



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Sarah A. Maki

H.B. 528

132nd General Assembly
(As Introduced)

Reps. R. Smith and Rezabek

BILL SUMMARY

- Increases the penalties for abuse of corpse offenses that involve dismemberment or mutilation of a human corpse.

CONTENT AND OPERATION

Abuse of a corpse

Under current law, unchanged by the bill, the offense of "abuse of a corpse" prohibits a person from doing either of the following, except as authorized by law:¹

--Treating a human corpse in a way that the person knows would outrage reasonable family sensibilities;

--Treating a human corpse in a way that would outrage reasonable community sensibilities.

Penalties for abuse of a corpse

Under current law, unchanged by the bill, the penalties for abuse of corpse offenses are as follows:

¹ R.C. 2927.01(A) and (B).

Offense	Degree of offense	Incarceration (discretionary unless mandatory term is indicated)
The human corpse is treated in a way that the person knows would outrage reasonable family sensibilities. ²	Second degree misdemeanor (M2)	Ninety days
The human corpse is treated in a way that would outrage reasonable community sensibilities. ³	Fifth degree felony (F5)	Six, seven, eight, nine, ten, eleven, or twelve months

Under the bill, the current law penalties for abuse of corpse offenses may be increased if the conduct that constitutes the violation involves dismemberment or mutilation of a human corpse as follows:

Conduct involved in offense	Degree of offense	Incarceration (discretionary unless mandatory term is indicated)
The offender commits the violation by knowingly dismembering, severing, separating, dissecting, or mutilating any part of a human corpse. ⁴	F1	Mandatory prison term of six, seven, eight, nine, ten, or eleven years with no early or judicial release
The offender commits the violation by knowingly dismembering or mutilating any part of a human corpse as part of a ceremony, rite, initiation, observance, performance, or practice. ⁵	F2	Two, three, four, five, six, seven, or eight years

² R.C. 2927.01(C)(1).

³ R.C. 2927.01(C)(2).

⁴ R.C. 2927.01(C)(3) and 2929.13(F)(21).

⁵ R.C. 2927.01(C)(4).

Conduct involved in offense	Degree of offense	Incarceration (discretionary unless mandatory term is indicated)
The offender commits the violation by knowingly dismembering, dissecting, mutilating, or incinerating any part of the human corpse of a child as part of a ceremony, rite, initiation, observance, performance, or practice. ⁶	F2	Mandatory prison term of four, five, six, seven, or eight years with no early or judicial release
The violation is a repeat offense.	F1	Mandatory prison term of six, seven, eight, nine, ten, or eleven years with no early or judicial release

HISTORY

ACTION

DATE

Introduced

02-26-18

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⁶ R.C. 2927.01(C)(5) and 2929.13(F)(21).

