixture, or preparation that contains any quantity of	4724
the following substances having a stimulant effect on the	4725
central nervous system, including their salts, their optical	4726
isomers, position isomers, or geometric isomers, and salts of	4727
these isomers, whenever the existence of these salts, isomers,	4728
and salts of isomers is possible within the specific chemical	4729
designation:	4730
(1) Cathine ((+)-norpseudoephedrine);	4731
(2) Diethylpropion;	4732
(3) Fencamfamin;	4733
(4) Fenproporex;	4734
(5) Mazindol;	4735
(6) Mefenorex;	4736

(7) Modafinil;	4737
(8) Pemoline (including organometallic complexes and chelates thereof);	4738 4739
(9) Phentermine;	4740
(10) Pipradrol;	4741
(11) Sibutramine;	4742
(12) SPA [(-)-1-dimethylamino-1,2-diphenylethane].	4743
(E) Other substances	4744
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts:	4745 4746 4747 4748
(1) Pentazocine;	4749
(2) Butorphanol (including its optical isomers).	4750
SCHEDULE V	4751
(A) Narcotic drugs	4752
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, and their salts, as set forth below:	4753 4754 4755 4756
(1) Buprenorphine.	4757
(B) Narcotics-narcotic preparations	4758
Narcotic drugs containing non-narcotic active medicinal ingredients. Any compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated	4759 4760 4761

as the free anhydrous base or alkaloid, in limited quantities as 4762  
set forth below, and that includes one or more nonnarcotic 4763  
active medicinal ingredients in sufficient proportion to confer 4764  
upon the compound, mixture, or preparation valuable medicinal 4765  
qualities other than those possessed by narcotic drugs alone: 4766

(1) Not more than 200 milligrams of codeine per 100 4767  
milliliters or per 100 grams; 4768

(2) Not more than 100 milligrams of dihydrocodeine per 100 4769  
milliliters or per 100 grams; 4770

(3) Not more than 100 milligrams of ethylmorphine per 100 4771  
milliliters or per 100 grams; 4772

(4) Not more than 2.5 milligrams of diphenoxylate and not 4773  
less than 25 micrograms of atropine sulfate per dosage unit; 4774

(5) Not more than 100 milligrams of opium per 100 4775  
milliliters or per 100 grams; 4776

(6) Not more than 0.5 milligram of difenoxin and not less 4777  
than 25 micrograms of atropine sulfate per dosage unit. 4778

(C) Stimulants 4779

Unless specifically exempted or excluded under federal 4780  
drug abuse control laws or unless listed in another schedule, 4781  
any material, compound, mixture, or preparation that contains 4782  
any quantity of the following substances having a stimulant 4783  
effect on the central nervous system, including their salts, 4784  
isomers, and salts of isomers: 4785

(1) Ephedrine, except as provided in division (K) of 4786  
section 3719.44 of the Revised Code; 4787

(2) Pyrovalerone. 4788

**Sec. 3719.99.** (A) Whoever violates section 3719.16 or 4789  
3719.161 of the Revised Code is guilty of a felony of the fifth 4790  
degree. If the offender previously has been convicted of a 4791  
violation of section 3719.16 or 3719.161 of the Revised Code or 4792  
a drug abuse offense, a violation of section 3719.16 or 3719.161 4793  
of the Revised Code is a felony of the fourth degree. If the 4794  
violation involves the sale, offer to sell, or possession of a 4795  
schedule I or II controlled substance, with the exception of 4796  
marihuana, and if the offender, as a result of the violation, is 4797  
a major drug offender, division (D) of this section applies. 4798

(B) Whoever violates division (C) or (D) of section 4799  
3719.172 of the Revised Code is guilty of a felony of the fifth 4800  
degree. If the offender previously has been convicted of a 4801  
violation of division (C) or (D) of section 3719.172 of the 4802  
Revised Code or a drug abuse offense, a violation of division 4803  
(C) or (D) of section 3719.172 of the Revised Code is a felony 4804  
of the fourth degree. If the violation involves the sale, offer 4805  
to sell, or possession of a schedule I or II controlled 4806  
substance, with the exception of marihuana, and if the offender, 4807  
as a result of the violation, is a major drug offender, division 4808  
(D) of this section applies. 4809

(C) Whoever violates section 3719.07 or 3719.08 of the 4810  
Revised Code is guilty of a misdemeanor of the first degree. If 4811  
the offender previously has been convicted of a violation of 4812  
section 3719.07 or 3719.08 of the Revised Code or a drug abuse 4813  
offense, a violation of section 3719.07 or 3719.08 of the 4814  
Revised Code is a felony of the fifth degree. If the violation 4815  
involves the sale, offer to sell, or possession of a schedule I 4816  
or II controlled substance, with the exception of marihuana, and 4817  
if the offender, as a result of the violation, is a major drug 4818  
offender, division (D) of this section applies. 4819

(D) (1) If an offender is convicted of or pleads guilty to 4820  
a felony violation of section 3719.07, 3719.08, 3719.16, or 4821  
3719.161 or of division (C) or (D) of section 3719.172 of the 4822  
Revised Code, if the violation involves the sale, offer to sell, 4823  
or possession of a schedule I or II controlled substance, with 4824  
the exception of marihuana, and if the court imposing sentence 4825  
upon the offender finds that the offender as a result of the 4826  
violation is a major drug offender and is guilty of a 4827  
specification of the type described in division (A) of section 4828  
2941.1410 of the Revised Code, the court, in lieu of the prison 4829  
term authorized or required by division (A), (B), or (C) of this 4830  
section and sections 2929.13 and 2929.14 of the Revised Code and 4831  
in addition to any other sanction imposed for the offense under 4832  
sections 2929.11 to 2929.18 of the Revised Code, shall impose 4833  
upon the offender, in accordance with division (B) (3) (a) of 4834  
section 2929.14 of the Revised Code, the mandatory prison term 4835  
specified in that division and may impose an additional prison 4836  
term under division (B) (3) (b) of that section. 4837

(2) Notwithstanding any contrary provision of section 4838  
3719.21 of the Revised Code, the clerk of the court shall pay 4839  
any fine imposed for a felony violation of section 3719.07, 4840  
3719.08, 3719.16, or 3719.161 or of division (C) or (D) of 4841  
section 3719.172 of the Revised Code pursuant to division (A) of 4842  
section 2929.18 of the Revised Code in accordance with and 4843  
subject to the requirements of division (F) of section 2925.03 4844  
of the Revised Code. The agency that receives the fine shall use 4845  
the fine as specified in division (F) of section 2925.03 of the 4846  
Revised Code. 4847

(E) Whoever violates section 3719.05, 3719.06, 3719.13, or 4848  
3719.31 or division (B) of section 3719.172 of the Revised Code 4849  
is guilty of a misdemeanor of the third degree. If the offender 4850



previously has been convicted of a violation of section 3719.05, 4851  
3719.06, 3719.13, or 3719.31 or division (B) of section 3719.172 4852  
of the Revised Code or a drug abuse offense, a violation of 4853  
section 3719.05, 3719.06, 3719.13, or 3719.31 or division (B) of 4854  
section 3719.172 of the Revised Code is a misdemeanor of the 4855  
first degree. 4856

(F) Whoever violates section 3719.30 of the Revised Code 4857  
is guilty of a misdemeanor of the fourth degree. If the offender 4858  
previously has been convicted of a violation of section 3719.30 4859  
of the Revised Code or a drug abuse offense, a violation of 4860  
section 3719.30 of the Revised Code is a misdemeanor of the 4861  
third degree. 4862

(G) Whoever violates section 3719.32 or 3719.33 of the 4863  
Revised Code is guilty of a minor misdemeanor. 4864

(H) Whoever violates division (K) (2) (b) of section 3719.44 4865  
of the Revised Code is guilty of a felony of the fifth degree. 4866

(I) Whoever violates division (K) (2) (c) of section 3719.44 4867  
of the Revised Code is guilty of a misdemeanor of the second 4868  
degree. 4869

(J) As used in this section, "major drug offender" has the 4870  
same meaning as in section 2929.01 of the Revised Code. 4871

**Sec. 4729.99.** (A) Whoever violates division (H) of section 4872  
4729.16, division (G) of section 4729.38, section 4729.57, or 4873  
division (F) of section 4729.96 of the Revised Code is guilty of 4874  
a minor misdemeanor, unless a different penalty is otherwise 4875  
specified in the Revised Code. Each day's violation constitutes 4876  
a separate offense. 4877

(B) Whoever violates section 4729.27, 4729.28, or 4729.36 4878  
of the Revised Code is guilty of a misdemeanor of the third 4879

degree. Each day's violation constitutes a separate offense. If 4880  
the offender previously has been convicted of or pleaded guilty 4881  
to a violation of this chapter, that person is guilty of a 4882  
misdemeanor of the second degree. 4883

(C) Whoever violates section 4729.32, 4729.33, or 4729.34 4884  
of the Revised Code is guilty of a misdemeanor. 4885

(D) Whoever violates division (A), (B), (C), (D), (F), or 4886  
(G) of section 4729.51 of the Revised Code is guilty of a 4887  
misdemeanor of the first degree. 4888

(E) (1) Whoever violates section 4729.37, division (E) (1) 4889  
(b) of section 4729.51, division (J) of section 4729.54, 4890  
division (B) or (D) of section 4729.553, or section 4729.61 of 4891  
the Revised Code is guilty of a felony of the fifth degree. If 4892  
the offender previously has been convicted of or pleaded guilty 4893  
to a violation of this chapter or a violation of Chapter 2925. 4894  
or 3719. of the Revised Code, that person is guilty of a felony 4895  
of the fourth degree. 4896

(2) If an offender is convicted of or pleads guilty to a 4897  
violation of section 4729.37, division (E) of section 4729.51, 4898  
division (J) of section 4729.54, or section 4729.61 of the 4899  
Revised Code, if the violation involves the sale, offer to sell, 4900  
or possession of a schedule I or II controlled substance, with 4901  
the exception of marihuana, and if the court imposing sentence 4902  
upon the offender finds that the offender as a result of the 4903  
violation is a major drug offender, as defined in section 4904  
2929.01 of the Revised Code, and is guilty of a specification of 4905  
the type described in division (A) of section 2941.1410 of the 4906  
Revised Code, the court, in lieu of the prison term authorized 4907  
or required by division (E) (1) of this section and sections 4908  
2929.13 and 2929.14 of the Revised Code and in addition to any 4909

other sanction imposed for the offense under sections 2929.11 to 4910  
2929.18 of the Revised Code, shall impose upon the offender, in 4911  
accordance with division (B) (3) of section 2929.14 of the 4912  
Revised Code, the mandatory prison term specified in that 4913  
division. 4914

(3) Notwithstanding any contrary provision of section 4915  
3719.21 of the Revised Code, the clerk of court shall pay any 4916  
fine imposed for a violation of section 4729.37, division (E) of 4917  
section 4729.51, division (J) of section 4729.54, or section 4918  
4729.61 of the Revised Code pursuant to division (A) of section 4919  
2929.18 of the Revised Code in accordance with and subject to 4920  
the requirements of division (F) of section 2925.03 of the 4921  
Revised Code. The agency that receives the fine shall use the 4922  
fine as specified in division (F) of section 2925.03 of the 4923  
Revised Code. 4924

(F) Whoever violates section 4729.531 of the Revised Code 4925  
or any rule adopted thereunder or section 4729.532 of the 4926  
Revised Code is guilty of a misdemeanor of the first degree. 4927

(G) Whoever violates division (E) (1) (a) of section 4729.51 4928  
of the Revised Code is guilty of a felony of the fourth degree. 4929  
If the offender has previously been convicted of or pleaded 4930  
guilty to a violation of this chapter, or of a violation of 4931  
Chapter 2925. or 3719. of the Revised Code, that person is 4932  
guilty of a felony of the third degree. 4933

(H) Whoever violates division (E) (1) (c) of section 4729.51 4934  
of the Revised Code is guilty of a misdemeanor of the first 4935  
degree. If the offender has previously been convicted of or 4936  
pleaded guilty to a violation of this chapter, or of a violation 4937  
of Chapter 2925. or 3719. of the Revised Code, that person is 4938  
guilty of a felony of the fifth degree. 4939

(I) (1) Whoever violates division (A) of section 4729.95 of the Revised Code is guilty of unauthorized pharmacy-related drug conduct. Except as otherwise provided in this section, unauthorized pharmacy-related drug conduct is a misdemeanor of the second degree. If the offender previously has been convicted of or pleaded guilty to a violation of division (A), (B), or (C) of that section, unauthorized pharmacy-related drug conduct is a misdemeanor of the first degree on a second offense and a felony of the fifth degree on a third or subsequent offense.

(2) Whoever violates division (B) or (C) of section 4729.95 of the Revised Code is guilty of permitting unauthorized pharmacy-related drug conduct. Except as otherwise provided in this section, permitting unauthorized pharmacy-related drug conduct is a misdemeanor of the second degree. If the offender previously has been convicted of or pleaded guilty to a violation of division (A), (B), or (C) of that section, permitting unauthorized pharmacy-related drug conduct is a misdemeanor of the first degree on a second offense and a felony of the fifth degree on a third or subsequent offense.

(3) Notwithstanding any contrary provision of section 3719.21 of the Revised Code or any other provision of law that governs the distribution of fines, the clerk of the court shall pay any fine imposed pursuant to division (I) (1) or (2) of this section to the state board of pharmacy if the board has adopted a written internal control policy under division (F) (2) of section 2925.03 of the Revised Code that addresses fine moneys that it receives under Chapter 2925. of the Revised Code and if the policy also addresses fine moneys paid under this division. The state board of pharmacy shall use the fines so paid in accordance with the written internal control policy to subsidize the board's law enforcement efforts that pertain to drug

offenses. 4971

(J) (1) Whoever violates division (A) (1) of section 4729.86 4972  
of the Revised Code is guilty of a misdemeanor of the third 4973  
degree. If the offender has previously been convicted of or 4974  
pleaded guilty to a violation of division (A) (1), (2), or (3) of 4975  
section 4729.86 of the Revised Code, that person is guilty of a 4976  
misdemeanor of the first degree. 4977

(2) Whoever violates division (A) (2) of section 4729.86 of 4978  
the Revised Code is guilty of a misdemeanor of the first degree. 4979  
If the offender has previously been convicted of or pleaded 4980  
guilty to a violation of division (A) (1), (2), or (3) of section 4981  
4729.86 of the Revised Code, that person is guilty of a felony 4982  
of the fifth degree. 4983

(3) Whoever violates division (A) (3) of section 4729.86 of 4984  
the Revised Code is guilty of a felony of the fifth degree. If 4985  
the offender has previously been convicted of or pleaded guilty 4986  
to a violation of division (A) (1), (2), or (3) of section 4987  
4729.86 of the Revised Code, that person is guilty of a felony 4988  
of the fourth degree. 4989

(K) A person who violates division (C) of section 4729.552 4990  
of the Revised Code is guilty of a misdemeanor of the first 4991  
degree. If the person previously has been convicted of or 4992  
pleaded guilty to a violation of division (C) of section 4993  
4729.552 of the Revised Code, that person is guilty of a felony 4994  
of the fifth degree. 4995

**Section 2.** That existing sections 2925.01, 2925.02, 4996  
2925.03, 2925.04, 2925.05, 2925.11, 2925.13, 2925.36, 2929.01, 4997  
2929.14, 2941.1410, 3719.41, 3719.99, and 4729.99 of the Revised 4998  
Code are hereby repealed. 4999

**Section 3.** Section 2925.03 of the Revised Code is 5000  
presented in this act as a composite of the section as amended 5001  
by Am. Sub. H.B. 64, H.B. 171, and Sub. S.B. 204, all of the 5002  
131st General Assembly. The General Assembly, applying the 5003  
principle stated in division (B) of section 1.52 of the Revised 5004  
Code that amendments are to be harmonized if reasonably capable 5005  
of simultaneous operation, finds that the composite is the 5006  
resulting version of the section in effect prior to the 5007  
effective date of the section as presented in this act. 5008

Section 2925.11 of the Revised Code is presented in this 5009  
act as a composite of the section as amended by Sub. H.B. 110, 5010  
H.B. 171, and Sub. S.B. 204, all of the 131st General Assembly. 5011  
The General Assembly, applying the principle stated in division 5012  
(B) of section 1.52 of the Revised Code that amendments are to 5013  
be harmonized if reasonably capable of simultaneous operation, 5014  
finds that the composite is the resulting version of the section 5015  
in effect prior to the effective date of the section as 5016  
presented in this act. 5017

Section 2929.01 of the Revised Code is presented in this 5018  
act as a composite of the section as amended by both Sub. H.B. 5019  
158 and H.B. 171 of the 131st General Assembly. The General 5020  
Assembly, applying the principle stated in division (B) of 5021  
section 1.52 of the Revised Code that amendments are to be 5022  
harmonized if reasonably capable of simultaneous operation, 5023  
finds that the composite is the resulting version of the section 5024  
in effect prior to the effective date of the section as 5025  
presented in this act. 5026

Section 2929.14 of the Revised Code is presented in this 5027  
act as a composite of the section as amended by both Sub. H.B. 5028  
470 and Sub. S.B. 319 of the 131st General Assembly. The General 5029

Assembly, applying the principle stated in division (B) of 5030  
section 1.52 of the Revised Code that amendments are to be 5031  
harmonized if reasonably capable of simultaneous operation, 5032  
finds that the composite is the resulting version of the section 5033  
in effect prior to the effective date of the section as 5034  
presented in this act. 5035

Section 4729.99 of the Revised Code is presented in this 5036  
act as a composite of the section as amended by both Sub. H.B. 5037  
505 and Sub. S.B. 319 of the 131st General Assembly. The General 5038  
Assembly, applying the principle stated in division (B) of 5039  
section 1.52 of the Revised Code that amendments are to be 5040  
harmonized if reasonably capable of simultaneous operation, 5041  
finds that the composite is the resulting version of the section 5042  
in effect prior to the effective date of the section as 5043  
presented in this act. 5044