

I\_133\_0147-12

133rd General Assembly  
Regular Session  
2019-2020

Sub. H. B. No. 3

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**A BILL**

To amend sections 109.744, 109.803, 2903.01, 1  
2919.25, 2919.27, 2929.12, 2929.13, 2929.14, 2  
2929.22, 2935.032, 2937.23, and 3113.31; to 3  
amend, for the purpose of adopting a new section 4  
number as indicated in parentheses, section 5  
2935.033 (2935.034); and to enact new section 6  
2935.033 and section 2919.261 of the Revised 7  
Code; and to amend Section 221.10 of H.B. 166 of 8  
the 133rd General Assembly to add domestic 9  
violence circumstances to the offense of 10  
aggravated murder, to expand the offense of 11  
domestic violence to also prohibit strangulation 12  
of a family or household member, to require law 13  
enforcement officers to utilize a qualified 14  
lethality assessment screening tool to refer 15  
high risk victims to domestic violence 16  
resources, to create the Domestic Violence Drop 17  
Policy Study Committee, to name this act Aisha's 18  
Law, and to make an appropriation. 19

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



wshwajfq4wlfrpapyyagqf

**Section 1.** That sections 109.744, 109.803, 2903.01, 20  
2919.25, 2919.27, 2929.12, 2929.13, 2929.14, 2929.22, 2935.032, 21  
2937.23, and 3113.31 be amended; section 2935.033 (2935.034) be 22  
amended for the purpose of adopting a new section number as 23  
indicated in parentheses; and new section 2935.033 and section 24  
2919.261 of the Revised Code be enacted to read as follows: 25

**Sec. 109.744.** The attorney general shall adopt, in 26  
accordance with Chapter 119. of the Revised Code or pursuant to 27  
section 109.74 of the Revised Code, rules governing the training 28  
of peace officers in the handling of the offense of domestic 29  
violence, other types of domestic violence-related offenses and 30  
incidents, and protection orders and consent agreements issued 31  
or approved under section 2919.26 or 3113.31 of the Revised 32  
Code. The provisions of the rules shall include, but shall not 33  
be limited to, all of the following: 34

(A) A specified amount of training that is necessary for 35  
the satisfactory completion of basic training programs at 36  
approved peace officer training schools, other than the Ohio 37  
peace officer training academy; 38

(B) A requirement that the training include, but not be 39  
limited to, training in all of the following: 40

(1) All recent amendments to domestic violence-related 41  
laws; 42

(2) Notifying a victim of domestic violence of the 43  
victim's rights; 44

(3) Processing protection orders and consent agreements 45  
issued or approved under section 2919.26 or 3113.31 of the 46  
Revised Code; 47

(4) Using an evidence-based lethality assessment screening 48

tool to determine the level of risk to a victim of domestic 49  
violence and to refer high risk victims to local or regional 50  
domestic violence advocacy services, as required under section 51  
2935.033 of the Revised Code. 52

(C) A list of validated and evidence-based lethality 53  
assessment screening tools that constitute qualified lethality 54  
assessment screening tools including all of the following: 55

(1) The domestic violence lethality screen for first 56  
responders developed by the Maryland network against domestic 57  
violence; 58

(2) The danger assessment for law enforcement tool 59  
developed by the Jeanne Geiger crisis center; 60

(3) Any other lethality assessment screening tool endorsed 61  
by the United States department of justice and found to meet 62  
criteria established by the attorney general. 63

**Sec. 109.803.** (A) (1) Subject to divisions (A) (2) and (B) 64  
of this section, every appointing authority shall require each 65  
of its appointed peace officers and troopers to complete up to 66  
twenty-four hours of continuing professional training each 67  
calendar year, as directed by the Ohio peace officer training 68  
commission. The number of hours directed by the commission, up 69  
to twenty-four hours, is intended to be a minimum requirement, 70  
and appointing authorities are encouraged to exceed the number 71  
of hours the commission directs as the minimum. The commission 72  
shall set the required minimum number of hours based upon 73  
available funding for reimbursement as described in this 74  
division. ~~If~~ Except as provided in division (B) (4) of this 75  
section, if no funding for the reimbursement is available, no 76  
continuing professional training will be required. 77

(2) An appointing authority may submit a written request 78  
to the peace officer training commission that requests for a 79  
calendar year because of emergency circumstances an extension of 80  
the time within which one or more of its appointed peace 81  
officers or troopers must complete the required minimum number 82  
of hours of continuing professional training set by the 83  
commission, as described in division (A)(1) of this section. A 84  
request made under this division shall set forth the name of 85  
each of the appointing authority's peace officers or troopers 86  
for whom an extension is requested, identify the emergency 87  
circumstances related to that peace officer or trooper, include 88  
documentation of those emergency circumstances, and set forth 89  
the date on which the request is submitted to the commission. A 90  
request shall be made under this division not later than the 91  
fifteenth day of December in the calendar year for which the 92  
extension is requested. 93

Upon receipt of a written request made under this 94  
division, the executive director of the commission shall review 95  
the request and the submitted documentation. If the executive 96  
director of the commission is satisfied that emergency 97  
circumstances exist for any peace officer or trooper for whom a 98  
request was made under this division, the executive director may 99  
approve the request for that peace officer or trooper and grant 100  
an extension of the time within which that peace officer or 101  
trooper must complete the required minimum number of hours of 102  
continuing professional training set by the commission. An 103  
extension granted under this division may be for any period of 104  
time the executive director believes to be appropriate, and the 105  
executive director shall specify in the notice granting the 106  
extension the date on which the extension ends. Not later than 107  
thirty days after the date on which a request is submitted to 108

the commission, for each peace officer and trooper for whom an 109  
extension is requested, the executive director either shall 110  
approve the request and grant an extension or deny the request 111  
and deny an extension and shall send to the appointing authority 112  
that submitted the request written notice of the executive 113  
director's decision. 114

If the executive director grants an extension of the time 115  
within which a particular appointed peace officer or trooper of 116  
an appointing authority must complete the required minimum 117  
number of hours of continuing professional training set by the 118  
commission, the appointing authority shall require that peace 119  
officer or trooper to complete the required minimum number of 120  
hours of training not later than the date on which the extension 121  
ends. 122

(B) With the advice of the Ohio peace officer training 123  
commission, the attorney general shall adopt in accordance with 124  
Chapter 119. of the Revised Code rules setting forth minimum 125  
standards for continuing professional training for peace 126  
officers and troopers and governing the administration of 127  
continuing professional training programs for peace officers and 128  
troopers. The rules adopted by the attorney general under 129  
division (B) of this section shall do all of the following: 130

(1) Allow peace officers and troopers to earn credit for 131  
up to four hours of continuing professional training for time 132  
spent while on duty providing drug use prevention education 133  
training that utilizes evidence-based curricula to students in 134  
school districts, community schools established under Chapter 135  
3314., STEM schools established under Chapter 3326., and 136  
college-preparatory boarding schools established under Chapter 137  
3328. of the Revised Code. 138

(2) Allow a peace officer or trooper appointed by a law enforcement agency to earn hours of continuing professional training for other peace officers or troopers appointed by the law enforcement agency by providing drug use prevention education training under division (B)(1) of this section so that hours earned by the peace officer or trooper providing the training in excess of four hours may be applied to offset the number of continuing professional training hours required of another peace officer or trooper appointed by that law enforcement agency.

(3) Prohibit the use of continuing professional training hours earned under division (B)(1) or (2) of this section from being used to offset any mandatory hands-on training requirement.

(4) Require every peace officer and trooper who handles complaints of domestic violence to complete biennial professional training on both of the following:

(a) Intervention techniques in domestic violence cases and the use of an evidence-based lethality assessment screening tool to determine the level of risk to a victim of domestic violence;

(b) The referral of high risk victims to local or regional domestic violence advocacy services, as required under section 2935.033 of the Revised Code.

(5) Allow the peace officer training commission to pay for training required under division (B)(4) of this section using federal funds made available to the state or localities pursuant to a program of the United States department of justice or using funds appropriated by the general assembly or allocated for that purpose by the attorney general.

(C) The attorney general shall transmit a certified copy 168  
of any rule adopted under this section to the secretary of 169  
state. 170

**Sec. 2903.01.** (A) No person shall purposely, and with 171  
prior calculation and design, cause the death of another or the 172  
unlawful termination of another's pregnancy. 173

(B) No person shall purposely cause the death of another 174  
or the unlawful termination of another's pregnancy while 175  
committing or attempting to commit, or while fleeing immediately 176  
after committing or attempting to commit, kidnapping, rape, 177  
aggravated arson, arson, aggravated robbery, robbery, aggravated 178  
burglary, burglary, trespass in a habitation when a person is 179  
present or likely to be present, terrorism, or escape. 180

(C) No person shall purposely cause the death of another 181  
who is under thirteen years of age at the time of the commission 182  
of the offense. 183

(D) No person who is under detention as a result of having 184  
been found guilty of or having pleaded guilty to a felony or who 185  
breaks that detention shall purposely cause the death of 186  
another. 187

(E) No person shall purposely cause the death of a law 188  
enforcement officer whom the offender knows or has reasonable 189  
cause to know is a law enforcement officer when either of the 190  
following applies: 191

(1) The victim, at the time of the commission of the 192  
offense, is engaged in the victim's duties. 193

(2) It is the offender's specific purpose to kill a law 194  
enforcement officer. 195

(F) No person shall purposely cause the death of a first responder or military member whom the offender knows or has reasonable cause to know is a first responder or military member when it is the offender's specific purpose to kill a first responder or military member.

(G) No person shall purposely cause the death of another person when both of the following apply:

(1) The victim was a family or household member of the offender;

(2) The offender has previously been convicted of domestic violence or an offense of violence against a family or household member.

(H) Whoever violates this section is guilty of aggravated murder, and shall be punished as provided in section 2929.02 of the Revised Code.

~~(H)~~ (I) As used in this section:

(1) "Detention" has the same meaning as in section 2921.01 of the Revised Code.

(2) "Law enforcement officer" has the same meaning as in section 2911.01 of the Revised Code and also includes any federal law enforcement officer as defined in section 2921.51 of the Revised Code and anyone who has previously served as a law enforcement officer or federal law enforcement officer.

(3) "First responder" means an emergency medical service provider, a firefighter, or any other emergency response personnel, or anyone who has previously served as a first responder.

(4) "Military member" means a member of the armed forces



of the United States, reserves, or Ohio national guard, a 224  
participant in ROTC, JROTC, or any similar military training 225  
program, or anyone who has previously served in the military. 226

(5) "Family or household member" means any of the 227  
following: 228

(a) Any of the following who is residing with or has 229  
resided with the offender: 230

(i) A spouse, a person living as a spouse, or a former 231  
spouse of the offender; 232

(ii) A parent, a foster parent, or a child of the 233  
offender, or another person related by consanguinity or affinity 234  
to the offender; 235

(iii) A parent or a child of a spouse, person living as a 236  
spouse, or former spouse of the offender, or another person 237  
related by consanguinity or affinity to a spouse, person living 238  
as a spouse, or former spouse of the offender; 239

(iv) A child whose guardian or custodian is a spouse, 240  
person living as a spouse, or former spouse of the offender. 241

(b) The natural parent of any child of whom the offender 242  
is the other natural parent or is the putative other natural 243  
parent. 244

(6) "Person living as a spouse" means a person who is 245  
living or has lived with the offender in a common law marital 246  
relationship, who otherwise is cohabiting with the offender, or 247  
who otherwise has cohabited with the offender within five years 248  
prior to the date of the alleged occurrence of the act in 249  
question. 250

(7) "Child," "custodian," and "guardian" have the same 251

<u>meanings as in section 3109.51 of the Revised Code.</u>	252
<b>Sec. 2919.25.</b> (A) No person shall knowingly cause or	253
attempt to cause physical harm to a family or household member.	254
(B) No person shall recklessly cause serious physical harm	255
to a family or household member.	256
(C) No person, by threat of force, shall knowingly cause a	257
family or household member to believe that the offender will	258
cause imminent physical harm to the family or household member.	259
(D) <u>No person shall recklessly impede the normal breathing</u>	260
<u>or circulation of the blood of a family or household member by</u>	261
<u>applying pressure to the throat or neck, or by covering the nose</u>	262
<u>or mouth, of the family or household member.</u>	263
<u>(E)</u> (1) Whoever violates this section is guilty of domestic	264
violence, and the court shall sentence the offender as provided	265
in divisions <del>(D)</del> <u>(E)</u> (2) to <del>(6)</del> <u>(8)</u> of this section.	266
(2) Except as otherwise provided in divisions <del>(D)</del> <u>(E)</u> (3) to	267
(5) of this section, a violation of division (C) of this section	268
is a misdemeanor of the fourth degree, and a violation of	269
division (A) or (B) of this section is a misdemeanor of the	270
first degree.	271
(3) Except as otherwise provided in division <del>(D)</del> <u>(E)</u> (4) of	272
this section, if the offender previously has pleaded guilty to	273
or been convicted of domestic violence, a violation of an	274
existing or former municipal ordinance or law of this or any	275
other state or the United States that is substantially similar	276
to domestic violence, a violation of section 2903.14, 2909.06,	277
2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code if	278
the victim of the violation was a family or household member at	279
the time of the violation, a violation of an existing or former	280

municipal ordinance or law of this or any other state or the 281  
United States that is substantially similar to any of those 282  
sections if the victim of the violation was a family or 283  
household member at the time of the commission of the violation, 284  
or any offense of violence if the victim of the offense was a 285  
family or household member at the time of the commission of the 286  
offense, a violation of division (A) or (B) of this section is a 287  
felony of the fourth degree, and, if the offender knew that the 288  
victim of the violation was pregnant at the time of the 289  
violation, the court shall impose a mandatory prison term on the 290  
offender pursuant to division ~~(D)(6)~~ (E)(8) of this section, and 291  
a violation of division (C) of this section is a misdemeanor of 292  
the second degree. 293

(4) If the offender previously has pleaded guilty to or 294  
been convicted of two or more offenses of domestic violence or 295  
two or more violations or offenses of the type described in 296  
division ~~(D)~~ (E)(3) of this section involving a person who was a 297  
family or household member at the time of the violations or 298  
offenses, a violation of division (A) or (B) of this section is 299  
a felony of the third degree, and, if the offender knew that the 300  
victim of the violation was pregnant at the time of the 301  
violation, the court shall impose a mandatory prison term on the 302  
offender pursuant to division ~~(D)(6)~~ (E)(8) of this section, and 303  
a violation of division (C) of this section is a misdemeanor of 304  
the first degree. 305

(5) Except as otherwise provided in division ~~(D)~~ (E)(3) or 306  
(4) of this section, if the offender knew that the victim of the 307  
violation was pregnant at the time of the violation, a violation 308  
of division (A) or (B) of this section is a felony of the fifth 309  
degree, and the court shall impose a mandatory prison term on 310  
the offender pursuant to division ~~(D)(6)~~ (E)(8) of this section, 311

and a violation of division (C) of this section is a misdemeanor 312  
of the third degree. 313

(6) Except as otherwise provided in division (E) (7) of 314  
this section, a violation of division (D) of this section is a 315  
felony of the third degree. 316

(7) If the offender previously has pleaded guilty to or 317  
been convicted of a violation of this section, or if the 318  
offender previously has pleaded guilty to or been convicted of 319  
two or more offenses of violence, a violation of division (D) of 320  
this section is a felony of the second degree. 321

(8) If division ~~(D)~~(E) (3), (4), or (5) of this section 322  
requires the court that sentences an offender for a violation of 323  
division (A) or (B) of this section to impose a mandatory prison 324  
term on the offender pursuant to this division, the court shall 325  
impose the mandatory prison term as follows: 326

(a) If the violation of division (A) or (B) of this 327  
section is a felony of the fourth or fifth degree, except as 328  
otherwise provided in division ~~(D)~~(E) (8) (b) or (c) of this 329  
section, the court shall impose a mandatory prison term on the 330  
offender of at least six months. 331

(b) If the violation of division (A) or (B) of this 332  
section is a felony of the fifth degree and the offender, in 333  
committing the violation, caused serious physical harm to the 334  
pregnant woman's unborn or caused the termination of the 335  
pregnant woman's pregnancy, the court shall impose a mandatory 336  
prison term on the offender of twelve months. 337

(c) If the violation of division (A) or (B) of this 338  
section is a felony of the fourth degree and the offender, in 339  
committing the violation, caused serious physical harm to the 340

pregnant woman's unborn or caused the termination of the 341  
pregnant woman's pregnancy, the court shall impose a mandatory 342  
prison term on the offender of at least twelve months. 343

(d) If the violation of division (A) or (B) of this 344  
section is a felony of the third degree, except as otherwise 345  
provided in division ~~(D) (6)~~ (E) (8) (e) of this section and 346  
notwithstanding the range of definite prison terms prescribed in 347  
division (A) (3) of section 2929.14 of the Revised Code for a 348  
felony of the third degree, the court shall impose a mandatory 349  
prison term on the offender of either a definite term of six 350  
months or one of the prison terms prescribed in division (A) (3) 351  
(b) of section 2929.14 of the Revised Code for felonies of the 352  
third degree. 353

(e) If the violation of division (A) or (B) of this 354  
section is a felony of the third degree and the offender, in 355  
committing the violation, caused serious physical harm to the 356  
pregnant woman's unborn or caused the termination of the 357  
pregnant woman's pregnancy, notwithstanding the range of 358  
definite prison terms prescribed in division (A) (3) of section 359  
2929.14 of the Revised Code for a felony of the third degree, 360  
the court shall impose a mandatory prison term on the offender 361  
of either a definite term of one year or one of the prison terms 362  
prescribed in division (A) (3) (b) of section 2929.14 of the 363  
Revised Code for felonies of the third degree. 364

~~(E)~~ (F) Notwithstanding any provision of law to the 365  
contrary, no court or unit of state or local government shall 366  
charge any fee, cost, deposit, or money in connection with the 367  
filing of charges against a person alleging that the person 368  
violated this section or a municipal ordinance substantially 369  
similar to this section or in connection with the prosecution of 370

any charges so filed. 371

~~(F)~~ (G) It is not required in a prosecution under division 372  
(D) of this section to allege or prove that the family or 373  
household member who is the victim suffered physical harm or 374  
serious physical harm or visible injury or that there was an 375  
intent to kill or protractedly injure the family or household 376  
member. 377

(H) It is an affirmative defense to a charge under 378  
division (D) of this section that the act was done to the family 379  
or household member as part of a medical or other procedure 380  
undertaken to aid or benefit the victim. 381

(I) As used in this section and sections 2919.251 and 382  
2919.26 of the Revised Code: 383

(1) "Family or household member" means any of the 384  
following: 385

(a) Any of the following who is residing or has resided 386  
with the offender: 387

(i) A spouse, a person living as a spouse, or a former 388  
spouse of the offender; 389

(ii) A parent, a foster parent, or a child of the 390  
offender, or another person related by consanguinity or affinity 391  
to the offender; 392

(iii) A parent or a child of a spouse, person living as a 393  
spouse, or former spouse of the offender, or another person 394  
related by consanguinity or affinity to a spouse, person living 395  
as a spouse, or former spouse of the offender. 396

(b) The natural parent of any child of whom the offender 397  
is the other natural parent or is the putative other natural 398

parent. 399

(2) "Person living as a spouse" means a person who is 400  
living or has lived with the offender in a common law marital 401  
relationship, who otherwise is cohabiting with the offender, or 402  
who otherwise has cohabited with the offender within five years 403  
prior to the date of the alleged commission of the act in 404  
question. 405

(3) "Pregnant woman's unborn" has the same meaning as 406  
"such other person's unborn," as set forth in section 2903.09 of 407  
the Revised Code, as it relates to the pregnant woman. Division 408  
(C) of that section applies regarding the use of the term in 409  
this section, except that the second and third sentences of 410  
division (C)(1) of that section shall be construed for purposes 411  
of this section as if they included a reference to this section 412  
in the listing of Revised Code sections they contain. 413

(4) "Termination of the pregnant woman's pregnancy" has 414  
the same meaning as "unlawful termination of another's 415  
pregnancy," as set forth in section 2903.09 of the Revised Code, 416  
as it relates to the pregnant woman. Division (C) of that 417  
section applies regarding the use of the term in this section, 418  
except that the second and third sentences of division (C)(1) of 419  
that section shall be construed for purposes of this section as 420  
if they included a reference to this section in the listing of 421  
Revised Code sections they contain. 422

Sec. 2919.261. (A) A law enforcement officer, on behalf of 423  
and with the consent of a victim of domestic violence, may 424  
request an emergency protection order from a judicial officer 425  
during any period of time that the court is not open for regular 426  
business. The request may be made orally or in writing based 427  
upon the sworn statement of the law enforcement officer and an 428

allegation of either of the following by the person seeking the 429  
order: 430

(1) That the victim is in immediate and present danger of 431  
domestic violence based on the officer's observations and an 432  
allegation of a recent incident of domestic violence; 433

(2) That a child of the victim is in immediate and present 434  
danger, based on the officer's observations and an allegation of 435  
a recent incident of domestic violence. 436

(B) If the court finds probable cause, based on a request 437  
made under division (A) of this section, to believe that the 438  
victim or child of a victim is in immediate danger based on an 439  
allegation of a recent incident of domestic violence, the court 440  
shall issue an emergency protection order. 441

(C) An emergency protection order issued under this 442  
section may contain any of the following terms: 443

(1) That the alleged domestic violence offender refrain 444  
from abusing, threatening, harassing, stalking, or forcing 445  
sexual relations on a protected person; 446

(2) That the alleged domestic violence offender refrain 447  
from entering or interfering with the residence, school, 448  
business, place of employment, child care provider, or child 449  
day-care center of a protected person; 450

(3) That the alleged domestic violence offender refrain 451  
from initiating or having any contact with a protected person or 452  
the residence, school, business, place of employment, child care 453  
provider, or child day-care center of a protected person; 454

(4) That the alleged domestic violence offender refrain 455  
from being within five hundred feet of a protected person. 456



(D) A court that orders an emergency protection order 457  
under this section shall communicate the terms of the order by 458  
reliable electronic means to an officer of the appropriate law 459  
enforcement agency. Upon receiving the order, the law 460  
enforcement officer shall do all of the following: 461

(1) Provide a copy of the order to each person protected 462  
by the order; 463

(2) Serve a copy of the order on the alleged domestic 464  
violence offender who is subject to the order; 465

(3) Enter the order into the law enforcement automated 466  
data system so that the order may be entered into the national 467  
crime information center's protection order file. 468

(E) An emergency protection order issued under this 469  
section shall remain in effect until the earliest of the 470  
following: 471

(1) Ninety-six hours after the order was issued; 472

(2) Five o'clock in the evening of the first day that the 473  
court is open for business after the day that the order was 474  
issued; 475

(3) The time at which the court, at the request of the 476  
petitioner, terminates the order. 477

(F) As used in this section, "contact" includes telephone 478  
contact; contact by text message, instant message, voice mail, 479  
electronic mail, or social networking media; and contact by any 480  
other means of communication. 481

**Sec. 2919.27.** (A) No person shall recklessly violate the 482  
terms of any of the following: 483

(1) A protection order issued or consent agreement approved pursuant to section 2919.26, <u>2919.261</u> , or 3113.31 of the Revised Code;	484 485 486
(2) A protection order issued pursuant to section 2151.34, 2903.213, or 2903.214 of the Revised Code;	487 488
(3) A protection order issued by a court of another state.	489
(B) (1) Whoever violates this section is guilty of violating a protection order.	490 491
(2) Except as otherwise provided in division (B) (3) or (4) of this section, violating a protection order is a misdemeanor of the first degree.	492 493 494
(3) Violating a protection order is a felony of the fifth degree if the offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for any of the following:	495 496 497 498
(a) A violation of a protection order issued or consent agreement approved pursuant to section 2151.34, 2903.213, 2903.214, 2919.26, <u>2919.261</u> , or 3113.31 of the Revised Code;	499 500 501
(b) Two or more violations of section 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or any combination of those offenses, that involved the same person who is the subject of the protection order or consent agreement;	502 503 504 505
(c) One or more violations of this section.	506
(4) If the offender violates a protection order or consent agreement while committing a felony offense, violating a protection order is a felony of the third degree.	507 508 509
(5) If the protection order violated by the offender was	510

an order issued pursuant to section 2151.34 or 2903.214 of the Revised Code that required electronic monitoring of the offender pursuant to that section, the court may require in addition to any other sentence imposed upon the offender that the offender be electronically monitored for a period not exceeding five years by a law enforcement agency designated by the court. If the court requires under this division that the offender be electronically monitored, unless the court determines that the offender is indigent, the court shall order that the offender pay the costs of the installation of the electronic monitoring device and the cost of monitoring the electronic monitoring device. If the court determines that the offender is indigent and subject to the maximum amount allowable and the rules promulgated by the attorney general under section 2903.214 of the Revised Code, the costs of the installation of the electronic monitoring device and the cost of monitoring the electronic monitoring device may be paid out of funds from the reparations fund created pursuant to section 2743.191 of the Revised Code. The total amount paid from the reparations fund created pursuant to section 2743.191 of the Revised Code for electronic monitoring under this section and sections 2151.34 and 2903.214 of the Revised Code shall not exceed three hundred thousand dollars per year.

(C) It is an affirmative defense to a charge under division (A) (3) of this section that the protection order issued by a court of another state does not comply with the requirements specified in 18 U.S.C. 2265(b) for a protection order that must be accorded full faith and credit by a court of this state or that it is not entitled to full faith and credit under 18 U.S.C. 2265(c).

(D) In a prosecution for a violation of this section, it

is not necessary for the prosecution to prove that the 542  
protection order or consent agreement was served on the 543  
defendant if the prosecution proves that the defendant was shown 544  
the protection order or consent agreement or a copy of either or 545  
a judge, magistrate, or law enforcement officer informed the 546  
defendant that a protection order or consent agreement had been 547  
issued, and proves that the defendant recklessly violated the 548  
terms of the order or agreement. 549

(E) As used in this section, "protection order issued by a 550  
court of another state" means an injunction or another order 551  
issued by a criminal court of another state for the purpose of 552  
preventing violent or threatening acts or harassment against, 553  
contact or communication with, or physical proximity to another 554  
person, including a temporary order, and means an injunction or 555  
order of that nature issued by a civil court of another state, 556  
including a temporary order and a final order issued in an 557  
independent action or as a pendente lite order in a proceeding 558  
for other relief, if the court issued it in response to a 559  
complaint, petition, or motion filed by or on behalf of a person 560  
seeking protection. "Protection order issued by a court of 561  
another state" does not include an order for support or for 562  
custody of a child issued pursuant to the divorce and child 563  
custody laws of another state, except to the extent that the 564  
order for support or for custody of a child is entitled to full 565  
faith and credit under the laws of the United States. 566

**Sec. 2929.12.** (A) Unless otherwise required by section 567  
2929.13 or 2929.14 of the Revised Code, a court that imposes a 568  
sentence under this chapter upon an offender for a felony has 569  
discretion to determine the most effective way to comply with 570  
the purposes and principles of sentencing set forth in section 571  
2929.11 of the Revised Code. In exercising that discretion, the 572

court shall consider the factors set forth in divisions (B) and 573  
(C) of this section relating to the seriousness of the conduct, 574  
the factors provided in divisions (D) and (E) of this section 575  
relating to the likelihood of the offender's recidivism, and the 576  
factors set forth in division (F) of this section pertaining to 577  
the offender's service in the armed forces of the United States 578  
and, in addition, may consider any other factors that are 579  
relevant to achieving those purposes and principles of 580  
sentencing. 581

(B) The sentencing court shall consider all of the 582  
following that apply regarding the offender, the offense, or the 583  
victim, and any other relevant factors, as indicating that the 584  
offender's conduct is more serious than conduct normally 585  
constituting the offense: 586

(1) The physical or mental injury suffered by the victim 587  
of the offense due to the conduct of the offender was 588  
exacerbated because of the physical or mental condition or age 589  
of the victim. 590

(2) The victim of the offense suffered serious physical, 591  
psychological, or economic harm as a result of the offense. 592

(3) The offender held a public office or position of trust 593  
in the community, and the offense related to that office or 594  
position. 595

(4) The offender's occupation, elected office, or 596  
profession obliged the offender to prevent the offense or bring 597  
others committing it to justice. 598

(5) The offender's professional reputation or occupation, 599  
elected office, or profession was used to facilitate the offense 600  
or is likely to influence the future conduct of others. 601

(6) The offender's relationship with the victim 602  
facilitated the offense. 603

(7) The offender committed the offense for hire or as a 604  
part of an organized criminal activity. 605

(8) In committing the offense, the offender was motivated 606  
by prejudice based on race, ethnic background, gender, sexual 607  
orientation, or religion. 608

(9) If the offense is a violation of section 2919.25 or a 609  
violation of section 2903.11, 2903.12, or 2903.13 of the Revised 610  
Code involving a person who was a family or household member at 611  
the time of the violation, the offender committed the offense in 612  
the vicinity of one or more children who are not victims of the 613  
offense, and the offender or the victim of the offense is a 614  
parent, guardian, custodian, or person in loco parentis of one 615  
or more of those children. 616

(C) The sentencing court shall consider all of the 617  
following that apply regarding the offender, the offense, or the 618  
victim, and any other relevant factors, as indicating that the 619  
offender's conduct is less serious than conduct normally 620  
constituting the offense: 621

(1) The victim induced or facilitated the offense. 622

(2) In committing the offense, the offender acted under 623  
strong provocation. 624

(3) In committing the offense, the offender did not cause 625  
or expect to cause physical harm to any person or property. 626

(4) There are substantial grounds to mitigate the 627  
offender's conduct, although the grounds are not enough to 628  
constitute a defense. 629

(D) The sentencing court shall consider all of the 630  
following that apply regarding the offender, and any other 631  
relevant factors, as factors indicating that the offender is 632  
likely to commit future crimes: 633

(1) At the time of committing the offense, the offender 634  
was under release from confinement before trial or sentencing; 635  
was under a sanction imposed pursuant to section 2929.16, 636  
2929.17, or 2929.18 of the Revised Code; was under post-release 637  
control pursuant to section 2967.28 or any other provision of 638  
the Revised Code for an earlier offense or had been unfavorably 639  
terminated from post-release control for a prior offense 640  
pursuant to division (B) of section 2967.16 or section 2929.141 641  
of the Revised Code; was under transitional control in 642  
connection with a prior offense; or had absconded from the 643  
offender's approved community placement resulting in the 644  
offender's removal from the transitional control program under 645  
section 2967.26 of the Revised Code. 646

(2) The offender previously was adjudicated a delinquent 647  
child pursuant to Chapter 2151. of the Revised Code prior to 648  
January 1, 2002, or pursuant to Chapter 2152. of the Revised 649  
Code, or the offender has a history of criminal convictions. 650

(3) The offender has not been rehabilitated to a 651  
satisfactory degree after previously being adjudicated a 652  
delinquent child pursuant to Chapter 2151. of the Revised Code 653  
prior to January 1, 2002, or pursuant to Chapter 2152. of the 654  
Revised Code, or the offender has not responded favorably to 655  
sanctions previously imposed for criminal convictions. 656

(4) The offender has demonstrated a pattern of drug or 657  
alcohol abuse that is related to the offense, and the offender 658  
refuses to acknowledge that the offender has demonstrated that 659

pattern, or the offender refuses treatment for the drug or 660  
alcohol abuse. 661

(5) The offender shows no genuine remorse for the offense. 662

(E) The sentencing court shall consider all of the 663  
following that apply regarding the offender, and any other 664  
relevant factors, as factors indicating that the offender is not 665  
likely to commit future crimes: 666

(1) Prior to committing the offense, the offender had not 667  
been adjudicated a delinquent child. 668

(2) Prior to committing the offense, the offender had not 669  
been convicted of or pleaded guilty to a criminal offense. 670

(3) Prior to committing the offense, the offender had led 671  
a law-abiding life for a significant number of years. 672

(4) The offense was committed under circumstances not 673  
likely to recur. 674

(5) The offender shows genuine remorse for the offense. 675

(F) The sentencing court shall consider the offender's 676  
military service record and whether the offender has an 677  
emotional, mental, or physical condition that is traceable to 678  
the offender's service in the armed forces of the United States 679  
and that was a contributing factor in the offender's commission 680  
of the offense or offenses. 681

(G) The sentencing court shall consider the results of any 682  
screening conducted in the case under division (A)(2)(e) of 683  
section 2935.032 of the Revised Code. 684

**Sec. 2929.13.** (A) Except as provided in division (E), (F), 685  
or (G) of this section and unless a specific sanction is 686



required to be imposed or is precluded from being imposed 687  
pursuant to law, a court that imposes a sentence upon an 688  
offender for a felony may impose any sanction or combination of 689  
sanctions on the offender that are provided in sections 2929.14 690  
to 2929.18 of the Revised Code. 691

If the offender is eligible to be sentenced to community 692  
control sanctions, the court shall consider the appropriateness 693  
of imposing a financial sanction pursuant to section 2929.18 of 694  
the Revised Code or a sanction of community service pursuant to 695  
section 2929.17 of the Revised Code as the sole sanction for the 696  
offense. Except as otherwise provided in this division, if the 697  
court is required to impose a mandatory prison term for the 698  
offense for which sentence is being imposed, the court also 699  
shall impose any financial sanction pursuant to section 2929.18 700  
of the Revised Code that is required for the offense and may 701  
impose any other financial sanction pursuant to that section but 702  
may not impose any additional sanction or combination of 703  
sanctions under section 2929.16 or 2929.17 of the Revised Code. 704

If the offender is being sentenced for a fourth degree 705  
felony OVI offense or for a third degree felony OVI offense, in 706  
addition to the mandatory term of local incarceration or the 707  
mandatory prison term required for the offense by division (G) 708  
(1) or (2) of this section, the court shall impose upon the 709  
offender a mandatory fine in accordance with division (B) (3) of 710  
section 2929.18 of the Revised Code and may impose whichever of 711  
the following is applicable: 712

(1) For a fourth degree felony OVI offense for which 713  
sentence is imposed under division (G) (1) of this section, an 714  
additional community control sanction or combination of 715  
community control sanctions under section 2929.16 or 2929.17 of 716

the Revised Code. If the court imposes upon the offender a 717  
community control sanction and the offender violates any 718  
condition of the community control sanction, the court may take 719  
any action prescribed in division (B) of section 2929.15 of the 720  
Revised Code relative to the offender, including imposing a 721  
prison term on the offender pursuant to that division. 722

(2) For a third or fourth degree felony OVI offense for 723  
which sentence is imposed under division (G) (2) of this section, 724  
an additional prison term as described in division (B) (4) of 725  
section 2929.14 of the Revised Code or a community control 726  
sanction as described in division (G) (2) of this section. 727

(B) (1) (a) Except as provided in division (B) (1) (b) of this 728  
section, if an offender is convicted of or pleads guilty to a 729  
felony of the fourth or fifth degree that is not an offense of 730  
violence or that is a qualifying assault offense, the court 731  
shall sentence the offender to a community control sanction or 732  
combination of community control sanctions if all of the 733  
following apply: 734

(i) The offender previously has not been convicted of or 735  
pleaded guilty to a felony offense. 736

(ii) The most serious charge against the offender at the 737  
time of sentencing is a felony of the fourth or fifth degree. 738

(iii) The offender previously has not been convicted of or 739  
pleaded guilty to a misdemeanor offense of violence that the 740  
offender committed within two years prior to the offense for 741  
which sentence is being imposed. 742

(b) The court has discretion to impose a prison term upon 743  
an offender who is convicted of or pleads guilty to a felony of 744  
the fourth or fifth degree that is not an offense of violence or 745

that is a qualifying assault offense if any of the following 746  
apply: 747

(i) The offender committed the offense while having a 748  
firearm on or about the offender's person or under the 749  
offender's control. 750

(ii) If the offense is a qualifying assault offense, the 751  
offender caused serious physical harm to another person while 752  
committing the offense, and, if the offense is not a qualifying 753  
assault offense, the offender caused physical harm to another 754  
person while committing the offense. 755

(iii) The offender violated a term of the conditions of 756  
bond as set by the court. 757

(iv) The offense is a sex offense that is a fourth or 758  
fifth degree felony violation of any provision of Chapter 2907. 759  
of the Revised Code. 760

(v) In committing the offense, the offender attempted to 761  
cause or made an actual threat of physical harm to a person with 762  
a deadly weapon. 763

(vi) In committing the offense, the offender attempted to 764  
cause or made an actual threat of physical harm to a person, and 765  
the offender previously was convicted of an offense that caused 766  
physical harm to a person. 767

(vii) The offender held a public office or position of 768  
trust, and the offense related to that office or position; the 769  
offender's position obliged the offender to prevent the offense 770  
or to bring those committing it to justice; or the offender's 771  
professional reputation or position facilitated the offense or 772  
was likely to influence the future conduct of others. 773

(viii) The offender committed the offense for hire or as part of an organized criminal activity. 774  
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(ix) The offender at the time of the offense was serving, or the offender previously had served, a prison term. 776  
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(x) The offender committed the offense while under a community control sanction, while on probation, or while released from custody on a bond or personal recognizance. 778  
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(c) A sentencing court may impose an additional penalty under division (B) of section 2929.15 of the Revised Code upon an offender sentenced to a community control sanction under division (B)(1)(a) of this section if the offender violates the conditions of the community control sanction, violates a law, or leaves the state without the permission of the court or the offender's probation officer. 781  
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(2) If division (B)(1) of this section does not apply, except as provided in division (E), (F), or (G) of this section, in determining whether to impose a prison term as a sanction for a felony of the fourth or fifth degree, the sentencing court shall comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code and with section 2929.12 of the Revised Code. 788  
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(C) Except as provided in division (D), (E), (F), or (G) of this section, in determining whether to impose a prison term as a sanction for a felony of the third degree or 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 this division for purposes of sentencing, the sentencing court shall comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code and with section 2929.12 of 795  
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the Revised Code. 803

(D) (1) Except as provided in division (E) or (F) of this 804  
section, for a felony of the first or second degree, for a 805  
felony drug offense that is a violation of any provision of 806  
Chapter 2925., 3719., or 4729. of the Revised Code for which a 807  
presumption in favor of a prison term is specified as being 808  
applicable, and for a violation of division (A) (4) or (B) of 809  
section 2907.05 of the Revised Code for which a presumption in 810  
favor of a prison term is specified as being applicable, it is 811  
presumed that a prison term is necessary in order to comply with 812  
the purposes and principles of sentencing under section 2929.11 813  
of the Revised Code. Division (D) (2) of this section does not 814  
apply to a presumption established under this division for a 815  
violation of division (A) (4) of section 2907.05 of the Revised 816  
Code. 817

(2) Notwithstanding the presumption established under 818  
division (D) (1) of this section for the offenses listed in that 819  
division other than a violation of division (A) (4) or (B) of 820  
section 2907.05 of the Revised Code, the sentencing court may 821  
impose a community control sanction or a combination of 822  
community control sanctions instead of a prison term on an 823  
offender for a felony of the first or second degree or for a 824  
felony drug offense that is a violation of any provision of 825  
Chapter 2925., 3719., or 4729. of the Revised Code for which a 826  
presumption in favor of a prison term is specified as being 827  
applicable if it makes both of the following findings: 828

(a) A community control sanction or a combination of 829  
community control sanctions would adequately punish the offender 830  
and protect the public from future crime, because the applicable 831  
factors under section 2929.12 of the Revised Code indicating a 832

lesser likelihood of recidivism outweigh the applicable factors 833  
under that section indicating a greater likelihood of 834  
recidivism. 835

(b) A community control sanction or a combination of 836  
community control sanctions would not demean the seriousness of 837  
the offense, because one or more factors under section 2929.12 838  
of the Revised Code that indicate that the offender's conduct 839  
was less serious than conduct normally constituting the offense 840  
are applicable, and they outweigh the applicable factors under 841  
that section that indicate that the offender's conduct was more 842  
serious than conduct normally constituting the offense. 843

(E) (1) Except as provided in division (F) of this section, 844  
for any drug offense that is a violation of any provision of 845  
Chapter 2925. of the Revised Code and that is a felony of the 846  
third, fourth, or fifth degree, the applicability of a 847  
presumption under division (D) of this section in favor of a 848  
prison term or of division (B) or (C) of this section in 849  
determining whether to impose a prison term for the offense 850  
shall be determined as specified in section 2925.02, 2925.03, 851  
2925.04, 2925.05, 2925.06, 2925.11, 2925.13, 2925.22, 2925.23, 852  
2925.36, or 2925.37 of the Revised Code, whichever is applicable 853  
regarding the violation. 854

(2) If an offender who was convicted of or pleaded guilty 855  
to a felony violates the conditions of a community control 856  
sanction imposed for the offense solely by reason of producing 857  
positive results on a drug test or by acting pursuant to 858  
division (B) (2) (b) of section 2925.11 of the Revised Code with 859  
respect to a minor drug possession offense, the court, as 860  
punishment for the violation of the sanction, shall not order 861  
that the offender be imprisoned unless the court determines on 862

the record either of the following: 863

(a) The offender had been ordered as a sanction for the 864  
felony to participate in a drug treatment program, in a drug 865  
education program, or in narcotics anonymous or a similar 866  
program, and the offender continued to use illegal drugs after a 867  
reasonable period of participation in the program. 868

(b) The imprisonment of the offender for the violation is 869  
consistent with the purposes and principles of sentencing set 870  
forth in section 2929.11 of the Revised Code. 871

(3) A court that sentences an offender for a drug abuse 872  
offense that is a felony of the third, fourth, or fifth degree 873  
may require that the offender be assessed by a properly 874  
credentialed professional within a specified period of time. The 875  
court shall require the professional to file a written 876  
assessment of the offender with the court. If the offender is 877  
eligible for a community control sanction and after considering 878  
the written assessment, the court may impose a community control 879  
sanction that includes addiction services and recovery supports 880  
included in a community-based continuum of care established 881  
under section 340.032 of the Revised Code. If the court imposes 882  
addiction services and recovery supports as a community control 883  
sanction, the court shall direct the level and type of addiction 884  
services and recovery supports after considering the assessment 885  
and recommendation of community addiction services providers. 886

(F) Notwithstanding divisions (A) to (E) of this section, 887  
the court shall impose a prison term or terms under sections 888  
2929.02 to 2929.06, section 2929.14, section 2929.142, or 889  
section 2971.03 of the Revised Code and except as specifically 890  
provided in section 2929.20, divisions (C) to (I) of section 891  
2967.19, or section 2967.191 of the Revised Code or when parole 892

is authorized for the offense under section 2967.13 of the Revised Code shall not reduce the term or terms 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 for any of the following offenses:

(1) Aggravated murder when death is not imposed or murder;

(2) Any rape, regardless of whether force was involved and regardless of the age of the victim, or an attempt to commit rape if, had the offender completed the rape that was attempted, the offender would have been guilty of a violation of division (A) (1) (b) of section 2907.02 of the Revised Code and would be sentenced under section 2971.03 of the Revised Code;

(3) Gross sexual imposition or sexual battery, if the victim is less than thirteen years of age and if any of the following applies:

(a) Regarding gross sexual imposition, the offender previously was convicted of or pleaded guilty to rape, the former offense of felonious sexual penetration, gross sexual imposition, or sexual battery, and the victim of the previous offense was less than thirteen years of age;

(b) Regarding gross sexual imposition, the offense was committed on or after August 3, 2006, and evidence other than the testimony of the victim was admitted in the case corroborating the violation.

(c) Regarding sexual battery, either of the following applies:

(i) The offense was committed prior to August 3, 2006, the offender previously was convicted of or pleaded guilty to rape, the former offense of felonious sexual penetration, or sexual



battery, and the victim of the previous offense was less than 922  
thirteen years of age. 923

(ii) The offense was committed on or after August 3, 2006. 924

(4) A felony violation of section 2903.04, 2903.06, 925  
2903.08, 2903.11, 2903.12, 2903.13, 2905.32, 2907.07, 2921.321, 926  
or 2923.132 of the Revised Code if the section requires the 927  
imposition of a prison term; 928

(5) A first, second, or third degree felony drug offense 929  
for which section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 930  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, 2925.37, 3719.99, 931  
or 4729.99 of the Revised Code, whichever is applicable 932  
regarding the violation, requires the imposition of a mandatory 933  
prison term; 934

(6) Any offense that is a first or second degree felony 935  
and that is not set forth in division (F) (1), (2), (3), or (4) 936  
of this section, if the offender previously was convicted of or 937  
pleaded guilty to aggravated murder, murder, any first or second 938  
degree felony, or an offense under an existing or former law of 939  
this state, another state, or the United States that is or was 940  
substantially equivalent to one of those offenses; 941

(7) Any offense that is a third degree felony and either 942  
is a violation of section 2903.04 of the Revised Code or an 943  
attempt to commit a felony of the second degree that is an 944  
offense of violence and involved an attempt to cause serious 945  
physical harm to a person or that resulted in serious physical 946  
harm to a person if the offender previously was convicted of or 947  
pleaded guilty to any of the following offenses: 948

(a) Aggravated murder, murder, involuntary manslaughter, 949  
rape, felonious sexual penetration as it existed under section 950

2907.12 of the Revised Code prior to September 3, 1996, a felony 951  
of the first or second degree that resulted in the death of a 952  
person or in physical harm to a person, or complicity in or an 953  
attempt to commit any of those offenses; 954

(b) An offense under an existing or former law of this 955  
state, another state, or the United States that is or was 956  
substantially equivalent to an offense listed in division (F) (7) 957  
(a) of this section that resulted in the death of a person or in 958  
physical harm to a person. 959

(8) Any offense, other than a violation of section 2923.12 960  
of the Revised Code, that is a felony, if the offender had a 961  
firearm on or about the offender's person or under the 962  
offender's control while committing the felony, with respect to 963  
a portion of the sentence imposed pursuant to division (B) (1) (a) 964  
of section 2929.14 of the Revised Code for having the firearm; 965

(9) Any offense of violence that is a felony, if the 966  
offender wore or carried body armor while committing the felony 967  
offense of violence, with respect to the portion of the sentence 968  
imposed pursuant to division (B) (1) (d) of section 2929.14 of the 969  
Revised Code for wearing or carrying the body armor; 970

(10) Corrupt activity in violation of section 2923.32 of 971  
the Revised Code when the most serious offense in the pattern of 972  
corrupt activity that is the basis of the offense is a felony of 973  
the first degree; 974

(11) Any violent sex offense or designated homicide, 975  
assault, or kidnapping offense if, in relation to that offense, 976  
the offender is adjudicated a sexually violent predator; 977

(12) A violation of division (A) (1) or (2) of section 978  
2921.36 of the Revised Code, or a violation of division (C) of 979

that section involving an item listed in division (A) (1) or (2) 980  
of that section, if the offender is an officer or employee of 981  
the department of rehabilitation and correction; 982

(13) A violation of division (A) (1) or (2) of section 983  
2903.06 of the Revised Code if the victim of the offense is a 984  
peace officer, as defined in section 2935.01 of the Revised 985  
Code, or an investigator of the bureau of criminal 986  
identification and investigation, as defined in section 2903.11 987  
of the Revised Code, with respect to the portion of the sentence 988  
imposed pursuant to division (B) (5) of section 2929.14 of the 989  
Revised Code; 990

(14) A violation of division (A) (1) or (2) of section 991  
2903.06 of the Revised Code if the offender has been convicted 992  
of or pleaded guilty to three or more violations of division (A) 993  
or (B) of section 4511.19 of the Revised Code or an equivalent 994  
offense, as defined in section 2941.1415 of the Revised Code, or 995  
three or more violations of any combination of those divisions 996  
and offenses, with respect to the portion of the sentence 997  
imposed pursuant to division (B) (6) of section 2929.14 of the 998  
Revised Code; 999

(15) Kidnapping, in the circumstances specified in section 1000  
2971.03 of the Revised Code and when no other provision of 1001  
division (F) of this section applies; 1002

(16) Kidnapping, abduction, compelling prostitution, 1003  
promoting prostitution, engaging in a pattern of corrupt 1004  
activity, a violation of division (A) (1) or (2) of section 1005  
2907.323 of the Revised Code that involves a minor, or 1006  
endangering children in violation of division (B) (1), (2), (3), 1007  
(4), or (5) of section 2919.22 of the Revised Code, if the 1008  
offender is convicted of or pleads guilty to a specification as 1009

described in section 2941.1422 of the Revised Code that was 1010  
included in the indictment, count in the indictment, or 1011  
information charging the offense; 1012

(17) A felony violation of division (A) or (B) of section 1013  
2919.25 of the Revised Code if division ~~(D)(3)~~ (E)(3), (4), or 1014  
(5) of that section, and division ~~(D)(6)~~ (E)(8) of that section, 1015  
require the imposition of a prison term; 1016

(18) A felony violation of section 2903.11, 2903.12, or 1017  
2903.13 of the Revised Code, if the victim of the offense was a 1018  
woman that the offender knew was pregnant at the time of the 1019  
violation, with respect to a portion of the sentence imposed 1020  
pursuant to division (B)(8) of section 2929.14 of the Revised 1021  
Code; 1022

(19) (a) Any violent felony offense if the offender is a 1023  
violent career criminal and had a firearm on or about the 1024  
offender's person or under the offender's control during the 1025  
commission of the violent felony offense and displayed or 1026  
brandished the firearm, indicated that the offender possessed a 1027  
firearm, or used the firearm to facilitate the offense, with 1028  
respect to the portion of the sentence imposed under division 1029  
(K) of section 2929.14 of the Revised Code. 1030

(b) As used in division (F)(19)(a) of this section, 1031  
"violent career criminal" and "violent felony offense" have the 1032  
same meanings as in section 2923.132 of the Revised Code~~+~~. 1033

(20) Any violation of division (A)(1) of section 2903.11 1034  
of the Revised Code if the offender used an accelerant in 1035  
committing the violation and the serious physical harm to 1036  
another or another's unborn caused by the violation resulted in 1037  
a permanent, serious disfigurement or permanent, substantial 1038

incapacity or any violation of division (A) (2) of that section 1039  
if the offender used an accelerant in committing the violation, 1040  
the violation caused physical harm to another or another's 1041  
unborn, and the physical harm resulted in a permanent, serious 1042  
disfigurement or permanent, substantial incapacity, with respect 1043  
to a portion of the sentence imposed pursuant to division (B) (9) 1044  
of section 2929.14 of the Revised Code. The provisions of this 1045  
division and of division (D) (2) of section 2903.11, divisions 1046  
(B) (9) and (C) (6) of section 2929.14, and section 2941.1425 of 1047  
the Revised Code shall be known as "Judy's Law." 1048

(21) Any violation of division (A) of section 2903.11 of 1049  
the Revised Code if the victim of the offense suffered permanent 1050  
disabling harm as a result of the offense and the victim was 1051  
under ten years of age at the time of the offense, with respect 1052  
to a portion of the sentence imposed pursuant to division (B) 1053  
(10) of section 2929.14 of the Revised Code. 1054

(22) A felony violation of section 2925.03, 2925.05, or 1055  
2925.11 of the Revised Code, if the drug involved in the 1056  
violation is a fentanyl-related compound or a compound, mixture, 1057  
preparation, or substance containing a fentanyl-related compound 1058  
and the offender is convicted of or pleads guilty to a 1059  
specification of the type described in division (B) of section 1060  
2941.1410 of the Revised Code that was included in the 1061  
indictment, count in the indictment, or information charging the 1062  
offense, with respect to the portion of the sentence imposed 1063  
under division (B) (11) of section 2929.14 of the Revised Code. 1064

(G) Notwithstanding divisions (A) to (E) of this section, 1065  
if an offender is being sentenced for a fourth degree felony OVI 1066  
offense or for a third degree felony OVI offense, the court 1067  
shall impose upon the offender a mandatory term of local 1068

incarceration or a mandatory prison term in accordance with the 1069  
following: 1070

(1) If the offender is being sentenced for a fourth degree 1071  
felony OVI offense and if the offender has not been convicted of 1072  
and has not pleaded guilty to a specification of the type 1073  
described in section 2941.1413 of the Revised Code, the court 1074  
may impose upon the offender a mandatory term of local 1075  
incarceration of sixty days or one hundred twenty days as 1076  
specified in division (G)(1)(d) of section 4511.19 of the 1077  
Revised Code. The court shall not reduce the term pursuant to 1078  
section 2929.20, 2967.193, or any other provision of the Revised 1079  
Code. The court that imposes a mandatory term of local 1080  
incarceration under this division shall specify whether the term 1081  
is to be served in a jail, a community-based correctional 1082  
facility, a halfway house, or an alternative residential 1083  
facility, and the offender shall serve the term in the type of 1084  
facility specified by the court. A mandatory term of local 1085  
incarceration imposed under division (G)(1) of this section is 1086  
not subject to any other Revised Code provision that pertains to 1087  
a prison term except as provided in division (A)(1) of this 1088  
section. 1089

(2) If the offender is being sentenced for a third degree 1090  
felony OVI offense, or if the offender is being sentenced for a 1091  
fourth degree felony OVI offense and the court does not impose a 1092  
mandatory term of local incarceration under division (G)(1) of 1093  
this section, the court shall impose upon the offender a 1094  
mandatory prison term of one, two, three, four, or five years if 1095  
the offender also is convicted of or also pleads guilty to a 1096  
specification of the type described in section 2941.1413 of the 1097  
Revised Code or shall impose upon the offender a mandatory 1098  
prison term of sixty days or one hundred twenty days as 1099

specified in division (G) (1) (d) or (e) of section 4511.19 of the Revised Code if the offender has not been convicted of and has not pleaded guilty to a specification of that type. Subject to divisions (C) to (I) of section 2967.19 of the Revised Code, the court shall not reduce the term pursuant to section 2929.20, 2967.19, 2967.193, or any other provision of the Revised Code. The offender shall serve the one-, two-, three-, four-, or five-year mandatory prison term consecutively to and prior to the prison term imposed for the underlying offense and consecutively to any other mandatory prison term imposed in relation to the offense. In no case shall an offender who once has been sentenced to a mandatory term of local incarceration pursuant to division (G) (1) of this section for a fourth degree felony OVI offense be sentenced to another mandatory term of local incarceration under that division for any violation of division (A) of section 4511.19 of the Revised Code. In addition to the mandatory prison term described in division (G) (2) of this section, the court 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 the prison term prior to serving the community control sanction. The department of rehabilitation and correction may place an offender sentenced to a mandatory prison term under this division in an intensive program prison established pursuant to section 5120.033 of the Revised Code if the department gave the sentencing judge prior notice of its intent to place the offender in an intensive program prison established under that section and if the judge did not notify the department that the judge disapproved the placement. Upon the establishment of the initial intensive program prison pursuant to section 5120.033 of the Revised Code that is privately operated and managed by a contractor pursuant to a contract entered into under section 9.06 of the Revised

Code, both of the following apply: 1132

(a) The department of rehabilitation and correction shall 1133  
make a reasonable effort to ensure that a sufficient number of 1134  
offenders sentenced to a mandatory prison term under this 1135  
division are placed in the privately operated and managed prison 1136  
so that the privately operated and managed prison has full 1137  
occupancy. 1138

(b) Unless the privately operated and managed prison has 1139  
full occupancy, the department of rehabilitation and correction 1140  
shall not place any offender sentenced to a mandatory prison 1141  
term under this division in any intensive program prison 1142  
established pursuant to section 5120.033 of the Revised Code 1143  
other than the privately operated and managed prison. 1144

(H) If an offender is being sentenced for a sexually 1145  
oriented offense or child-victim oriented offense that is a 1146  
felony committed on or after January 1, 1997, the judge shall 1147  
require the offender to submit to a DNA specimen collection 1148  
procedure pursuant to section 2901.07 of the Revised Code. 1149

(I) If an offender is being sentenced for a sexually 1150  
oriented offense or a child-victim oriented offense committed on 1151  
or after January 1, 1997, the judge shall include in the 1152  
sentence a summary of the offender's duties imposed under 1153  
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 1154  
Code and the duration of the duties. The judge shall inform the 1155  
offender, at the time of sentencing, of those duties and of 1156  
their duration. If required under division (A) (2) of section 1157  
2950.03 of the Revised Code, the judge shall perform the duties 1158  
specified in that section, or, if required under division (A) (6) 1159  
of section 2950.03 of the Revised Code, the judge shall perform 1160  
the duties specified in that division. 1161



(J) (1) Except as provided in division (J) (2) of this 1162  
section, when considering sentencing factors under this section 1163  
in relation to an offender who is convicted of or pleads guilty 1164  
to an attempt to commit an offense in violation of section 1165  
2923.02 of the Revised Code, the sentencing court shall consider 1166  
the factors applicable to the felony category of the violation 1167  
of section 2923.02 of the Revised Code instead of the factors 1168  
applicable to the felony category of the offense attempted. 1169

(2) When considering sentencing factors under this section 1170  
in relation to an offender who is convicted of or pleads guilty 1171  
to an attempt to commit a drug abuse offense for which the 1172  
penalty is determined by the amount or number of unit doses of 1173  
the controlled substance involved in the drug abuse offense, the 1174  
sentencing court shall consider the factors applicable to the 1175  
felony category that the drug abuse offense attempted would be 1176  
if that drug abuse offense had been committed and had involved 1177  
an amount or number of unit doses of the controlled substance 1178  
that is within the next lower range of controlled substance 1179  
amounts than was involved in the attempt. 1180

(K) As used in this section: 1181

(1) "Community addiction services provider" has the same 1182  
meaning as in section 5119.01 of the Revised Code. 1183

(2) "Drug abuse offense" has the same meaning as in 1184  
section 2925.01 of the Revised Code. 1185

(3) "Minor drug possession offense" has the same meaning 1186  
as in section 2925.11 of the Revised Code. 1187

(4) "Qualifying assault offense" means a violation of 1188  
section 2903.13 of the Revised Code for which the penalty 1189  
provision in division (C) (8) (b) or (C) (9) (b) of that section 1190

applies. 1191

(L) At the time of sentencing an offender for any sexually 1192  
oriented offense, if the offender is a tier III sex 1193  
offender/child-victim offender relative to that offense and the 1194  
offender does not serve a prison term or jail term, the court 1195  
may require that the offender be monitored by means of a global 1196  
positioning device. If the court requires such monitoring, the 1197  
cost of monitoring shall be borne by the offender. If the 1198  
offender is indigent, the cost of compliance shall be paid by 1199  
the crime victims reparations fund. 1200

**Sec. 2929.14.** (A) Except as provided in division (B) (1), 1201  
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 1202  
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 1203  
in division ~~(D) (6)~~ (E) (8) of section 2919.25 of the Revised Code 1204  
and except in relation to an offense for which a sentence of 1205  
death or life imprisonment is to be imposed, if the court 1206  
imposing a sentence upon an offender for a felony elects or is 1207  
required to impose a prison term on the offender pursuant to 1208  
this chapter, the court shall impose a prison term that shall be 1209  
one of the following: 1210

(1) (a) For a felony of the first degree committed on or 1211  
after the effective date of this amendment, the prison term 1212  
shall be an indefinite prison term with a stated minimum term 1213  
selected by the court of three, four, five, six, seven, eight, 1214  
nine, ten, or eleven years and a maximum term that is determined 1215  
pursuant to section 2929.144 of the Revised Code, except that if 1216  
the section that criminalizes the conduct constituting the 1217  
felony specifies a different minimum term or penalty for the 1218  
offense, the specific language of that section shall control in 1219  
determining the minimum term or otherwise sentencing the 1220

offender but the minimum term or sentence imposed under that 1221  
specific language shall be considered for purposes of the 1222  
Revised Code as if it had been imposed under this division. 1223

(b) For a felony of the first degree committed prior to 1224  
the effective date of this amendment, the prison term shall be a 1225  
definite prison term of three, four, five, six, seven, eight, 1226  
nine, ten, or eleven years. 1227

(2) (a) For a felony of the second degree committed on or 1228  
after the effective date of this amendment, the prison term 1229  
shall be an indefinite prison term with a stated minimum term 1230  
selected by the court of two, three, four, five, six, seven, or 1231  
eight years and a maximum term that is determined pursuant to 1232  
section 2929.144 of the Revised Code, except that if the section 1233  
that criminalizes the conduct constituting the felony specifies 1234  
a different minimum term or penalty for the offense, the 1235  
specific language of that section shall control in determining 1236  
the minimum term or otherwise sentencing the offender but the 1237  
minimum term or sentence imposed under that specific language 1238  
shall be considered for purposes of the Revised Code as if it 1239  
had been imposed under this division. 1240

(b) For a felony of the second degree committed prior to 1241  
the effective date of this amendment, the prison term shall be a 1242  
definite term of two, three, four, five, six, seven, or eight 1243  
years. 1244

(3) (a) For a felony of the third degree that is a 1245  
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 1246  
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 1247  
Code or that is a violation of section 2911.02 or 2911.12 of the 1248  
Revised Code if the offender previously has been convicted of or 1249  
pleaded guilty in two or more separate proceedings to two or 1250

more violations of section 2911.01, 2911.02, 2911.11, or 2911.12 1251  
of the Revised Code, the prison term shall be a definite term of 1252  
twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, 1253  
forty-eight, fifty-four, or sixty months. 1254

(b) For a felony of the third degree that is not an 1255  
offense for which division (A) (3) (a) of this section applies, 1256  
the prison term shall be a definite term of nine, twelve, 1257  
eighteen, twenty-four, thirty, or thirty-six months. 1258

(4) For a felony of the fourth degree, the prison term 1259  
shall be a definite term of six, seven, eight, nine, ten, 1260  
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 1261  
or eighteen months. 1262

(5) For a felony of the fifth degree, the prison term 1263  
shall be a definite term of six, seven, eight, nine, ten, 1264  
eleven, or twelve months. 1265

(B) (1) (a) Except as provided in division (B) (1) (e) of this 1266  
section, if an offender who is convicted of or pleads guilty to 1267  
a felony also is convicted of or pleads guilty to a 1268  
specification of the type described in section 2941.141, 1269  
2941.144, or 2941.145 of the Revised Code, the court shall 1270  
impose on the offender one of the following prison terms: 1271

(i) A prison term of six years if the specification is of 1272  
the type described in division (A) of section 2941.144 of the 1273  
Revised Code that charges the offender with having a firearm 1274  
that is an automatic firearm or that was equipped with a firearm 1275  
muffler or suppressor on or about the offender's person or under 1276  
the offender's control while committing the offense; 1277

(ii) A prison term of three years if the specification is 1278  
of the type described in division (A) of section 2941.145 of the 1279

Revised Code that charges the offender with having a firearm on 1280  
or about the offender's person or under the offender's control 1281  
while committing the offense and displaying the firearm, 1282  
brandishing the firearm, indicating that the offender possessed 1283  
the firearm, or using it to facilitate the offense; 1284

(iii) A prison term of one year if the specification is of 1285  
the type described in division (A) of section 2941.141 of the 1286  
Revised Code that charges the offender with having a firearm on 1287  
or about the offender's person or under the offender's control 1288  
while committing the offense; 1289

(iv) A prison term of nine years if the specification is 1290  
of the type described in division (D) of section 2941.144 of the 1291  
Revised Code that charges the offender with having a firearm 1292  
that is an automatic firearm or that was equipped with a firearm 1293  
muffler or suppressor on or about the offender's person or under 1294  
the offender's control while committing the offense and 1295  
specifies that the offender previously has been convicted of or 1296  
pleaded guilty to a specification of the type described in 1297  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1298  
the Revised Code; 1299

(v) A prison term of fifty-four months if the 1300  
specification is of the type described in division (D) of 1301  
section 2941.145 of the Revised Code that charges the offender 1302  
with having a firearm on or about the offender's person or under 1303  
the offender's control while committing the offense and 1304  
displaying the firearm, brandishing the firearm, indicating that 1305  
the offender possessed the firearm, or using the firearm to 1306  
facilitate the offense and that the offender previously has been 1307  
convicted of or pleaded guilty to a specification of the type 1308  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 1309

2941.1412 of the Revised Code; 1310

(vi) A prison term of eighteen months if the specification 1311  
is of the type described in division (D) of section 2941.141 of 1312  
the Revised Code that charges the offender with having a firearm 1313  
on or about the offender's person or under the offender's 1314  
control while committing the offense and that the offender 1315  
previously has been convicted of or pleaded guilty to a 1316  
specification of the type described in section 2941.141, 1317  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 1318

(b) If a court imposes a prison term on an offender under 1319  
division (B) (1) (a) of this section, the prison term shall not be 1320  
reduced pursuant to section 2967.19, section 2929.20, section 1321  
2967.193, or any other provision of Chapter 2967. or Chapter 1322  
5120. of the Revised Code. Except as provided in division (B) (1) 1323  
(g) of this section, a court shall not impose more than one 1324  
prison term on an offender under division (B) (1) (a) of this 1325  
section for felonies committed as part of the same act or 1326  
transaction. 1327

(c) (i) Except as provided in division (B) (1) (e) of this 1328  
section, if an offender who is convicted of or pleads guilty to 1329  
a violation of section 2923.161 of the Revised Code or to a 1330  
felony that includes, as an essential element, purposely or 1331  
knowingly causing or attempting to cause the death of or 1332  
physical harm to another, also is convicted of or pleads guilty 1333  
to a specification of the type described in division (A) of 1334  
section 2941.146 of the Revised Code that charges the offender 1335  
with committing the offense by discharging a firearm from a 1336  
motor vehicle other than a manufactured home, the court, after 1337  
imposing a prison term on the offender for the violation of 1338  
section 2923.161 of the Revised Code or for the other felony 1339

offense under division (A), (B) (2), or (B) (3) of this section, 1340  
shall impose an additional prison term of five years upon the 1341  
offender that shall not be reduced pursuant to section 2929.20, 1342  
section 2967.19, section 2967.193, or any other provision of 1343  
Chapter 2967. or Chapter 5120. of the Revised Code. 1344

(ii) Except as provided in division (B) (1) (e) of this 1345  
section, if an offender who is convicted of or pleads guilty to 1346  
a violation of section 2923.161 of the Revised Code or to a 1347  
felony that includes, as an essential element, purposely or 1348  
knowingly causing or attempting to cause the death of or 1349  
physical harm to another, also is convicted of or pleads guilty 1350  
to a specification of the type described in division (C) of 1351  
section 2941.146 of the Revised Code that charges the offender 1352  
with committing the offense by discharging a firearm from a 1353  
motor vehicle other than a manufactured home and that the 1354  
offender previously has been convicted of or pleaded guilty to a 1355  
specification of the type described in section 2941.141, 1356  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 1357  
the court, after imposing a prison term on the offender for the 1358  
violation of section 2923.161 of the Revised Code or for the 1359  
other felony offense under division (A), (B) (2), or (3) of this 1360  
section, shall impose an additional prison term of ninety months 1361  
upon the offender that shall not be reduced pursuant to section 1362  
2929.20, 2967.19, 2967.193, or any other provision of Chapter 1363  
2967. or Chapter 5120. of the Revised Code. 1364

(iii) A court shall not impose more than one additional 1365  
prison term on an offender under division (B) (1) (c) of this 1366  
section for felonies committed as part of the same act or 1367  
transaction. If a court imposes an additional prison term on an 1368  
offender under division (B) (1) (c) of this section relative to an 1369  
offense, the court also shall impose a prison term under 1370

division (B) (1) (a) of this section relative to the same offense, 1371  
provided the criteria specified in that division for imposing an 1372  
additional prison term are satisfied relative to the offender 1373  
and the offense. 1374

(d) If an offender who is convicted of or pleads guilty to 1375  
an offense of violence that is a felony also is convicted of or 1376  
pleads guilty to a specification of the type described in 1377  
section 2941.1411 of the Revised Code that charges the offender 1378  
with wearing or carrying body armor while committing the felony 1379  
offense of violence, the court shall impose on the offender an 1380  
additional prison term of two years. The prison term so imposed, 1381  
subject to divisions (C) to (I) of section 2967.19 of the 1382  
Revised Code, shall not be reduced pursuant to section 2929.20, 1383  
section 2967.19, section 2967.193, or any other provision of 1384  
Chapter 2967. or Chapter 5120. of the Revised Code. A court 1385  
shall not impose more than one prison term on an offender under 1386  
division (B) (1) (d) of this section for felonies committed as 1387  
part of the same act or transaction. If a court imposes an 1388  
additional prison term under division (B) (1) (a) or (c) of this 1389  
section, the court is not precluded from imposing an additional 1390  
prison term under division (B) (1) (d) of this section. 1391

(e) The court shall not impose any of the prison terms 1392  
described in division (B) (1) (a) of this section or any of the 1393  
additional prison terms described in division (B) (1) (c) of this 1394  
section upon an offender for a violation of section 2923.12 or 1395  
2923.123 of the Revised Code. The court shall not impose any of 1396  
the prison terms described in division (B) (1) (a) or (b) of this 1397  
section upon an offender for a violation of section 2923.122 1398  
that involves a deadly weapon that is a firearm other than a 1399  
dangerous ordnance, section 2923.16, or section 2923.121 of the 1400  
Revised Code. The court shall not impose any of the prison terms 1401



described in division (B) (1) (a) of this section or any of the 1402  
additional prison terms described in division (B) (1) (c) of this 1403  
section upon an offender for a violation of section 2923.13 of 1404  
the Revised Code unless all of the following apply: 1405

(i) The offender previously has been convicted of 1406  
aggravated murder, murder, or any felony of the first or second 1407  
degree. 1408

(ii) Less than five years have passed since the offender 1409  
was released from prison or post-release control, whichever is 1410  
later, for the prior offense. 1411

(f) (i) If an offender is convicted of or pleads guilty to 1412  
a felony that includes, as an essential element, causing or 1413  
attempting to cause the death of or physical harm to another and 1414  
also is convicted of or pleads guilty to a specification of the 1415  
type described in division (A) of section 2941.1412 of the 1416  
Revised Code that charges the offender with committing the 1417  
offense by discharging a firearm at a peace officer as defined 1418  
in section 2935.01 of the Revised Code or a corrections officer, 1419  
as defined in section 2941.1412 of the Revised Code, the court, 1420  
after imposing a prison term on the offender for the felony 1421  
offense under division (A), (B) (2), or (B) (3) of this section, 1422  
shall impose an additional prison term of seven years upon the 1423  
offender that shall not be reduced pursuant to section 2929.20, 1424  
section 2967.19, section 2967.193, or any other provision of 1425  
Chapter 2967. or Chapter 5120. of the Revised Code. 1426

(ii) If an offender is convicted of or pleads guilty to a 1427  
felony that includes, as an essential element, causing or 1428  
attempting to cause the death of or physical harm to another and 1429  
also is convicted of or pleads guilty to a specification of the 1430  
type described in division (B) of section 2941.1412 of the 1431

Revised Code that charges the offender with committing the 1432  
offense by discharging a firearm at a peace officer, as defined 1433  
in section 2935.01 of the Revised Code, or a corrections 1434  
officer, as defined in section 2941.1412 of the Revised Code, 1435  
and that the offender previously has been convicted of or 1436  
pleaded guilty to a specification of the type described in 1437  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1438  
the Revised Code, the court, after imposing a prison term on the 1439  
offender for the felony offense under division (A), (B) (2), or 1440  
(3) of this section, shall impose an additional prison term of 1441  
one hundred twenty-six months upon the offender that shall not 1442  
be reduced pursuant to section 2929.20, 2967.19, 2967.193, or 1443  
any other provision of Chapter 2967. or 5120. of the Revised 1444  
Code. 1445

(iii) If an offender is convicted of or pleads guilty to 1446  
two or more felonies that include, as an essential element, 1447  
causing or attempting to cause the death or physical harm to 1448  
another and also is convicted of or pleads guilty to a 1449  
specification of the type described under division (B) (1) (f) of 1450  
this section in connection with two or more of the felonies of 1451  
which the offender is convicted or to which the offender pleads 1452  
guilty, the sentencing court shall impose on the offender the 1453  
prison term specified under division (B) (1) (f) of this section 1454  
for each of two of the specifications of which the offender is 1455  
convicted or to which the offender pleads guilty and, in its 1456  
discretion, also may impose on the offender the prison term 1457  
specified under that division for any or all of the remaining 1458  
specifications. If a court imposes an additional prison term on 1459  
an offender under division (B) (1) (f) of this section relative to 1460  
an offense, the court shall not impose a prison term under 1461  
division (B) (1) (a) or (c) of this section relative to the same 1462

offense. 1463

(g) If an offender is convicted of or pleads guilty to two 1464  
or more felonies, if one or more of those felonies are 1465  
aggravated murder, murder, attempted aggravated murder, 1466  
attempted murder, aggravated robbery, felonious assault, or 1467  
rape, and if the offender is convicted of or pleads guilty to a 1468  
specification of the type described under division (B)(1)(a) of 1469  
this section in connection with two or more of the felonies, the 1470  
sentencing court shall impose on the offender the prison term 1471  
specified under division (B)(1)(a) of this section for each of 1472  
the two most serious specifications of which the offender is 1473  
convicted or to which the offender pleads guilty and, in its 1474  
discretion, also may impose on the offender the prison term 1475  
specified under that division for any or all of the remaining 1476  
specifications. 1477

(2)(a) If division (B)(2)(b) of this section does not 1478  
apply, the court may impose on an offender, in addition to the 1479  
longest prison term authorized or required for the offense or, 1480  
for offenses for which division (A)(1)(a) or (2)(a) of this 1481  
section applies, in addition to the longest minimum prison term 1482  
authorized or required for the offense, an additional definite 1483  
prison term of one, two, three, four, five, six, seven, eight, 1484  
nine, or ten years if all of the following criteria are met: 1485

(i) The offender is convicted of or pleads guilty to a 1486  
specification of the type described in section 2941.149 of the 1487  
Revised Code that the offender is a repeat violent offender. 1488

(ii) The offense of which the offender currently is 1489  
convicted or to which the offender currently pleads guilty is 1490  
aggravated murder and the court does not impose a sentence of 1491  
death or life imprisonment without parole, murder, terrorism and 1492

the court does not impose a sentence of life imprisonment 1493  
without parole, any felony of the first degree that is an 1494  
offense of violence and the court does not impose a sentence of 1495  
life imprisonment without parole, or any felony of the second 1496  
degree that is an offense of violence and the trier of fact 1497  
finds that the offense involved an attempt to cause or a threat 1498  
to cause serious physical harm to a person or resulted in 1499  
serious physical harm to a person. 1500

(iii) The court imposes the longest prison term for the 1501  
offense or the longest minimum prison term for the offense, 1502  
whichever is applicable, that is not life imprisonment without 1503  
parole. 1504

(iv) The court finds that the prison terms imposed 1505  
pursuant to division (B) (2) (a) (iii) of this section and, if 1506  
applicable, division (B) (1) or (3) of this section are 1507  
inadequate to punish the offender and protect the public from 1508  
future crime, because the applicable factors under section 1509  
2929.12 of the Revised Code indicating a greater likelihood of 1510  
recidivism outweigh the applicable factors under that section 1511  
indicating a lesser likelihood of recidivism. 1512

(v) The court finds that the prison terms imposed pursuant 1513  
to division (B) (2) (a) (iii) of this section and, if applicable, 1514  
division (B) (1) or (3) of this section are demeaning to the 1515  
seriousness of the offense, because one or more of the factors 1516  
under section 2929.12 of the Revised Code indicating that the 1517  
offender's conduct is more serious than conduct normally 1518  
constituting the offense are present, and they outweigh the 1519  
applicable factors under that section indicating that the 1520  
offender's conduct is less serious than conduct normally 1521  
constituting the offense. 1522

(b) The court shall impose on an offender the longest 1523  
prison term authorized or required for the offense or, for 1524  
offenses for which division (A) (1) (a) or (2) (a) of this section 1525  
applies, the longest minimum prison term authorized or required 1526  
for the offense, and shall impose on the offender an additional 1527  
definite prison term of one, two, three, four, five, six, seven, 1528  
eight, nine, or ten years if all of the following criteria are 1529  
met: 1530

(i) The offender is convicted of or pleads guilty to a 1531  
specification of the type described in section 2941.149 of the 1532  
Revised Code that the offender is a repeat violent offender. 1533

(ii) The offender within the preceding twenty years has 1534  
been convicted of or pleaded guilty to three or more offenses 1535  
described in division (CC) (1) of section 2929.01 of the Revised 1536  
Code, including all offenses described in that division of which 1537  
the offender is convicted or to which the offender pleads guilty 1538  
in the current prosecution and all offenses described in that 1539  
division of which the offender previously has been convicted or 1540  
to which the offender previously pleaded guilty, whether 1541  
prosecuted together or separately. 1542

(iii) The offense or offenses of which the offender 1543  
currently is convicted or to which the offender currently pleads 1544  
guilty is aggravated murder and the court does not impose a 1545  
sentence of death or life imprisonment without parole, murder, 1546  
terrorism and the court does not impose a sentence of life 1547  
imprisonment without parole, any felony of the first degree that 1548  
is an offense of violence and the court does not impose a 1549  
sentence of life imprisonment without parole, or any felony of 1550  
the second degree that is an offense of violence and the trier 1551  
of fact finds that the offense involved an attempt to cause or a 1552

threat to cause serious physical harm to a person or resulted in 1553  
serious physical harm to a person. 1554

(c) For purposes of division (B) (2) (b) of this section, 1555  
two or more offenses committed at the same time or as part of 1556  
the same act or event shall be considered one offense, and that 1557  
one offense shall be the offense with the greatest penalty. 1558

(d) A sentence imposed under division (B) (2) (a) or (b) of 1559  
this section shall not be reduced pursuant to section 2929.20, 1560  
section 2967.19, or section 2967.193, or any other provision of 1561  
Chapter 2967. or Chapter 5120. of the Revised Code. The offender 1562  
shall serve an additional prison term imposed under division (B) 1563  
(2) (a) or (b) of this section consecutively to and prior to the 1564  
prison term imposed for the underlying offense. 1565

(e) When imposing a sentence pursuant to division (B) (2) 1566  
(a) or (b) of this section, the court shall state its findings 1567  
explaining the imposed sentence. 1568

(3) Except when an offender commits a violation of section 1569  
2903.01 or 2907.02 of the Revised Code and the penalty imposed 1570  
for the violation is life imprisonment or commits a violation of 1571  
section 2903.02 of the Revised Code, if the offender commits a 1572  
violation of section 2925.03 or 2925.11 of the Revised Code and 1573  
that section classifies the offender as a major drug offender, 1574  
if the offender commits a violation of section 2925.05 of the 1575  
Revised Code and division (E) (1) of that section classifies the 1576  
offender as a major drug offender, if the offender commits a 1577  
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 1578  
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 1579  
division (C) or (D) of section 3719.172, division (E) of section 1580  
4729.51, or division (J) of section 4729.54 of the Revised Code 1581  
that includes the sale, offer to sell, or possession of a 1582

schedule I or II controlled substance, with the exception of 1583  
marihuana, and the court imposing sentence upon the offender 1584  
finds that the offender is guilty of a specification of the type 1585  
described in division (A) of section 2941.1410 of the Revised 1586  
Code charging that the offender is a major drug offender, if the 1587  
court imposing sentence upon an offender for a felony finds that 1588  
the offender is guilty of corrupt activity with the most serious 1589  
offense in the pattern of corrupt activity being a felony of the 1590  
first degree, or if the offender is guilty of an attempted 1591  
violation of section 2907.02 of the Revised Code and, had the 1592  
offender completed the violation of section 2907.02 of the 1593  
Revised Code that was attempted, the offender would have been 1594  
subject to a sentence of life imprisonment or life imprisonment 1595  
without parole for the violation of section 2907.02 of the 1596  
Revised Code, the court shall impose upon the offender for the 1597  
felony violation a mandatory prison term determined as described 1598  
in this division that, subject to divisions (C) to (I) of 1599  
section 2967.19 of the Revised Code, cannot be reduced pursuant 1600  
to section 2929.20, section 2967.19, or any other provision of 1601  
Chapter 2967. or 5120. of the Revised Code. The mandatory prison 1602  
term shall be the maximum definite prison term prescribed in 1603  
division (A)(1)(b) of this section for a felony of the first 1604  
degree, except that for offenses for which division (A)(1)(a) of 1605  
this section applies, the mandatory prison term shall be the 1606  
longest minimum prison term prescribed in that division for the 1607  
offense. 1608

(4) If the offender is being sentenced for a third or 1609  
fourth degree felony OVI offense under division (G)(2) of 1610  
section 2929.13 of the Revised Code, the sentencing court shall 1611  
impose upon the offender a mandatory prison term in accordance 1612  
with that division. In addition to the mandatory prison term, if 1613

the offender is being sentenced for a fourth degree felony OVI 1614  
offense, the court, notwithstanding division (A) (4) of this 1615  
section, may sentence the offender to a definite prison term of 1616  
not less than six months and not more than thirty months, and if 1617  
the offender is being sentenced for a third degree felony OVI 1618  
offense, the sentencing court may sentence the offender to an 1619  
additional prison term of any duration specified in division (A) 1620  
(3) of this section. In either case, the additional prison term 1621  
imposed shall be reduced by the sixty or one hundred twenty days 1622  
imposed upon the offender as the mandatory prison term. The 1623  
total of the additional prison term imposed under division (B) 1624  
(4) of this section plus the sixty or one hundred twenty days 1625  
imposed as the mandatory prison term shall equal a definite term 1626  
in the range of six months to thirty months for a fourth degree 1627  
felony OVI offense and shall equal one of the authorized prison 1628  
terms specified in division (A) (3) of this section for a third 1629  
degree felony OVI offense. If the court imposes an additional 1630  
prison term under division (B) (4) of this section, the offender 1631  
shall serve the additional prison term after the offender has 1632  
served the mandatory prison term required for the offense. In 1633  
addition to the mandatory prison term or mandatory and 1634  
additional prison term imposed as described in division (B) (4) 1635  
of this section, the court also may sentence the offender to a 1636  
community control sanction under section 2929.16 or 2929.17 of 1637  
the Revised Code, but the offender shall serve all of the prison 1638  
terms so imposed prior to serving the community control 1639  
sanction. 1640

If the offender is being sentenced for a fourth degree 1641  
felony OVI offense under division (G) (1) of section 2929.13 of 1642  
the Revised Code and the court imposes a mandatory term of local 1643  
incarceration, the court may impose a prison term as described 1644



in division (A) (1) of that section. 1645

(5) If an offender is convicted of or pleads guilty to a 1646  
violation of division (A) (1) or (2) of section 2903.06 of the 1647  
Revised Code and also is convicted of or pleads guilty to a 1648  
specification of the type described in section 2941.1414 of the 1649  
Revised Code that charges that the victim of the offense is a 1650  
peace officer, as defined in section 2935.01 of the Revised 1651  
Code, or an investigator of the bureau of criminal 1652  
identification and investigation, as defined in section 2903.11 1653  
of the Revised Code, the court shall impose on the offender a 1654  
prison term of five years. If a court imposes a prison term on 1655  
an offender under division (B) (5) of this section, the prison 1656  
term, subject to divisions (C) to (I) of section 2967.19 of the 1657  
Revised Code, shall not be reduced pursuant to section 2929.20, 1658  
section 2967.19, section 2967.193, or any other provision of 1659  
Chapter 2967. or Chapter 5120. of the Revised Code. A court 1660  
shall not impose more than one prison term on an offender under 1661  
division (B) (5) of this section for felonies committed as part 1662  
of the same act. 1663

(6) If an offender is convicted of or pleads guilty to a 1664  
violation of division (A) (1) or (2) of section 2903.06 of the 1665  
Revised Code and also is convicted of or pleads guilty to a 1666  
specification of the type described in section 2941.1415 of the 1667  
Revised Code that charges that the offender previously has been 1668  
convicted of or pleaded guilty to three or more violations of 1669  
division (A) or (B) of section 4511.19 of the Revised Code or an 1670  
equivalent offense, as defined in section 2941.1415 of the 1671  
Revised Code, or three or more violations of any combination of 1672  
those divisions and offenses, the court shall impose on the 1673  
offender a prison term of three years. If a court imposes a 1674  
prison term on an offender under division (B) (6) of this 1675

section, the prison term, subject to divisions (C) to (I) of 1676  
section 2967.19 of the Revised Code, shall not be reduced 1677  
pursuant to section 2929.20, section 2967.19, section 2967.193, 1678  
or any other provision of Chapter 2967. or Chapter 5120. of the 1679  
Revised Code. A court shall not impose more than one prison term 1680  
on an offender under division (B) (6) of this section for 1681  
felonies committed as part of the same act. 1682

(7) (a) If an offender is convicted of or pleads guilty to 1683  
a felony violation of section 2905.01, 2905.02, 2907.21, 1684  
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 1685  
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 1686  
section 2919.22 of the Revised Code and also is convicted of or 1687  
pleads guilty to a specification of the type described in 1688  
section 2941.1422 of the Revised Code that charges that the 1689  
offender knowingly committed the offense in furtherance of human 1690  
trafficking, the court shall impose on the offender a mandatory 1691  
prison term that is one of the following: 1692

(i) If the offense is a felony of the first degree, a 1693  
definite prison term of not less than five years and not greater 1694  
than eleven years, except that if the offense is a felony of the 1695  
first degree committed on or after the effective date of this 1696  
amendment, the court shall impose as the minimum prison term a 1697  
mandatory term of not less than five years and not greater than 1698  
eleven years; 1699

(ii) If the offense is a felony of the second or third 1700  
degree, a definite prison term of not less than three years and 1701  
not greater than the maximum prison term allowed for the offense 1702  
by division (A) (2) (b) or (3) of this section, except that if the 1703  
offense is a felony of the second degree committed on or after 1704  
the effective date of this amendment, the court shall impose as 1705

the minimum prison term a mandatory term of not less than three 1706  
years and not greater than eight years; 1707

(iii) If the offense is a felony of the fourth or fifth 1708  
degree, a definite prison term that is the maximum prison term 1709  
allowed for the offense by division (A) of section 2929.14 of 1710  
the Revised Code. 1711

(b) Subject to divisions (C) to (I) of section 2967.19 of 1712  
the Revised Code, the prison term imposed under division (B) (7) 1713  
(a) of this section shall not be reduced pursuant to section 1714  
2929.20, section 2967.19, section 2967.193, or any other 1715  
provision of Chapter 2967. of the Revised Code. A court shall 1716  
not impose more than one prison term on an offender under 1717  
division (B) (7) (a) of this section for felonies committed as 1718  
part of the same act, scheme, or plan. 1719

(8) If an offender is convicted of or pleads guilty to a 1720  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 1721  
Revised Code and also is convicted of or pleads guilty to a 1722  
specification of the type described in section 2941.1423 of the 1723  
Revised Code that charges that the victim of the violation was a 1724  
woman whom the offender knew was pregnant at the time of the 1725  
violation, notwithstanding the range prescribed in division (A) 1726  
of this section as the definite prison term or minimum prison 1727  
term for felonies of the same degree as the violation, the court 1728  
shall impose on the offender a mandatory prison term that is 1729  
either a definite prison term of six months or one of the prison 1730  
terms prescribed in division (A) of this section for felonies of 1731  
the same degree as the violation, except that if the violation 1732  
is a felony of the first or second degree committed on or after 1733  
the effective date of this amendment, the court shall impose as 1734  
the minimum prison term under division (A) (1) (a) or (2) (a) of 1735

this section a mandatory term that is one of the terms 1736  
prescribed in that division, whichever is applicable, for the 1737  
offense. 1738

(9) (a) If an offender is convicted of or pleads guilty to 1739  
a violation of division (A) (1) or (2) of section 2903.11 of the 1740  
Revised Code and also is convicted of or pleads guilty to a 1741  
specification of the type described in section 2941.1425 of the 1742  
Revised Code, the court shall impose on the offender a mandatory 1743  
prison term of six years if either of the following applies: 1744

(i) The violation is a violation of division (A) (1) of 1745  
section 2903.11 of the Revised Code and the specification 1746  
charges that the offender used an accelerant in committing the 1747  
violation and the serious physical harm to another or to 1748  
another's unborn caused by the violation resulted in a 1749  
permanent, serious disfigurement or permanent, substantial 1750  
incapacity; 1751

(ii) The violation is a violation of division (A) (2) of 1752  
section 2903.11 of the Revised Code and the specification 1753  
charges that the offender used an accelerant in committing the 1754  
violation, that the violation caused physical harm to another or 1755  
to another's unborn, and that the physical harm resulted in a 1756  
permanent, serious disfigurement or permanent, substantial 1757  
incapacity. 1758

(b) If a court imposes a prison term on an offender under 1759  
division (B) (9) (a) of this section, the prison term shall not be 1760  
reduced pursuant to section 2929.20, section 2967.19, section 1761  
2967.193, or any other provision of Chapter 2967. or Chapter 1762  
5120. of the Revised Code. A court shall not impose more than 1763  
one prison term on an offender under division (B) (9) of this 1764  
section for felonies committed as part of the same act. 1765

(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 1797  
offender is a major drug offender, in addition to any other 1798  
penalty imposed for the violation, the court shall impose on the 1799  
offender a mandatory prison term of three, four, five, six, 1800  
seven, or eight years. If a court imposes a prison term on an 1801  
offender under division (B)(11) of this section, the prison 1802  
term, subject to divisions (C) to (I) of section 2967.19 of the 1803  
Revised Code, shall not be reduced pursuant to section 2929.20, 1804  
2967.19, or 2967.193, or any other provision of Chapter 2967. or 1805  
5120. of the Revised Code. A court shall not impose more than 1806  
one prison term on an offender under division (B)(11) of this 1807  
section for felonies committed as part of the same act. 1808

(C)(1)(a) Subject to division (C)(1)(b) of this section, 1809  
if a mandatory prison term is imposed upon an offender pursuant 1810  
to division (B)(1)(a) of this section for having a firearm on or 1811  
about the offender's person or under the offender's control 1812  
while committing a felony, if a mandatory prison term is imposed 1813  
upon an offender pursuant to division (B)(1)(c) of this section 1814  
for committing a felony specified in that division by 1815  
discharging a firearm from a motor vehicle, or if both types of 1816  
mandatory prison terms are imposed, the offender shall serve any 1817  
mandatory prison term imposed under either division 1818  
consecutively to any other mandatory prison term imposed under 1819  
either division or under division (B)(1)(d) of this section, 1820  
consecutively to and prior to any prison term imposed for the 1821  
underlying felony pursuant to division (A), (B)(2), or (B)(3) of 1822  
this section or any other section of the Revised Code, and 1823  
consecutively to any other prison term or mandatory prison term 1824  
previously or subsequently imposed upon the offender. 1825

(b) If a mandatory prison term is imposed upon an offender 1826  
pursuant to division (B)(1)(d) of this section for wearing or 1827

carrying body armor while committing an offense of violence that 1828  
is a felony, the offender shall serve the mandatory term so 1829  
imposed consecutively to any other mandatory prison term imposed 1830  
under that division or under division (B) (1) (a) or (c) of this 1831  
section, consecutively to and prior to any prison term imposed 1832  
for the underlying felony under division (A), (B) (2), or (B) (3) 1833  
of this section or any other section of the Revised Code, and 1834  
consecutively to any other prison term or mandatory prison term 1835  
previously or subsequently imposed upon the offender. 1836

(c) If a mandatory prison term is imposed upon an offender 1837  
pursuant to division (B) (1) (f) of this section, the offender 1838  
shall serve the mandatory prison term so imposed consecutively 1839  
to and prior to any prison term imposed for the underlying 1840  
felony under division (A), (B) (2), or (B) (3) of this section or 1841  
any other section of the Revised Code, and consecutively to any 1842  
other prison term or mandatory prison term previously or 1843  
subsequently imposed upon the offender. 1844

(d) If a mandatory prison term is imposed upon an offender 1845  
pursuant to division (B) (7) or (8) of this section, the offender 1846  
shall serve the mandatory prison term so imposed consecutively 1847  
to any other mandatory prison term imposed under that division 1848  
or under any other provision of law and consecutively to any 1849  
other prison term or mandatory prison term previously or 1850  
subsequently imposed upon the offender. 1851

(e) If a mandatory prison term is imposed upon an offender 1852  
pursuant to division (B) (11) of this section, the offender shall 1853  
serve the mandatory prison term consecutively to any other 1854  
mandatory prison term imposed under that division, consecutively 1855  
to and prior to any prison term imposed for the underlying 1856  
felony, and consecutively to any other prison term or mandatory 1857

prison term previously or subsequently imposed upon the 1858  
offender. 1859

(2) If an offender who is an inmate in a jail, prison, or 1860  
other residential detention facility violates section 2917.02, 1861  
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 1862  
(2) of section 2921.34 of the Revised Code, if an offender who 1863  
is under detention at a detention facility commits a felony 1864  
violation of section 2923.131 of the Revised Code, or if an 1865  
offender who is an inmate in a jail, prison, or other 1866  
residential detention facility or is under detention at a 1867  
detention facility commits another felony while the offender is 1868  
an escapee in violation of division (A) (1) or (2) of section 1869  
2921.34 of the Revised Code, any prison term imposed upon the 1870  
offender for one of those violations shall be served by the 1871  
offender consecutively to the prison term or term of 1872  
imprisonment the offender was serving when the offender 1873  
committed that offense and to any other prison term previously 1874  
or subsequently imposed upon the offender. 1875

(3) If a prison term is imposed for a violation of 1876  
division (B) of section 2911.01 of the Revised Code, a violation 1877  
of division (A) of section 2913.02 of the Revised Code in which 1878  
the stolen property is a firearm or dangerous ordnance, or a 1879  
felony violation of division (B) of section 2921.331 of the 1880  
Revised Code, the offender shall serve that prison term 1881  
consecutively to any other prison term or mandatory prison term 1882  
previously or subsequently imposed upon the offender. 1883

(4) If multiple prison terms are imposed on an offender 1884  
for convictions of multiple offenses, the court may require the 1885  
offender to serve the prison terms consecutively if the court 1886  
finds that the consecutive service is necessary to protect the 1887



public from future crime or to punish the offender and that 1888  
consecutive sentences are not disproportionate to the 1889  
seriousness of the offender's conduct and to the danger the 1890  
offender poses to the public, and if the court also finds any of 1891  
the following: 1892

(a) The offender committed one or more of the multiple 1893  
offenses while the offender was awaiting trial or sentencing, 1894  
was under a sanction imposed pursuant to section 2929.16, 1895  
2929.17, or 2929.18 of the Revised Code, or was under post- 1896  
release control for a prior offense. 1897

(b) At least two of the multiple offenses were committed 1898  
as part of one or more courses of conduct, and the harm caused 1899  
by two or more of the multiple offenses so committed was so 1900  
great or unusual that no single prison term for any of the 1901  
offenses committed as part of any of the courses of conduct 1902  
adequately reflects the seriousness of the offender's conduct. 1903

(c) The offender's history of criminal conduct 1904  
demonstrates that consecutive sentences are necessary to protect 1905  
the public from future crime by the offender. 1906

(5) If a mandatory prison term is imposed upon an offender 1907  
pursuant to division (B) (5) or (6) of this section, the offender 1908  
shall serve the mandatory prison term consecutively to and prior 1909  
to any prison term imposed for the underlying violation of 1910  
division (A) (1) or (2) of section 2903.06 of the Revised Code 1911  
pursuant to division (A) of this section or section 2929.142 of 1912  
the Revised Code. If a mandatory prison term is imposed upon an 1913  
offender pursuant to division (B) (5) of this section, and if a 1914  
mandatory prison term also is imposed upon the offender pursuant 1915  
to division (B) (6) of this section in relation to the same 1916  
violation, the offender shall serve the mandatory prison term 1917

imposed pursuant to division (B) (5) of this section 1918  
consecutively to and prior to the mandatory prison term imposed 1919  
pursuant to division (B) (6) of this section and consecutively to 1920  
and prior to any prison term imposed for the underlying 1921  
violation of division (A) (1) or (2) of section 2903.06 of the 1922  
Revised Code pursuant to division (A) of this section or section 1923  
2929.142 of the Revised Code. 1924

(6) If a mandatory prison term is imposed on an offender 1925  
pursuant to division (B) (9) of this section, the offender shall 1926  
serve the mandatory prison term consecutively to and prior to 1927  
any prison term imposed for the underlying violation of division 1928  
(A) (1) or (2) of section 2903.11 of the Revised Code and 1929  
consecutively to and prior to any other prison term or mandatory 1930  
prison term previously or subsequently imposed on the offender. 1931

(7) If a mandatory prison term is imposed on an offender 1932  
pursuant to division (B) (10) of this section, the offender shall 1933  
serve that mandatory prison term consecutively to and prior to 1934  
any prison term imposed for the underlying felonious assault. 1935  
Except as otherwise provided in division (C) of this section, 1936  
any other prison term or mandatory prison term previously or 1937  
subsequently imposed upon the offender may be served 1938  
concurrently with, or consecutively to, the prison term imposed 1939  
pursuant to division (B) (10) of this section. 1940

(8) Any prison term imposed for a violation of section 1941  
2903.04 of the Revised Code that is based on a violation of 1942  
section 2925.03 or 2925.11 of the Revised Code or on a violation 1943  
of section 2925.05 of the Revised Code that is not funding of 1944  
marihuana trafficking shall run consecutively to any prison term 1945  
imposed for the violation of section 2925.03 or 2925.11 of the 1946  
Revised Code or for the violation of section 2925.05 of the 1947

Revised Code that is not funding of marihuana trafficking. 1948

(9) When consecutive prison terms are imposed pursuant to 1949  
division (C) (1), (2), (3), (4), (5), (6), (7), or (8) or 1950  
division (H) (1) or (2) of this section, subject to division (C) 1951  
(10) of this section, the term to be served is the aggregate of 1952  
all of the terms so imposed. 1953

(10) When a court sentences an offender to a non-life 1954  
felony indefinite prison term, any definite prison term or 1955  
mandatory definite prison term previously or subsequently 1956  
imposed on the offender in addition to that indefinite sentence 1957  
that is required to be served consecutively to that indefinite 1958  
sentence shall be served prior to the indefinite sentence. 1959

(11) If a court is sentencing an offender for a felony of 1960  
the first or second degree, if division (A) (1) (a) or (2) (a) of 1961  
this section applies with respect to the sentencing for the 1962  
offense, and if the court is required under the Revised Code 1963  
section that sets forth the offense or any other Revised Code 1964  
provision to impose a mandatory prison term for the offense, the 1965  
court shall impose the required mandatory prison term as the 1966  
minimum term imposed under division (A) (1) (a) or (2) (a) of this 1967  
section, whichever is applicable. 1968

(D) (1) If a court imposes a prison term, other than a term 1969  
of life imprisonment, for a felony of the first degree, for a 1970  
felony of the second degree, for a felony sex offense, or for a 1971  
felony of the third degree that is an offense of violence and 1972  
that is not a felony sex offense, it shall include in the 1973  
sentence a requirement that the offender be subject to a period 1974  
of post-release control after the offender's release from 1975  
imprisonment, in accordance with section 2967.28 of the Revised 1976  
Code. If a court imposes a sentence including a prison term of a 1977

type described in this division on or after July 11, 2006, the 1978  
failure of a court to include a post-release control requirement 1979  
in the sentence pursuant to this division does not negate, 1980  
limit, or otherwise affect the mandatory period of post-release 1981  
control that is required for the offender under division (B) of 1982  
section 2967.28 of the Revised Code. Section 2929.191 of the 1983  
Revised Code applies if, prior to July 11, 2006, a court imposed 1984  
a sentence including a prison term of a type described in this 1985  
division and failed to include in the sentence pursuant to this 1986  
division a statement regarding post-release control. 1987

(2) If a court imposes a prison term for a felony of the 1988  
third, fourth, or fifth degree that is not subject to division 1989  
(D)(1) of this section, it shall include in the sentence a 1990  
requirement that the offender be subject to a period of post- 1991  
release control after the offender's release from imprisonment, 1992  
in accordance with that division, if the parole board determines 1993  
that a period of post-release control is necessary. Section 1994  
2929.191 of the Revised Code applies if, prior to July 11, 2006, 1995  
a court imposed a sentence including a prison term of a type 1996  
described in this division and failed to include in the sentence 1997  
pursuant to this division a statement regarding post-release 1998  
control. 1999

(E) The court shall impose sentence upon the offender in 2000  
accordance with section 2971.03 of the Revised Code, and Chapter 2001  
2971. of the Revised Code applies regarding the prison term or 2002  
term of life imprisonment without parole imposed upon the 2003  
offender and the service of that term of imprisonment if any of 2004  
the following apply: 2005

(1) A person is convicted of or pleads guilty to a violent 2006  
sex offense or a designated homicide, assault, or kidnapping 2007

offense, and, in relation to that offense, the offender is 2008  
adjudicated a sexually violent predator. 2009

(2) A person is convicted of or pleads guilty to a 2010  
violation of division (A) (1) (b) of section 2907.02 of the 2011  
Revised Code committed on or after January 2, 2007, and either 2012  
the court does not impose a sentence of life without parole when 2013  
authorized pursuant to division (B) of section 2907.02 of the 2014  
Revised Code, or division (B) of section 2907.02 of the Revised 2015  
Code provides that the court shall not sentence the offender 2016  
pursuant to section 2971.03 of the Revised Code. 2017

(3) A person is convicted of or pleads guilty to attempted 2018  
rape committed on or after January 2, 2007, and a specification 2019  
of the type described in section 2941.1418, 2941.1419, or 2020  
2941.1420 of the Revised Code. 2021

(4) A person is convicted of or pleads guilty to a 2022  
violation of section 2905.01 of the Revised Code committed on or 2023  
after January 1, 2008, and that section requires the court to 2024  
sentence the offender pursuant to section 2971.03 of the Revised 2025  
Code. 2026

(5) A person is convicted of or pleads guilty to 2027  
aggravated murder committed on or after January 1, 2008, and 2028  
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 2029  
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 2030  
(d) of section 2929.03, or division (A) or (B) of section 2031  
2929.06 of the Revised Code requires the court to sentence the 2032  
offender pursuant to division (B) (3) of section 2971.03 of the 2033  
Revised Code. 2034

(6) A person is convicted of or pleads guilty to murder 2035  
committed on or after January 1, 2008, and division (B) (2) of 2036

section 2929.02 of the Revised Code requires the court to 2037  
sentence the offender pursuant to section 2971.03 of the Revised 2038  
Code. 2039

(F) If a person who has been convicted of or pleaded 2040  
guilty to a felony is sentenced to a prison term or term of 2041  
imprisonment under this section, sections 2929.02 to 2929.06 of 2042  
the Revised Code, section 2929.142 of the Revised Code, section 2043  
2971.03 of the Revised Code, or any other provision of law, 2044  
section 5120.163 of the Revised Code applies regarding the 2045  
person while the person is confined in a state correctional 2046  
institution. 2047

(G) If an offender who is convicted of or pleads guilty to 2048  
a felony that is an offense of violence also is convicted of or 2049  
pleads guilty to a specification of the type described in 2050  
section 2941.142 of the Revised Code that charges the offender 2051  
with having committed the felony while participating in a 2052  
criminal gang, the court shall impose upon the offender an 2053  
additional prison term of one, two, or three years. 2054

(H) (1) If an offender who is convicted of or pleads guilty 2055  
to aggravated murder, murder, or a felony of the first, second, 2056  
or third degree that is an offense of violence also is convicted 2057  
of or pleads guilty to a specification of the type described in 2058  
section 2941.143 of the Revised Code that charges the offender 2059  
with having committed the offense in a school safety zone or 2060  
towards a person in a school safety zone, the court shall impose 2061  
upon the offender an additional prison term of two years. The 2062  
offender shall serve the additional two years consecutively to 2063  
and prior to the prison term imposed for the underlying offense. 2064

(2) (a) If an offender is convicted of or pleads guilty to 2065  
a felony violation of section 2907.22, 2907.24, 2907.241, or 2066

2907.25 of the Revised Code and to a specification of the type 2067  
described in section 2941.1421 of the Revised Code and if the 2068  
court imposes a prison term on the offender for the felony 2069  
violation, the court may impose upon the offender an additional 2070  
prison term as follows: 2071

(i) Subject to division (H)(2)(a)(ii) of this section, an 2072  
additional prison term of one, two, three, four, five, or six 2073  
months; 2074

(ii) If the offender previously has been convicted of or 2075  
pleaded guilty to one or more felony or misdemeanor violations 2076  
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 2077  
the Revised Code and also was convicted of or pleaded guilty to 2078  
a specification of the type described in section 2941.1421 of 2079  
the Revised Code regarding one or more of those violations, an 2080  
additional prison term of one, two, three, four, five, six, 2081  
seven, eight, nine, ten, eleven, or twelve months. 2082

(b) In lieu of imposing an additional prison term under 2083  
division (H)(2)(a) of this section, the court may directly 2084  
impose on the offender a sanction that requires the offender to 2085  
wear a real-time processing, continual tracking electronic 2086  
monitoring device during the period of time specified by the 2087  
court. The period of time specified by the court shall equal the 2088  
duration of an additional prison term that the court could have 2089  
imposed upon the offender under division (H)(2)(a) of this 2090  
section. A sanction imposed under this division shall commence 2091  
on the date specified by the court, provided that the sanction 2092  
shall not commence until after the offender has served the 2093  
prison term imposed for the felony violation of section 2907.22, 2094  
2907.24, 2907.241, or 2907.25 of the Revised Code and any 2095  
residential sanction imposed for the violation under section 2096

2929.16 of the Revised Code. A sanction imposed under this 2097  
division shall be considered to be a community control sanction 2098  
for purposes of section 2929.15 of the Revised Code, and all 2099  
provisions of the Revised Code that pertain to community control 2100  
sanctions shall apply to a sanction imposed under this division, 2101  
except to the extent that they would by their nature be clearly 2102  
inapplicable. The offender shall pay all costs associated with a 2103  
sanction imposed under this division, including the cost of the 2104  
use of the monitoring device. 2105

(I) At the time of sentencing, the court may recommend the 2106  
offender for placement in a program of shock incarceration under 2107  
section 5120.031 of the Revised Code or for placement in an 2108  
intensive program prison under section 5120.032 of the Revised 2109  
Code, disapprove placement of the offender in a program of shock 2110  
incarceration or an intensive program prison of that nature, or 2111  
make no recommendation on placement of the offender. In no case 2112  
shall the department of rehabilitation and correction place the 2113  
offender in a program or prison of that nature unless the 2114  
department determines as specified in section 5120.031 or 2115  
5120.032 of the Revised Code, whichever is applicable, that the 2116  
offender is eligible for the placement. 2117

If the court disapproves placement of the offender in a 2118  
program or prison of that nature, the department of 2119  
rehabilitation and correction shall not place the offender in 2120  
any program of shock incarceration or intensive program prison. 2121

If the court recommends placement of the offender in a 2122  
program of shock incarceration or in an intensive program 2123  
prison, and if the offender is subsequently placed in the 2124  
recommended program or prison, the department shall notify the 2125  
court of the placement and shall include with the notice a brief 2126



description of the placement. 2127

If the court recommends placement of the offender in a 2128  
program of shock incarceration or in an intensive program prison 2129  
and the department does not subsequently place the offender in 2130  
the recommended program or prison, the department shall send a 2131  
notice to the court indicating why the offender was not placed 2132  
in the recommended program or prison. 2133

If the court does not make a recommendation under this 2134  
division with respect to an offender and if the department 2135  
determines as specified in section 5120.031 or 5120.032 of the 2136  
Revised Code, whichever is applicable, that the offender is 2137  
eligible for placement in a program or prison of that nature, 2138  
the department shall screen the offender and determine if there 2139  
is an available program of shock incarceration or an intensive 2140  
program prison for which the offender is suited. If there is an 2141  
available program of shock incarceration or an intensive program 2142  
prison for which the offender is suited, the department shall 2143  
notify the court of the proposed placement of the offender as 2144  
specified in section 5120.031 or 5120.032 of the Revised Code 2145  
and shall include with the notice a brief description of the 2146  
placement. The court shall have ten days from receipt of the 2147  
notice to disapprove the placement. 2148

(J) If a person is convicted of or pleads guilty to 2149  
aggravated vehicular homicide in violation of division (A) (1) of 2150  
section 2903.06 of the Revised Code and division (B) (2) (c) of 2151  
that section applies, the person shall be sentenced pursuant to 2152  
section 2929.142 of the Revised Code. 2153

(K) (1) The court shall impose an additional mandatory 2154  
prison term of two, three, four, five, six, seven, eight, nine, 2155  
ten, or eleven years on an offender who is convicted of or 2156

pleads guilty to a violent felony offense if the offender also 2157  
is convicted of or pleads guilty to a specification of the type 2158  
described in section 2941.1424 of the Revised Code that charges 2159  
that the offender is a violent career criminal and had a firearm 2160  
on or about the offender's person or under the offender's 2161  
control while committing the presently charged violent felony 2162  
offense and displayed or brandished the firearm, indicated that 2163  
the offender possessed a firearm, or used the firearm to 2164  
facilitate the offense. The offender shall serve the prison term 2165  
imposed under this division consecutively to and prior to the 2166  
prison term imposed for the underlying offense. The prison term 2167  
shall not be reduced pursuant to section 2929.20 or 2967.19 or 2168  
any other provision of Chapter 2967. or 5120. of the Revised 2169  
Code. A court may not impose more than one sentence under 2170  
division (B) (2) (a) of this section and this division for acts 2171  
committed as part of the same act or transaction. 2172

(2) As used in division (K) (1) of this section, "violent 2173  
career criminal" and "violent felony offense" have the same 2174  
meanings as in section 2923.132 of the Revised Code. 2175

**Sec. 2929.22.** (A) Unless a mandatory jail term is required 2176  
to be imposed by division (G) of section 1547.99, division (B) 2177  
of section 4510.14, division (G) of section 4511.19 of the 2178  
Revised Code, or any other provision of the Revised Code a court 2179  
that imposes a sentence under this chapter upon an offender for 2180  
a misdemeanor or minor misdemeanor has discretion to determine 2181  
the most effective way to achieve the purposes and principles of 2182  
sentencing set forth in section 2929.21 of the Revised Code. 2183

Unless a specific sanction is required to be imposed or is 2184  
precluded from being imposed by the section setting forth an 2185  
offense or the penalty for an offense or by any provision of 2186

sections 2929.23 to 2929.28 of the Revised Code, a court that 2187  
imposes a sentence upon an offender for a misdemeanor may impose 2188  
on the offender any sanction or combination of sanctions under 2189  
sections 2929.24 to 2929.28 of the Revised Code. The court shall 2190  
not impose a sentence that imposes an unnecessary burden on 2191  
local government resources. 2192

(B) (1) In determining the appropriate sentence for a 2193  
misdemeanor, the court shall consider all of the following 2194  
factors: 2195

(a) The nature and circumstances of the offense or 2196  
offenses; 2197

(b) Whether the circumstances regarding the offender and 2198  
the offense or offenses indicate that the offender has a history 2199  
of persistent criminal activity and that the offender's 2200  
character and condition reveal a substantial risk that the 2201  
offender will commit another offense; 2202

(c) Whether the circumstances regarding the offender and 2203  
the offense or offenses indicate that the offender's history, 2204  
character, and condition reveal a substantial risk that the 2205  
offender will be a danger to others and that the offender's 2206  
conduct has been characterized by a pattern of repetitive, 2207  
compulsive, or aggressive behavior with heedless indifference to 2208  
the consequences; 2209

(d) Whether the victim's youth, age, disability, or other 2210  
factor made the victim particularly vulnerable to the offense or 2211  
made the impact of the offense more serious; 2212

(e) Whether the offender is likely to commit future crimes 2213  
in general, in addition to the circumstances described in 2214  
divisions (B) (1) (b) and (c) of this section; 2215

(f) Whether the offender has an emotional, mental, or 2216  
physical condition that is traceable to the offender's service 2217  
in the armed forces of the United States and that was a 2218  
contributing factor in the offender's commission of the offense 2219  
or offenses; 2220

(g) The offender's military service record; 2221

(h) The results of any screening conducted in the case 2222  
under division (A) (2) (e) of section 2935.032 of the Revised 2223  
Code. 2224

(2) In determining the appropriate sentence for a 2225  
misdemeanor, in addition to complying with division (B) (1) of 2226  
this section, the court may consider any other factors that are 2227  
relevant to achieving the purposes and principles of sentencing 2228  
set forth in section 2929.21 of the Revised Code. 2229

(C) Before imposing a jail term as a sentence for a 2230  
misdemeanor, a court shall consider the appropriateness of 2231  
imposing a community control sanction or a combination of 2232  
community control sanctions under sections 2929.25, 2929.26, 2233  
2929.27, and 2929.28 of the Revised Code. A court may impose the 2234  
longest jail term authorized under section 2929.24 of the 2235  
Revised Code only upon offenders who commit the worst forms of 2236  
the offense or upon offenders whose conduct and response to 2237  
prior sanctions for prior offenses demonstrate that the 2238  
imposition of the longest jail term is necessary to deter the 2239  
offender from committing a future crime. 2240

(D) (1) A sentencing court shall consider any relevant oral 2241  
or written statement made by the victim, the defendant, the 2242  
defense attorney, or the prosecuting authority regarding 2243  
sentencing for a misdemeanor. This division does not create any 2244

rights to notice other than those rights authorized by Chapter 2245  
2930. of the Revised Code. 2246

(2) At the time of sentencing for a misdemeanor or as soon 2247  
as possible after sentencing, the court shall notify the victim 2248  
of the offense of the victim's right to file an application for 2249  
an award of reparations pursuant to sections 2743.51 to 2743.72 2250  
of the Revised Code. 2251

**Sec. 2935.032.** (A) Not later than ninety days after ~~the~~ 2252  
~~effective date of this amendment~~ October 21, 1997, each agency, 2253  
instrumentality, or political subdivision that is served by any 2254  
peace officer described in division ~~(B)(1)~~ (A) of section 2255  
2935.03 of the Revised Code shall adopt, in accordance with 2256  
division (E) of this section, written policies, written 2257  
procedures implementing the policies, and other written 2258  
procedures for the peace officers who serve it to follow in 2259  
implementing division (B)(3) of section 2935.03 of the Revised 2260  
Code and for their appropriate response to each report of an 2261  
alleged incident of the offense of domestic violence or an 2262  
alleged incident of the offense of violating a protection order. 2263  
The policies and procedures shall conform to and be consistent 2264  
with the provisions of divisions (B)(1) and (B)(3) of section 2265  
2935.03 of the Revised Code and divisions (B) to (D) of this 2266  
section. Each policy adopted under this division shall include, 2267  
but not be limited to, all of the following: 2268

(1) Provisions specifying that, if a peace officer who 2269  
serves the agency, instrumentality, or political subdivision 2270  
responds to an alleged incident of the offense of domestic 2271  
violence, an alleged incident of the offense of violating a 2272  
protection order, or an alleged incident of any other offense, 2273  
both of the following apply: 2274

(a) If the officer determines that there are reasonable 2275  
grounds to believe that a person knowingly caused serious 2276  
physical harm to another or to another's unborn or knowingly 2277  
caused or attempted to cause physical harm to another or to 2278  
another's unborn by means of a deadly weapon or dangerous 2279  
ordnance, then, regardless of whether the victim of the offense 2280  
was a family or household member of the offender, the officer 2281  
shall treat the incident as felonious assault, shall consider 2282  
the offender to have committed and the victim to have been the 2283  
victim of felonious assault, shall consider the offense that was 2284  
committed to have been felonious assault in determining the 2285  
manner in which the offender should be treated, and shall comply 2286  
with whichever of the following is applicable: 2287

(i) Unless the officer has reasonable cause to believe 2288  
that, during the incident, the offender who committed the 2289  
felonious assault and one or more other persons committed 2290  
offenses against each other, the officer shall arrest the 2291  
offender who committed the felonious assault pursuant to section 2292  
2935.03 of the Revised Code and shall detain that offender 2293  
pursuant to that section until a warrant can be obtained, and 2294  
the arrest shall be for felonious assault. 2295

(ii) If the officer has reasonable cause to believe that, 2296  
during the incident, the offender who committed the felonious 2297  
assault and one or more other persons committed offenses against 2298  
each other, the officer shall determine in accordance with 2299  
division (B) (3) (d) of section 2935.03 of the Revised Code which 2300  
of those persons is the primary physical aggressor. If the 2301  
offender who committed the felonious assault is the primary 2302  
physical aggressor, the officer shall arrest that offender for 2303  
felonious assault pursuant to section 2935.03 of the Revised 2304  
Code and shall detain that offender pursuant to that section 2305

until a warrant can be obtained, and the officer is not required 2306  
to arrest but may arrest pursuant to section 2935.03 of the 2307  
Revised Code any other person who committed an offense but who 2308  
is not the primary physical aggressor. If the offender who 2309  
committed the felonious assault is not the primary physical 2310  
aggressor, the officer is not required to arrest that offender 2311  
or any other person who committed an offense during the incident 2312  
but may arrest any of them pursuant to section 2935.03 of the 2313  
Revised Code and detain them pursuant to that section until a 2314  
warrant can be obtained. 2315

(b) If the officer determines that there are reasonable 2316  
grounds to believe that a person, while under the influence of 2317  
sudden passion or in a sudden fit of rage, either of which is 2318  
brought on by serious provocation occasioned by the victim that 2319  
is reasonably sufficient to incite the person into using deadly 2320  
force, knowingly caused serious physical harm to another or to 2321  
another's unborn or knowingly caused or attempted to cause 2322  
physical harm to another or to another's unborn by means of a 2323  
deadly weapon or dangerous ordnance, then, regardless of whether 2324  
the victim of the offense was a family or household member of 2325  
the offender, the officer shall treat the incident as aggravated 2326  
assault, shall consider the offender to have committed and the 2327  
victim to have been the victim of aggravated assault, shall 2328  
consider the offense that was committed to have been aggravated 2329  
assault in determining the manner in which the offender should 2330  
be treated, and shall comply with whichever of the following is 2331  
applicable: 2332

(i) Unless the officer has reasonable cause to believe 2333  
that, during the incident, the offender who committed the 2334  
aggravated assault and one or more other persons committed 2335  
offenses against each other, the officer shall arrest the 2336

offender who committed the aggravated assault pursuant to 2337  
section 2935.03 of the Revised Code and shall detain that 2338  
offender pursuant to that section until a warrant can be 2339  
obtained, and the arrest shall be for aggravated assault. 2340

(ii) If the officer has reasonable cause to believe that, 2341  
during the incident, the offender who committed the aggravated 2342  
assault and one or more other persons committed offenses against 2343  
each other, the officer shall determine in accordance with 2344  
division (B) (3) (d) of section 2935.03 of the Revised Code which 2345  
of those persons is the primary physical aggressor. If the 2346  
offender who committed the aggravated assault is the primary 2347  
physical aggressor, the officer shall arrest that offender for 2348  
aggravated assault pursuant to section 2935.03 of the Revised 2349  
Code and shall detain that offender pursuant to that section 2350  
until a warrant can be obtained, and the officer is not required 2351  
to arrest but may arrest pursuant to section 2935.03 of the 2352  
Revised Code any other person who committed an offense but who 2353  
is not the primary physical aggressor. If the offender who 2354  
committed the aggravated assault is not the primary physical 2355  
aggressor, the officer is not required to arrest that offender 2356  
or any other person who committed an offense during the incident 2357  
but may arrest any of them pursuant to section 2935.03 of the 2358  
Revised Code and detain them pursuant to that section until a 2359  
warrant can be obtained. 2360

(2) Provisions requiring the peace officers who serve the 2361  
agency, instrumentality, or political subdivision to do all of 2362  
the following: 2363

(a) Respond without undue delay to a report of an alleged 2364  
incident of the offense of domestic violence or the offense of 2365  
violating a protection order; 2366



(b) If the alleged offender has been granted pretrial 2367  
release from custody on a prior charge of the offense of 2368  
domestic violence or the offense of violating a protection order 2369  
and has violated one or more conditions of that pretrial 2370  
release, document the facts and circumstances of the violation 2371  
in the report to the law enforcement agency that the peace 2372  
officer makes pursuant to division (D) of this section; 2373

(c) Separate the victim of the offense of domestic 2374  
violence or the offense of violating a protection order and the 2375  
alleged offender, conduct separate interviews with the victim 2376  
and the alleged offender in separate locations, and take a 2377  
written statement from the victim that indicates the frequency 2378  
and severity of any prior incidents of physical abuse of the 2379  
victim by the alleged offender, the number of times the victim 2380  
has called peace officers for assistance, and the disposition of 2381  
those calls, if known; 2382

(d) Comply with divisions (B)(1) and (B)(3) of section 2383  
2935.03 of the Revised Code and with divisions (B), (C), and (D) 2384  
of this section; 2385

(e) Screen the victim of the offense of domestic violence 2386  
or the offense of violating a protection order using an 2387  
evidence-based lethality assessment screening tool adopted under 2388  
section 2935.033 of the Revised Code to determine if the case 2389  
should be referred to local or regional domestic violence 2390  
advocacy services, as required under section 2935.033 of the 2391  
Revised Code; 2392

(f) Submit the results of a screening conducted under 2393  
division (A)(2)(e) of this section to the court and prosecuting 2394  
attorney having jurisdiction over any criminal complaint filed 2395  
in connection with the offense. 2396

(3) Sanctions to be imposed upon a peace officer who 2397  
serves the agency, instrumentality, or political subdivision and 2398  
who fails to comply with any provision in the policy or with 2399  
division (B) (1) or (B) (3) of section 2935.03 of the Revised Code 2400  
or division (B), (C), or (D) of this section. 2401

(4) Examples of reasons that a peace officer may consider 2402  
for not arresting and detaining until a warrant can be obtained 2403  
a person who allegedly committed the offense of domestic 2404  
violence or the offense of violating a protection order when it 2405  
is the preferred course of action in this state that the officer 2406  
arrest the alleged offender, as described in division (B) (3) (b) 2407  
of section 2935.03 of the Revised Code. 2408

(B) (1) Nothing in this section or in division (B) (1) or 2409  
(B) (3) of section 2935.03 of the Revised Code precludes an 2410  
agency, instrumentality, or political subdivision that is served 2411  
by any peace officer described in division ~~(B) (1)~~ (A) of section 2412  
2935.03 of the Revised Code from including in the policy it 2413  
adopts under division (A) of this section either of the 2414  
following types of provisions: 2415

(a) A provision that requires the peace officers who serve 2416  
it, if they have reasonable grounds to believe that the offense 2417  
of domestic violence or the offense of violating a protection 2418  
order has been committed within the limits of the jurisdiction 2419  
of the agency, instrumentality, or political subdivision and 2420  
reasonable cause to believe that a particular person committed 2421  
the offense, to arrest the alleged offender; 2422

(b) A provision that does not require the peace officers 2423  
who serve it, if they have reasonable grounds to believe that 2424  
the offense of domestic violence or the offense of violating a 2425  
protection order has been committed within the limits of the 2426

jurisdiction of the agency, instrumentality, or political 2427  
subdivision and reasonable cause to believe that a particular 2428  
person committed the offense, to arrest the alleged offender, 2429  
but that grants the officers less discretion in those 2430  
circumstances in deciding whether to arrest the alleged offender 2431  
than peace officers are granted by divisions (B) (1) and (B) (3) 2432  
of section 2935.03 of the Revised Code. 2433

(2) If an agency, instrumentality, or political 2434  
subdivision that is served by any peace officer described in 2435  
division ~~(B) (1)~~ (A) of section 2935.03 of the Revised Code 2436  
includes in the policy it adopts under division (A) of this 2437  
section a provision of the type described in division (B) (1) (a) 2438  
or (b) of this section, the peace officers who serve the agency, 2439  
instrumentality, or political subdivision shall comply with the 2440  
provision in making arrests authorized under division (B) (1) of 2441  
section 2935.03 of the Revised Code. 2442

(C) When a peace officer described in division ~~(B) (1)~~ (A) 2443  
of section 2935.03 of the Revised Code investigates a report of 2444  
an alleged incident of the offense of domestic violence or an 2445  
alleged incident of the offense of violating a protection order, 2446  
the officer shall do all of the following: 2447

(1) Complete a domestic violence report in accordance with 2448  
division (D) of this section; 2449

(2) Advise the victim of the availability of a temporary 2450  
protection order pursuant to section 2919.26 of the Revised 2451  
Code, an emergency protection order pursuant to section 2919.261 2452  
of the Revised Code, or a protection order or consent agreement 2453  
pursuant to section 3113.31 of the Revised Code; 2454

(3) Give the victim the officer's name, the officer's 2455

badge number if the officer has a badge and the badge has a 2456  
number, the report number for the incident if a report number is 2457  
available at the time of the officer's investigation, a 2458  
telephone number that the victim can call for information about 2459  
the case, the telephone number of a domestic violence shelter in 2460  
the area, and information on any local victim advocate program. 2461

(D) A peace officer who investigates a report of an 2462  
alleged incident of the offense of domestic violence or an 2463  
alleged incident of the offense of violating a protection order 2464  
shall make a written report of the incident whether or not an 2465  
arrest is made. The report shall document the officer's 2466  
observations of the victim and the alleged offender, any visible 2467  
injuries of the victim or alleged offender, any weapons at the 2468  
scene, the actions of the alleged offender, any statements made 2469  
by the victim or witnesses, and any other significant facts or 2470  
circumstances. If the officer does not arrest and detain until a 2471  
warrant can be obtained a person who allegedly committed the 2472  
offense of domestic violence or the offense of violating a 2473  
protection order when it is the preferred course of action in 2474  
this state pursuant to division (B) (3) (b) of section 2935.03 of 2475  
the Revised Code that the alleged offender be arrested, the 2476  
officer must articulate in the report a clear statement of the 2477  
officer's reasons for not arresting and detaining that alleged 2478  
offender until a warrant can be obtained. The officer shall 2479  
submit the written report to the law enforcement agency to which 2480  
the officer has been appointed, employed, or elected. 2481

(E) Each agency, instrumentality, or political subdivision 2482  
that is required to adopt policies and procedures under division 2483  
(A) of this section shall adopt those policies and procedures in 2484  
conjunction and consultation with shelters in the community for 2485  
victims of domestic violence and private organizations, law 2486

enforcement agencies, and other public agencies in the community 2487  
that have expertise in the recognition and handling of domestic 2488  
violence cases. 2489

(F) To the extent described in and in accordance with 2490  
section 9.86 or 2744.03 of the Revised Code, a peace officer who 2491  
arrests an offender for the offense of violating a protection 2492  
order with respect to a protection order or consent agreement of 2493  
this state or another state that on its face is valid is immune 2494  
from liability in a civil action for damages for injury, death, 2495  
or loss to person or property that allegedly was caused by or 2496  
related to the arrest. 2497

(G) Each agency, instrumentality, or political subdivision 2498  
described in division (A) of this section that arrests an 2499  
offender for an alleged incident of the offense of domestic 2500  
violence or an alleged incident of the offense of violating a 2501  
protection order shall consider referring the case to federal 2502  
authorities for prosecution under 18 U.S.C. 2261 if the incident 2503  
constitutes a violation of federal law. 2504

(H) As used in this section: 2505

(1) "Another's unborn" has the same meaning as in section 2506  
2903.09 of the Revised Code. 2507

(2) "Dangerous ordnance" and "deadly weapon" have the same 2508  
meanings as in section 2923.11 of the Revised Code. 2509

(3) "The offense of violating a protection order" includes 2510  
the former offense of violating a protection order or consent 2511  
agreement or anti-stalking protection order as set forth in 2512  
section 2919.27 of the Revised Code as it existed prior to ~~the~~ 2513  
~~effective date of this amendment~~ October 21, 1997. 2514

Sec. 2935.033. (A) As used in this section, "lethality" 2515

assessment screening tool" means a lethality assessment 2516  
screening tool included in the list of validated and evidence- 2517  
based lethality assessment screening tools by the attorney 2518  
general pursuant to division (C) of section 109.744 of the 2519  
Revised Code. 2520

(B) Not later than ninety days after the effective date of 2521  
this section, the chief law enforcement officer of each agency, 2522  
instrumentality, or political subdivision that is served by any 2523  
peace officer described in division (A) of section 2935.03 of 2524  
the Revised Code shall identify local and regional domestic 2525  
violence advocacy services to which individuals experiencing 2526  
domestic violence or violation of a protection order and 2527  
determined to be high risk may be referred. 2528

(C) Each law enforcement agency, instrumentality, or 2529  
political subdivision that is served by any peace officer 2530  
described in division (A) of section 2935.03 of the Revised Code 2531  
shall adopt written policies, written procedures implementing 2532  
the policies, and any other necessary written procedures for the 2533  
peace officers who serve the agency, instrumentality, or 2534  
political subdivision to follow in screening alleged incidents 2535  
of the offense of domestic violence and alleged incidents of the 2536  
offense of violating a protection order for referral to local or 2537  
regional domestic violence advocacy services. The policies and 2538  
procedures shall include all of the following: 2539

(1) A requirement that peace officers who serve the 2540  
agency, instrumentality, or political subdivision automatically 2541  
refer any case of domestic violence that involves an allegation 2542  
of strangulation to local or regional domestic violence advocacy 2543  
services and provide the victim of an alleged strangulation with 2544  
the following warning: 2545

"I have a duty to warn you that strangulation is serious 2546  
and can cause internal injuries, brain damage, and delayed 2547  
health consequences such as strokes, thyroid issues, 2548  
miscarriage, and death. Research shows that if you are strangled 2549  
one time, you are more likely to be killed by your partner. I 2550  
strongly encourage you to seek immediate medical attention at an 2551  
emergency department and to ask for support from an advocate." 2552

(2) A lethality assessment screening tool, selected by the 2553  
team from those qualified by the attorney general under division 2554  
(C) of section 109.774 of the Revised Code, to be used by peace 2555  
officers to screen victims of alleged incidents of domestic 2556  
violence and alleged incidents of violating a protection order 2557  
for referral to local or regional domestic violence advocacy 2558  
services; 2559

(3) Procedures for connecting high risk victims to 2560  
domestic violence advocacy programs, community and faith-based 2561  
programs, nonprofit mental health programs, and other programs 2562  
that may be able to assist high risk victims; 2563

(4) Procedures for local or regional domestic violence 2564  
advocacy services to consult with prosecutors on charges and 2565  
negotiated plea agreements in cases referred to the services. 2566

**Sec. ~~2935.033~~2935.034.** (A) Any peace officer may render 2567  
assistance to any federal law enforcement officer who has arrest 2568  
authority under the "Uniting and Strengthening America by 2569  
Providing Appropriate Tools Required to Intercept and Obstruct 2570  
Terrorism (USA Patriot Act) Act of 2001," Pub. L. No. 107-056, 2571  
115 Stat. 272, as amended, if both of the following apply: 2572

(1) There is a threat of imminent physical danger to the 2573  
federal law enforcement officer, a threat of physical harm to 2574

another person, or any other serious emergency situation 2575  
present. 2576

(2) Either the federal law enforcement officer requests 2577  
emergency assistance or it appears that the federal law 2578  
enforcement officer is unable to request assistance, and the 2579  
circumstances reasonably indicate that assistance is 2580  
appropriate. 2581

(B) "Federal law enforcement officer" has the same meaning 2582  
as in section 9.88 of the Revised Code. 2583

**Sec. 2937.23.** (A) (1) In a case involving a felony or a 2584  
violation of section 2903.11, 2903.12, or 2903.13 of the Revised 2585  
Code when the victim of the offense is a peace officer, the 2586  
judge or magistrate shall fix the amount of bail. 2587

(2) In a case involving a misdemeanor or a violation of a 2588  
municipal ordinance and not involving a felony or a violation of 2589  
section 2903.11, 2903.12, or 2903.13 of the Revised Code when 2590  
the victim of the offense is a peace officer, the judge, 2591  
magistrate, or clerk of the court may fix the amount of bail and 2592  
may do so in accordance with a schedule previously fixed by the 2593  
judge or magistrate. If the judge, magistrate, or clerk of the 2594  
court is not readily available, the sheriff, deputy sheriff, 2595  
marshal, deputy marshal, police officer, or jailer having 2596  
custody of the person charged may fix the amount of bail in 2597  
accordance with a schedule previously fixed by the judge or 2598  
magistrate and shall take the bail only in the county 2599  
courthouse, the municipal or township building, or the county or 2600  
municipal jail. 2601

(3) In all cases, the bail shall be fixed with 2602  
consideration of the seriousness of the offense charged, the 2603



previous criminal record of the defendant, the results of any 2604  
screening conducted in the case under division (A) (2) (e) of 2605  
section 2935.032 of the Revised Code, and the probability of the 2606  
defendant appearing at the trial of the case. 2607

(B) In any case involving an alleged violation of section 2608  
2903.211 of the Revised Code or of a municipal ordinance that is 2609  
substantially similar to that section, the court shall determine 2610  
whether it will order an evaluation of the mental condition of 2611  
the defendant pursuant to section 2919.271 of the Revised Code 2612  
and, if it decides to so order, shall issue the order requiring 2613  
the evaluation before it sets bail for the person charged with 2614  
the violation. In any case involving an alleged violation of 2615  
section 2919.27 of the Revised Code or of a municipal ordinance 2616  
that is substantially similar to that section and in which the 2617  
court finds that either of the following criteria applies, the 2618  
court shall determine whether it will order an evaluation of the 2619  
mental condition of the defendant pursuant to section 2919.271 2620  
of the Revised Code and, if it decides to so order, shall issue 2621  
the order requiring that evaluation before it sets bail for the 2622  
person charged with the violation: 2623

(1) Regarding an alleged violation of a protection order 2624  
issued or consent agreement approved pursuant to section 2919.26 2625  
or 3113.31 of the Revised Code, that the violation allegedly 2626  
involves conduct by the defendant that caused physical harm to 2627  
the person or property of a family or household member covered 2628  
by the order or agreement or conduct by that defendant that 2629  
caused a family or household member to believe that the 2630  
defendant would cause physical harm to that member or that 2631  
member's property; 2632

(2) Regarding an alleged violation of a protection order 2633

issued pursuant to section 2903.213 or 2903.214 of the Revised Code, or a protection order issued by a court of another state, as defined in section 2919.27 of the Revised Code, that the violation allegedly involves conduct by the defendant that caused physical harm to the person or property of the person covered by the order or conduct by that defendant that caused the person covered by the order to believe that the defendant would cause physical harm to that person or that person's property.

(C) As used in this section, "peace officer" has the same meaning as in section 2935.01 of the Revised Code.

**Sec. 3113.31.** (A) As used in this section:

(1) "Domestic violence" means any of the following:

(a) The occurrence of one or more of the following acts against a family or household member:

(i) Attempting to cause or recklessly causing bodily injury;

(ii) Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code;

(iii) Committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code;

(iv) Committing a sexually oriented offense.

(b) The occurrence of one or more of the acts identified in divisions (A)(1)(a)(i) to (iv) of this section against a person with whom the respondent is or was in a dating relationship.

(2) "Court" means the domestic relations division of the court of common pleas in counties that have a domestic relations division and the court of common pleas in counties that do not have a domestic relations division, or the juvenile division of the court of common pleas of the county in which the person to be protected by a protection order issued or a consent agreement approved under this section resides if the respondent is less than eighteen years of age.

(3) "Family or household member" means any of the following:

(a) Any of the following who is residing with or has resided with the respondent:

(i) A spouse, a person living as a spouse, or a former spouse of the respondent;

(ii) A parent, a foster parent, or a child of the respondent, or another person related by consanguinity or affinity to the respondent;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the respondent, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the respondent;

(iv) A child whose guardian or custodian is a spouse, person living as a spouse, or former spouse of the respondent.

(b) The natural parent of any child of whom the respondent is the other natural parent or is the putative other natural parent.

(4) "Person living as a spouse" means a person who is living or has lived with the respondent in a common law marital

relationship, who otherwise is cohabiting with the respondent, 2690  
or who otherwise has cohabited with the respondent within five 2691  
years prior to the date of the alleged occurrence of the act in 2692  
question. 2693

(5) "Victim advocate" means a person who provides support 2694  
and assistance for a person who files a petition under this 2695  
section. 2696

(6) "Sexually oriented offense" has the same meaning as in 2697  
section 2950.01 of the Revised Code. 2698

(7) "Companion animal" has the same meaning as in section 2699  
959.131 of the Revised Code. 2700

(8) "Dating relationship" means a relationship between 2701  
individuals who have, or have had, a relationship of a romantic 2702  
or intimate nature. "Dating relationship" does not include a 2703  
casual acquaintanceship or ordinary fraternization in a business 2704  
or social context. 2705

(9) "Person with whom the respondent is or was in a dating 2706  
relationship" means an adult who, at the time of the conduct in 2707  
question, is in a dating relationship with the respondent who 2708  
also is an adult or who, within the twelve months preceding the 2709  
conduct in question, has had a dating relationship with the 2710  
respondent who also is an adult. 2711

(10) "Child," "custodian," and "guardian" have the same 2712  
meanings as in section 3109.51 of the Revised Code. 2713

(B) The court has jurisdiction over all proceedings under 2714  
this section. The petitioner's right to relief under this 2715  
section is not affected by the petitioner's leaving the 2716  
residence or household to avoid further domestic violence. 2717

(C) (1) A person may seek relief under this section on the 2718  
person's own behalf, or any parent or adult household member may 2719  
seek relief under this section on behalf of any other family or 2720  
household member, by filing a petition with the court. The 2721  
petition shall contain or state: 2722

~~(1)~~ (a) An allegation that the respondent engaged in 2723  
domestic violence against a family or household member of the 2724  
respondent or against a person with whom the respondent is or 2725  
was in a dating relationship, including a description of the 2726  
nature and extent of the domestic violence; 2727

~~(2)~~ (b) The relationship of the respondent to the 2728  
petitioner, and to the victim if other than the petitioner; 2729

~~(3)~~ (c) If the petition is for protection of a person with 2730  
whom the respondent is or was in a dating relationship, the 2731  
facts upon which the court may conclude that a dating 2732  
relationship existed between the person to be protected and the 2733  
respondent; 2734

~~(4)~~ (d) A request for relief under this section. 2735

(2) The petition may contain and the court shall consider 2736  
any of the following: 2737

(a) An allegation that the respondent has previously 2738  
engaged in domestic violence against a person to be protected; 2739

(b) Any previous conviction of or plea of guilty to the 2740  
offense of domestic violence by the respondent where the victim 2741  
was a person to be protected by the order. 2742

(D) (1) If a person who files a petition pursuant to this 2743  
section requests an ex parte order, the court shall hold an ex 2744  
parte hearing on the same day that the petition is filed. The 2745

court, for good cause shown at the ex parte hearing, may enter 2746  
any temporary orders, with or without bond, including, but not 2747  
limited to, an order described in division (E) (1) (a), (b), or 2748  
(c) of this section, that the court finds necessary to protect 2749  
the family or household member or the person with whom the 2750  
respondent is or was in a dating relationship from domestic 2751  
violence. Immediate and present danger of domestic violence to 2752  
the family or household member or to the person with whom the 2753  
respondent is or was in a dating relationship constitutes good 2754  
cause for purposes of this section. Immediate and present danger 2755  
includes, but is not limited to, situations in which the 2756  
respondent has threatened the family or household member or 2757  
person with whom the respondent is or was in a dating 2758  
relationship with bodily harm, in which the respondent has 2759  
threatened the family or household member or person with whom 2760  
the respondent is or was in a dating relationship with a 2761  
sexually oriented offense, or in which the respondent previously 2762  
has been convicted of, pleaded guilty to, or been adjudicated a 2763  
delinquent child for an offense that constitutes domestic 2764  
violence against the family or household member or person with 2765  
whom the respondent is or was in a dating relationship. 2766

(2) (a) If the court, after an ex parte hearing, issues an 2767  
order described in division (E) (1) (b) or (c) of this section, 2768  
the court shall schedule a full hearing for a date that is 2769  
within seven court days after the ex parte hearing. If any other 2770  
type of protection order that is authorized under division (E) 2771  
of this section is issued by the court after an ex parte 2772  
hearing, the court shall schedule a full hearing for a date that 2773  
is within ten court days after the ex parte hearing. The court 2774  
shall give the respondent notice of, and an opportunity to be 2775  
heard at, the full hearing. The court shall hold the full 2776

hearing on the date scheduled under this division unless the 2777  
court grants a continuance of the hearing in accordance with 2778  
this division. Under any of the following circumstances or for 2779  
any of the following reasons, the court may grant a continuance 2780  
of the full hearing to a reasonable time determined by the 2781  
court: 2782

(i) Prior to the date scheduled for the full hearing under 2783  
this division, the respondent has not been served with the 2784  
petition filed pursuant to this section and notice of the full 2785  
hearing. 2786

(ii) The parties consent to the continuance. 2787

(iii) The continuance is needed to allow a party to obtain 2788  
counsel. 2789

(iv) The continuance is needed for other good cause. 2790

(b) An ex parte order issued under this section does not 2791  
expire because of a failure to serve notice of the full hearing 2792  
upon the respondent before the date set for the full hearing 2793  
under division (D) (2) (a) of this section or because the court 2794  
grants a continuance under that division. 2795

(3) If a person who files a petition pursuant to this 2796  
section does not request an ex parte order, or if a person 2797  
requests an ex parte order but the court does not issue an ex 2798  
parte order after an ex parte hearing, the court shall proceed 2799  
as in a normal civil action and grant a full hearing on the 2800  
matter. 2801

(E) (1) After an ex parte or full hearing, the court may 2802  
grant any protection order, with or without bond, or approve any 2803  
consent agreement to bring about a cessation of domestic 2804  
violence against the family or household members or persons with 2805

whom the respondent is or was in a dating relationship. The 2806  
order or agreement may: 2807

(a) Direct the respondent to refrain from abusing or from 2808  
committing sexually oriented offenses against the family or 2809  
household members or persons with whom the respondent is or was 2810  
in a dating relationship; 2811

(b) With respect to a petition involving family or 2812  
household members, grant possession of the residence or 2813  
household to the petitioner or other family or household member, 2814  
to the exclusion of the respondent, by evicting the respondent, 2815  
when the residence or household is owned or leased solely by the 2816  
petitioner or other family or household member, or by ordering 2817  
the respondent to vacate the premises, when the residence or 2818  
household is jointly owned or leased by the respondent, and the 2819  
petitioner or other family or household member; 2820

(c) With respect to a petition involving family or 2821  
household members, when the respondent has a duty to support the 2822  
petitioner or other family or household member living in the 2823  
residence or household and the respondent is the sole owner or 2824  
lessee of the residence or household, grant possession of the 2825  
residence or household to the petitioner or other family or 2826  
household member, to the exclusion of the respondent, by 2827  
ordering the respondent to vacate the premises, or, in the case 2828  
of a consent agreement, allow the respondent to provide 2829  
suitable, alternative housing; 2830

(d) With respect to a petition involving family or 2831  
household members, temporarily allocate parental rights and 2832  
responsibilities for the care of, or establish temporary 2833  
parenting time rights with regard to, minor children, if no 2834  
other court has determined, or is determining, the allocation of 2835



parental rights and responsibilities for the minor children or 2836  
parenting time rights; 2837

(e) With respect to a petition involving family or 2838  
household members, require the respondent to maintain support, 2839  
if the respondent customarily provides for or contributes to the 2840  
support of the family or household member, or if the respondent 2841  
has a duty to support the petitioner or family or household 2842  
member; 2843

(f) Require the respondent, petitioner, victim of domestic 2844  
violence, or any combination of those persons, to seek 2845  
counseling; 2846

(g) Require the respondent to refrain from entering the 2847  
residence, school, business, or place of employment of the 2848  
petitioner or, with respect to a petition involving family or 2849  
household members, a family or household member; 2850

(h) Grant other relief that the court considers equitable 2851  
and fair, including, but not limited to, ordering the respondent 2852  
to permit the use of a motor vehicle by the petitioner or, with 2853  
respect to a petition involving family or household members, 2854  
other family or household members and the apportionment of 2855  
household and family personal property; 2856

(i) Require that the respondent not remove, damage, hide, 2857  
harm, or dispose of any companion animal owned or possessed by 2858  
the petitioner; 2859

(j) Authorize the petitioner to remove a companion animal 2860  
owned by the petitioner from the possession of the respondent; 2861

(k) Require a wireless service transfer in accordance with 2862  
sections 3113.45 to 3113.459 of the Revised Code. 2863

(2) If a protection order has been issued pursuant to this section in a prior action involving the respondent and the petitioner or, with respect to a petition involving family or household members, one or more of the family or household members or victims, the court may include in a protection order that it issues a prohibition against the respondent returning to the residence or household. If it includes a prohibition against the respondent returning to the residence or household in the order, it also shall include in the order provisions of the type described in division (E) (7) of this section. This division does not preclude the court from including in a protection order or consent agreement, in circumstances other than those described in this division, a requirement that the respondent be evicted from or vacate the residence or household or refrain from entering the residence, school, business, or place of employment of the petitioner or, with respect to a petition involving family or household members, a family or household member, and, if the court includes any requirement of that type in an order or agreement, the court also shall include in the order provisions of the type described in division (E) (7) of this section.

(3) (a) Any protection order issued or consent agreement approved under this section shall be valid until a date certain, but not later than five years from the date of its issuance or approval, or not later than the date a respondent who is less than eighteen years of age attains nineteen years of age, unless modified or terminated as provided in division (E) (8) of this section.

(b) With respect to an order involving family or household members, subject to the limitation on the duration of an order or agreement set forth in division (E) (3) (a) of this section,

any order under division (E) (1) (d) of this section shall 2895  
terminate on the date that a court in an action for divorce, 2896  
dissolution of marriage, or legal separation brought by the 2897  
petitioner or respondent issues an order allocating parental 2898  
rights and responsibilities for the care of children or on the 2899  
date that a juvenile court in an action brought by the 2900  
petitioner or respondent issues an order awarding legal custody 2901  
of minor children. Subject to the limitation on the duration of 2902  
an order or agreement set forth in division (E) (3) (a) of this 2903  
section, any order under division (E) (1) (e) of this section 2904  
shall terminate on the date that a court in an action for 2905  
divorce, dissolution of marriage, or legal separation brought by 2906  
the petitioner or respondent issues a support order or on the 2907  
date that a juvenile court in an action brought by the 2908  
petitioner or respondent issues a support order. 2909

(c) Any protection order issued or consent agreement 2910  
approved pursuant to this section may be renewed in the same 2911  
manner as the original order or agreement was issued or 2912  
approved. 2913

(4) A court may not issue a protection order that requires 2914  
a petitioner to do or to refrain from doing an act that the 2915  
court may require a respondent to do or to refrain from doing 2916  
under division (E) (1) (a), (b), (c), (d), (e), (g), or (h) of 2917  
this section unless all of the following apply: 2918

(a) The respondent files a separate petition for a 2919  
protection order in accordance with this section. 2920

(b) The petitioner is served notice of the respondent's 2921  
petition at least forty-eight hours before the court holds a 2922  
hearing with respect to the respondent's petition, or the 2923  
petitioner waives the right to receive this notice. 2924

(c) If the petitioner has requested an ex parte order 2925  
pursuant to division (D) of this section, the court does not 2926  
delay any hearing required by that division beyond the time 2927  
specified in that division in order to consolidate the hearing 2928  
with a hearing on the petition filed by the respondent. 2929

(d) After a full hearing at which the respondent presents 2930  
evidence in support of the request for a protection order and 2931  
the petitioner is afforded an opportunity to defend against that 2932  
evidence, the court determines that the petitioner has committed 2933  
an act of domestic violence or has violated a temporary 2934  
protection order issued pursuant to section 2919.26 of the 2935  
Revised Code, that both the petitioner and the respondent acted 2936  
primarily as aggressors, and that neither the petitioner nor the 2937  
respondent acted primarily in self-defense. 2938

(5) No protection order issued or consent agreement 2939  
approved under this section shall in any manner affect title to 2940  
any real property. 2941

(6) (a) With respect to an order involving family or 2942  
household members, if a petitioner, or the child of a 2943  
petitioner, who obtains a protection order or consent agreement 2944  
pursuant to division (E) (1) of this section or a temporary 2945  
protection order pursuant to section 2919.26 of the Revised Code 2946  
and is the subject of a parenting time order issued pursuant to 2947  
section 3109.051 or 3109.12 of the Revised Code or a visitation 2948  
or companionship order issued pursuant to section 3109.051, 2949  
3109.11, or 3109.12 of the Revised Code or division (E) (1) (d) of 2950  
this section granting parenting time rights to the respondent, 2951  
the court may require the public children services agency of the 2952  
county in which the court is located to provide supervision of 2953  
the respondent's exercise of parenting time or visitation or 2954

companionship rights with respect to the child for a period not 2955  
to exceed nine months, if the court makes the following findings 2956  
of fact: 2957

(i) The child is in danger from the respondent; 2958

(ii) No other person or agency is available to provide the 2959  
supervision. 2960

(b) A court that requires an agency to provide supervision 2961  
pursuant to division (E) (6) (a) of this section shall order the 2962  
respondent to reimburse the agency for the cost of providing the 2963  
supervision, if it determines that the respondent has sufficient 2964  
income or resources to pay that cost. 2965

(7) (a) If a protection order issued or consent agreement 2966  
approved under this section includes a requirement that the 2967  
respondent be evicted from or vacate the residence or household 2968  
or refrain from entering the residence, school, business, or 2969  
place of employment of the petitioner or, with respect to a 2970  
petition involving family or household members, a family or 2971  
household member, the order or agreement shall state clearly 2972  
that the order or agreement cannot be waived or nullified by an 2973  
invitation to the respondent from the petitioner or other family 2974  
or household member to enter the residence, school, business, or 2975  
place of employment or by the respondent's entry into one of 2976  
those places otherwise upon the consent of the petitioner or 2977  
other family or household member. 2978

(b) Division (E) (7) (a) of this section does not limit any 2979  
discretion of a court to determine that a respondent charged 2980  
with a violation of section 2919.27 of the Revised Code, with a 2981  
violation of a municipal ordinance substantially equivalent to 2982  
that section, or with contempt of court, which charge is based 2983

on an alleged violation of a protection order issued or consent 2984  
agreement approved under this section, did not commit the 2985  
violation or was not in contempt of court. 2986

(8) (a) The court may modify or terminate as provided in 2987  
division (E) (8) of this section a protection order or consent 2988  
agreement that was issued after a full hearing under this 2989  
section. The court that issued the protection order or approved 2990  
the consent agreement shall hear a motion for modification or 2991  
termination of the protection order or consent agreement 2992  
pursuant to division (E) (8) of this section. 2993

(b) Either the petitioner or the respondent of the 2994  
original protection order or consent agreement may bring a 2995  
motion for modification or termination of a protection order or 2996  
consent agreement that was issued or approved after a full 2997  
hearing. The court shall require notice of the motion to be made 2998  
as provided by the Rules of Civil Procedure. If the petitioner 2999  
for the original protection order or consent agreement has 3000  
requested that the petitioner's address be kept confidential, 3001  
the court shall not disclose the address to the respondent of 3002  
the original protection order or consent agreement or any other 3003  
person, except as otherwise required by law. The moving party 3004  
has the burden of proof to show, by a preponderance of the 3005  
evidence, that modification or termination of the protection 3006  
order or consent agreement is appropriate because either the 3007  
protection order or consent agreement is no longer needed or 3008  
because the terms of the original protection order or consent 3009  
agreement are no longer appropriate. 3010

(c) In considering whether to modify or terminate a 3011  
protection order or consent agreement issued or approved under 3012  
this section, the court shall consider all relevant factors, 3013

including, but not limited to, the following:	3014
(i) Whether the petitioner consents to modification or termination of the protection order or consent agreement;	3015 3016
(ii) Whether the petitioner fears the respondent;	3017
(iii) The current nature of the relationship between the petitioner and the respondent;	3018 3019
(iv) The circumstances of the petitioner and respondent, including the relative proximity of the petitioner's and respondent's workplaces and residences and whether the petitioner and respondent have minor children together;	3020 3021 3022 3023
(v) Whether the respondent has complied with the terms and conditions of the original protection order or consent agreement;	3024 3025 3026
(vi) Whether the respondent has a continuing involvement with illegal drugs or alcohol;	3027 3028
(vii) Whether the respondent has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for an offense of violence since the issuance of the protection order or approval of the consent agreement;	3029 3030 3031 3032
(viii) Whether any other protection orders, consent agreements, restraining orders, or no contact orders have been issued against the respondent pursuant to this section, section 2919.26 of the Revised Code, any other provision of state law, or the law of any other state;	3033 3034 3035 3036 3037
(ix) Whether the respondent has participated in any domestic violence treatment, intervention program, or other counseling addressing domestic violence and whether the respondent has completed the treatment, program, or counseling;	3038 3039 3040 3041

(x) The time that has elapsed since the protection order 3042  
was issued or since the consent agreement was approved; 3043

(xi) The age and health of the respondent; 3044

(xii) When the last incident of abuse, threat of harm, or 3045  
commission of a sexually oriented offense occurred or other 3046  
relevant information concerning the safety and protection of the 3047  
petitioner or other protected parties. 3048

(d) If a protection order or consent agreement is modified 3049  
or terminated as provided in division (E) (8) of this section, 3050  
the court shall issue copies of the modified or terminated order 3051  
or agreement as provided in division (F) of this section. A 3052  
petitioner may also provide notice of the modification or 3053  
termination to the judicial and law enforcement officials in any 3054  
county other than the county in which the order or agreement is 3055  
modified or terminated as provided in division (N) of this 3056  
section. 3057

(e) If the respondent moves for modification or 3058  
termination of a protection order or consent agreement pursuant 3059  
to this section and the court denies the motion, the court may 3060  
assess costs against the respondent for the filing of the 3061  
motion. 3062

(9) Any protection order issued or any consent agreement 3063  
approved pursuant to this section shall include a provision that 3064  
the court will automatically seal all of the records of the 3065  
proceeding in which the order is issued or agreement approved on 3066  
the date the respondent attains the age of nineteen years unless 3067  
the petitioner provides the court with evidence that the 3068  
respondent has not complied with all of the terms of the 3069  
protection order or consent agreement. The protection order or 3070



consent agreement shall specify the date when the respondent 3071  
attains the age of nineteen years. 3072

(F) (1) A copy of any protection order, or consent 3073  
agreement, that is issued, approved, modified, or terminated 3074  
under this section shall be issued by the court to the 3075  
petitioner, to the respondent, and to all law enforcement 3076  
agencies that have jurisdiction to enforce the order or 3077  
agreement. The court shall direct that a copy of an order be 3078  
delivered to the respondent on the same day that the order is 3079  
entered. 3080

(2) Upon the issuance of a protection order or the 3081  
approval of a consent agreement under this section, the court 3082  
shall provide the parties to the order or agreement with the 3083  
following notice orally or by form: 3084

"NOTICE 3085

As a result of this order or consent agreement, it may be 3086  
unlawful for you to possess or purchase a firearm, including a 3087  
rifle, pistol, or revolver, or ammunition pursuant to federal 3088  
law under 18 U.S.C. 922(g) (8) for the duration of this order or 3089  
consent agreement. If you have any questions whether this law 3090  
makes it illegal for you to possess or purchase a firearm or 3091  
ammunition, you should consult an attorney." 3092

(3) All law enforcement agencies shall establish and 3093  
maintain an index for the protection orders and the approved 3094  
consent agreements delivered to the agencies pursuant to 3095  
division (F) (1) of this section. With respect to each order and 3096  
consent agreement delivered, each agency shall note on the index 3097  
the date and time that it received the order or consent 3098  
agreement. 3099

(4) Regardless of whether the petitioner has registered 3100  
the order or agreement in the county in which the officer's 3101  
agency has jurisdiction pursuant to division (N) of this 3102  
section, any officer of a law enforcement agency shall enforce a 3103  
protection order issued or consent agreement approved by any 3104  
court in this state in accordance with the provisions of the 3105  
order or agreement, including removing the respondent from the 3106  
premises, if appropriate. 3107

(G) (1) Any proceeding under this section shall be 3108  
conducted in accordance with the Rules of Civil Procedure, 3109  
except that an order under this section may be obtained with or 3110  
without bond. An order issued under this section, other than an 3111  
ex parte order, that grants a protection order or approves a 3112  
consent agreement, that refuses to grant a protection order or 3113  
approve a consent agreement that modifies or terminates a 3114  
protection order or consent agreement, or that refuses to modify 3115  
or terminate a protection order or consent agreement, is a 3116  
final, appealable order. The remedies and procedures provided in 3117  
this section are in addition to, and not in lieu of, any other 3118  
available civil or criminal remedies. 3119

(2) If as provided in division (G) (1) of this section an 3120  
order issued under this section, other than an ex parte order, 3121  
refuses to grant a protection order, the court, on its own 3122  
motion, shall order that the ex parte order issued under this 3123  
section and all of the records pertaining to that ex parte order 3124  
be sealed after either of the following occurs: 3125

(a) No party has exercised the right to appeal pursuant to 3126  
Rule 4 of the Rules of Appellate Procedure. 3127

(b) All appellate rights have been exhausted. 3128

(H) The filing of proceedings under this section does not 3129  
excuse a person from filing any report or giving any notice 3130  
required by section 2151.421 of the Revised Code or by any other 3131  
law. When a petition under this section alleges domestic 3132  
violence against minor children, the court shall report the 3133  
fact, or cause reports to be made, to a county, township, or 3134  
municipal peace officer under section 2151.421 of the Revised 3135  
Code. 3136

(I) Any law enforcement agency that investigates a 3137  
domestic dispute shall provide information to the family or 3138  
household members involved, or the persons in the dating 3139  
relationship who are involved, whichever is applicable regarding 3140  
the relief available under this section and, for family or 3141  
household members, section 2919.26 of the Revised Code. 3142

(J) (1) Subject to divisions (E) (8) (e) and (J) (2) of this 3143  
section and regardless of whether a protection order is issued 3144  
or a consent agreement is approved by a court of another county 3145  
or a court of another state, no court or unit of state or local 3146  
government shall charge the petitioner any fee, cost, deposit, 3147  
or money in connection with the filing of a petition pursuant to 3148  
this section or in connection with the filing, issuance, 3149  
registration, modification, enforcement, dismissal, withdrawal, 3150  
or service of a protection order, consent agreement, or witness 3151  
subpoena or for obtaining a certified copy of a protection order 3152  
or consent agreement. 3153

(2) Regardless of whether a protection order is issued or 3154  
a consent agreement is approved pursuant to this section, the 3155  
court may assess costs against the respondent in connection with 3156  
the filing, issuance, registration, modification, enforcement, 3157  
dismissal, withdrawal, or service of a protection order, consent 3158

agreement, or witness subpoena or for obtaining a certified copy 3159  
of a protection order or consent agreement. 3160

(K) (1) The court shall comply with Chapters 3119., 3121., 3161  
3123., and 3125. of the Revised Code when it makes or modifies 3162  
an order for child support under this section. 3163

(2) If any person required to pay child support under an 3164  
order made under this section on or after April 15, 1985, or 3165  
modified under this section on or after December 31, 1986, is 3166  
found in contempt of court for failure to make support payments 3167  
under the order, the court that makes the finding, in addition 3168  
to any other penalty or remedy imposed, shall assess all court 3169  
costs arising out of the contempt proceeding against the person 3170  
and require the person to pay any reasonable attorney's fees of 3171  
any adverse party, as determined by the court, that arose in 3172  
relation to the act of contempt. 3173

(L) (1) A person who violates a protection order issued or 3174  
a consent agreement approved under this section is subject to 3175  
the following sanctions: 3176

(a) Criminal prosecution or a delinquent child proceeding 3177  
for a violation of section 2919.27 of the Revised Code, if the 3178  
violation of the protection order or consent agreement 3179  
constitutes a violation of that section; 3180

(b) Punishment for contempt of court. 3181

(2) The punishment of a person for contempt of court for 3182  
violation of a protection order issued or a consent agreement 3183  
approved under this section does not bar criminal prosecution of 3184  
the person or a delinquent child proceeding concerning the 3185  
person for a violation of section 2919.27 of the Revised Code. 3186  
However, a person punished for contempt of court is entitled to 3187

credit for the punishment imposed upon conviction of or 3188  
adjudication as a delinquent child for a violation of that 3189  
section, and a person convicted of or adjudicated a delinquent 3190  
child for a violation of that section shall not subsequently be 3191  
punished for contempt of court arising out of the same activity. 3192

(M) In all stages of a proceeding under this section, a 3193  
petitioner may be accompanied by a victim advocate. 3194

(N) (1) A petitioner who obtains a protection order or 3195  
consent agreement under this section or a temporary protection 3196  
order under section 2919.26 of the Revised Code may provide 3197  
notice of the issuance or approval of the order or agreement to 3198  
the judicial and law enforcement officials in any county other 3199  
than the county in which the order is issued or the agreement is 3200  
approved by registering that order or agreement in the other 3201  
county pursuant to division (N) (2) of this section and filing a 3202  
copy of the registered order or registered agreement with a law 3203  
enforcement agency in the other county in accordance with that 3204  
division. A person who obtains a protection order issued by a 3205  
court of another state may provide notice of the issuance of the 3206  
order to the judicial and law enforcement officials in any 3207  
county of this state by registering the order in that county 3208  
pursuant to section 2919.272 of the Revised Code and filing a 3209  
copy of the registered order with a law enforcement agency in 3210  
that county. 3211

(2) A petitioner may register a temporary protection 3212  
order, protection order, or consent agreement in a county other 3213  
than the county in which the court that issued the order or 3214  
approved the agreement is located in the following manner: 3215

(a) The petitioner shall obtain a certified copy of the 3216  
order or agreement from the clerk of the court that issued the 3217

order or approved the agreement and present that certified copy 3218  
to the clerk of the court of common pleas or the clerk of a 3219  
municipal court or county court in the county in which the order 3220  
or agreement is to be registered. 3221

(b) Upon accepting the certified copy of the order or 3222  
agreement for registration, the clerk of the court of common 3223  
pleas, municipal court, or county court shall place an 3224  
endorsement of registration on the order or agreement and give 3225  
the petitioner a copy of the order or agreement that bears that 3226  
proof of registration. 3227

(3) The clerk of each court of common pleas, the clerk of 3228  
each municipal court, and the clerk of each county court shall 3229  
maintain a registry of certified copies of temporary protection 3230  
orders, protection orders, or consent agreements that have been 3231  
issued or approved by courts in other counties and that have 3232  
been registered with the clerk. 3233

(O) Nothing in this section prohibits the domestic 3234  
relations division of a court of common pleas in counties that 3235  
have a domestic relations division or a court of common pleas in 3236  
counties that do not have a domestic relations division from 3237  
designating a minor child as a protected party on a protection 3238  
order or consent agreement. 3239

**Section 2.** That existing sections 109.744, 109.803, 3240  
2903.01, 2919.25, 2919.27, 2929.12, 2929.13, 2929.14, 2929.22, 3241  
2935.032, 2937.23, 3113.31, and 2935.033 of the Revised Code are 3242  
hereby repealed. 3243

**Section 3.** The General Assembly, in enacting this act, 3244  
encourages prosecuting attorneys, in cases related to an 3245  
incident of domestic violence, to consider the totality of the 3246

circumstances, to review all of the evidence in the case, and to 3247  
resist seeking voluntary dismissal or an entry of nolle prosequi 3248  
based solely on the victim's wishes, unless justice demands 3249  
otherwise. 3250

**Section 4.** The General Assembly respectfully requests the 3251  
Ohio Supreme Court to review the Ohio Rules of Evidence to 3252  
consider how the Rules may better aid victims of domestic 3253  
violence without diminishing the fundamental fairness to alleged 3254  
perpetrators of domestic violence. 3255

**Section 5.** This act shall be known as Aisha's Law. 3256

**Section 6.** (A) There is hereby created the Domestic 3257  
Violence Drop Policy Study Committee consisting of the following 3258  
ten members: 3259

(1) The following five members appointed by the Speaker of 3260  
the House of Representatives: 3261

(a) One member who is a domestic violence survivor; 3262

(b) One member who is a domestic violence advocate; 3263

(c) One member who is a prosecutor who handles domestic 3264  
violence cases; 3265

(d) One member who is a member of the judiciary with 3266  
experience handling domestic violence cases; 3267

(e) One member who is a member of the House of 3268  
Representatives. 3269

(2) The following five members appointed by the Minority 3270  
Leader of the House of Representatives: 3271

(a) One member who is a domestic violence survivor; 3272

(b) One member who is a domestic violence advocate; 3273

(c) One member who is a prosecutor who handles domestic violence cases; 3274  
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(d) One member who is a member of the judiciary with experience handling domestic violence cases; 3276  
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(e) One member who is a member of the House of Representatives. 3278  
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(B) The Study Committee shall examine policies to protect victims of domestic violence throughout the judicial process, including an investigation into the prevalence of dropped or amended domestic violence charges, and the cases in which a charge of domestic violence was dropped and the victim of domestic violence later became the victim of a homicide. 3280  
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(C) The Speaker and Minority Leader shall make appointments to the Study Committee as soon as practicable after the effective date of this section and the Study Committee shall produce a report of its findings not later than one year after the effective date of this section. The Study Committee shall submit that report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives. Upon submission of the report, the Study Committee shall cease to exist. 3286  
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**Section 7.** That Section 221.10 of H.B. 166 of the 133rd General Assembly be amended to read as follows: 3296  
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**Sec. 221.10.** 3298

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A		AGO ATTORNEY GENERAL			
B		General Revenue Fund			
C	GRF	055321 Operating Expenses	\$	60,646,591	\$ 62,958,461
D	GRF	055405 Law-Related Education	\$	68,950	\$ 68,950
E	GRF	055406 BCIRS Lease Rental Payments	\$	2,515,100	\$ 2,513,400
F	GRF	055411 County Sheriffs' Pay Supplement	\$	983,341	\$ 1,000,554
G	GRF	055415 County Prosecutors' Pay Supplement	\$	1,247,225	\$ 1,278,630
H	GRF	055431 Drug Abuse Response Team Grants	\$	1,500,000	\$ 1,500,000
I	GRF	055432 Drug Testing Equipment	\$	968,602	\$ 0
J	GRF	055434 ICAC Task Force	\$	500,000	\$ 500,000
K	GRF	055501 Rape Crisis Centers	\$	4,800,000	\$ 4,800,000
L	GRF	055502 School Safety Training Grants	\$	12,000,000	\$ 12,000,000
M	GRF	055504 Domestic Violence Programs	\$	1,000,000	\$ 1,000,000
N	GRF	055505 Pike County Capital Case	\$	1,000,000	\$ 0
O	TOTAL GRF	General Revenue Fund	\$	87,229,809	\$ 87,619,995

P	Dedicated Purpose Fund Group					
Q	1060	055612	Attorney General Operating	\$	58,426,184	\$ 60,018,182
R	4020	055616	Victims of Crime	\$	20,624,291	\$ 20,624,291
S	4170	055621	Domestic Violence Shelter	\$	25,000	\$ 25,000
T	4180	055615	Charitable Foundations	\$	8,286,000	\$ 8,286,000
U	4190	055623	Claims Section	\$	41,500,000	\$ 42,600,000
V	4200	055603	Attorney General Antitrust	\$	2,432,925	\$ 2,432,925
W	4210	055617	Police Officers' Training Academy Fee	\$	<del>2,182,062</del> <u>2,332,062</u>	\$ 2,250,000
X	4L60	055606	DARE Programs	\$	3,814,289	\$ 3,814,289
Y	4Y70	055608	Title Defect Recision	\$	1,013,751	\$ 1,013,751
Z	4Z20	055609	BCI Asset Forfeiture and Cost Reimbursement	\$	2,500,000	\$ 2,500,000
AA	5900	055633	Peace Officer Private Security Training	\$	95,325	\$ 95,325
AB	5A90	055618	Telemarketing Fraud Enforcement	\$	10,000	\$ 10,000
AC	5LR0	055655	Peace Officer Training -	\$	5,355,079	\$ 5,529,409

		Casino			
AD 5MP0	055657	Peace Officer Training Commission	\$	325,000	\$ 325,000
AE 5TLO	055659	Organized Crime Law Enforcement Trust	\$	100,000	\$ 100,000
AF 6310	055637	Consumer Protection Enforcement	\$	9,276,000	\$ 9,276,000
AG 6590	055641	Solid and Hazardous Waste Background Investigations	\$	328,728	\$ 328,728
AH U087	055402	Tobacco Settlement Oversight, Administration, and Enforcement	\$	2,650,000	\$ 2,650,000
AI TOTAL	DPF	Dedicated Purpose Fund Group	\$	<del>158,944,634</del> <u>159,094,634</u>	\$ 161,878,900
AJ		Internal Service Activity Fund Group			
AK 1950	055660	Workers' Compensation Section	\$	7,416,045	\$ 6,898,040
AL TOTAL	ISA	Internal Service Activity Fund Group	\$	7,416,045	\$ 6,898,040
AM		Holding Account Fund Group			
AN R004	055631	General Holding Account	\$	1,000,000	\$ 1,000,000

AO R005	055632	Antitrust Settlements	\$	1,000,000	\$	1,000,000
AP R018	055630	Consumer Frauds	\$	1,000,000	\$	1,000,000
AQ R042	055601	Organized Crime Commission Distributions	\$	750,000	\$	750,000
AR R054	055650	Collection Payment Redistribution	\$	4,500,000	\$	4,500,000
AS TOTAL HLD		Holding Account Fund Group	\$	8,250,000	\$	8,250,000
AT		Federal Fund Group				
AU 3060	055620	Medicaid Fraud Control	\$	8,961,419	\$	8,961,419
AV 3830	055634	Crime Victims Assistance	\$	109,971,344	\$	110,000,000
AW 3E50	055638	Attorney General Pass- Through Funds	\$	4,017,209	\$	4,020,999
AX 3FV0	055656	Crime Victim Compensation	\$	4,600,000	\$	4,600,000
AY 3R60	055613	Attorney General Federal Funds	\$	2,799,999	\$	2,799,999
AZ TOTAL FED		Federal Funds Group	\$	130,349,971	\$	130,382,417
BA TOTAL ALL BUDGET		FUND GROUPS	\$	<del>392,190,459</del>	\$	395,029,352
				<u>392,340,459</u>		

**Section 8.** That existing Section 221.10 of H.B. 166 of the  
133rd General Assembly is hereby repealed.

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**Section 9.** The General Assembly, applying the principle 3302  
stated in division (B) of section 1.52 of the Revised Code that 3303  
amendments are to be harmonized if reasonably capable of 3304  
simultaneous operation, finds that the following sections, 3305  
presented in this act as composites of the sections as amended 3306  
by the acts indicated, are the resulting versions of the 3307  
sections in effect prior to the effective date of the sections 3308  
as presented in this act: 3309

Section 2929.14 of the Revised Code as amended by H.B. 63, 3310  
S.B. 1, S.B. 20, and S.B. 201, all of the 132nd General 3311  
Assembly. 3312

Section 2937.23 of the Revised Code as amended by both 3313  
H.B. 202 and S.B. 142 of the 123rd General Assembly. 3314