A BILL

To amend sections 181.21, 181.26, 2152.13, 2152.14, 2929.01, 2929.14, 2929.144, 2929.20, 2945.37, 2945.401, 2949.08, 2951.03, 2953.07, 2953.08, 2967.14, 2967.271, 5120.021, 5120.038, 5120.113, 5149.04 of the Revised Code to modify the Corrections Law regarding a Department of Rehabilitation and Correction reentry program for certain offenders, maximum workload and caseload standards for parole and field officers, GPS monitoring of offenders released from prison, and entry into LEADS of specified information about GPS-monitored offenders, and to require the Ohio Criminal Sentencing Commission to appoint an Offender Supervision Study Committee.

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

Section 1. That sections 181.21, 181.26, 2152.13, 2152.14, 2929.01, 2929.14, 2929.144, 2929.20, 2945.37, 2945.401, 2949.08, 2951.03, 2953.07, 2953.08, 2967.14, 2967.271, 5120.021,
5120.038, 5120.113, and 5149.04 of the Revised Code be amended
to read as follows:

**Sec. 181.21.** (A) There is hereby created within the
supreme court the state criminal sentencing commission,
consisting of thirty-one members. One member shall be the chief
justice of the supreme court, who shall be the chairperson of
the commission. The following ten members of the commission, no
more than six of whom shall be members of the same political
party, shall be appointed by the chief justice: one judge of a
court of appeals, three judges of courts of common pleas who are
not juvenile court judges, three judges of juvenile courts, and
three judges of municipal courts or county courts. Four members
shall be the superintendent of the state highway patrol, the
state public defender, the director of youth services, and the
director of rehabilitation and correction, or their individual
designees. The following twelve members, no more than seven of
whom shall be members of the same political party, shall be
appointed by the governor after consulting with the appropriate
state associations, if any, that are represented by these
members: one sheriff; two county prosecuting attorneys, at least
one of whom shall be experienced in the prosecution of cases in
juvenile court involving alleged delinquent children, unruly
children, and juvenile traffic offenders; two peace officers of
a municipal corporation or township, at least one of whom shall
be experienced in the investigation of cases involving
juveniles; one former victim of a violation of Title XXIX of the
Revised Code; one attorney whose practice of law primarily
involves the representation of criminal defendants; one member
of the Ohio state bar association; one attorney whose practice
of law primarily involves the representation in juvenile court
of alleged delinquent children, unruly children, and juvenile
traffic offenders; one full-time city prosecuting attorney; one county commissioner; and one mayor, city manager, or member of a legislative authority of a municipal corporation. Two members shall be members of the senate, one appointed by the president of the senate and one appointed by the minority leader of the senate. Two members shall be members of the house of representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives.

The chief justice shall become a member of the commission on August 22, 1990, and the chief justice's successors in office shall become members of the commission on the day that they assume the office of chief justice. The term of office of the chief justice as a member of the commission shall continue for as long as that person holds the office of chief justice. The term of office of the member who is an attorney whose practice of law primarily involves the representation of criminal defendants, the term of office of the member who is an attorney whose practice of law primarily involves the representation in juvenile court of alleged delinquent children, unruly children, and juvenile traffic offenders, and the term of office of the former victim of a violation of Title XXIX of the Revised Code shall be four years. The term of office of the superintendent of the state highway patrol, the state public defender, the director of youth services, and the director of rehabilitation and correction, or their individual designees, as members of the commission shall continue for as long as they hold the office of superintendent of the state highway patrol, state public defender, director of youth services, or director of rehabilitation and correction. The term of office of a municipal corporation or township peace officer as a member of the commission shall be four years.
commission shall be the lesser of four years or until that  
person ceases to be a peace officer of a municipal corporation  
or township. Unless the full-time city prosecuting attorney is  
an elected official, the term of office of the full-time city  
prosecuting attorney shall be the lesser of four years or until  
the full-time city prosecuting attorney ceases to be a full-time  
city prosecuting attorney. All of the members of the commission  
who are elected officials shall serve the lesser of four years  
or until the expiration of their term of office. Any vacancy on  
the commission shall be filled in the same manner as the  
original appointment.

When the chief justice and governor make their  
appointments to the commission, they shall consider adequate  
representation by race and gender.

(B) The commission shall select a vice-chairperson and any  
other necessary officers and adopt rules to govern its  
proceedings. The commission shall meet as necessary at the call  
of the chairperson or on the written request of eight or more of  
its members. Sixteen members of the commission constitute a  
quorum, and the votes of a majority of the quorum present shall  
be required to validate any action of the commission. All  
business of the commission shall be conducted in public  
meetings.

The members of the commission shall serve without  
compensation, but each member shall be reimbursed for the  
member's actual and necessary expenses incurred in the  
performance of the member's official duties on the commission.  
In the absence of the chairperson, the vice-chairperson shall  
perform the duties of the chairperson.

(C) The commission shall establish an office and shall
appoint and fix the compensation of a project director and any other employees necessary to assist the commission in the execution of its authority under sections 181.21 to 181.26 of the Revised Code. The project director shall have a thorough understanding of the criminal laws of this state and experience in committee-oriented research. The other employees may include a research coordinator with experience and training in policy-oriented research; professional staff employees with backgrounds in criminal law, criminal justice, political science, or related fields of expertise; administrative assistants; and secretaries. The commission also may appoint and fix the compensation of part-time data collectors, clerical employees, and other temporary employees as needed to enable the commission to execute its authority under sections 181.21 to 181.26 of the Revised Code.

(D) The sentencing commission shall establish a standing juvenile committee. The committee shall consist of the following commission members: the chief justice of the supreme court or the chief justice's designee, the director of youth services, the three juvenile court judges, one court of common pleas judge who is not a juvenile court judge, one county prosecuting attorney who is experienced in the prosecution of cases in juvenile court involving alleged delinquent children, unruly children, and juvenile traffic offenders, the attorney whose practice of law primarily involves the representation in juvenile court of alleged delinquent children, unruly children, and juvenile traffic offenders, the former victim of a violation of Title XXIX of the Revised Code, the county commissioner, one legislator from each political party, the sheriff, and one municipal corporation or township peace officer who is experienced in the investigation of cases involving juveniles.
The members of the commission may serve on the committee by designation of the chief justice. The chief justice shall designate a member to serve as chairperson of the committee. The committee shall meet as necessary at the call of the chairperson or on the written request of four or more of the committee's members. A majority of the members of the committee shall constitute a quorum, and the votes of a majority of the quorum present shall be required to validate any action of the committee, including recommendations to the commission. The committee and the commission shall comply with section 181.26 of the Revised Code.

(E)(1) The sentencing commission shall establish an ad hoc, standing offender supervision study committee. The committee shall consist of one member who is a person appointed by the governor and the following twelve members appointed by the commission: one active parole line officer; one active probation officer; two members of the house of representatives who shall not be members of the same political party; two members of the senate who shall not be members of the same political party; one judge of a court of common pleas; one representative of the Ohio community corrections association; the director of rehabilitation and corrections or the director's representative; one county prosecuting attorney; the state public defender, the state public defender's representative, or a county public defender; and one sheriff. The members of the commission may serve on the committee by designation of the chief justice, to the extent that the members satisfy the criteria for service on the committee. The chief justice shall designate a member to serve as chairperson of the committee. The committee shall select a vice-chairperson. The committee shall meet as necessary at the call of the chairperson or on the
written request of four or more of the committee's members. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. A majority of the members of the committee shall constitute a quorum, and the votes of a majority of the quorum present shall be required to validate any action of the committee, including the content of reports and recommendations to the commission.

The members of the committee who are not members of the commission shall serve without compensation, but each such member shall be reimbursed for the member's actual and necessary expenses incurred in the performance of the member's official duties on the commission. Section 181.21 of the Revised Code applies to the members of the committee who are members of the commission.

(2) The offender supervision study committee shall study and review all issues related to the supervision of offenders, including issues related to parole, community control, probation, community corrections, and transitional control, and issues related to interstate compact policies. The committee shall submit a report to the commission not later than the thirty-first day of December in each even-numbered year that contains its findings with respect to the issues it studies and reviews and recommendations regarding possible changes in the law based on those findings.

The commission shall comply with division (D) of section 181.26 of the Revised Code with respect to the reports submitted to it under this division.

(3) The sentencing commission may appoint persons who are experts in issues related to the supervision of offenders to assist the committee in the performance of its duties under
division (E)(2) of this section. No person appointed in a
capacity under this division may vote on any action of the
committee, including the content of any report or recommendation
to the commission.

Sec. 181.26. (A) In addition to its duties set forth in
sections 181.23 to 181.25 of the Revised Code, the state
criminal sentencing commission shall do all of the following:

(1) Review all statutes governing delinquent child, unruly
child, and juvenile traffic offender dispositions in this state;

(2) Review state and local resources, including facilities
and programs, used for delinquent child, unruly child, and
juvenile traffic offender dispositions and profile the
populations of youthful offenders in the facilities and
programs;

(3) Report to the general assembly no later than October
1, 1999, a comprehensive plan containing recommendations based
on the reviews required under divisions (A)(1) and (2) of this
section. The recommendations shall do all of the following:

(a) Assist in the managing of the number of persons in,
and costs of, the facilities, the programs, and other resources
used in delinquent child, unruly child, and juvenile traffic
offender dispositions;

(b) Foster rehabilitation, public safety, sanctions,
accountability, and other reasonable goals;

(c) Provide greater certainty, proportionality,
uniformity, fairness, and simplicity in delinquent child, unruly
child, and juvenile traffic offender dispositions while
retaining reasonable judicial discretion;
(d) Provide for the restoration of victims of juvenile offenses.

(B) The commission shall project the impact of the comprehensive plan recommended by the commission under division (A) of this section on state and local resources used in delinquent child, unruly child, and juvenile traffic offender dispositions. The commission shall determine whether any additional facilities, programs, or other resources are needed to implement the comprehensive plan.

(C) If the general assembly enacts all or a substantial part of the comprehensive plan recommended by the commission under division (A) of this section, the commission shall do all of the following:

(1) Assist in the implementation of the enacted plan;

(2) Monitor the operation of the plan, periodically report to the general assembly on the plan's operation and the plan's impact on resources used in delinquent child, unruly child, and juvenile traffic offender dispositions, and periodically recommend changes in the plan to the general assembly based on this monitoring;

(3) Review all bills that are introduced in the general assembly that relate to delinquent child, unruly child, and juvenile traffic offender dispositions and assist the general assembly in making legislation consistent with the plan.

(D) In addition to its duties set forth in sections 181.23 to 181.25 of the Revised Code and divisions (A) to (C) of this section, the state criminal sentencing commission shall review all reports submitted to it by the offender supervision study committee under division (E)(2) of section 181.21 of the Revised Code.
Code and, for each report so received, not later than ninety
days after receiving the report, shall submit a report to the
general assembly that contains the commission's recommendations
regarding possible changes in the law based on the findings of
the committee that are set forth in the report. In preparing its
report to the general assembly, the commission shall consider
all findings and recommendations of the committee contained in
the report the committee submitted to the commission, and the
commission's report to the general assembly may be, but is not
required to be, the same as the report of the committee
submitted to the commission.

Sec. 2152.13. (A) A juvenile court shall impose a serious
youthful dispositional sentence on a child when required under
division (B)(3) of section 2152.121 of the Revised Code. In such
case, the remaining provisions of this division and divisions
(B) and (C) do not apply to the child, and the court shall
impose the mandatory serious youthful dispositional sentence
under division (D)(1) of this section.

In all other cases, a juvenile court may impose a serious
youthful offender dispositional sentence on a child only if the
prosecuting attorney of the county in which the delinquent act
allegedly occurred initiates the process against the child in
accordance with this division, and the child is an alleged
delinquent child who is eligible for the dispositional sentence.
The prosecuting attorney may initiate the process in any of the
following ways:

(1) Obtaining an indictment of the child as a serious
youthful offender;

(2) The child waives the right to indictment, charging the
child in a bill of information as a serious youthful offender;
(3) Until an indictment or information is obtained, requesting a serious youthful offender dispositional sentence in the original complaint alleging that the child is a delinquent child;

(4) Until an indictment or information is obtained, if the original complaint does not request a serious youthful offender dispositional sentence, filing with the juvenile court a written notice of intent to seek a serious youthful offender dispositional sentence within twenty days after the later of the following, unless the time is extended by the juvenile court for good cause shown:

(a) The date of the child's first juvenile court hearing regarding the complaint;

(b) The date the juvenile court determines not to transfer the case under section 2152.12 of the Revised Code.

After a written notice is filed under division (A)(4) of this section, the juvenile court shall serve a copy of the notice on the child and advise the child of the prosecuting attorney's intent to seek a serious youthful offender dispositional sentence in the case.

(B) If an alleged delinquent child is not indicted or charged by information as described in division (A)(1) or (2) of this section and if a notice or complaint as described in division (A)(3) or (4) of this section indicates that the prosecuting attorney intends to pursue a serious youthful offender dispositional sentence in the case, the juvenile court shall hold a preliminary hearing to determine if there is probable cause that the child committed the act charged and is by age eligible for, or required to receive, a serious youthful
offender dispositional sentence.

(C)(1) A child for whom a serious youthful offender dispositional sentence is sought by a prosecuting attorney has the right to a grand jury determination of probable cause that the child committed the act charged and that the child is eligible by age for a serious youthful offender dispositional sentence. The grand jury may be impaneled by the court of common pleas or the juvenile court.

Once a child is indicted, or charged by information or the juvenile court determines that the child is eligible for a serious youthful offender dispositional sentence, the child is entitled to an open and speedy trial by jury in juvenile court and to be provided with a transcript of the proceedings. The time within which the trial is to be held under Title XXIX of the Revised Code commences on whichever of the following dates is applicable:

(a) If the child is indicted or charged by information, on the date of the filing of the indictment or information.

(b) If the child is charged by an original complaint that requests a serious youthful offender dispositional sentence, on the date of the filing of the complaint.

(c) If the child is not charged by an original complaint that requests a serious youthful offender dispositional sentence, on the date that the prosecuting attorney files the written notice of intent to seek a serious youthful offender dispositional sentence.

(2) If the child is detained awaiting adjudication, upon indictment or being charged by information, the child has the same right to bail as an adult charged with the offense the
alleged delinquent act would be if committed by an adult. Except as provided in division (D) of section 2152.14 of the Revised Code, all provisions of Title XXIX of the Revised Code and the Criminal Rules shall apply in the case and to the child. The juvenile court shall afford the child all rights afforded a person who is prosecuted for committing a crime including the right to counsel and the right to raise the issue of competency. The child may not waive the right to counsel.

(D)(1) If a child is adjudicated a delinquent child for committing an act under circumstances that require the juvenile court to impose upon the child a serious youthful offender dispositional sentence under section 2152.11 of the Revised Code, all of the following apply:

(a) The juvenile court shall impose upon the child a sentence available for the violation, as if the child were an adult, under Chapter 2929. of the Revised Code, except that the juvenile court shall not impose on the child a sentence of death or life imprisonment without parole.

(b) The juvenile court also shall impose upon the child one or more traditional juvenile dispositions under sections 2152.16, 2152.19, and 2152.20, and, if applicable, section 2152.17 of the Revised Code.

(c) The juvenile court shall stay the adult portion of the serious youthful offender dispositional sentence pending the successful completion of the traditional juvenile dispositions imposed.

(2)(a) If a child is adjudicated a delinquent child for committing an act under circumstances that allow, but do not require, the juvenile court to impose on the child a serious
youthful offender dispositional sentence under section 2152.11 of the Revised Code, all of the following apply:

(i) If the juvenile court on the record makes a finding that, given the nature and circumstances of the violation and the history of the child, the length of time, level of security, and types of programming and resources available in the juvenile system alone are not adequate to provide the juvenile court with a reasonable expectation that the purposes set forth in section 2152.01 of the Revised Code will be met, the juvenile court may impose upon the child a sentence available for the violation, as if the child were an adult, under Chapter 2929. of the Revised Code, except that the juvenile court shall not impose on the child a sentence of death or life imprisonment without parole.

(ii) If a sentence is imposed under division (D)(2)(a)(i) of this section, the juvenile court also shall impose upon the child one or more traditional juvenile dispositions under sections 2152.16, 2152.19, and 2152.20 and, if applicable, section 2152.17 of the Revised Code.

(iii) The juvenile court shall stay the adult portion of the serious youthful offender dispositional sentence pending the successful completion of the traditional juvenile dispositions imposed.

(b) If the juvenile court does not find that a sentence should be imposed under division (D)(2)(a)(i) of this section, the juvenile court may impose one or more traditional juvenile dispositions under sections 2152.16, 2152.19, 2152.20, and, if applicable, section 2152.17 of the Revised Code.

(3) A child upon whom a serious youthful offender dispositional sentence is imposed under division (D)(1) or (2)
of this section has a right to appeal under division (A)-(1), (B), (1), (3), (4), or (5) of division 2953.08 of the Revised Code the adult portion of the serious youthful offender dispositional sentence when any of those divisions apply. The child may appeal the adult portion, and the court shall consider the appeal as if the adult portion were not stayed.

Sec. 2152.14. (A)(1) The director of youth services may request the prosecuting attorney of the county in which is located the juvenile court that imposed a serious youthful offender dispositional sentence upon a person under section 2152.121 or 2152.13 of the Revised Code to file a motion with that juvenile court to invoke the adult portion of the dispositional sentence if all of the following apply to the person:

(a) The person is at least fourteen years of age.

(b) The person is in the institutional custody, or an escapee from the custody, of the department of youth services.

(c) The person is serving the juvenile portion of the serious youthful offender dispositional sentence.

(2) The motion shall state that there is reasonable cause to believe that either of the following misconduct has occurred and shall state that at least one incident of misconduct of that nature occurred after the person reached fourteen years of age:

(a) The person committed an act that is a violation of the rules of the institution and that could be charged as any felony or as a first degree misdemeanor offense of violence if committed by an adult.

(b) The person has engaged in conduct that creates a substantial risk to the safety or security of the institution,
the community, or the victim.

(B) If a person is at least fourteen years of age, is serving the juvenile portion of a serious youthful offender dispositional sentence imposed under section 2152.121 or 2152.13 of the Revised Code, and is on parole or aftercare from a department of youth services facility, or on community control, the director of youth services, the juvenile court that imposed the serious youthful offender dispositional sentence on the person, or the probation department supervising the person may request the prosecuting attorney of the county in which is located the juvenile court to file a motion with the juvenile court to invoke the adult portion of the dispositional sentence. The prosecuting attorney may file a motion to invoke the adult portion of the dispositional sentence even if no request is made. The motion shall state that there is reasonable cause to believe that either of the following occurred and shall state that at least one incident of misconduct of that nature occurred after the person reached fourteen years of age:

(1) The person committed an act that is a violation of the conditions of supervision and that could be charged as any felony or as a first degree misdemeanor offense of violence if committed by an adult.

(2) The person has engaged in conduct that creates a substantial risk to the safety or security of the community or of the victim.

(C) If the prosecuting attorney declines a request to file a motion that was made by the department of youth services or the supervising probation department under division (A) or (B) of this section or fails to act on a request made under either division by the department within a reasonable time, the
department of youth services or the supervising probation department may file a motion of the type described in division (A) or (B) of this section with the juvenile court to invoke the adult portion of the serious youthful offender dispositional sentence. If the prosecuting attorney declines a request to file a motion that was made by the juvenile court under division (B) of this section or fails to act on a request from the court under that division within a reasonable time, the juvenile court may hold the hearing described in division (D) of this section on its own motion.

(D) Upon the filing of a motion described in division (A), (B), or (C) of this section, the juvenile court may hold a hearing to determine whether to invoke the adult portion of a person's serious juvenile offender dispositional sentence. The juvenile court shall not invoke the adult portion of the dispositional sentence without a hearing. At the hearing the person who is the subject of the serious youthful offender disposition has the right to be present, to receive notice of the grounds upon which the adult sentence portion is sought to be invoked, to be represented by counsel including counsel appointed under Juvenile Rule 4(A), to be advised on the procedures and protections set forth in the Juvenile Rules, and to present evidence on the person's own behalf, including evidence that the person has a mental illness or intellectual disability. The person may not waive the right to counsel. The hearing shall be open to the public. If the person presents evidence that the person has a mental illness or intellectual disability, the juvenile court shall consider that evidence in determining whether to invoke the adult portion of the serious youthful offender dispositional sentence.

(E)(1) The juvenile court may invoke the adult portion of...
a person's serious youthful offender dispositional sentence if the juvenile court finds all of the following on the record by clear and convincing evidence:

(a) The person is serving the juvenile portion of a serious youthful offender dispositional sentence.

(b) The person is at least fourteen years of age and has been admitted to a department of youth services facility, or criminal charges are pending against the person.

(c) The person engaged in the conduct or acts charged under division (A), (B), or (C) of this section, and the person's conduct demonstrates that the person is unlikely to be rehabilitated during the remaining period of juvenile jurisdiction.

(2) The court may modify the adult sentence the court invokes to consist of any lesser prison term that could be imposed for the offense and, in addition to the prison term or in lieu of the prison term if the prison term was not mandatory, any community control sanction that the offender was eligible to receive at sentencing.

(F) If a juvenile court issues an order invoking the adult portion of a serious youthful offender dispositional sentence under division (E) of this section, the juvenile portion of the dispositional sentence shall terminate, and the department of youth services shall transfer the person to the department of rehabilitation and correction or place the person under another sanction imposed as part of the sentence. The juvenile court shall state in its order the total number of days that the person has been held in detention or in a facility operated by, or under contract with, the department of youth services under
the juvenile portion of the dispositional sentence. The time the
person must serve on a prison term imposed under the adult
portion of the dispositional sentence shall be reduced by the
total number of days specified in the order plus any additional
days the person is held in a juvenile facility or in detention
after the order is issued and before the person is transferred
to the custody of the department of rehabilitation and
correction. In no case shall the total prison term as calculated
under this division exceed the maximum prison term available for
an adult who is convicted of violating the same sections of the
Revised Code, including, for an offense that would be a felony
of the first or second degree that was committed on or after
March 22, 2019, both the longest minimum term that the defendant
or person could have received if convicted plus the
corresponding maximum term that would be required.

Any community control imposed as part of the adult
sentence or as a condition of a judicial release from prison
shall be under the supervision of the entity that provides adult
probation services in the county. Any post-release control
imposed after the offender otherwise is released from prison
shall be supervised by the adult parole authority.

Sec. 2929.01. As used in this chapter:

(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:

(a) It provides programs through which the offender may
seek or maintain employment or may receive education, training,
treatment, or habilitation.
(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.

(2) "Alternative residential facility" does not include a community-based correctional facility, jail, halfway house, or prison.

(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.

(C) "Cocaine," "fentanyl-related compound," "hashish," "L.S.D.,” and "unit dose" have the same meanings as in section 2925.01 of the Revised Code.

(D) "Community-based correctional facility" means a community-based correctional facility and program or district community-based correctional facility and program developed pursuant to sections 2301.51 to 2301.58 of the Revised Code.

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

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

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

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

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

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

(K) "Drug treatment program" means any program under which a person undergoes assessment and treatment designed to reduce or completely eliminate the person's physical or emotional reliance upon alcohol, another drug, or alcohol and another drug and under which the person may be required to receive assessment and treatment on an outpatient basis or may be required to reside at a facility other than the person's home or residence while undergoing assessment and treatment.

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

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

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

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

(P) "House arrest" means a period of confinement of an offender that is in the offender's home or in other premises specified by the sentencing court or by the parole board pursuant to section 2967.28 of the Revised Code and during which all of the following apply:

(1) The offender is required to remain in the offender's home or other specified premises for the specified period of confinement, except for periods of time during which the offender is at the offender's place of employment or at other premises as authorized by the sentencing court or by the parole board.
(2) The offender is required to report periodically to a person designated by the court or parole board.

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

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

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

(S) "Jail term" means the term in a jail that a sentencing court imposes or is authorized to impose pursuant to section 2929.24 or 2929.25 of the Revised Code or pursuant to any other provision of the Revised Code that authorizes a term in a jail for a misdemeanor conviction.

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

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

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

(W) "Major drug offender" means an offender who is convicted of or pleads guilty to the possession of, sale of, or offer to sell any drug, compound, mixture, preparation, or substance that consists of or contains at least one thousand grams of hashish; at least one hundred grams of cocaine; at least one thousand unit doses or one hundred grams of heroin; at least five thousand unit doses of L.S.D. or five hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form; at least fifty grams of a controlled substance analog; at least one thousand unit doses or one hundred grams of a fentanyl-related compound; or at least one hundred times the amount of any other schedule I or II controlled substance other...
than marihuana that is necessary to commit a felony of the third degree pursuant to section 2925.03, 2925.04, 2925.05, or 2925.11 of the Revised Code that is based on the possession of, sale of, or offer to sell the controlled substance.

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

(1) Subject to division (X)(2) of this section, the term in prison that must be imposed for the offenses or circumstances set forth in divisions (F)(1) to (8) or (F)(12) to (21) of section 2929.13 and division (B) of section 2929.14 of the Revised Code. Except as provided in sections 2925.02, 2925.03, 2925.04, 2925.05, and 2925.11 of the Revised Code, unless the maximum or another specific term is required under section 2929.14 or 2929.142 of the Revised Code, a mandatory prison term described in this division may be any prison term authorized for the level of offense except that if the offense is a felony of the first or second degree committed on or after the effective date of this amendment March 22, 2019, a mandatory prison term described in this division may be one of the terms prescribed in division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code, whichever is applicable, that is authorized as the minimum term for the offense.

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

(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.

(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.

(Z) "Offender" means a person who, in this state, is convicted of or pleads guilty to a felony or a misdemeanor.

(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 and includes a violation sanction center operated under authority of section 2967.141 of the Revised Code.

(BB)(1) "Prison term" includes either of the following sanctions for an offender:

(a) A stated prison term;

(b) 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.

(2) With respect to a non-life felony indefinite prison term, references in any provision of law to a reduction of, or deduction from, the prison term mean a reduction in, or deduction from, the minimum term imposed as part of the indefinite term.
(CC) "Repeat violent offender" means a person about whom both of the following apply:

(1) The person is being sentenced for committing or for complicity in committing any of the following:

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

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

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

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

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

(FF)(1) "Stated prison term" means the prison term, mandatory prison term, or combination of all prison terms and mandatory prison terms imposed by the sentencing court pursuant to section 2929.14, 2929.142, or 2971.03 of the Revised Code or under section 2919.25 of the Revised Code. "Stated prison term" includes any credit received by the offender for time spent in
jail awaiting trial, sentencing, or transfer to prison for the
offense and any time spent under house arrest or house arrest
with electronic monitoring imposed after earning credits
pursuant to section 2967.193 of the Revised Code. If an offender
is serving a prison term as a risk reduction sentence under
sections 2929.143 and 5120.036 of the Revised Code, "stated
prison term" includes any period of time by which the prison
term imposed upon the offender is shortened by the offender's
successful completion of all assessment and treatment or
programming pursuant to those sections.

(2) As used in the definition of "stated prison term" set
forth in division (FF)(1) of this section, a prison term is a
definite or a minimum prison term imposed under section 2929.14
of the Revised Code or any other provision of law, is the
minimum and plus any maximum prison terms under term imposed as
part of a non-life felony indefinite prison term under section
2929.144 of the Revised Code or is a term of life imprisonment
except to the extent that the use of that definition in a
section of the Revised Code clearly is not intended to include a
term of life imprisonment. With respect to an offender sentenced
to a non-life felony indefinite prison term, references in
section 2967.191 or 2967.193 of the Revised Code or any other
provision of law to a reduction of, or deduction from, the
offender's stated prison term or to release of the offender
before the expiration of the offender's stated prison term mean
a reduction in, or deduction from, the minimum term imposed as
part of the indefinite term or a release of the offender before
the expiration of that minimum term, references in section
2929.19 or 2967.28 of the Revised Code to a stated prison term
with respect to a prison term imposed for a violation of a post-
release control sanction mean the minimum term so imposed, and
references in any provision of law to an offender's service of
the offender's stated prison term or the expiration of the
offender's stated prison term mean service or expiration of the
minimum term so imposed plus any additional period of
incarceration under the sentence that is required under section
2967.271 of the Revised Code.

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

(HH) "Fourth 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 fourth
degree.

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

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

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

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

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

(b) The device has a receiver that can receive continuously the signals transmitted by a transmitter of the type described in division (UU)(1)(a) of this section, can transmit continuously those signals by a wireless or landline telephone connection to a central monitoring computer of the type described in division (UU)(1)(c) of this section, and can transmit continuously an appropriate signal to that central monitoring computer if the device has been turned off or altered without prior court approval or otherwise tampered with. The device is designed specifically for use in electronic monitoring, is not a converted wireless phone or another
tracking device that is clearly not designed for electronic
monitoring, and provides a means of text-based or voice
communication with the person.

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

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

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

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

(3) Any type of technology that can adequately track or
determine the location of a subject person at any time and that
is approved by the director of rehabilitation and correction,
including, but not limited to, any satellite technology, voice tracking system, or retinal scanning system that is so approved.

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

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

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

(YY) A person is "adjudicated a sexually violent predator" if the person is convicted of or pleads guilty to a violent sex offense and also is convicted of or pleads guilty to a sexually violent predator specification that was included in the indictment, count in the indictment, or information charging that violent sex offense or if the person is convicted of or pleads guilty to a designated homicide, assault, or kidnapping offense and also is convicted of or pleads guilty to both a sexual motivation specification and a sexually violent predator specification that were included in the indictment, count in the indictment, or information charging that designated homicide, assault, or kidnapping offense.

(ZZ) An offense is "committed in proximity to a school" if the offender commits the offense in a school safety zone or
within five hundred feet of any school building or the boundaries of any school premises, regardless of whether the offender knows the offense is being committed in a school safety zone or within five hundred feet of any school building or the boundaries of any school premises.

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

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

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

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

(c) To facilitate, encourage, or recruit a victim who is sixteen or seventeen years of age, or victims who are sixteen or seventeen years of age, for any purpose listed in divisions (A)(2)(a) to (c) of section 2905.32 of the Revised Code, if the circumstances described in division (A)(5), (6), (7), (8), (9), (10), (11), (12), or (13) of section 2907.03 of the Revised Code apply with respect to the person engaging in the conduct and the victim or victims.
(2) It involves at least two felony offenses, whether or not there has been a prior conviction for any of the felony offenses, to which all of the following apply:

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

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

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

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

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

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

(EEE) "Accelerant" means a fuel or oxidizing agent, such as an ignitable liquid, used to initiate a fire or increase the
rate of growth or spread of a fire.

(FFF) "Permanent disabling harm" means serious physical harm that results in permanent injury to the intellectual, physical, or sensory functions and that permanently and substantially impairs a person's ability to meet one or more of the ordinary demands of life, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(GGG) "Non-life felony indefinite prison term" means a prison term imposed under division (A)(1)(a) or (2)(a) of section 2929.14 and section 2929.144 of the Revised Code for a felony of the first or second degree committed on or after the effective date of this amendment March 22, 2019.

Sec. 2929.14. (A) Except as provided in division (B)(1), (B)(2), (B)(3), (B)(4), (B)(5), (B)(6), (B)(7), (B)(8), (B)(9), (B)(10), (B)(11), (E), (G), (H), (J), or (K) of this section or in division (D)(6) of section 2919.25 of the Revised Code and except in relation to an offense for which a sentence of death or life imprisonment is to be imposed, if the court imposing a sentence upon an offender for a felony elects or is required to impose a prison term on the offender pursuant to this chapter, the court shall impose a prison term that shall be one of the following:

(1)(a) For (i) Except as provided in division (A)(1)(a), (ii) of this section, for a felony of the first degree committed on or after the effective date of this amendment March 22, 2019, the prison term shall be a non-life felony indefinite prison term with a stated minimum term selected by the court of three, four, five, six, seven, eight, nine, ten, or eleven years and followed by a single maximum term that is shall be determined
pursuant to section 2929.144 of the Revised Code, except that if

(ii) If the section that criminalizes the conduct
constituting the felony specifies a different minimum term or
penalty for the offense, the specific language of that section
shall control over division (A)(1)(a)(i) of this section in
determining the minimum term or otherwise sentencing the
offender but the minimum term or sentence imposed under that
specific language shall be considered for purposes of the
Revised Code as if it had been imposed under this division (A)
(1)(a)(i) of this section.

(b) For a felony of the first degree committed prior to
the effective date of this amendment March 22, 2019, the prison
term shall be a definite prison term of three, four, five, six,
seven, eight, nine, ten, or eleven years.

(2)(a) Except as provided in division (A)(2)(a)
(ii) of this section, for a felony of the second degree
committed on or after the effective date of this amendment March
22, 2019, the prison term shall be a non-life felony
indefinite prison term with a stated minimum term selected by
the court of two, three, four, five, six, seven, or eight years
and followed by a single maximum term that is shall be
determined pursuant to section 2929.144 of the Revised Code,
except that if

(ii) If the section that criminalizes the conduct
constituting the felony specifies a different minimum term or
penalty for the offense, the specific language of that section
shall control over division (A)(2)(a)(i) of this section in
determining the minimum term or otherwise sentencing the
offender but the minimum term or sentence imposed under that
specific language shall be considered for purposes of the Revised Code as if it had been imposed under this division (A) (2)(a)(i) of this section.

(2)(a) For a felony of the second degree committed prior to the effective date of this amendment March 22, 2019, the prison term shall be a definite term of two, three, four, five, six, seven, or eight years.

(3)(a) For a felony of the third degree that is a violation of section 2903.06, 2903.08, 2907.03, 2907.04, 2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised Code or that is a violation of section 2911.02 or 2911.12 of the Revised Code if the offender previously has been convicted of or pleaded guilty in two or more separate proceedings to two or more violations of section 2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, the prison term shall be a definite term of twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty months.

(b) For a felony of the third degree that is not an offense for which division (A)(3)(a) of this section applies, the prison term shall be a definite term of nine, twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty months.

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

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

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

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

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

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

(iv) A prison term of nine years if the specification is
of the type described in division (D) of section 2941.144 of the
Revised Code that charges the offender with having a firearm
that is an automatic firearm or that was equipped with a firearm
muffler or suppressor on or about the offender's person or under
the offender's control while committing the offense and
specifies that the offender previously has been convicted of or
pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code;

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

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

(b) If a court imposes a prison term on an offender under division (B)(1)(a) of this section, the prison term shall not be reduced pursuant to section 2967.19, section 2929.20, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. Except as provided in division (B)(1)(g) of this section, a court shall not impose more than one prison term on an offender under division (B)(1)(a) of this section for felonies committed as part of the same act or
transaction.

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

(ii) Except as provided in division (B)(1)(e) of this section, if an offender who is convicted of or pleads guilty to a violation of section 2923.161 of the Revised Code or to a felony that includes, as an essential element, purposely or knowingly causing or attempting to cause the death of or physical harm to another, also is convicted of or pleads guilty to a specification of the type described in division (C) of section 2941.146 of the Revised Code that charges the offender with committing the offense by discharging a firearm from a motor vehicle other than a manufactured home and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code,
the court, after imposing a prison term on the offender for the
violation of section 2923.161 of the Revised Code or for the
other felony offense under division (A), (B)(2), or (3) of this
section, shall impose an additional prison term of ninety months
upon the offender that shall not be reduced pursuant to section
2929.20, 2967.19, 2967.193, or any other provision of Chapter
2967. or Chapter 5120. of the Revised Code.

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

(d) If an offender who is convicted of or pleads guilty to
an offense of violence that is a felony also is convicted of or
pleads guilty to a specification of the type described in
section 2941.1411 of the Revised Code that charges the offender
with wearing or carrying body armor while committing the felony
offense of violence, the court shall impose on the offender an
additional prison term of two years. The prison term so imposed,
subject to divisions (C) to (I) of section 2967.19 of the
Revised Code, shall not be reduced pursuant to section 2929.20,
section 2967.19, section 2967.193, or any other provision of
Chapter 2967. or Chapter 5120. of the Revised Code. A court
shall not impose more than one prison term on an offender under
division (B)(1)(d) of this section for felonies committed as
part of the same act or transaction. If a court imposes an
additional prison term under division (B)(1)(a) or (c) of this section, the court is not precluded from imposing an additional prison term under division (B)(1)(d) of this section.

(e) The court shall not impose any of the prison terms described in division (B)(1)(a) of this section or any of the additional prison terms described in division (B)(1)(c) of this section upon an offender for a violation of section 2923.12 or 2923.123 of the Revised Code. The court shall not impose any of the prison terms described in division (B)(1)(a) or (b) of this section upon an offender for a violation of section 2923.122 that involves a deadly weapon that is a firearm other than a dangerous ordnance, section 2923.16, or section 2923.121 of the Revised Code. The court shall not impose any of the prison terms described in division (B)(1)(a) of this section or any of the additional prison terms described in division (B)(1)(c) of this section upon an offender for a violation of section 2923.13 of the Revised Code unless all of the following apply:

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

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

(f)(i) If an offender is convicted of or pleads guilty to a felony that includes, as an essential element, causing or attempting to cause the death of or physical harm to another and also is convicted of or pleads guilty to a specification of the type described in division (A) of section 2941.1412 of the Revised Code that charges the offender with committing the offense by discharging a firearm at a peace officer as defined
in section 2935.01 of the Revised Code or a corrections officer, as defined in section 2941.1412 of the Revised Code, the court, after imposing a prison term on the offender for the felony offense under division (A), (B)(2), or (B)(3) of this section, shall impose an additional prison term of seven years upon the offender that shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967 or Chapter 5120 of the Revised Code.

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

(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.

(2)(a) If division (B)(2)(b) of this section does not apply, the court may impose on an offender, in addition to the longest prison term authorized or required for the offense or,
for offenses for which division (A)(1)(a) or (2)(a) of this section applies, in addition to the longest minimum prison term authorized or required for the offense, an additional definite prison term of one, two, three, four, five, six, seven, eight, nine, or ten years if all of the following criteria are met:

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

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

(iii) The court imposes the longest prison term for the offense or the longest minimum prison term for the offense, whichever is applicable, that is not life imprisonment without parole.

(iv) The court finds that the prison terms imposed pursuant to division (B)(2)(a)(iii) of this section and, if applicable, division (B)(1) or (3) of this section are inadequate to punish the offender and protect the public from future crime, because the applicable factors under section 2929.12 of the Revised Code indicating a greater likelihood of
recidivism outweigh the applicable factors under that section indicating a lesser likelihood of recidivism.

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

(b) The court shall impose on an offender the longest prison term authorized or required for the offense or, for offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required for the offense, and shall impose on the offender an additional definite prison term of one, two, three, four, five, six, seven, eight, nine, or ten years if all of the following criteria are met:

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

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

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

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

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

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

(3) Except when an offender commits a violation of section
2903.01 or 2907.02 of the Revised Code and the penalty imposed for the violation is life imprisonment or commits a violation of section 2903.02 of the Revised Code, if the offender commits a violation of section 2925.03 or 2925.11 of the Revised Code and that section classifies the offender as a major drug offender, if the offender commits a violation of section 2925.05 of the Revised Code and division (E)(1) of that section classifies the offender as a major drug offender, if the court imposing sentence upon an offender for a felony finds that the offender is guilty of corrupt activity with the most serious offense in the pattern of corrupt activity being a felony of the first degree, or if the offender is guilty of an attempted violation of section 2907.02 of the Revised Code and, had the offender completed the violation of section 2907.02 of the Revised Code that was attempted, the offender would have been subject to a sentence of life imprisonment or life imprisonment without parole for the violation of section 2907.02 of the Revised Code, the court shall impose upon the offender for the felony violation a mandatory prison term determined as described in this division that, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, cannot be reduced pursuant to section 2929.20, section 2967.19, or any other provision of
Chapter 2967. or 5120. of the Revised Code. The mandatory prison term shall be the maximum definite prison term prescribed in division (A)(1)(b) of this section for a felony of the first degree, except that for offenses for which division (A)(1)(a) of this section applies, the mandatory prison term shall be the longest minimum prison term prescribed in that division for the offense.

(4) If the offender is being sentenced for a third or fourth degree felony OVI offense under division (G)(2) of section 2929.13 of the Revised Code, the sentencing court shall impose upon the offender a mandatory prison term in accordance with that division. In addition to the mandatory prison term, if the offender is being sentenced for a fourth degree felony OVI offense, the court, notwithstanding division (A)(4) of this section, may sentence the offender to a definite prison term of not less than six months and not more than thirty months, and if the offender is being sentenced for a third degree felony OVI offense, the sentencing court may sentence the offender to an additional prison term of any duration specified in division (A)(3) of this section. In either case, the additional prison term imposed shall be reduced by the sixty or one hundred twenty days imposed upon the offender as the mandatory prison term. The total of the additional prison term imposed under division (B)(4) of this section plus the sixty or one hundred twenty days imposed as the mandatory prison term shall equal a definite term in the range of six months to thirty months for a fourth degree felony OVI offense and shall equal one of the authorized prison terms specified in division (A)(3) of this section for a third degree felony OVI offense. If the court imposes an additional prison term under division (B)(4) of this section, the offender shall serve the additional prison term after the offender has
served the mandatory prison term required for the offense. In addition to the mandatory prison term or mandatory and additional prison term imposed as described in division (B)(4) of this section, the court also may sentence the offender to a community control sanction under section 2929.16 or 2929.17 of the Revised Code, but the offender shall serve all of the prison terms so imposed prior to serving the community control sanction.

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

(5) If an offender is convicted of or pleads guilty to a violation of division (A)(1) or (2) of section 2903.06 of the Revised Code and also is convicted of or pleads guilty to a specification of the type described in section 2941.1414 of the Revised Code that charges that the victim of the offense is a peace officer, as defined in section 2935.01 of the Revised Code, or an investigator of the bureau of criminal identification and investigation, as defined in section 2903.11 of the Revised Code, the court shall impose on the offender a prison term of five years. If a court imposes a prison term on an offender under division (B)(5) of this section, the prison term, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(5) of this section for felonies committed as part of the same act.
(6) If an offender is convicted of or pleads guilty to a violation of division (A)(1) or (2) of section 2903.06 of the Revised Code and also is convicted of or pleads guilty to a specification of the type described in section 2941.1415 of the Revised Code that charges that the offender previously has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code or an equivalent offense, as defined in section 2941.1415 of the Revised Code, or three or more violations of any combination of those divisions and offenses, the court shall impose on the offender a prison term of three years. If a court imposes a prison term on an offender under division (B)(6) of this section, the prison term, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(6) of this section for felonies committed as part of the same act.

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

(i) If the offense is a felony of the first degree, a definite prison term of not less than five years and not greater
than eleven years, except that if the offense is a felony of the first degree committed on or after the effective date of this amendment March 22, 2019, the court shall impose as the minimum prison term a mandatory term of not less than five years and not greater than eleven years;

(ii) If the offense is a felony of the second or third degree, a definite prison term of not less than three years and not greater than the maximum prison term allowed for the offense by division (A)(2)(b) or (3) of this section, except that if the offense is a felony of the second degree committed on or after the effective date of this amendment March 22, 2019, the court shall impose as the minimum prison term a mandatory term of not less than three years and not greater than eight years;

(iii) If the offense is a felony of the fourth or fifth degree, a definite prison term that is the maximum prison term allowed for the offense by division (A) of section 2929.14 of the Revised Code.

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

(8) If an offender is convicted of or pleads guilty to a felony violation of section 2903.11, 2903.12, or 2903.13 of the Revised Code and also is convicted of or pleads guilty to a specification of the type described in section 2941.1423 of the Revised Code that charges that the victim of the violation was a
woman whom the offender knew was pregnant at the time of the
violation, notwithstanding the range prescribed in division (A)
of this section as the definite prison term or minimum prison
term for felonies of the same degree as the violation, the court
shall impose on the offender a mandatory prison term that is
either a definite prison term of six months or one of the prison
terms prescribed in division (A) of this section for felonies of
the same degree as the violation, except that if the violation
is a felony of the first or second degree committed on or after
the effective date of this amendment March 22, 2019, the court
shall impose as the minimum prison term under division (A)(1)(a)
or (2)(a) of this section a mandatory term that is one of the
terms prescribed in that division, whichever is applicable, for
the offense.

(9)(a) If an offender is convicted of or pleads guilty to
a violation of division (A)(1) or (2) of section 2903.11 of the
Revised Code and also is convicted of or pleads guilty to a
specification of the type described in section 2941.1425 of the
Revised Code, the court shall impose on the offender a mandatory
prison term of six years if either of the following applies:

(i) The violation is a violation of division (A)(1) of
section 2903.11 of the Revised Code and the specification
charges that the offender used an accelerant in committing the
violation and the serious physical harm to another or to
another's unborn caused by the violation resulted in a
permanent, serious disfigurement or permanent, substantial
incapacity;

(ii) The violation is a violation of division (A)(2) of
section 2903.11 of the Revised Code and the specification
charges that the offender used an accelerant in committing the
violation, that the violation caused physical harm to another or
to another's unborn, and that the physical harm resulted in a
permanent, serious disfigurement or permanent, substantial
incapacity.

(b) If a court imposes a prison term on an offender under
division (B)(9)(a) of this section, the prison term shall not be
reduced pursuant to section 2929.20, section 2967.19, section
2967.193, or any other provision of Chapter 2967. or Chapter
5120. of the Revised Code. A court shall not impose more than
one prison term on an offender under division (B)(9) of this
section for felonies committed as part of the same act.

(c) The provisions of divisions (B)(9) and (C)(6) of this
section and of division (D)(2) of section 2903.11, division (F)
(20) of section 2929.13, and section 2941.1425 of the Revised
Code shall be known as "Judy's Law."

(10) If an offender is convicted of or pleads guilty to a
violation of division (A) of section 2903.11 of the Revised Code
and also is convicted of or pleads guilty to a specification of
the type described in section 2941.1426 of the Revised Code that
charges that the victim of the offense suffered permanent
disabling harm as a result of the offense and that the victim
was under ten years of age at the time of the offense,
regardless of whether the offender knew the age of the victim,
the court shall impose upon the offender an additional definite
prison term of six years. A prison term imposed on an offender
under division (B)(10) of this section shall not be reduced
pursuant to section 2929.20, section 2967.193, or any other
provision of Chapter 2967. or Chapter 5120. of the Revised Code.
If a court imposes an additional prison term on an offender
under this division relative to a violation of division (A) of
section 2903.11 of the Revised Code, the court shall not impose any other additional prison term on the offender relative to the same offense.

(11) If an offender is convicted of or pleads guilty to a felony violation of section 2925.03 or 2925.05 of the Revised Code or a felony violation of section 2925.11 of the Revised Code for which division (C)(11) of that section applies in determining the sentence for the violation, if the drug involved in the violation is a fentanyl-related compound or a compound, mixture, preparation, or substance containing a fentanyl-related compound, and if the offender also is convicted of or pleads guilty to a specification of the type described in division (B) of section 2941.1410 of the Revised Code that charges that the offender is a major drug offender, in addition to any other penalty imposed for the violation, the court shall impose on the offender a mandatory prison term of three, four, five, six, seven, or eight years. If a court imposes a prison term on an offender under division (B)(11) of this section, the prison term, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, 2967.19, or 2967.193, or any other provision of Chapter 2967. or 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(11) of this section for felonies committed as part of the same act.

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

(b) If a mandatory prison term is imposed upon an offender
pursuant to division (B)(1)(d) of this section for wearing or
carrying body armor while committing an offense of violence that
is a felony, the offender shall serve the mandatory term so
imposed consecutively to any other mandatory prison term imposed
under that division or under division (B)(1)(a) or (c) of this
section, consecutively to and prior to any prison term imposed
for the underlying felony under division (A), (B)(2), or (B)(3)
of this section or any other section of the Revised Code, and
consecutively to any other prison term or mandatory prison term
previously or subsequently imposed upon the offender.

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

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

(e) If a mandatory prison term is imposed upon an offender pursuant to division (B)(11) of this section, the offender shall serve the mandatory prison term consecutively to any other mandatory prison term imposed under that division, consecutively to and prior to any prison term imposed for the underlying felony, and consecutively to any other prison term or mandatory prison term previously or subsequently imposed upon the offender.

(2) If an offender who is an inmate in a jail, prison, or other residential detention facility violates section 2917.02, 2917.03, or 2921.35 of the Revised Code or division (A)(1) or (2) of section 2921.34 of the Revised Code, if an offender who is under detention at a detention facility commits a felony violation of section 2923.131 of the Revised Code, or if an offender who is an inmate in a jail, prison, or other residential detention facility or is under detention at a detention facility commits another felony while the offender is an escapee in violation of division (A)(1) or (2) of section 2921.34 of the Revised Code, any prison term imposed upon the offender for one of those violations shall be served by the offender consecutively to the prison term or term of imprisonment the offender was serving when the offender committed that offense and to any other prison term previously or subsequently imposed upon the offender.
(3) If a prison term is imposed for a violation of division (B) of section 2911.01 of the Revised Code, a violation of division (A) of section 2913.02 of the Revised Code in which the stolen property is a firearm or dangerous ordnance, or a felony violation of division (B) of section 2921.331 of the Revised Code, the offender shall serve that prison term consecutively to any other prison term or mandatory prison term previously or subsequently imposed upon the offender.

(4) If multiple prison terms are imposed on an offender for convictions of multiple offenses, the court may require the offender to serve the prison terms consecutively if the court finds that the consecutive service is necessary to protect the public from future crime or to punish the offender and that consecutive sentences are not disproportionate to the seriousness of the offender's conduct and to the danger the offender poses to the public, and if the court also finds any of the following:

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

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

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

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

(6) If a mandatory prison term is imposed on an offender pursuant to division (B)(9) of this section, the offender shall serve the mandatory prison term consecutively to and prior to any prison term imposed for the underlying violation of division (A)(1) or (2) of section 2903.11 of the Revised Code and consecutively to and prior to any other prison term or mandatory prison term previously or subsequently imposed on the offender.

(7) If a mandatory prison term is imposed on an offender pursuant to division (B)(10) of this section, the offender shall serve that mandatory prison term consecutively to and prior to any prison term imposed for the underlying felonious assault.
Except as otherwise provided in division (C) of this section, any other prison term or mandatory prison term previously or subsequently imposed upon the offender may be served concurrently with, or consecutively to, the prison term imposed pursuant to division (B)(10) of this section.

(8) Any prison term imposed for a violation of section 2903.04 of the Revised Code that is based on a violation of section 2925.03 or 2925.11 of the Revised Code or on a violation of section 2925.05 of the Revised Code that is not funding of marihuana trafficking shall run consecutively to any prison term imposed for the violation of section 2925.03 or 2925.11 of the Revised Code or for the violation of section 2925.05 of the Revised Code that is not funding of marihuana trafficking.

(9) When consecutive prison terms are imposed pursuant to division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or division (H)(1) or (2) of this section, subject to division (C)(10) of this section, the term to be served is the aggregate of all of the terms so imposed.

(10)(a) When a court sentences an offender to a non-life felony indefinite prison term to be served consecutively with any definite prison term or mandatory definite prison term previously or subsequently, or contemporaneously imposed on the offender in addition to that indefinite sentence that is required to be served consecutively to that indefinite sentence, the definite prison term or mandatory definite prison term shall be served prior to the non-life felony indefinite sentence.

(b) When a court sentences an offender to a non-life felony indefinite prison term for an offense committed on or after March 22, 2019, to be served consecutively with any other
non-life felony indefinite prison term previously, subsequently, or contemporaneously imposed on the offender for an offense committed on or after March 22, 2019, the minimum portions of each non-life felony indefinite prison term shall be aggregated and treated as one aggregate minimum portion and the maximum portions shall be aggregated and treated as one aggregate maximum portion to be served in accordance with section 2967.271 of the Revised Code.

(c) When a court sentences an offender to a non-life felony indefinite prison term for an offense committed on or after March 22, 2019, to be served consecutively to any non-life felony indefinite prison term for an offense committed before July 1, 1996, the indefinite prison term for the offense committed on or after March 22, 2019, shall be served prior to the indefinite prison term for an offense committed prior to July 1, 1996.

(11) If a court is sentencing an offender for a felony of the first or second degree, if division (A)(1)(a) or (2)(a) of this section applies with respect to the sentencing for the offense, and if the court is required under the Revised Code section that sets forth the offense or any other Revised Code provision to impose a mandatory prison term for the offense, the court shall impose the required mandatory prison term as the minimum term imposed under division (A)(1)(a) or (2)(a) of this section, whichever is applicable.

(D)(1) If a court imposes a prison term, other than a term of life imprisonment, for a felony of the first degree, for a felony of the second degree, for a felony sex offense, or for a felony of the third degree that is an offense of violence and that is not a felony sex offense, it shall include in the
sentence a requirement that the offender be subject to a period of post-release control after the offender's release from imprisonment, in accordance with section 2967.28 of the Revised Code. If a court imposes a sentence including a prison term of a type described in this division on or after July 11, 2006, the failure of a court to include a post-release control requirement in the sentence pursuant to this division does not negate, limit, or otherwise affect the mandatory period of post-release control that is required for the offender under division (B) of section 2967.28 of the Revised Code. Section 2929.191 of the Revised Code applies if, prior to July 11, 2006, a court imposed a sentence including a prison term of a type described in this division and failed to include in the sentence pursuant to this division a statement regarding post-release control.

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

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

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

(2) A person is convicted of or pleads guilty to a violation of division (A)(1)(b) of section 2907.02 of the Revised Code committed on or after January 2, 2007, and either the court does not impose a sentence of life without parole when authorized pursuant to division (B) of section 2907.02 of the Revised Code, or division (B) of section 2907.02 of the Revised Code provides that the court shall not sentence the offender pursuant to section 2971.03 of the Revised Code.

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

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

(5) A person is convicted of or pleads guilty to aggravated murder committed on or after January 1, 2008, and division (A)(2)(b)(ii) of section 2929.022, division (A)(1)(e), (C)(1)(a)(v), (C)(2)(a)(ii), (D)(2)(b), (D)(3)(a)(iv), or (E)(1)(d) of section 2929.03, or division (A) or (B) of section 2929.06 of the Revised Code requires the court to sentence the offender pursuant to division (B)(3) of section 2971.03 of the Revised Code.
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(6) A person is convicted of or pleads guilty to murder committed on or after January 1, 2008, and division (B)(2) of section 2929.02 of the Revised Code requires the court to sentence the offender pursuant to section 2971.03 of the Revised Code.

(F) If a person who has been convicted of or pleaded guilty to a felony is sentenced to a prison term or term of imprisonment under this section, sections 2929.02 to 2929.06 of the Revised Code, section 2929.142 of the Revised Code, section 2971.03 of the Revised Code, or any other provision of law, section 5120.163 of the Revised Code applies regarding the person while the person is confined in a state correctional institution.

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

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

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

(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 sanction imposed under this division, including the cost of the use of the monitoring device.

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

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

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

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

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

(J) If a person is convicted of or pleads guilty to aggravated vehicular homicide in violation of division (A)(1) of section 2903.06 of the Revised Code and division (B)(2)(c) of that section applies, the person shall be sentenced pursuant to section 2929.142 of the Revised Code.
(K)(1) The court shall impose an additional mandatory prison term of two, three, four, five, six, seven, eight, nine, ten, or eleven years on an offender who is convicted of or pleads guilty to a violent felony offense if the offender also is convicted of or pleads guilty to a specification of the type described in section 2941.1424 of the Revised Code that charges that the offender is a violent career criminal and had a firearm on or about the offender's person or under the offender's control while committing the presently charged violent felony offense and displayed or brandished the firearm, indicated that the offender possessed a firearm, or used the firearm to facilitate the offense. The offender shall serve the prison term imposed under this division consecutively to and prior to the prison term imposed for the underlying offense. The prison term shall not be reduced pursuant to section 2929.20 or 2967.19 or any other provision of Chapter 2967. or 5120. of the Revised Code. A court may not impose more than one sentence under division (B)(2)(a) of this section and this division for acts committed as part of the same act or transaction.

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

Sec. 2929.144. (A) As used in this section, "qualifying:

(1) "Most serious felony being sentenced" means the felony offense carrying the highest degree of felony of all the offenses contained in an indictment, information, or complaint.

(2) "Qualifying felony of the first or second degree" means a felony of the first or second degree committed on or after the effective date of this section—March 22, 2019.
(B) The court imposing a prison term on an offender under division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code for a one or more qualifying felony felonies of the first or second degree contained in a single indictment, information, or complaint shall determine the single maximum prison term that is part of the sentence for all qualifying felonies in the indictment, information, or complaint in accordance with the following:

(1) If the offender is being sentenced for one felony and the felony is a qualifying felony of the first or second degree, the maximum prison term shall be equal to fifty per cent of the minimum term imposed on the offender under division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code plus fifty per cent of that term.

(2) If the offender is being sentenced for more than one felony, if one or more of the felonies is a qualifying felony of the first or second degree, and if the court orders that some or all of the prison terms imposed are to be served consecutively, the court shall add all of the minimum terms imposed on the offender under division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code for a qualifying felony of the first or second degree that are to be served consecutively and all of the definite terms of the felonies that are not qualifying felonies of the first or second degree that are to be served consecutively, and the maximum term shall be equal to the total of those terms so added by the court plus fifty per cent of the longest minimum term or definite term for the most serious felony being sentenced.

(3) If the offender is being sentenced for more than one felony, if one or more of the felonies is a qualifying felony of
the first or second degree, and if the court orders that all of
the prison terms imposed are to run concurrently, the maximum

term shall be equal to the longest of the minimum terms imposed
on the offender under division (A)(1)(a) or (2)(a) of section
2929.14 of the Revised Code for a qualifying felony of the first
or second degree for which the sentence is being imposed plus
fifty per cent of the longest minimum term for the most serious
qualifying felony being sentenced.

(4) Any mandatory prison term, or portion of a mandatory
prison term, that is imposed or to be imposed on the offender
under division (B), (G), or (H) of section 2929.14 of the
Revised Code or under any other provision of the Revised Code,
with respect to a conviction of or plea of guilty to a
specification, and that is in addition to the sentence imposed
for the underlying offense—

(a) Is separate from the non-life felony indefinite
sentence being imposed for the qualifying first or second degree
felony committed on or after the effective date of this section
and shall March 22, 2019;

(b) Shall not be considered or included in determining a
maximum prison term for the offender under divisions (B)(1) to
(3) of this section; and

(c) Is to be imposed separately from the non-life felony
indefinite sentence being imposed under this section.

(C) The court imposing a prison term on an offender
pursuant to division (A)(1)(a) or (2)(a) of section 2929.14 of
the Revised Code for a qualifying felony of the first or second
degree shall sentence the offender, as part of the sentence, to
the a maximum prison term determined under division (B) of this
section. The court shall impose this maximum term at sentencing as part of the sentence it imposes under section 2929.14 of the Revised Code, and shall state the minimum term it imposes under division (A)(1)(a) or (2)(a) of that section for each qualifying felony of the first or second degree, and this maximum term, in the sentencing entry.

(D) If a court imposes a prison term on an offender pursuant to division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code for a qualifying felony of the first or second degree, section 2967.271 of the Revised Code applies with respect to the offender's service of the prison term.

Sec. 2929.20. (A) As used in this section:

(1)(a) Except as provided in division (A)(1)(b) of this section, "eligible offender" means any person who, on or after April 7, 2009, is serving a stated prison term that includes one or more nonmandatory prison terms.

(b) "Eligible offender" does not include any person who, on or after the effective date of this amendment, is serving a stated prison term for a non-life felony indefinite prison term or who, on or after April 7, 2009, is serving a stated prison term for any of the following criminal offenses that was a felony and was committed while the person held a public office in this state:

(i) A violation of section 2921.02, 2921.03, 2921.05, 2921.31, 2921.32, 2921.41, 2921.42, or 2923.32 of the Revised Code;

(ii) A violation of section 2913.42, 2921.04, 2921.11, or 2921.12 of the Revised Code, when the conduct constituting the violation was related to the duties of the offender's public office.
office or to the offender's actions as a public official holding that public office;

(iii) A violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially equivalent to any violation listed in division (A)(1)(b)(i) of this section;

(iv) A violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially equivalent to any violation listed in division (A)(1)(b)(ii) of this section, when the conduct constituting the violation was related to the duties of the offender's public office or to the offender's actions as a public official holding that public office;

(v) A conspiracy to commit, attempt to commit, or complicity in committing any offense listed in division (A)(1)(b)(i) or described in division (A)(1)(b)(iii) of this section;

(vi) A conspiracy to commit, attempt to commit, or complicity in committing any offense listed in division (A)(1)(b)(ii) or described in division (A)(1)(b)(iv) of this section, if the conduct constituting the offense that was the subject of the conspiracy, that would have constituted the offense attempted, or constituting the offense in which the offender was complicit was or would have been related to the duties of the offender's public office or to the offender's actions as a public official holding that public office.

(2) "Nonmandatory prison term" means a prison term that is not a mandatory prison term.

(3) "Public office" means any elected federal, state, or local government office in this state.
(4) "Victim's representative" has the same meaning as in section 2930.01 of the Revised Code.

(5) "Imminent danger of death," "medically incapacitated," and "terminal illness" have the same meanings as in section 2967.05 of the Revised Code.

(6) "Aggregated nonmandatory prison term or terms" means the aggregate of the following:

(a) All nonmandatory definite prison terms;

(b) With respect to any non-life felony indefinite prison term, all nonmandatory minimum prison terms imposed as part of the non-life felony indefinite prison term or terms.

(B) On the motion of an eligible offender or upon its own motion, the sentencing court may reduce the eligible offender's aggregated nonmandatory prison term or terms through a judicial release under this section.

(C) An eligible offender may file a motion for judicial release with the sentencing court within the following applicable periods:

(1) If the aggregated nonmandatory prison term or terms is less than two years, the eligible offender may file the motion at any time after the offender is delivered to a state correctional institution or, if the prison term includes a mandatory prison term or terms, at any time after the expiration of all mandatory prison terms.

(2) If the aggregated nonmandatory prison term or terms is at least two years but less than five years, the eligible offender may file the motion not earlier than one hundred eighty days after the offender is delivered to a state correctional
institution or, if the prison term includes a mandatory prison
term or terms, not earlier than one hundred eighty days after
the expiration of all mandatory prison terms.

(3) If the aggregated nonmandatory prison term or terms is
five years, the eligible offender may file the motion not
earlier than the date on which the eligible offender has served
four years of the offender's stated prison term or, if the
prison term includes a mandatory prison term or terms, not
earlier than four years after the expiration of all mandatory
prison terms.

(4) If the aggregated nonmandatory prison term or terms is
more than five years but not more than ten years, the eligible
offender may file the motion not earlier than the date on which
the eligible offender has served five years of the offender's
stated prison term or, if the prison term includes a mandatory
prison term or terms, not earlier than five years after the
expiration of all mandatory prison terms.

(5) If the aggregated nonmandatory prison term or terms is
more than ten years, the eligible offender may file the motion
not earlier than the later of the date on which the offender has
served one-half of the offender's stated prison term or the date
specified in division (C)(4) of this section.

(D) Upon receipt of a timely motion for judicial release
filed by an eligible offender under division (C) of this section
or upon the sentencing court's own motion made within the
appropriate time specified in that division, the court may deny
the motion without a hearing or schedule a hearing on the
motion. The court shall not grant the motion without a hearing.
If a court denies a motion without a hearing, the court later
may consider judicial release for that eligible offender on a
subsequent motion filed by that eligible offender unless the
court denies the motion with prejudice. If a court denies a
motion with prejudice, the court may later consider judicial
release on its own motion. If a court denies a motion after a
hearing, the court shall not consider a subsequent motion for
that eligible offender. The court shall hold only one hearing
for any eligible offender.

A hearing under this section shall be conducted in open
court not less than thirty or more than sixty days after the
motion is filed, provided that the court may delay the hearing
for one hundred eighty additional days. If the court holds a
hearing, the court shall enter a ruling on the motion within ten
days after the hearing. If the court denies the motion without a
hearing, the court shall enter its ruling on the motion within
sixty days after the motion is filed.

(E) If a court schedules a hearing under division (D) of
this section, the court shall notify the eligible offender and
the head of the state correctional institution in which the
eligible offender is confined prior to the hearing. The head of
the state correctional institution immediately shall notify the
appropriate person at the department of rehabilitation and
correction of the hearing, and the department within twenty-four
hours after receipt of the notice, shall post on the database it
maintains pursuant to section 5120.66 of the Revised Code the
offender's name and all of the information specified in division
(A)(1)(c)(i) of that section. If the court schedules a hearing
for judicial release, the court promptly shall give notice of
the hearing to the prosecuting attorney of the county in which
the eligible offender was indicted. Upon receipt of the notice
from the court, the prosecuting attorney shall do whichever of
the following is applicable:
(1) Subject to division (E)(2) of this section, notify the victim of the offense or the victim's representative pursuant to division (B) of section 2930.16 of the Revised Code;

(2) If the offense was an offense of violence that is a felony of the first, second, or third degree, except as otherwise provided in this division, notify the victim or the victim's representative of the hearing regardless of whether the victim or victim's representative has requested the notification. The notice of the hearing shall not be given under this division to a victim or victim's representative if the victim or victim's representative has requested pursuant to division (B)(2) of section 2930.03 of the Revised Code that the victim or the victim's representative not be provided the notice. If notice is to be provided to a victim or victim's representative under this division, the prosecuting attorney may give the notice by any reasonable means, including regular mail, telephone, and electronic mail, in accordance with division (D)(1) of section 2930.16 of the Revised Code. If the notice is based on an offense committed prior to March 22, 2013, the notice also shall include the opt-out information described in division (D)(1) of section 2930.16 of the Revised Code. The prosecuting attorney, in accordance with division (D)(2) of section 2930.16 of the Revised Code, shall keep a record of all attempts to provide the notice, and of all notices provided, under this division. Division (E)(2) of this section, and the notice-related provisions of division (K) of this section, division (D)(1) of section 2930.16, division (H) of section 2967.12, division (E)(1)(b) of section 2967.19, division (A)(3)(b) of section 2967.26, division (D)(1) of section 2967.28, and division (A)(2) of section 5149.101 of the Revised Code enacted in the act in which division (E)(2) of this section was enacted,
shall be known as "Roberta's Law."

(F) Upon an offender's successful completion of rehabilitative activities, the head of the state correctional institution may notify the sentencing court of the successful completion of the activities.

(G) Prior to the date of the hearing on a motion for judicial release under this section, the head of the state correctional institution in which the eligible offender is confined shall send to the court an institutional summary report on the eligible offender's conduct in the institution and in any institution from which the eligible offender may have been transferred. Upon the request of the prosecuting attorney of the county in which the eligible offender was indicted or of any law enforcement agency, the head of the state correctional institution, at the same time the person sends the institutional summary report to the court, also shall send a copy of the report to the requesting prosecuting attorney and law enforcement agencies. The institutional summary report shall cover the eligible offender's participation in school, vocational training, work, treatment, and other rehabilitative activities and any disciplinary action taken against the eligible offender. The report shall be made part of the record of the hearing. A presentence investigation report is not required for judicial release.

(H) If the court grants a hearing on a motion for judicial release under this section, the eligible offender shall attend the hearing if ordered to do so by the court. Upon receipt of a copy of the journal entry containing the order, the head of the state correctional institution in which the eligible offender is incarcerated shall deliver the eligible offender to the sheriff.
of the county in which the hearing is to be held. The sheriff shall convey the eligible offender to and from the hearing.

(I) At the hearing on a motion for judicial release under this section, the court shall afford the eligible offender and the eligible offender's attorney an opportunity to present written and, if present, oral information relevant to the motion. The court shall afford a similar opportunity to the prosecuting attorney, the victim or the victim's representative, and any other person the court determines is likely to present additional relevant information. The court shall consider any statement of a victim made pursuant to section 2930.14 or 2930.17 of the Revised Code, any victim impact statement prepared pursuant to section 2947.051 of the Revised Code, and any report made under division (G) of this section. The court may consider any written statement of any person submitted to the court pursuant to division (L) of this section. After ruling on the motion, the court shall notify the victim of the ruling in accordance with sections 2930.03 and 2930.16 of the Revised Code.

(J)(1) A court shall not grant a judicial release under this section to an eligible offender who is imprisoned for a felony of the first or second degree, or to an eligible offender who committed an offense under Chapter 2925. or 3719. of the Revised Code and for whom there was a presumption under section 2929.13 of the Revised Code in favor of a prison term, unless the court, with reference to factors under section 2929.12 of the Revised Code, finds both of the following:

(a) That a sanction other than a prison term would adequately punish the offender and protect the public from future criminal violations by the eligible offender because the
applicable factors indicating a lesser likelihood of recidivism outweigh the applicable factors indicating a greater likelihood of recidivism;

(b) That a sanction other than a prison term would not demean the seriousness of the offense because factors indicating that the eligible offender's conduct in committing the offense was less serious than conduct normally constituting the offense outweigh factors indicating that the eligible offender's conduct was more serious than conduct normally constituting the offense.

(2) A court that grants a judicial release to an eligible offender under division (J)(1) of this section shall specify on the record both findings required in that division and also shall list all the factors described in that division that were presented at the hearing.

(K) If the court grants a motion for judicial release under this section, the court shall order the release of the eligible offender, shall place the eligible offender under an appropriate community control sanction, under appropriate conditions, and under the supervision of the department of probation serving the court and shall reserve the right to reimpose the sentence that it reduced if the offender violates the sanction. If the court reimposes the reduced sentence, it may do so either concurrently with, or consecutive to, any new sentence imposed upon the eligible offender as a result of the violation that is a new offense. Except as provided in division (R)(2) of this section, the period of community control shall be no longer than five years. The court, in its discretion, may reduce the period of community control by the amount of time the eligible offender spent in jail or prison for the offense and in prison. If the court made any findings pursuant to division (J)
(1) of this section, the court shall serve a copy of the
findings upon counsel for the parties within fifteen days after
the date on which the court grants the motion for judicial
release.

If the court grants a motion for judicial release, the
court shall notify the appropriate person at the department of
rehabilitation and correction, and the department shall post
notice of the release on the database it maintains pursuant to
section 5120.66 of the Revised Code. The court also shall notify
the prosecuting attorney of the county in which the eligible
offender was indicted that the motion has been granted. Unless
the victim or the victim's representative has requested pursuant
to division (B)(2) of section 2930.03 of the Revised Code that
the victim or victim's representative not be provided the
notice, the prosecuting attorney shall notify the victim or the
victim's representative of the judicial release in any manner,
and in accordance with the same procedures, pursuant to which
the prosecuting attorney is authorized to provide notice of the
hearing pursuant to division (E)(2) of this section. If the
notice is based on an offense committed prior to March 22, 2013,
the notice to the victim or victim's representative also shall
include the opt-out information described in division (D)(1) of
section 2930.16 of the Revised Code.

(L) In addition to and independent of the right of a
victim to make a statement pursuant to section 2930.14, 2930.17,
or 2946.051 of the Revised Code and any right of a person to
present written information or make a statement pursuant to
division (I) of this section, any person may submit to the
court, at any time prior to the hearing on the offender's motion
for judicial release, a written statement concerning the effects
of the offender's crime or crimes, the circumstances surrounding
the crime or crimes, the manner in which the crime or crimes
were perpetrated, and the person's opinion as to whether the
offender should be released.

(M) The changes to this section that are made on September
30, 2011, apply to any judicial release decision made on or
after September 30, 2011, for any eligible offender.

(N) Notwithstanding the eligibility requirements specified
in division (A) of this section and the filing time frames
specified in division (C) of this section and notwithstanding
the findings required under division (J) of this section, the
sentencing court, upon the court's own motion and after
considering whether the release of the offender into society
would create undue risk to public safety, may grant a judicial
release to an offender who is not serving a life sentence at any
time during the offender's imposed sentence when the director of
rehabilitation and correction certifies to the sentencing court
through the chief medical officer for the department of
rehabilitation and correction that the offender is in imminent
danger of death, is medically incapacitated, or is suffering
from a terminal illness.

(O) The director of rehabilitation and correction shall
not certify any offender under division (N) of this section who
is serving a death sentence.

(P) A motion made by the court under division (N) of this
section is subject to the notice, hearing, and other procedural
requirements specified in divisions (D), (E), (G), (H), (I),
(K), and (L) of this section, except for the following:

(1) The court may waive the offender's appearance at any
hearing scheduled by the court if the offender's condition makes
it impossible for the offender to participate meaningfully in
the proceeding.

(2) The court may grant the motion without a hearing,
provided that the prosecuting attorney and victim or victim's
representative to whom notice of the hearing was provided under
division (E) of this section indicate that they do not wish to
participate in the hearing or present information relevant to
the motion.

(Q) The court may request health care records from the
department of rehabilitation and correction to verify the
certification made under division (N) of this section.

(R)(1) If the court grants judicial release under division
(N) of this section, the court shall do all of the following:

(a) Order the release of the offender;

(b) Place the offender under an appropriate community
control sanction, under appropriate conditions;

(c) Place the offender under the supervision of the
department of probation serving the court or under the
supervision of the adult parole authority.

(2) The court, in its discretion, may revoke the judicial
release if the offender violates the community control sanction
described in division (R)(1) of this section. The period of that
community control is not subject to the five-year limitation
described in division (K) of this section and shall not expire
earlier than the date on which all of the offender's mandatory
prison terms expire.

(S) If the health of an offender who is released under
division (N) of this section improves so that the offender is no
longer terminally ill, medically incapacitated, or in imminent
danger of death, the court shall, upon the court's own motion,
revoke the judicial release. The court shall not grant the
motion without a hearing unless the offender waives a hearing.
If a hearing is held, the court shall afford the offender and
the offender's attorney an opportunity to present written and,
if the offender or the offender's attorney is present, oral
information relevant to the motion. The court shall afford a
similar opportunity to the prosecuting attorney, the victim or
the victim's representative, and any other person the court
determines is likely to present additional relevant information.
A court that grants a motion under this division shall specify
its findings on the record.

Sec. 2945.37. (A) As used in sections 2945.37 to 2945.402
of the Revised Code:

(1) "Prosecutor" means a prosecuting attorney or a city
director of law, village solicitor, or similar chief legal
officer of a municipal corporation who has authority to
prosecute a criminal case that is before the court or the
criminal case in which a defendant in a criminal case has been
found incompetent to stand trial or not guilty by reason of
insanity.

(2) "Examiner" means either of the following:

(a) A psychiatrist or a licensed clinical psychologist who
satisfies the criteria of division (I) of section 5122.01 of the
Revised Code or is employed by a certified forensic center
designated by the department of mental health and addiction
services to conduct examinations or evaluations.

(b) For purposes of a separate intellectual disability
evaluation that is ordered by a court pursuant to division (H) of section 2945.371 of the Revised Code, a psychologist designated by the director of developmental disabilities pursuant to that section to conduct that separate intellectual disability evaluation.

(3) "Nonsecured status" means any unsupervised, off-grounds movement or trial visit from a hospital or institution, or any conditional release, that is granted to a person who is found incompetent to stand trial and is committed pursuant to section 2945.39 of the Revised Code or to a person who is found not guilty by reason of insanity and is committed pursuant to section 2945.40 of the Revised Code.

(4) "Unsupervised, off-grounds movement" includes only off-grounds privileges that are unsupervised and that have an expectation of return to the hospital or institution on a daily basis.

(5) "Trial visit" means a patient privilege of a longer stated duration of unsupervised community contact with an expectation of return to the hospital or institution at designated times.

(6) "Conditional release" means a commitment status under which both of the following apply:

(a) Under the status, the trial court at any time may revoke a person's conditional release and order the rehospitalization or reinstitutionalization of the person as described in division (A) of section 2945.402 of the Revised Code and pursuant to which—

(b) Pursuant to the status, a person who is found incompetent to stand trial or a person who is found not guilty
by reason of insanity lives and receives treatment in the community for a period of time that does not exceed the maximum prison term or term of imprisonment that the person could have received for the offense in question had the person been convicted of the offense instead of being found incompetent to stand trial on the charge of the offense or being found not guilty by reason of insanity relative to the offense. The maximum prison term includes, for an offense that would be a felony of the first or second degree that occurred on or after March 22, 2019, both the longest minimum term that the defendant or person could have received if convicted plus the corresponding maximum term that would be required.

(7) "Licensed clinical psychologist," "mentally ill person subject to court order," and "psychiatrist" have the same meanings as in section 5122.01 of the Revised Code.

(8) "Person with an intellectual disability subject to institutionalization by court order" has the same meaning as in section 5123.01 of the Revised Code.

(B) In a criminal action in a court of common pleas, a county court, or a municipal court, the court, prosecutor, or defense may raise the issue of the defendant's competence to stand trial. If the issue is raised before the trial has commenced, the court shall hold a hearing on the issue as provided in this section. If the issue is raised after the trial has commenced, the court shall hold a hearing on the issue only for good cause shown or on the court's own motion.

(C) The court shall conduct the hearing required or authorized under division (B) of this section within thirty days after the issue is raised, unless the defendant has been referred for evaluation in which case the court shall conduct
the hearing within ten days after the filing of the report of
the evaluation or, in the case of a defendant who is ordered by
the court pursuant to division (H) of section 2945.371 of the
Revised Code to undergo a separate intellectual disability
evaluation conducted by a psychologist designated by the
director of developmental disabilities, within ten days after
the filing of the report of the separate intellectual disability
evaluation under that division. A hearing may be continued for
good cause.

(D) The defendant shall be represented by counsel at the
hearing conducted under division (C) of this section. If the
defendant is unable to obtain counsel, the court shall appoint
counsel under Chapter 120. of the Revised Code or under the
authority recognized in division (C) of section 120.06, division
(E) of section 120.16, division (E) of section 120.26, or
section 2941.51 of the Revised Code before proceeding with the
hearing.

(E) The prosecutor and defense counsel may submit evidence
on the issue of the defendant's competence to stand trial. A
written report of the evaluation of the defendant may be
admitted into evidence at the hearing by stipulation, but, if
either the prosecution or defense objects to its admission, the
report may be admitted under sections 2317.36 to 2317.38 of the
Revised Code or any other applicable statute or rule.

(F) The court shall not find a defendant incompetent to
stand trial solely because the defendant is receiving or has
received treatment as a voluntary or involuntary mentally ill
patient under Chapter 5122. or a voluntary or involuntary
resident with an intellectual disability under Chapter 5123. of
the Revised Code or because the defendant is receiving or has
received psychotropic drugs or other medication, even if the defendant might become incompetent to stand trial without the drugs or medication.

(G) A defendant is presumed to be competent to stand trial. If, after a hearing, the court finds by a preponderance of the evidence that, because of the defendant's present mental condition, the defendant is incapable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense, the court shall find the defendant incompetent to stand trial and shall enter an order authorized by section 2945.38 of the Revised Code.

(H) Municipal courts shall follow the procedures set forth in sections 2945.37 to 2945.402 of the Revised Code. Except as provided in section 2945.371 of the Revised Code, a municipal court shall not order an evaluation of the defendant's competence to stand trial or the defendant's mental condition at the time of the commission of the offense to be conducted at any hospital operated by the department of mental health and addiction services. Those evaluations shall be performed through community resources including, but not limited to, certified forensic centers, court probation departments, and community mental health services providers. All expenses of the evaluations shall be borne by the legislative authority of the municipal court, as defined in section 1901.03 of the Revised Code, and shall be taxed as costs in the case. If a defendant is found incompetent to stand trial or not guilty by reason of insanity, a municipal court may commit the defendant as provided in sections 2945.38 to 2945.402 of the Revised Code.

Sec. 2945.401. (A) A defendant found incompetent to stand trial and committed pursuant to section 2945.39 of the Revised Code
Code or a person found not guilty by reason of insanity and committed pursuant to section 2945.40 of the Revised Code shall remain subject to the jurisdiction of the trial court pursuant to that commitment, and to the provisions of this section, until the final termination of the commitment as described in division (J)(1) of this section. If the jurisdiction is terminated under this division because of the final termination of the commitment resulting from the expiration of the maximum prison term or term of imprisonment described in division (J)(1)(b) of this section, the court or prosecutor may file an affidavit for the civil commitment of the defendant or person pursuant to Chapter 5122. or 5123. of the Revised Code.

(B) A hearing conducted under any provision of sections 2945.37 to 2945.402 of the Revised Code shall not be conducted in accordance with Chapters 5122. and 5123. of the Revised Code. Any person who is committed pursuant to section 2945.39 or 2945.40 of the Revised Code shall not voluntarily admit the person or be voluntarily admitted to a hospital or institution pursuant to section 5122.02, 5122.15, 5123.69, or 5123.76 of the Revised Code. All other provisions of Chapters 5122. and 5123. of the Revised Code regarding hospitalization or institutionalization shall apply to the extent they are not in conflict with this chapter. A commitment under section 2945.39 or 2945.40 of the Revised Code shall not be terminated and the conditions of the commitment shall not be changed except as otherwise provided in division (D)(2) of this section with respect to a person with an intellectual disability subject to institutionalization by court order or except by order of the trial court.

(C) The department of mental health and addiction services or the institution, facility, or program to which a defendant or
person has been committed under section 2945.39 or 2945.40 of
the Revised Code shall report in writing to the trial court, at
the times specified in this division, as to whether the
defendant or person remains a mentally ill person subject to
court order or a person with an intellectual disability subject
to institutionalization by court order and, in the case of a
defendant committed under section 2945.39 of the Revised Code,
as to whether the defendant remains incompetent to stand trial.
The department, institution, facility, or program shall make the
reports after the initial six months of treatment and every two
years after the initial report is made. The trial court shall
provide copies of the reports to the prosecutor and to the
counsel for the defendant or person. Within thirty days after
its receipt pursuant to this division of a report from the
department, institution, facility, or program, the trial court
shall hold a hearing on the continued commitment of the
defendant or person or on any changes in the conditions of the
commitment of the defendant or person. The defendant or person
may request a change in the conditions of confinement, and the
trial court shall conduct a hearing on that request if six
months or more have elapsed since the most recent hearing was
conducted under this section.

(D)(1) Except as otherwise provided in division (D)(2) of
this section, when a defendant or person has been committed
under section 2945.39 or 2945.40 of the Revised Code, at any
time after evaluating the risks to public safety and the welfare
of the defendant or person, the designee of the department of
mental health and addiction services or the managing officer of
the institution or director of the facility or program to which
the defendant or person is committed may recommend a termination
of the defendant's or person's commitment or a change in the
conditions of the defendant's or person's commitment.

Except as otherwise provided in division (D)(2) of this section, if the designee of the department of mental health and addiction services recommends on-grounds unsupervised movement, off-grounds supervised movement, or nonsecured status for the defendant or person or termination of the defendant's or person's commitment, the following provisions apply:

(a) If the department's designee recommends on-grounds unsupervised movement or off-grounds supervised movement, the department's designee shall file with the trial court an application for approval of the movement and shall send a copy of the application to the prosecutor. Within fifteen days after receiving the application, the prosecutor may request a hearing on the application and, if a hearing is requested, shall so inform the department's designee. If the prosecutor does not request a hearing within the fifteen-day period, the trial court shall approve the application by entering its order approving the requested movement or, within five days after the expiration of the fifteen-day period, shall set a date for a hearing on the application. If the prosecutor requests a hearing on the application within the fifteen-day period, the trial court shall hold a hearing on the application within thirty days after the hearing is requested. If the trial court, within five days after the expiration of the fifteen-day period, sets a date for a hearing on the application, the trial court shall hold the hearing within thirty days after setting the hearing date. At least fifteen days before any hearing is held under this division, the trial court shall give the prosecutor written notice of the date, time, and place of the hearing. At the conclusion of each hearing conducted under this division, the trial court either shall approve or disapprove the application
and shall enter its order accordingly.

(b) If the department's designee recommends termination of the defendant's or person's commitment at any time or if the department's designee recommends the first of any nonsecured status for the defendant or person, the department's designee shall send written notice of this recommendation to the trial court and to the local forensic center. The local forensic center shall evaluate the committed defendant or person and, within thirty days after its receipt of the written notice, shall submit to the trial court and the department's designee a written report of the evaluation. The trial court shall provide a copy of the department's designee's written notice and of the local forensic center's written report to the prosecutor and to the counsel for the defendant or person. Upon the local forensic center's submission of the report to the trial court and the department's designee, all of the following apply:

(i) If the forensic center disagrees with the recommendation of the department's designee, it shall inform the department's designee and the trial court of its decision and the reasons for the decision. The department's designee, after consideration of the forensic center's decision, shall either withdraw, proceed with, or modify and proceed with the recommendation. If the department's designee proceeds with, or modifies and proceeds with, the recommendation, the department's designee shall proceed in accordance with division (D)(1)(b)(iii) of this section.

(ii) If the forensic center agrees with the recommendation of the department's designee, it shall inform the department's designee and the trial court of its decision and the reasons for the decision, and the department's designee shall proceed in
accordance with division (D)(1)(b)(iii) of this section.

(iii) If the forensic center disagrees with the recommendation of the department's designee and the department's designee proceeds with, or modifies and proceeds with, the recommendation or if the forensic center agrees with the recommendation of the department's designee, the department's designee shall work with community mental health services providers, programs, facilities, or boards of alcohol, drug addiction, and mental health services or community mental health boards to develop a plan to implement the recommendation. If the defendant or person is on medication, the plan shall include, but shall not be limited to, a system to monitor the defendant's or person's compliance with the prescribed medication treatment plan. The system shall include a schedule that clearly states when the defendant or person shall report for a medication compliance check. The medication compliance checks shall be based upon the effective duration of the prescribed medication, taking into account the route by which it is taken, and shall be scheduled at intervals sufficiently close together to detect a potential increase in mental illness symptoms that the medication is intended to prevent.

The department's designee, after consultation with the board of alcohol, drug addiction, and mental health services or the community mental health board serving the area, shall send the recommendation and plan developed under division (D)(1)(b)(iii) of this section, in writing, to the trial court, the prosecutor, and the counsel for the committed defendant or person. The trial court shall conduct a hearing on the recommendation and plan developed under division (D)(1)(b)(iii) of this section. Divisions (D)(1)(c) and (d) and (E) to (J) of this section apply regarding the hearing.
(c) If the department's designee's recommendation is for nonsecured status or termination of commitment, the prosecutor may obtain an independent expert evaluation of the defendant's or person's mental condition, and the trial court may continue the hearing on the recommendation for a period of not more than thirty days to permit time for the evaluation.

The prosecutor may introduce the evaluation report or present other evidence at the hearing in accordance with the Rules of Evidence.

(d) The trial court shall schedule the hearing on a department's designee's recommendation for nonsecured status or termination of commitment and shall give reasonable notice to the prosecutor and the counsel for the defendant or person. Unless continued for independent evaluation at the prosecutor's request or for other good cause, the hearing shall be held within thirty days after the trial court's receipt of the recommendation and plan.

(2) (a) Division (D)(1) of this section does not apply to on-grounds unsupervised movement of a defendant or person who has been committed under section 2945.39 or 2945.40 of the Revised Code, who is a person with an intellectual disability subject to institutionalization by court order, and who is being provided residential habilitation, care, and treatment in a facility operated by the department of developmental disabilities.

(b) If, pursuant to section 2945.39 of the Revised Code, the trial court commits a defendant who is found incompetent to stand trial and who is a person with an intellectual disability subject to institutionalization by court order, if the defendant is being provided residential habilitation, care, and treatment...
in a facility operated by the department of developmental
disabilities, if an individual who is conducting a survey for
the department of health to determine the facility's compliance
with the certification requirements of the medicaid program
cites the defendant's receipt of the residential habilitation,
care, and treatment in the facility as being inappropriate under
the certification requirements, if the defendant's receipt of
the residential habilitation, care, and treatment in the
facility potentially jeopardizes the facility's continued
receipt of federal medicaid moneys, and if as a result of the
citation the chief clinical officer of the facility determines
that the conditions of the defendant's commitment should be
changed, the department of developmental disabilities may cause
the defendant to be removed from the particular facility and,
after evaluating the risks to public safety and the welfare of
the defendant and after determining whether another type of
placement is consistent with the certification requirements, may
place the defendant in another facility that the department
selects as an appropriate facility for the defendant's continued
receipt of residential habilitation, care, and treatment and
that is a no less secure setting than the facility in which the
defendant had been placed at the time of the citation. Within
three days after the defendant's removal and alternative
placement under the circumstances described in division (D)(2)
(b) of this section, the department of developmental
disabilities shall notify the trial court and the prosecutor in
writing of the removal and alternative placement.

The trial court shall set a date for a hearing on the
removal and alternative placement, and the hearing shall be held
within twenty-one days after the trial court's receipt of the
notice from the department of developmental disabilities. At
least ten days before the hearing is held, the trial court shall give the prosecutor, the department of developmental disabilities, and the counsel for the defendant written notice of the date, time, and place of the hearing. At the hearing, the trial court shall consider the citation issued by the individual who conducted the survey for the department of health to be prima-facie evidence of the fact that the defendant's commitment to the particular facility was inappropriate under the certification requirements of the medicaid program and potentially jeopardizes the particular facility's continued receipt of federal medicaid moneys. At the conclusion of the hearing, the trial court may approve or disapprove the defendant's removal and alternative placement. If the trial court approves the defendant's removal and alternative placement, the department of developmental disabilities may continue the defendant's alternative placement. If the trial court disapproves the defendant's removal and alternative placement, it shall enter an order modifying the defendant's removal and alternative placement, but that order shall not require the department of developmental disabilities to replace the defendant for purposes of continued residential habilitation, care, and treatment in the facility associated with the citation issued by the individual who conducted the survey for the department of health.

(E) In making a determination under this section regarding nonsecured status or termination of commitment, the trial court shall consider all relevant factors, including, but not limited to, all of the following:

1. Whether, in the trial court's view, the defendant or person currently represents a substantial risk of physical harm to the defendant or person or others;
(2) Psychiatric and medical testimony as to the current mental and physical condition of the defendant or person;

(3) Whether the defendant or person has insight into the defendant's or person's condition so that the defendant or person will continue treatment as prescribed or seek professional assistance as needed;

(4) The grounds upon which the state relies for the proposed commitment;

(5) Any past history that is relevant to establish the defendant's or person's degree of conformity to the laws, rules, regulations, and values of society;

(6) If there is evidence that the defendant's or person's mental illness is in a state of remission, the medically suggested cause and degree of the remission and the probability that the defendant or person will continue treatment to maintain the remissive state of the defendant's or person's illness should the defendant's or person's commitment conditions be altered.

(F) At any hearing held pursuant to division (C) or (D)(1) or (2) of this section, the defendant or the person shall have all the rights of a defendant or person at a commitment hearing as described in section 2945.40 of the Revised Code.

(G) In a hearing held pursuant to division (C) or (D)(1) of this section, the prosecutor has the burden of proof as follows:

(1) For a recommendation of termination of commitment, to show by clear and convincing evidence that the defendant or person remains a mentally ill person subject to court order or a person with an intellectual disability subject to
institutionalization by court order;

(2) For a recommendation for a change in the conditions of the commitment to a less restrictive status, to show by clear and convincing evidence that the proposed change represents a threat to public safety or a threat to the safety of any person.

(H) In a hearing held pursuant to division (C) or (D)(1) or (2) of this section, the prosecutor shall represent the state or the public interest.

(I) At the conclusion of a hearing conducted under division (D)(1) of this section regarding a recommendation from the designee of the department of mental health and addiction services, managing officer of the institution, or director of a facility or program, the trial court may approve, disapprove, or modify the recommendation and shall enter an order accordingly.

(J)(1) A defendant or person who has been committed pursuant to section 2945.39 or 2945.40 of the Revised Code continues to be under the jurisdiction of the trial court until the final termination of the commitment. For purposes of division (J) of this section, the final termination of a commitment occurs upon the earlier of one of the following:

(a) The defendant or person no longer is a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order, as determined by the trial court;

(b) The expiration of the maximum prison term or term of imprisonment that the defendant or person could have received if the defendant or person had been convicted of the most serious offense with which the defendant or person was charged or in relation to which the defendant or person was found not guilty.
by reason of insanity, including, for an offense that would be a
felony of the first or second degree that occurred on or after
March 22, 2019, both the longest minimum term that the defendant
or person could have received if convicted plus the

(c) The trial court enters an order terminating the
commitment under the circumstances described in division (J)(2)
(a)(ii) of this section.

(2)(a) If a defendant is found incompetent to stand trial
and committed pursuant to section 2945.39 of the Revised Code,
if neither of the circumstances described in divisions (J)(1)(a)
and (b) of this section applies to that defendant, and if a
report filed with the trial court pursuant to division (C) of
this section indicates that the defendant presently is competent
to stand trial or if, at any other time during the period of the
defendant's commitment, the prosecutor, the counsel for the
defendant, or the designee of the department of mental health
and addiction services or the managing officer of the
institution or director of the facility or program to which the
defendant is committed files an application with the trial court
alleging that the defendant presently is competent to stand
trial and requesting a hearing on the competency issue or the
trial court otherwise has reasonable cause to believe that the
defendant presently is competent to stand trial and determines
on its own motion to hold a hearing on the competency issue, the
trial court shall schedule a hearing on the competency of the
defendant to stand trial, shall give the prosecutor, the counsel
for the defendant, and the department's designee or the managing
officer of the institution or the director of the facility to
which the defendant is committed notice of the date, time, and
place of the hearing at least fifteen days before the hearing,
and shall conduct the hearing within thirty days of the filing of the application or of its own motion. If, at the conclusion of the hearing, the trial court determines that the defendant presently is capable of understanding the nature and objective of the proceedings against the defendant and of assisting in the defendant's defense, the trial court shall order that the defendant is competent to stand trial and shall be proceeded against as provided by law with respect to the applicable offenses described in division (C)(1) of section 2945.38 of the Revised Code and shall enter whichever of the following additional orders is appropriate:

(i) If the trial court determines that the defendant remains a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order, the trial court shall order that the defendant's commitment to the department of mental health and addiction services or to an institution, facility, or program for the treatment of intellectual disabilities be continued during the pendency of the trial on the applicable offenses described in division (C)(1) of section 2945.38 of the Revised Code.

(ii) If the trial court determines that the defendant no longer is a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order, the trial court shall order that the defendant's commitment to the department of mental health and addiction services or to an institution, facility, or program for the treatment of intellectual disabilities shall not be continued during the pendency of the trial on the applicable offenses described in division (C)(1) of section 2945.38 of the Revised Code. This order shall be a final termination of the commitment for purposes of division (J)(1)(c) of this section.
(b) If, at the conclusion of the hearing described in division (J)(2)(a) of this section, the trial court determines that the defendant remains incapable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense, the trial court shall order that the defendant continues to be incompetent to stand trial, that the defendant's commitment to the department of mental health and addiction services or to an institution, facility, or program for the treatment of intellectual disabilities shall be continued, and that the defendant remains subject to the jurisdiction of the trial court pursuant to that commitment, and to the provisions of this section, until the final termination of the commitment as described in division (J)(1) of this section.

Sec. 2949.08. (A) When a person who is convicted of or pleads guilty to a felony is sentenced to a community residential sanction in a community-based correctional facility pursuant to section 2929.16 of the Revised Code or when a person who is convicted of or pleads guilty to a felony or a misdemeanor is sentenced to a term of imprisonment in a jail, the judge or magistrate shall order the person into the custody of the sheriff or constable, and the sheriff or constable shall deliver the person with the record of the person's conviction to the jailer, administrator, or keeper, in whose custody the person shall remain until the term of imprisonment expires or the person is otherwise legally discharged.

(B) The record of the person's conviction shall specify the total number of days, if any, that the person was confined for any reason arising out of the offense for which the person was convicted and sentenced prior to delivery to the jailer, administrator, or keeper under this section. The record shall be
used to determine any reduction of sentence under division (C) of this section.

(C)(1) If the person is sentenced to a jail for a felony or a misdemeanor, the jailer in charge of a jail shall reduce the sentence of a person delivered into the jailer's custody pursuant to division (A) of this section by the total number of days the person was confined for any reason arising out of the offense for which the person was convicted and sentenced, including confinement in lieu of bail while awaiting trial, confinement for examination to determine the person's competence to stand trial or to determine sanity, confinement while awaiting transportation to the place where the person is to serve the sentence, and confinement in a juvenile facility.

(2) If the person is sentenced to a community-based correctional facility for a felony, the total amount of time that a person shall be confined in a community-based correctional facility, in a jail, and for any reason arising out of the offense for which the person was convicted and sentenced prior to delivery to the jailer, administrator, or keeper shall not exceed the maximum prison term available for that offense including, for an offense that would be a felony of the first or second degree that occurred on or after March 22, 2019, both the longest minimum term that the defendant or person could have received if convicted, plus the corresponding maximum term that would be required. Any term in a jail shall be reduced first pursuant to division (C)(1) of this section by the total number of days the person was confined prior to delivery to the jailer, administrator, or keeper. Only after the term in a jail has been entirely reduced may the term in a community-based correctional facility be reduced pursuant to this division. This division does not affect the limitations placed on the duration of a term.
in a jail or a community-based correctional facility under divisions (A)(1), (2), and (3) of section 2929.16 of the Revised Code.

(D) For purposes of divisions (B) and (C) of this section, a person shall be considered to have been confined for a day if the person was confined for any period or periods of time totaling more than eight hours during that day.

(E) As used in this section, "community-based correctional facility" and "jail" have the same meanings as in section 2929.01 of the Revised Code.

**Sec. 2951.03.** (A)(1) Unless the defendant and the prosecutor who is handling the case against the defendant agree to waive the presentence investigation report, no person who has been convicted of or pleaded guilty to a felony shall be placed under a community control sanction until a written presentence investigation report has been considered by the court. The court may order a presentence investigation report notwithstanding an agreement to waive the report. If a court orders the preparation of a presentence investigation report pursuant to this section, section 2947.06 of the Revised Code, or Criminal Rule 32.2, the officer making the report shall inquire into the circumstances of the offense and the criminal record, social history, and present condition of the defendant, all information available regarding any prior adjudications of the defendant as a delinquent child and regarding the dispositions made relative to those adjudications, and any other matters specified in Criminal Rule 32.2. Whenever the officer considers it advisable, the officer's investigation may include a physical and mental examination of the defendant. A physical examination of the defendant may include a drug test consisting of a chemical
analysis of a blood or urine specimen of the defendant to
determine whether the defendant ingested or was injected with a
drug of abuse. If, pursuant to section 2930.13 of the Revised
Code, the victim of the offense of which the defendant has been
convicted wishes to make a statement regarding the impact of the
offense for the officer's use in preparing the presentence
investigation report, the officer shall comply with the
requirements of that section.

(2) If a defendant is committed to any institution, the
presentence investigation report shall be sent to the
institution with the entry of commitment. If a defendant is
committed to any institution and a presentence investigation
report is not prepared regarding that defendant pursuant to this
section, section 2947.06 of the Revised Code, or Criminal Rule
32.2, the director of the department of rehabilitation and
correction or the director's designee may order that an offender
background investigation and report be conducted and prepared
regarding the defendant pursuant to section 5120.16 of the
Revised Code. An offender background investigation report
prepared pursuant to this section shall be considered
confidential information and is not a public record under
section 149.43 of the Revised Code.

(3) The department of rehabilitation and correction may
use any presentence investigation report and any offender
background investigation report prepared pursuant to this
section for penological and rehabilitative purposes. The
department may disclose any presentence investigation report and
any offender background investigation report to courts, law
enforcement agencies, community-based correctional facilities,
halfway houses, and medical, mental health, and substance abuse
treatment providers. The department shall make the disclosure in
a manner calculated to maintain the report's confidentiality. Any presentence investigation report or offender background investigation report that the department discloses to a community-based correctional facility, a halfway house, or a medical, mental health, or substance abuse treatment provider shall not include a victim impact section or information identifying a witness.

(B)(1) If a presentence investigation report is prepared pursuant to this section, section 2947.06 of the Revised Code, or Criminal Rule 32.2, the court, at a reasonable time before imposing sentence, shall permit the defendant or the defendant's counsel to read the report, except that the court shall not permit the defendant or the defendant's counsel to read any of the following:

(a) Any recommendation as to sentence;

(b) Any diagnostic opinions that, if disclosed, the court believes might seriously disrupt a program of rehabilitation for the defendant;

(c) Any sources of information obtained upon a promise of confidentiality;

(d) Any other information that, if disclosed, the court believes might result in physical harm or some other type of harm to the defendant or to any other person.

(2) Prior to sentencing, the court shall permit the defendant and the defendant's counsel to comment on the presentence investigation report and, in its discretion, may permit the defendant and the defendant's counsel to introduce testimony or other information that relates to any alleged factual inaccuracy contained in the report.
(3) If the court believes that any information in the presentence investigation report should not be disclosed pursuant to division (B)(1) of this section, the court, in lieu of making the report or any part of the report available, shall state orally or in writing a summary of the factual information contained in the report that will be relied upon in determining the defendant's sentence. The court shall permit the defendant and the defendant's counsel to comment upon the oral or written summary of the report.

(4) Any material that is disclosed to the defendant or the defendant's counsel pursuant to this section shall be disclosed to the prosecutor who is handling the prosecution of the case against the defendant.

(5) If the comments of the defendant or the defendant's counsel, the testimony they introduce, or any of the other information they introduce alleges any factual inaccuracy in the presentence investigation report or the summary of the report, the court shall do either of the following with respect to each alleged factual inaccuracy:

(a) Make a finding as to the allegation;

(b) Make a determination that no finding is necessary with respect to the allegation, because the factual matter will not be taken into account in the sentencing of the defendant.

(C) A court's decision as to the content of a summary under division (B)(3) of this section or as to the withholding of information under division (B)(1)(a), (b), (c), or (d) of this section shall be considered to be within the discretion of the court. No appeal can be taken from either of those decisions, and neither of those decisions shall be the basis for
a reversal of the sentence imposed.

(D)(1) The contents of a presentence investigation report prepared pursuant to this section, section 2947.06 of the Revised Code, or Criminal Rule 32.2 and the contents of any written or oral summary of a presentence investigation report or of a part of a presentence investigation report described in division (B)(3) of this section are confidential information and are not a public record. The court, an appellate court, authorized probation officers, investigators, and court personnel, the defendant, the defendant's counsel, the prosecutor who is handling the prosecution of the case against the defendant, and authorized personnel of an institution to which the defendant is committed may inspect, receive copies of, retain copies of, and use a presentence investigation report or a written or oral summary of a presentence investigation only for the purposes of or only as authorized by Criminal Rule 32.2 or this section, division (F)(1)–(G)(1) of section 2953.08, section 2947.06, or another section of the Revised Code.

(2) Immediately following the imposition of sentence upon the defendant, the defendant or the defendant's counsel and the prosecutor shall return to the court all copies of a presentence investigation report and of any written summary of a presentence investigation report or part of a presentence investigation report that the court made available to the defendant or the defendant's counsel and to the prosecutor pursuant to this section. The defendant or the defendant's counsel and the prosecutor shall not make any copies of the presentence investigation report or of any written summary of a presentence investigation report or part of a presentence investigation report that the court made available to them pursuant to this section.
(3) Except when a presentence investigation report or a written or oral summary of a presentence investigation report is being used for the purposes of or as authorized by Criminal Rule 32.2 or this section, division (F)(1) (G)(1) of section 2953.08, section 2947.06, or another section of the Revised Code, the court or other authorized holder of the report or summary shall retain the report or summary under seal.

(E) In inquiring into the information available regarding any prior adjudications of the defendant as a delinquent child and regarding the dispositions made relative to those adjudications, the officer making the report shall consider all information that is relevant, including, but not limited to, the materials described in division (B) of section 2151.14, division (C)(3) of section 2152.18, division (D)(3) of section 2152.19, and division (E) of section 2152.71 of the Revised Code.

(F) As used in this section:

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

(2) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(3) "Public record" has the same meaning as in section 149.43 of the Revised Code.

Sec. 2953.07. (A) Upon the hearing of an appeal other than an appeal from a mayor's court, the appellate court may affirm the judgment or reverse it, in whole or in part, or modify it, and order the accused to be discharged or grant a new trial. The appellate court may remand the accused for the sole purpose of correcting a sentence imposed contrary to law, provided that, on an appeal of a sentence imposed upon a person who is convicted
of or pleads guilty to a felony that is brought under section 2953.08 of the Revised Code, division (G)-(H) of that section applies to the court. If the judgment is reversed, the appellant shall recover from the appellee all court costs incurred to secure the reversal, including the cost of transcripts. In capital cases, when the judgment is affirmed and the day fixed for the execution is passed, the appellate court shall appoint a day for it, and the clerk of the appellate court shall issue a warrant under the seal of the appellate court, to the sheriff of the proper county, or the warden of the appropriate state correctional institution, commanding the sheriff or warden to carry the sentence into execution on the day so appointed. The sheriff or warden shall execute and return the warrant as in other cases, and the clerk shall record the warrant and return.

(B) As used in this section, "appellate court" means, for a case in which a sentence of death is imposed for an offense committed before January 1, 1995, both the court of appeals and the supreme court, and for a case in which a sentence of death is imposed for an offense committed on or after January 1, 1995, the supreme court.

**Sec. 2953.08.** (A) As used in this section:

(1) "Non-life felony indefinite prison term" has the same meaning as in section 2929.01 of the Revised Code.

(2) A sentence is "contrary to law" if it fails to comport with all mandatory, definite, or indefinite sentencing provisions or is not otherwise within the statutory range of prison terms for the applicable degree of felony, as provided in division (A) of section 2929.14 of the Revised Code.

(3) "Qualifying felony of the first or second degree" has
the same meaning as in section 2929.144 of the Revised Code.

(B) In addition to any other right to appeal and except as provided in division (D)-(E) of this section, a defendant who is convicted of or pleads guilty to a felony may appeal as a matter of right the sentence imposed upon the defendant on one of the following grounds:

(1) The sentence consisted of or included the maximum definite prison term allowed for the offense by division (A) of section 2929.14 or section 2929.142 of the Revised Code or, with respect to a non-life felony indefinite prison term, the longest minimum prison term allowed for the offense by division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code, the maximum definite prison term or longest minimum prison term was not required for the offense pursuant to Chapter 2925. or any other provision of the Revised Code, and the court imposed the sentence under one of the following circumstances:

(a) The sentence was imposed for only one offense.

(b) The sentence was imposed for two or more offenses arising out of a single incident, and the court imposed the maximum definite prison term or longest minimum prison term for the offense of the highest degree.

(2) The sentence consisted of or included a prison term and the offense for which it was imposed is a felony of the fourth or fifth degree or is a felony drug offense that is a violation of a provision of Chapter 2925. of the Revised Code and that is specified as being subject to division (B) of section 2929.13 of the Revised Code for purposes of sentencing. If the court specifies that it found one or more of the factors in division (B)(1)(b) of section 2929.13 of the Revised Code to
apply relative to the defendant, the defendant is not entitled
under this division to appeal as a matter of right the sentence
imposed upon the offender.

(3) The person was convicted of or pleaded guilty to a
violent sex offense or a designated homicide, assault, or
kidnapping offense, was adjudicated a sexually violent predator
in relation to that offense, and was sentenced pursuant to
division (A)(3) of section 2971.03 of the Revised Code, if the
minimum term of the indefinite term imposed pursuant to division
(A)(3) of section 2971.03 of the Revised Code is the longest
term available for the offense from among the range of definite
terms listed in section 2929.14 of the Revised Code or, with
respect to a non-life felony indefinite prison term, the longest
minimum prison term allowed for the offense by division (A)(1)
(a) or (2)(a) of section 2929.14 of the Revised Code. As used in
this division, "designated homicide, assault, or kidnapping
offense" and "violent sex offense" have the same meanings as in
section 2971.01 of the Revised Code. As used in this division,
"adjudicated a sexually violent predator" has the same meaning
as in section 2929.01 of the Revised Code, and a person is
"adjudicated a sexually violent predator" in the same manner and
the same circumstances as are described in that section.

(4) The sentence is contrary to law.

(5) The sentence consisted of an additional prison term of
ten years imposed pursuant to division (B)(2)(a) of section
2929.14 of the Revised Code.

In addition to any other right to appeal and
except as provided in division (D)(E) of this section, a
prosecuting attorney, a city director of law, village solicitor,
or similar chief legal officer of a municipal corporation, or
the attorney general, if one of those persons prosecuted the 3306


case, may appeal as a matter of right a sentence imposed upon a 3307
defendant who is convicted of or pleads guilty to a felony or, 3308
in the circumstances described in division (B)(2) (C)(3) of this 3309
section the modification of a sentence imposed upon such a 3310
defendant, on any of the following grounds:

(1) The sentence did not include a prison term despite a 3311
presumption favoring a prison term for the offense for which it 3312
was imposed, as set forth in section 2929.13 or Chapter 2925. of 3313
the Revised Code.

(2) The sentence is contrary to law.

(3) The sentence is a modification under section 2929.20 3316
of the Revised Code of a sentence that was imposed for a felony 3317
of the first or second degree.

(C)(1) (D)(1) In addition to the right to appeal a 3318
sentence granted under division (A) or (B) or (C) of this 3319
section, a defendant who is convicted of or pleads guilty to a 3320
felony may seek leave to appeal a sentence imposed upon the 3321
defendant on the basis that the sentencing judge has imposed 3322
consecutive sentences under division (C)(3) of section 2929.14 3323
of the Revised Code and that the consecutive sentences exceed 3324
the maximum definite prison term allowed by division (A) of that 3325
section for the most serious offense of which the defendant was 3326
convicted or, with respect to a non-life felony indefinite 3327
prison term, exceed the longest minimum prison term allowed by 3328
division (A)(1)(a) or (2)(a) of that section for the most 3329
serious such offense. Upon the filing of a motion under this 3330
division, the court of appeals may grant leave to appeal the 3331
sentence if the court determines that the allegation included as 3332
the basis of the motion is true.
(2) A defendant may seek leave to appeal an additional sentence imposed upon the defendant pursuant to division (B)(2) (a) or (b) of section 2929.14 of the Revised Code if the additional sentence is for a definite prison term that is longer than five years.

(D)(1) (E)(1) A sentence imposed upon a defendant is not subject to review under this section if the all of the following apply:

(a) The sentence is authorized by law.

(b) The sentence, a sentencing range, a minimum aggregate term of imprisonment, or a maximum aggregate term of imprisonment has been recommended jointly by the defendant and the prosecution in the case, and is imposed by a sentencing judge.

(c) The sentence imposed upon the defendant is consistent with that recommendation.

(2) Except as provided in division (C)(2) (D)(2) of this section, a sentence imposed upon a defendant is not subject to review under this section if the sentence is imposed pursuant to division (B)(2)(b) of section 2929.14 of the Revised Code. Except as otherwise provided in this division, a defendant retains all rights to appeal as provided under this chapter or any other provision of the Revised Code. A defendant has the right to appeal under this chapter or any other provision of the Revised Code the court's application of division (B)(2)(c) of section 2929.14 of the Revised Code.

(3) A sentence imposed for aggravated murder or murder pursuant to sections 2929.02 to 2929.06 of the Revised Code is not subject to review under this section.
(F) A defendant, prosecuting attorney, city director of law, village solicitor, or chief municipal legal officer shall file an appeal of a sentence under this section to a court of appeals within the time limits specified in Rule 4(B) of the Rules of Appellate Procedure, provided that if the appeal is pursuant to division (B)(3) (C)(3) of this section, the time limits specified in that rule shall not commence running until the court grants the motion that makes the sentence modification in question. A sentence appeal under this section shall be consolidated with any other appeal in the case. If no other appeal is filed, the court of appeals may review only the portions of the trial record that pertain to sentencing.

(G) On the appeal of a sentence under this section, the record to be reviewed shall include all of the following, as applicable:

1. Any presentence, psychiatric, or other investigative report that was submitted to the court in writing before the sentence was imposed. An appellate court that reviews a presentence investigation report prepared pursuant to section 2947.06 or 2951.03 of the Revised Code or Criminal Rule 32.2 in connection with the appeal of a sentence under this section shall comply with division (D)(3) of section 2951.03 of the Revised Code when the appellate court is not using the presentence investigation report, and the appellate court's use of a presentence investigation report of that nature in connection with the appeal of a sentence under this section does not affect the otherwise confidential character of the contents of that report as described in division (D)(1) of section 2951.03 of the Revised Code and does not cause that report to become a public record, as defined in section 149.43 of the Revised Code, following the appellate court's use of the report.
(2) The trial record in the case in which the sentence was imposed;

(3) Any oral or written statements made to or by the court at the sentencing hearing at which the sentence was imposed;

(4) Any written findings that the court was required to make in connection with the modification of the sentence pursuant to a judicial release under division (I) of section 2929.20 of the Revised Code.

(G)(1) If the sentencing court was required to make the findings required by division (B) or (D) of section 2929.13 or division (I) of section 2929.20 of the Revised Code, or to state the findings of the trier of fact required by division (B) (2)(e) of section 2929.14 of the Revised Code, relative to the imposition or modification of the sentence, and if the sentencing court failed to state the required findings on the record, the court hearing an appeal under division (A), (B), (C), or (D) of this section shall remand the case to the sentencing court and instruct the sentencing court to state, on the record, the required findings.

(2) The court hearing an appeal under division (A), (B), (C), or (D) of this section shall review the record, including the findings underlying the sentence or modification given by the sentencing court.

The appellate court may increase, reduce, or otherwise modify a sentence that is appealed under this section or may vacate the sentence and remand the matter to the sentencing court for resentencing. The appellate court's standard for review is not whether the sentencing court abused its discretion. The appellate court may take any action authorized
by this division if it clearly and convincingly finds either of the following:

(a) That the record does not support the sentencing court's findings under division (B) or (D) of section 2929.13, division (B)(2)(e) or (C)(4) of section 2929.14, or division (I) of section 2929.20 of the Revised Code, whichever, if any, is relevant;

(b) That the sentence is otherwise contrary to law.

(I) If a conviction for a qualifying felony of the first or second degree is reversed under division (G) of this section and the reversal would affect the maximum prison term imposed under section 2929.144 of the Revised Code, the appellate court shall remand the case for resentencing.

(J) A judgment or final order of a court of appeals under this section may be appealed, by leave of court, to the supreme court.

(I) As used in this section, "non-life felony indefinite prison term" has the same meaning as in section 2929.01 of the Revised Code.

Sec. 2967.14. (A) The department of rehabilitation and correction or the adult parole authority may require or allow a parolee, a releasee, or a prisoner otherwise released from a state correctional institution to reside in a halfway house or other suitable community residential center that has been licensed by the division of parole and community services pursuant to division (C) of this section or, in the circumstances described in division (E) of section 5120.113 of the Revised Code, in the reentry program and facility established under that division, during a part or for the entire
period of the offender's or parolee's conditional release or of
the releasee's term of post-release control. The court of common
pleas that placed an offender under a sanction consisting of a
term in a halfway house or in an alternative residential
sanction may require the offender to reside in a halfway house
or other suitable community residential center that is
designated by the court and that has been licensed by the
division pursuant to division (C) of this section during a part
or for the entire period of the offender's residential sanction.

(B) The division of parole and community services may
negotiate and enter into agreements with any public or private
agency or a department or political subdivision of the state
that operates a halfway house, reentry center, or community
residential center that has been licensed by the division
pursuant to division (C) of this section. An agreement under
this division shall provide for the purchase of beds, shall set
limits of supervision and levels of occupancy, and shall
determine the scope of services for all eligible offenders,
including those subject to a residential sanction, as defined in
rules adopted by the director of rehabilitation and correction
in accordance with Chapter 119. of the Revised Code, or those
released from prison without supervision. The payments for beds
and services shall not exceed the total operating costs of the
halfway house, reentry center, or community residential center
during the term of an agreement. The director of rehabilitation
and correction shall adopt rules in accordance with Chapter 119.
of the Revised Code for determining includable and excludable
costs and income to be used in computing the agency's average
daily per capita costs with its facility at full occupancy.

The director of rehabilitation and correction shall adopt
rules providing for the use of no more than fifteen per cent of
the amount appropriated to the department each fiscal year for
the halfway house, reentry center, and community residential
center program to pay for contracts with licensed halfway houses
for nonresidential services for offenders under the supervision
of the adult parole authority, including but not limited to,
offenders supervised pursuant to an agreement entered into by
the adult parole authority and a court of common pleas under
section 2301.32 of the Revised Code. The nonresidential services
may include, but are not limited to, treatment for substance
abuse, mental health counseling, counseling for sex offenders,
electronic monitoring services, aftercare, and other
nonresidential services that the director identifies by rule.

(C) The division of parole and community services may
license a halfway house, reentry center, or community
residential center as a suitable facility for the care and
treatment of adult offenders, including offenders sentenced
under section 2929.16 or 2929.26 of the Revised Code, only if
the halfway house, reentry center, or community residential
center complies with the standards that the division adopts in
accordance with Chapter 119. of the Revised Code for the
licensure of halfway houses, reentry centers, and community
residential centers. The division shall annually inspect each
licensed halfway house, licensed reentry center, and licensed
community residential center to determine if it is in compliance
with the licensure standards.

(D) The division of parole and community services may
expend up to one-half per cent of the annual appropriation made
for halfway house programs, for goods or services that benefit
those programs.

Sec. 2967.271. (A) As used in this section:
(1) "Offender's minimum prison term" means the minimum prison term imposed on an offender under a non-life felony indefinite prison term, diminished as provided in section 2967.191 or 2967.193 of the Revised Code or in any other provision of the Revised Code, other than division (F) of this section, that provides for diminution or reduction of an offender's sentence.

(2) "Offender's presumptive earned early release date" means the date that is determined under the procedures described in division (F) of this section by the reduction, if any, of an offender's minimum prison term by the sentencing court and the crediting of that reduction toward the satisfaction of the minimum term.

(3) "Rehabilitative programs and activities" means education programs, vocational training, employment in prison industries, treatment for substance abuse, or other constructive programs developed by the department of rehabilitation and correction with specific standards for performance by prisoners.

(4) "Security level" means the security level in which an offender is classified under the inmate classification level system of the department of rehabilitation and correction that then is in effect.

(5) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.

(B) When an offender is sentenced to a non-life felony indefinite prison term, there shall be a presumption that the person shall be released from service of the sentence on the expiration of the offender's minimum prison term or on the offender's presumptive earned early release date, whichever is
earlier.

(C) The presumption established under division (B) of this section is a rebuttable presumption that the department of rehabilitation and correction may rebut as provided in this division. Unless the department rebuts the presumption, the offender shall be released from service of the sentence on the expiration of the offender's minimum prison term or on the offender's presumptive earned early release date, whichever is earlier. The department may rebut the presumption only if the department determines, at a hearing, that one or more of the following applies:

(1) Regardless of the security level in which the offender is classified at the time of the hearing, both of the following apply:

(a) During the offender's incarceration, the offender committed institutional rule infractions that involved compromising the security of a state correctional institution, compromising the safety of the staff of a state correctional institution or its inmates, or physical harm or the threat of physical harm to the staff of a state correctional institution or its inmates, or committed a violation of law that was not prosecuted, and the infractions or violations demonstrate that the offender has not been rehabilitated.

(b) The offender's behavior while incarcerated, including, but not limited to the infractions and violations specified in division (C)(1)(a) of this section, demonstrate that the offender continues to pose a threat to society.

(2) Regardless of the security level in which the offender is classified at the time of the hearing, the offender has been
placed by the department in extended restrictive housing at any time within the year preceding the date of the hearing.

(3) At the time of the hearing, the offender is classified by the department as a security level three, four, or five, or at a higher security level.

(D)(1) If the department of rehabilitation and correction, pursuant to division (C) of this section, rebuts the presumption established under division (B) of this section, the department may maintain the offender's incarceration in a state correctional institution under the sentence after the expiration of the offender's minimum prison term or, for offenders who have a presumptive earned early release date, after the offender's presumptive earned early release date. The department may maintain the offender's incarceration under this division for an additional period of incarceration determined by the department. The additional period of incarceration shall be a reasonable period determined by the department, shall be specified by the department, and shall not exceed the offender's maximum prison term.

(2) If the department maintains an offender's incarceration for an additional period under division (D)(1) of this section, there shall be a presumption that the offender shall be released on the expiration of the offender's minimum prison term plus the additional period of incarceration specified by the department as provided under that division or, for offenders who have a presumptive earned early release date, on the expiration of the additional period of incarceration to be served after the offender's presumptive earned early release date that is specified by the department as provided under that division. The presumption is a rebuttable presumption that the
department may rebut, but only if it conducts a hearing and
makes the determinations specified in division (C) of this
section, and if the department rebuts the presumption, it may
maintain the offender's incarceration in a state correctional
institute for an additional period determined as specified in
division (D)(1) of this section. Unless the department rebuts
the presumption at the hearing, the offender shall be released
from service of the sentence on the expiration of the offender's
minimum prison term plus the additional period of incarceration
specified by the department or, for offenders who have a
presumptive earned early release date, on the expiration of the
additional period of incarceration to be served after the
offender's presumptive earned early release date as specified by
the department.

(3) The provisions of this division regarding the
establishment of a rebuttable presumption, the department's
rebuttal of the presumption, and the department's maintenance of
an offender's incarceration for an additional period of
incarceration apply, and may be utilized more than one time,
during the remainder of the offender's incarceration. If the
offender has not been released under division (C) or (D) of this
section or this division prior to the expiration of the
offender's maximum prison term imposed as part of the offender's
non-life felony indefinite prison term, the offender shall be
released upon the expiration of that maximum term. If the
maximum prison term imposed as part of the offender's non-life
felony indefinite prison term results from an aggregation of
maximum prison terms under division (B)(2) of section 2929.144
of the Revised Code, the department shall rebut the presumption
as provided in division (C) of this section at least once during
each portion of the maximum prison term attributable to a
The maximum prison term that was aggregated under division (B)(2) of section 2929.144 of the Revised Code. Any maximum prison term portions shall be served in the same order as the corresponding minimum prison term portions.

(E) The department shall provide notices of hearings to be conducted under division (C) or (D) of this section in the same manner, and to the same persons, as specified in section 2967.12 and Chapter 2930. of the Revised Code with respect to hearings to be conducted regarding the possible release on parole of an inmate.

(F)(1) The director of the department of rehabilitation and correction may notify the sentencing court in writing that the director is recommending that the court grant a reduction in the minimum prison term imposed on a specified offender who is serving a non-life felony indefinite prison term and who is eligible under division (F)(8) of this section for such a reduction, due to the offender's exceptional conduct while incarcerated or the offender's adjustment to incarceration. If the director wishes to recommend such a reduction for an offender, the director shall send the notice to the court not earlier than ninety days prior to the date on which the director wishes to credit the reduction toward the satisfaction of the offender's minimum prison term. If the director recommends such a reduction for an offender, there shall be a presumption that the court shall grant the recommended reduction to the offender. The presumption established under this division is a rebuttable presumption that may be rebutted as provided in division (F)(4) of this section.

The director shall include with the notice sent to a court under this division an institutional summary report that covers

maximum prison term that was aggregated under division (B)(2) of section 2929.144 of the Revised Code. Any maximum prison term portions shall be served in the same order as the corresponding minimum prison term portions.
the offender's participation while confined in a state

correctional institution in rehabilitative programs and

activities and any disciplinary action taken against the

offender while so confined, and any other documentation

requested by the court, if available.

The notice the director sends to a court under this
division shall do all of the following:

(a) Identify the offender;

(b) Specify the length of the recommended reduction, which

shall be for five to fifteen per cent of the offender's minimum

term determined in accordance with rules adopted by the

department under division (F)(7) of this section;

(c) Specify the reason or reasons that qualify the

offender for the recommended reduction;

(d) Inform the court of the rebuttable presumption and

that the court must either approve or, if the court finds that

the presumption has been rebutted, disapprove of the recommended

reduction, and that if it approves of the recommended reduction,

it must grant the reduction;

(e) Inform the court that it must notify the department of

its decision as to approval or disapproval not later than sixty

days after receipt of the notice from the director.

(2) When the director, under division (F)(1) of this

section, submits a notice to a sentencing court that the

director is recommending that the court grant a reduction in the

minimum prison term imposed on an offender serving a non-life

felony indefinite prison term, the department promptly shall

provide to the prosecuting attorney of the county in which the

offender was indicted a copy of the written notice, a copy of
the institutional summary report described in that division, and any other information provided to the court.

(3) Upon receipt of a notice submitted by the director under division (F)(1) of this section, the court shall schedule a hearing to consider whether to grant the reduction in the minimum prison term imposed on the specified offender that was recommended by the director or to find that the presumption has been rebutted and disapprove the recommended reduction. Upon scheduling the hearing, the court promptly shall give notice of the hearing to the prosecuting attorney of the county in which the offender was indicted and to the department. The notice shall inform the prosecuting attorney that the prosecuting attorney may submit to the court, prior to the date of the hearing, written information relevant to the recommendation and may present at the hearing written information and oral information relevant to the recommendation.

Upon receipt of the notice from the court, the prosecuting attorney shall notify the victim of the offender or the victim's representative of the recommendation by the director, the date, time, and place of the hearing, the fact that the victim may submit to the court, prior to the date of the hearing, written information relevant to the recommendation, and the address and procedure for submitting the information.

(4) At the hearing scheduled under division (F)(3) of this section, the court shall afford the prosecuting attorney an opportunity to present written information and oral information relevant to the director's recommendation. In making its determination as to whether to grant or disapprove the reduction in the minimum prison term imposed on the specified offender that was recommended by the director, the court shall consider
any report and other documentation submitted by the director,
any information submitted by a victim, any information submitted
or presented at the hearing by the prosecuting attorney, and all
of the factors set forth in divisions (B) to (D) of section
2929.12 of the Revised Code that are relevant to the offender's
offense and to the offender.

Unless the court, after considering at the hearing the
specified reports, documentation, information, and relevant
factors, finds that the presumption that the recommended
reduction shall be granted has been rebutted and disapproves the
recommended reduction, the court shall grant the recommended
reduction. The court may disapprove the recommended reduction
only if, after considering at the hearing the specified reports,
documentation, information, and relevant factors, it finds that
the presumption that the reduction shall be granted has been
rebutted. The court may find that the presumption has been
rebutted and disapprove the recommended reduction only if it
determines at the hearing that one or more of the following
applies:

(a) Regardless of the security level in which the offender
is classified at the time of the hearing, during the offender's
incarceration, the offender committed institutional rule
infractions that involved compromising the security of a state
correctional institution, compromising the safety of the staff
of a state correctional institution or its inmates, or physical
harm or the threat of physical harm to the staff of a state
correctional institution or its inmates, or committed a
violation of law that was not prosecuted, and the infractions or
violations demonstrate that the offender has not been
rehabilitated.
(b) The offender's behavior while incarcerated, including, but not limited to, the infractions and violations specified in division (F)(4)(a) of this section, demonstrates that the offender continues to pose a threat to society.

(c) At the time of the hearing, the offender is classified by the department as a security level three, four, or five, or at a higher security level.

(d) During the offender's incarceration, the offender did not productively participate in a majority of the rehabilitative programs and activities recommended by the department for the offender, or the offender participated in a majority of such recommended programs or activities but did not successfully complete a reasonable number of the programs or activities in which the offender participated.

(e) After release, the offender will not be residing in a halfway house, reentry center, or community residential center licensed under division (C) of section 2967.14 of the Revised Code and, after release, does not have any other place to reside at a fixed residence address.

(5) If the court pursuant to division (F)(4) of this section finds that the presumption that the recommended reduction in the offender's minimum prison term has been rebutted and disapproves the recommended reduction, the court shall notify the department of the disapproval not later than sixty days after receipt of the notice from the director. The court shall specify in the notification the reason or reasons for which it found that the presumption was rebutted and disapproved the recommended reduction. The court shall not reduce the offender's minimum prison term, and the department shall not credit the amount of the disapproved reduction toward
satisfaction of the offender's minimum prison term.

If the court pursuant to division (F)(4) of this section grants the recommended reduction of the offender's minimum prison term, the court shall notify the department of the grant of the reduction not later than sixty days after receipt of the notice from the director, the court shall reduce the offender's minimum prison term in accordance with the recommendation submitted by the director, and the department shall credit the amount of the reduction toward satisfaction of the offender's minimum prison term.

Upon deciding whether to disapprove or grant the recommended reduction of the offender's minimum prison term, the court shall notify the prosecuting attorney of the decision and the prosecuting attorney shall notify the victim or victim's representative of the court's decision.

(6) If the court under division (F)(5) of this section grants the reduction in the minimum prison term imposed on an offender that was recommended by the director and reduces the offender's minimum prison term, the date determined by the department's crediting of the reduction toward satisfaction of the offender's minimum prison term is the offender's presumptive earned early release date.

(7) The department of rehabilitation and correction by rule shall specify both of the following for offenders serving a non-life felony indefinite prison term:

(a) The type of exceptional conduct while incarcerated and the type of adjustment to incarceration that will qualify an offender serving such a prison term for a reduction under divisions (F)(1) to (6) of this section of the minimum prison term.
term imposed on the offender under the non-life felony
indefinite prison term.

(b) The per cent of reduction that it may recommend for,
and that may be granted to, an offender serving such a prison
term under divisions (F)(1) to (6) of this section, based on the
offense level of the offense for which the prison term was
imposed, with the department specifying the offense levels used
for purposes of this division and assigning a specific
percentage reduction within the range of five to fifteen per
cent for each such offense level.

(8) Divisions (F)(1) to (6) of this section do not apply
with respect to an offender serving a non-life felony indefinite
prison term for a sexually oriented offense, and no offender
serving such a prison term for a sexually oriented offense is
eligible to be recommended for or granted, or may be recommended
for or granted, a reduction under those divisions in the
offender's minimum prison term imposed under that non-life
felony indefinite prison term.

(G) If an offender is sentenced to a non-life felony
indefinite prison term, any reference in a section of the
Revised Code to a definite prison term shall be construed as
referring to the offender's minimum term under that sentence
plus any additional period of time of incarceration specified by
the department under division (D)(1) or (2) of this section,
except to the extent otherwise specified in the section or to
the extent that that construction clearly would be
inappropriate.

Sec. 5120.021. (A) The provisions of Chapter 5120. of the
Revised Code, as they existed prior to July 1, 1996, and that
address the duration or potential duration of incarceration or
parole or other forms of supervised release, apply to all persons upon whom a court imposed a term of imprisonment prior to July 1, 1996, and all persons upon whom a court, on or after July 1, 1996, and in accordance with law existing prior to July 1, 1996, imposed a term of imprisonment for an offense that was committed prior to July 1, 1996.

(B)(1) The provisions of Chapter 5120. of the Revised Code, as they exist on or after July 1, 1996, and that address the duration or potential duration of incarceration or supervised release, apply to all persons upon whom a court imposed a stated prison term for an offense committed on or after July 1, 1996.

(2) The provisions of Chapter 5120. of the Revised Code, as they exist on or after the effective date of this amendment March 22, 2019, and prior to the effective date of this amendment apply to an offender who is released from confinement in a state correctional institution on or after that date March 22, 2019, and prior to the effective date of this amendment.

(3) The provisions of Chapter 5120. of the Revised Code, as they exist on or after the effective date of this amendment, apply to an offender who is released from confinement in a state correctional institution on or after that date.

(C) Nothing in this section limits or affects the applicability of any provision in Chapter 5120. of the Revised Code, as amended or enacted on or after July 1, 1996, that pertains to an issue other than the duration or potential duration of incarceration or supervised release, to persons in custody or under the supervision of the department of rehabilitation and correction.
Sec. 5120.038. (A) As used in this section:

(1) "GPS-monitored offender" means an offender who, on or after the effective date of divisions (C) to (E) of this section, is released from confinement in a state correctional institution under a conditional pardon, parole, other form of authorized release, or transitional control that includes global positioning system monitoring as a condition of the person's release, or who, on or after that date, is placed under post-release control that includes global positioning system monitoring as a condition under the post-release control.

(2) "Law enforcement automated data system" means the law enforcement automated data system, also known as LEADS, established under section 5503.10 of the Revised Code.

(3) "Secondary entity" means an entity under contract with a third-party contract administrator with which the department of rehabilitation and correction has entered into a contract for global positioning system monitoring of GPS-monitored offenders.

(B) Not later than June 30, 2019, the department of rehabilitation and correction shall study the feasibility of contracting with a third-party contract administrator for global position system monitoring that would include a crime scene correlation program that could interface by link with a statewide database for GPS-monitored offenders. The study also shall analyze the use of GPS monitoring as a supervision tool. In conducting the study, the department shall consider all of the following factors:

(1) The ability of the department or another state entity to establish and operate a statewide internet database of GPS-monitored offenders and the specific information that such a
database could include.

(2) The capability for a GPS monitoring system run by a third-party contract administrator to include a crime scene correlation program that interfaces by link with a statewide database of GPS-monitored offenders.

(3) The ability of local law enforcement representatives to remotely search a statewide internet database of GPS-monitored offenders that is linked with a crime scene correlation program.

(4) The capability for a GPS monitoring system with crime scene correlation features to allow local law enforcement representatives without a subpoena or warrant to access information contained in the crime scene correlation program about a GPS-monitored offender, including the offender's current location, the offender's location at previous points in time, the location of recent criminal activity in or near the offender's inclusionary or exclusionary zones included as restrictions under the offender's supervision, and any possible connection between the offender's location and that recent criminal activity.

(5) The ability of law enforcement representatives to obtain, without a warrant or subpoena, information about a GPS-monitored offender from either an employee of the department or a third-party contract administrator who is monitoring the offender, including information of the types listed in division (B)(4) of this section.

(6) The types of offenders for whom GPS monitoring would be beneficial, the appropriate length for monitoring, and the costs related to GPS monitoring.
(C) Upon completion of the study specified in this division (B) of this section, the department shall submit copies of the study to the president and minority leader of the senate, the speaker and minority leader of the house of representatives, and the governor.

(C)(1) On and after the effective date of this amendment, each global positioning system monitor that is used to monitor a GPS-monitored offender shall specify and monitor restrictions for the offender. The restrictions shall include for the offender inclusionary zones and, to the extent necessary, exclusionary zones, and may include for the offender a curfew specifying times of required presence in the inclusionary zone and any other reasonable restrictions.

(2) Each contract that the department of rehabilitation and correction enters into on or after the effective date of this amendment with a third-party contract administrator for global positioning system monitoring of GPS-monitored offenders shall require all of the following:

(a) That the global positioning system used by the administrator, or by any secondary entity under contract with the administrator to perform the actual monitoring of the offender, include a crime scene correlation program to which access can be obtained as described in division (E)(2) of this section;

(b) That the crime scene correlation program included in the administrator's system, or in the system of a secondary entity under contract with the administrator to perform the actual monitoring of the offender, will allow local law enforcement representatives or their designees to obtain, without need for a subpoena or warrant, real-time access or
active global positioning system access to information contained in the program about a GPS-monitored offender's location at that time and, to the extent that it is available, at other previous points in time identified by the representative or designee, about the location of recent criminal activity in or near the offender's inclusionary or exclusionary zones, and about any possible connection between the offender's location and that recent criminal activity;

(c) That the administrator, or the secondary entity under contract with the administrator to perform the actual monitoring of the offender, allow access to the crime scene correlation program included in the administrator's or secondary entity's system to law enforcement representatives as described in division (E)(2) of this section;

(d) That the global positioning system used by the administrator, or by any secondary entity under contract with the administrator to perform the actual monitoring of the offender, be monitored continuously and that the access described in divisions (C)(2)(b) and (c) of this section be afforded twenty-four hours a day and seven days a week.

(D)(1) On and after the effective date of this amendment, any third-party contract administrator used for global positioning system monitoring of a GPS-monitored offender, and any secondary entity under contract with such a third-party contract administrator to perform the actual monitoring of a GPS-monitored offender, shall comply in the monitoring of the offender with system requirements of the department of rehabilitation and correction that exist on that date for global positioning system monitoring of such offenders.

(2) If, on the effective date of this amendment,
department of rehabilitation and correction has not established system requirements of the type described in division (D)(1) of this section, within a reasonable period of time after that effective date, the department shall establish system requirements for global positioning system monitoring of GPS-monitored offenders. After establishment of the requirements, the department, any third-party contract administrator used for global positioning system monitoring, and any secondary entity under contract with such a third-party contract administrator to perform the actual monitoring of a GPS-monitored offender, shall comply with the established system requirements in the monitoring of a GPS-monitored offender.

(E)(1)(a) As soon as possible after, but not later than twelve months after, the effective date of this amendment, the department of rehabilitation and correction shall adopt procedures that the department and third-party contract administrators that are being used for global positioning system monitoring of a GPS-monitored offender shall use to provide to the bureau of criminal identification and investigation the information specified in division (E)(3) of this section for each GPS-monitored offender being monitored by the department or administrator.

(b) On and after the date on which the department of rehabilitation and correction adopts the procedures specified in division (E)(1)(a) of this section, the department shall provide to the bureau of criminal identification and investigation the information specified in division (E)(3) of this section for each GPS-monitored offender that is being monitored by the department, and each third-party contract administrator that is being used for global positioning system monitoring of a GPS-monitored offender shall provide to the bureau the information
specified in division (E)(3) of this section for each GPS-monitored offender that is being monitored by the administrator. If the third-party contract administrator has contracted with a secondary entity to perform the actual monitoring of a GPS-monitored offender, the information the administrator provides to the bureau also shall include the information specified in division (E)(3) of this section for each GPS-monitored offender that is being monitored by the secondary entity. The department and each third-party administrator shall provide the information in accordance with the procedures adopted by the department under division (E)(1)(a) of this section. Upon receipt of such information, the bureau immediately shall enter the information into the law enforcement automated data system. The superintendent of the state highway patrol shall ensure that the law enforcement automated data system is so configured as to permit the entry into, and transmission through, the system of that information.

(c) If any information the department of rehabilitation and correction provides under divisions (E)(1)(a) and (b) of this section to the bureau of criminal identification and investigation becomes inaccurate, the department immediately shall update the information so that it is current and accurate and immediately provide the updated information to the bureau. If any information a third-party contract administrator provides under divisions (E)(1)(a) and (b) of this section to the bureau of criminal identification and investigation, including any information with respect to a secondary entity under contract with the administrator, becomes inaccurate, the administrator immediately shall update the information so that it is current and accurate and immediately provide the updated information to the bureau. Upon receipt of such updated information, the bureau
immediately shall enter the updated information into the law
enforcement automated data system.

(2) If a local law enforcement representative, through use
of the law enforcement automated data system or in any other
manner, learns the identity of, and contact information for, an
employee of the department who is monitoring a GPS-monitored
offender, the identity of, and contact information for, a third-
party contract administrator that is being used for global
positioning system monitoring of a GPS-monitored offender, or
the identity of, and contact information for, a secondary entity
under contract with such a third-party contract administrator to
perform the actual monitoring of a GPS-monitored offender, the
representative or another law enforcement officer designated by
the representative may contact the employee, the administrator,
or the secondary entity and, without need for a subpoena or
warrant, request real-time access or active global positioning
system access to information about the offender's location at
that time and at other previous points in time identified by the
representative or designee. Upon receipt of a request as
described in this division, the employee of the department, the
third-party contract administrator, or the secondary entity,
without need for a subpoena or warrant, shall provide the
representative or designee with the requested information
regarding the offender's location at that time and, to the
extent that it is available, at the other identified previous
points in time. A request under this division also may request
information that the employee, administrator, or secondary
entity has obtained about the location of recent criminal
activity in or near the GPS-monitored offender's inclusionary or
exclusionary zones, and about any possible connection between
the offender's location and that recent criminal activity, and,
upon receipt of such a request, the employee, administrator, or
secondary entity, without need for a subpoena or warrant, shall
provide the representative or designee with that information to
the extent that it is available.

(3) The information to be entered into the law enforcement
automated data system as required under division (E)(1) of this
section shall include, for each GPS-monitored offender for whom
the information is required, all of the following:

(a) The offender's name;

(b) The offense or offenses for which the offender is
subject to global positioning system monitoring and the
offender's other criminal history;

(c) The offender's residence address;

(d) The monitoring parameters and restrictions for the
offender, including all inclusionary zones, exclusionary zones,
and inclusionary zone curfews for the offender and all other
restrictions placed on the offender;

(e) The identity of, and contact information for,
whichever of the following is applicable:

(i) If an employee of the department is monitoring the
offender, the employee;

(ii) If a third-party contract administrator is being used
for global positioning system monitoring of the offender, the
third-party contract administrator;

(iii) If a secondary entity under contract with a third-
party contract administrator is performing the actual monitoring
of a GPS-monitored offender, the secondary entity.
(f) All previous violations of the monitoring parameters
and restrictions applicable to the offender under the global
positioning system monitoring that then is in effect for the
offender.

Sec. 5120.113. (A) For each inmate committed to the
department of rehabilitation and correction, except as provided
in division (B) of this section, the department shall prepare a
written reentry plan for the inmate to help guide the inmate's
rehabilitation program during imprisonment, to assist in the
inmate's reentry into the community, and to assess the inmate's
needs upon release.

(B) Division (A) of this section does not apply to an
inmate who has been sentenced to life imprisonment without
parole or who has been sentenced to death. Division (A) of this
section does not apply to any inmate who is expected to be
imprisoned for thirty days or less, but the department may
prepare a written reentry plan of the type described in that
division if the department determines that the plan is needed.

(C) The department may collect, if available, any social
and other information that will aid in the preparation of
reentry plans under this section.

(D) In the event the department does not prepare a written
reentry plan as specified in division (A) of this section, or
makes a decision to not prepare a written reentry plan under
division (B) of this section or to not collect information under
division (C) of this section, that fact does not give rise to a
claim for damages against the state, the department, the
director of the department, or any employee of the department.

(E)(1) As used in this division, "target offender" means a
parolee, a releasee, or a prisoner otherwise released from a
state correctional institution with respect to whom both of the
following apply:

(a) The department of rehabilitation and correction or the
adult parole authority intends to require the parolee, releasee,
or prisoner to reside in a halfway house, reentry center, or
community residential center that has been licensed by the
division of parole and community services pursuant to division
(C) of section 2967.14 of the Revised Code during a part or for
the entire period of the prisoner's or parolee's conditional
release or of the releasee's term of post-release control.

(b) No halfway house, reentry center, or community
residential center that has been licensed as described in
division (E)(1) of this section will accept the prisoner,
parolee, or releasee to reside in the facility.

(2) Not later than twenty-four months after the effective
date of this amendment, the department, through the adult parole
authority, shall establish and implement a reentry program for
all target offenders. The program shall include a facility. The
program and facility shall satisfy all of the standards that the
division of parole and community services adopts in accordance
with Chapter 119. of the Revised Code for the licensure of
halfway houses, reentry centers, and community residential
centers. Upon the establishment and implementation of the
program and facility, the department or authority shall require
that all target offenders reside in the program's facility
during a part or for the entire period of the target offender's
conditional release or term of post-release control.

Sec. 5149.04. (A) Persons paroled, conditionally pardoned,
or released to community supervision shall be under jurisdiction
of the adult parole authority and shall be supervised by the
field services section through its staff of parole and field
officers in such manner as to insure as nearly as possible the
offender's rehabilitation while at the same time providing
maximum protection to the general public. All state and local
officials shall furnish such information to officers of the
section as they may request in the performance of their duties.

(B) The superintendent, or superintendents, of the field
services section shall be a person, or persons, especially
qualified by training and experience in the field of
corrections. The superintendent, or superintendents, shall
supervise the work of the section and shall formulate and
execute an effective program of offender supervision. The
superintendent, or superintendents, shall collect and preserve
any records and statistics with respect to offenders that are
required by the chief of the authority. The section also shall
include other personnel who are necessary for the performance of
the section's duties.

No person shall be appointed as a superintendent who is
not qualified by education or experience in correctional work
including law enforcement, probation, or parole work, in law, in
social work, or in a combination of the three categories.

(C) The superintendent, or superintendents, of the field
services section, with the approval of the chief of the
authority, may establish district offices for the section and
may assign necessary parole and field officers and clerical
staff to the district offices.

(D) The field services section in the exercise of its
supervision over offenders and persons conditionally pardoned
shall carry out all lawful orders, terms, and conditions
prescribed by the authority, the chief of the division of parole
and community services, or the governor.

(E)(1) As used in division (E) of this section:

(a) "Caseload" means the maximum number of persons
paroled, conditionally pardoned, or released to community
supervision who should be under the supervision of any parole or
field officer, based on the aggregate of the workload of the
officer for each of those persons.

(b) "Parole or field officer" means a parole or field
officer of the field services section.

(c) "Workload" means the minimum number of hours that a
parole or field officer is expected to dedicate to each person
paroled, conditionally pardoned, or released to community
supervision who is under the officer's supervision, based on the
person's risk classification.

(2) Not later than one year after the effective date of
this amendment, the adult parole authority shall establish
supervision standards for parole and field officers. The
standards shall include a specification of a caseload and a
workload for parole and field officers. The caseload and
workload specified in the standards shall comport with industry
standards set forth by the American probation and parole
association.

(3) Not later than two years after establishing the
standards required under division (E)(2) of this section, the
department of rehabilitation and correction shall ensure that
the field services section has enough parole and field officers
to comply with the standards and that the officers have been
trained to the extent required to comply with the standards.
Section 2. That existing sections 181.21, 181.26, 2152.13, 2152.14, 2929.01, 2929.14, 2929.144, 2929.20, 2945.37, 2945.401, 2949.08, 2951.03, 2953.07, 2953.08, 2967.14, 2967.271, 5120.021, 5120.038, 5120.113, and 5149.04 of the Revised Code are hereby repealed.

Section 3. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 2929.01 of the Revised Code as amended by H.B. 63, H.B. 411, H.B. 1, S.B. 20, and S.B. 201, all of the 132nd General Assembly.

Section 2929.14 of the Revised Code as amended by H.B. 63, S.B. 1, S.B. 20, and S.B. 201, all of the 132nd General Assembly.

Section 2953.07 of the Revised Code as amended by both S.B. 2 and S.B. 4 of the 121st General Assembly.