

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 455**

**Representative Wiggam**

**Cosponsors: Representatives Becker, Hagan, Hambley, Butler, Thompson, Hood, Romanchuk, Kick, Riedel, Roegner, Merrin, Scherer, Antani, Johnson, Koehler, Ginter, Lang, Stein**

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**A BILL**

To amend section 2925.03 of the Revised Code to 1  
provide that in determining the amount of 2  
cocaine for trafficking offenses, it also 3  
includes a compound, mixture, preparation, or 4  
substance containing cocaine, to increase 5  
penalties for certain drug trafficking offenses, 6  
and to name this act the Drug Trafficking 7  
Deterrence Act. 8

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

**Section 1.** That section 2925.03 of the Revised Code be 9  
amended to read as follows: 10

**Sec. 2925.03.** (A) No person shall knowingly do any of the 11  
following: 12

(1) Sell or offer to sell a controlled substance or a 13  
controlled substance analog; 14

(2) Prepare for shipment, ship, transport, deliver, 15  
prepare for distribution, or distribute a controlled substance 16

or a controlled substance analog, when the offender knows or has 17  
reasonable cause to believe that the controlled substance or a 18  
controlled substance analog is intended for sale or resale by 19  
the offender or another person. 20

(B) This section does not apply to any of the following: 21

(1) Manufacturers, licensed health professionals 22  
authorized to prescribe drugs, pharmacists, owners of 23  
pharmacies, and other persons whose conduct is in accordance 24  
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 25  
4741. of the Revised Code; 26

(2) If the offense involves an anabolic steroid, any 27  
person who is conducting or participating in a research project 28  
involving the use of an anabolic steroid if the project has been 29  
approved by the United States food and drug administration; 30

(3) Any person who sells, offers for sale, prescribes, 31  
dispenses, or administers for livestock or other nonhuman 32  
species an anabolic steroid that is expressly intended for 33  
administration through implants to livestock or other nonhuman 34  
species and approved for that purpose under the "Federal Food, 35  
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, 36  
as amended, and is sold, offered for sale, prescribed, 37  
dispensed, or administered for that purpose in accordance with 38  
that act. 39

(C) Whoever violates division (A) of this section is 40  
guilty of one of the following: 41

(1) If the drug involved in the violation is any compound, 42  
mixture, preparation, or substance included in schedule I or 43  
schedule II, with the exception of marihuana, cocaine, L.S.D., 44  
heroin, hashish, and controlled substance analogs, whoever 45

violates division (A) of this section is guilty of aggravated 46  
trafficking in drugs. The penalty for the offense shall be 47  
determined as follows: 48

(a) Except as otherwise provided in division (C) (1) (b), 49  
(c), or (d), ~~(e), or (f)~~ of this section, aggravated trafficking 50  
in drugs is a felony of the ~~fourth~~third degree, and ~~division~~ 51  
~~(C) of section 2929.13 of the Revised Code applies in~~ 52  
~~determining whether to impose a prison term on the offender~~ the 53  
court shall impose as a mandatory prison term one of the prison 54  
terms prescribed for a felony of the third degree. 55

(b) ~~Except as otherwise provided in division (C) (1) (c),~~ 56  
~~(d), (e), or (f) of this section, if the offense was committed~~ 57  
~~in the vicinity of a school or in the vicinity of a juvenile,~~ 58  
~~aggravated trafficking in drugs is a felony of the third degree,~~ 59  
~~and division (C) of section 2929.13 of the Revised Code applies~~ 60  
~~in determining whether to impose a prison term on the offender.~~ 61

~~(e)~~ Except as otherwise provided in this division, if the 62  
amount of the drug involved equals or exceeds the bulk amount 63  
but is less than ~~five~~fifty times the bulk amount, aggravated 64  
trafficking in drugs is a felony of the ~~third~~second degree, 65  
and, ~~except as otherwise provided in this division, there is a~~ 66  
~~presumption for a prison term for the offense~~ the court shall 67  
impose as a mandatory prison term one of the prison terms 68  
prescribed for a felony of the second degree. If ~~aggravated~~ 69  
~~trafficking in drugs is a felony of the third degree under this~~ 70  
~~division~~ the amount of the drug involved equals or exceeds the 71  
bulk amount but is less than fifty times the bulk amount and if 72  
the offender two or more times previously has been convicted of 73  
or pleaded guilty to a felony drug abuse offense, aggravated 74  
trafficking in drugs is a felony of the first degree and the 75

court shall impose as a mandatory prison term one of the prison 76  
terms prescribed for a felony of the ~~third~~first degree. If the 77  
amount of the drug involved is within that range and if the 78  
offense was committed in the vicinity of a school or in the 79  
vicinity of a juvenile, regardless of whether the offender has 80  
previously been convicted of or pleaded guilty to a felony drug 81  
abuse offense, aggravated trafficking in drugs is a felony of 82  
the ~~second~~first degree, and the court shall impose as a 83  
mandatory prison term one of the prison terms prescribed for a 84  
felony of the ~~second~~first degree. 85

~~(d) Except as otherwise provided in this division, if the 86  
amount of the drug involved equals or exceeds five times the 87  
bulk amount but is less than fifty times the bulk amount, 88  
aggravated trafficking in drugs is a felony of the second- 89  
degree, and the court shall impose as a mandatory prison term- 90  
one of the prison terms prescribed for a felony of the second- 91  
degree. If the amount of the drug involved is within that range- 92  
and if the offense was committed in the vicinity of a school or- 93  
in the vicinity of a juvenile, aggravated trafficking in drugs- 94  
is a felony of the first degree, and the court shall impose as a 95  
mandatory prison term one of the prison terms prescribed for a 96  
felony of the first degree.- 97~~

~~(e)~~(c) If the amount of the drug involved equals or 98  
exceeds fifty times the bulk amount but is less than one hundred 99  
times the bulk amount, regardless of whether the offender has 100  
previously been convicted of or pleaded guilty to a felony drug 101  
abuse offense and regardless of whether the offense was 102  
committed in the vicinity of a school or in the vicinity of a 103  
juvenile, aggravated trafficking in drugs is a felony of the 104  
first degree, and the court shall impose as a mandatory prison 105  
term one of the prison terms prescribed for a felony of the 106

first degree. 107

~~(f)~~ (d) If the amount of the drug involved equals or 108  
exceeds one hundred times the bulk amount, regardless of whether 109  
the offender has previously been convicted of or pleaded guilty 110  
to a felony drug abuse offense and regardless of whether the 111  
offense was committed in the vicinity of a school or in the 112  
vicinity of a juvenile, aggravated trafficking in drugs is a 113  
felony of the first degree, the offender is a major drug 114  
offender, and the court shall impose as a mandatory prison term 115  
the maximum prison term prescribed for a felony of the first 116  
degree. 117

(2) If the drug involved in the violation is any compound, 118  
mixture, preparation, or substance included in schedule III, IV, 119  
or V, whoever violates division (A) of this section is guilty of 120  
trafficking in drugs. The penalty for the offense shall be 121  
determined as follows: 122

(a) Except as otherwise provided in division (C) (2) (b), 123  
(c), (d), or (e) of this section, trafficking in drugs is a 124  
felony of the fifth degree, and division (B) of section 2929.13 125  
of the Revised Code applies in determining whether to impose a 126  
prison term on the offender. 127

(b) Except as otherwise provided in division (C) (2) (c), 128  
(d), or (e) of this section, if the offense was committed in the 129  
vicinity of a school or in the vicinity of a juvenile, 130  
trafficking in drugs is a felony of the fourth degree, and 131  
division (C) of section 2929.13 of the Revised Code applies in 132  
determining whether to impose a prison term on the offender. 133

(c) Except as otherwise provided in this division, if the 134  
amount of the drug involved equals or exceeds the bulk amount 135

but is less than five times the bulk amount, trafficking in 136  
drugs is a felony of the fourth degree, and division (B) of 137  
section 2929.13 of the Revised Code applies in determining 138  
whether to impose a prison term for the offense. If the amount 139  
of the drug involved is within that range and if the offense was 140  
committed in the vicinity of a school or in the vicinity of a 141  
juvenile, trafficking in drugs is a felony of the third degree, 142  
and there is a presumption for a prison term for the offense. 143

(d) Except as otherwise provided in this division, if the 144  
amount of the drug involved equals or exceeds five times the 145  
bulk amount but is less than fifty times the bulk amount, 146  
trafficking in drugs is a felony of the third degree, and there 147  
is a presumption for a prison term for the offense. If the 148  
amount of the drug involved is within that range and if the 149  
offense was committed in the vicinity of a school or in the 150  
vicinity of a juvenile, trafficking in drugs is a felony of the 151  
second degree, and there is a presumption for a prison term for 152  
the offense. 153

(e) Except as otherwise provided in this division, if the 154  
amount of the drug involved equals or exceeds fifty times the 155  
bulk amount, trafficking in drugs is a felony of the second 156  
degree, and the court shall impose as a mandatory prison term 157  
one of the prison terms prescribed for a felony of the second 158  
degree. If the amount of the drug involved equals or exceeds 159  
fifty times the bulk amount and if the offense was committed in 160  
the vicinity of a school or in the vicinity of a juvenile, 161  
trafficking in drugs is a felony of the first degree, and the 162  
court shall impose as a mandatory prison term one of the prison 163  
terms prescribed for a felony of the first degree. 164

(3) If the drug involved in the violation is marihuana or 165

a compound, mixture, preparation, or substance containing 166  
marihuana other than hashish, whoever violates division (A) of 167  
this section is guilty of trafficking in marihuana. The penalty 168  
for the offense shall be determined as follows: 169

(a) Except as otherwise provided in division (C) (3) (b), 170  
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 171  
marihuana is a felony of the fifth degree, and division (B) of 172  
section 2929.13 of the Revised Code applies in determining 173  
whether to impose a prison term on the offender. 174

(b) Except as otherwise provided in division (C) (3) (c), 175  
(d), (e), (f), (g), or (h) of this section, if the offense was 176  
committed in the vicinity of a school or in the vicinity of a 177  
juvenile, trafficking in marihuana is a felony of the fourth 178  
degree, and division (B) of section 2929.13 of the Revised Code 179  
applies in determining whether to impose a prison term on the 180  
offender. 181

(c) Except as otherwise provided in this division, if the 182  
amount of the drug involved equals or exceeds two hundred grams 183  
but is less than one thousand grams, trafficking in marihuana is 184  
a felony of the fourth degree, and division (B) of section 185  
2929.13 of the Revised Code applies in determining whether to 186  
impose a prison term on the offender. If the amount of the drug 187  
involved is within that range and if the offense was committed 188  
in the vicinity of a school or in the vicinity of a juvenile, 189  
trafficking in marihuana is a felony of the third degree, and 190  
division (C) of section 2929.13 of the Revised Code applies in 191  
determining whether to impose a prison term on the offender. 192

(d) Except as otherwise provided in this division, if the 193  
amount of the drug involved equals or exceeds one thousand grams 194  
but is less than five thousand grams, trafficking in marihuana 195

is a felony of the third degree, and division (C) of section 196  
2929.13 of the Revised Code applies in determining whether to 197  
impose a prison term on the offender. If the amount of the drug 198  
involved is within that range and if the offense was committed 199  
in the vicinity of a school or in the vicinity of a juvenile, 200  
trafficking in marihuana is a felony of the second degree, and 201  
there is a presumption that a prison term shall be imposed for 202  
the offense. 203

(e) Except as otherwise provided in this division, if the 204  
amount of the drug involved equals or exceeds five thousand 205  
grams but is less than twenty thousand grams, trafficking in 206  
marihuana is a felony of the third degree, and there is a 207  
presumption that a prison term shall be imposed for the offense. 208  
If the amount of the drug involved is within that range and if 209  
the offense was committed in the vicinity of a school or in the 210  
vicinity of a juvenile, trafficking in marihuana is a felony of 211  
the second degree, and there is a presumption that a prison term 212  
shall be imposed for the offense. 213

(f) Except as otherwise provided in this division, if the 214  
amount of the drug involved equals or exceeds twenty thousand 215  
grams but is less than forty thousand grams, trafficking in 216  
marihuana is a felony of the second degree, and the court shall 217  
impose a mandatory prison term of five, six, seven, or eight 218  
years. If the amount of the drug involved is within that range 219  
and if the offense was committed in the vicinity of a school or 220  
in the vicinity of a juvenile, trafficking in marihuana is a 221  
felony of the first degree, and the court shall impose as a 222  
mandatory prison term the maximum prison term prescribed for a 223  
felony of the first degree. 224

(g) Except as otherwise provided in this division, if the 225



amount of the drug involved equals or exceeds forty thousand 226  
grams, trafficking in marihuana is a felony of the second 227  
degree, and the court shall impose as a mandatory prison term 228  
the maximum prison term prescribed for a felony of the second 229  
degree. If the amount of the drug involved equals or exceeds 230  
forty thousand grams and if the offense was committed in the 231  
vicinity of a school or in the vicinity of a juvenile, 232  
trafficking in marihuana is a felony of the first degree, and 233  
the court shall impose as a mandatory prison term the maximum 234  
prison term prescribed for a felony of the first degree. 235

(h) Except as otherwise provided in this division, if the 236  
offense involves a gift of twenty grams or less of marihuana, 237  
trafficking in marihuana is a minor misdemeanor upon a first 238  
offense and a misdemeanor of the third degree upon a subsequent 239  
offense. If the offense involves a gift of twenty grams or less 240  
of marihuana and if the offense was committed in the vicinity of 241  
a school or in the vicinity of a juvenile, trafficking in 242  
marihuana is a misdemeanor of the third degree. 243

(4) If the drug involved in the violation is cocaine or a 244  
compound, mixture, preparation, or substance containing cocaine, 245  
whoever violates division (A) of this section is guilty of 246  
trafficking in cocaine. The penalty for the offense shall be 247  
determined as follows: 248

(a) Except as otherwise provided in division (C) (4) (b), 249  
(c), (d), (e), or (f), ~~or (g)~~ of this section, trafficking in 250  
cocaine is a felony of the ~~fifth degree, and division (B) of~~ 251  
~~section 2929.13 of the Revised Code applies in determining~~ 252  
~~whether to impose a prison term on the offender~~ third degree and 253  
the court shall impose as a mandatory prison term one of the 254  
prison terms prescribed for a felony of the third degree. 255

(b) Except as otherwise provided in division (C) (4) (c), 256  
(d), (e), or (f), ~~or (g)~~ of this section, if the offense was 257  
committed in the vicinity of a school or in the vicinity of a 258  
juvenile, trafficking in cocaine is a felony of the ~~fourth-~~ 259  
second degree, and ~~division (C) of section 2929.13 of the~~ 260  
~~Revised Code applies in determining whether to impose a prison-~~ 261  
~~term on the offender~~ the court shall impose as a mandatory 262  
prison term one of the prison terms prescribed for a felony of 263  
the second degree. 264

(c) Except as otherwise provided in this division, if the 265  
amount of the drug involved equals or exceeds five grams but is 266  
less than ~~ten~~ twenty-seven grams of cocaine, trafficking in 267  
cocaine is a felony of the ~~fourth~~ second degree, and ~~division-~~ 268  
~~(B) of section 2929.13 of the Revised Code applies in-~~ 269  
~~determining whether to impose a prison term for the offense~~ the 270  
court shall impose as a mandatory prison term one of the prison 271  
terms prescribed for a felony of the second degree. If the 272  
amount of the drug involved is within that range and if the 273  
offense was committed in the vicinity of a school or in the 274  
vicinity of a juvenile, trafficking in cocaine is a felony of 275  
the ~~third~~ second degree, and ~~there is a presumption for a prison-~~ 276  
~~term for the offense~~ the court shall impose as a mandatory 277  
prison term the maximum prison term prescribed for a felony of 278  
the second degree. 279

(d) Except as otherwise provided in this division, if the 280  
amount of the drug involved equals or exceeds ten grams but is 281  
less than ~~twenty~~ twenty-seven grams of cocaine, trafficking in 282  
cocaine is a felony of the ~~third degree~~, and, ~~except as-~~ 283  
~~otherwise provided in this division, there is a presumption for-~~ 284  
~~a prison term for the offense.~~ If trafficking in cocaine is a 285  
~~felony of the third degree under this division and if the~~ 286

offender two or more times previously has been convicted of or 287  
pleaded guilty to a felony drug abuse offense, trafficking in 288  
cocaine is a felony of the first degree and the court shall 289  
impose as a mandatory prison term one of the prison terms 290  
prescribed for a felony of the ~~third~~first degree. If the amount 291  
of the drug involved is within that range and if the offense was 292  
committed in the vicinity of a school or in the vicinity of a 293  
juvenile, ~~trafficking in cocaine is a felony of the second~~ 294  
~~degree, and the court shall impose as a mandatory prison term~~ 295  
~~one of the prison terms prescribed for a felony of the second~~ 296  
~~degree.~~ 297

~~(c) Except as otherwise provided in this division, if the~~ 298  
~~amount of the drug involved equals or exceeds twenty grams but~~ 299  
~~is less than twenty seven grams of cocaine, trafficking in~~ 300  
~~cocaine is a felony of the second degree, and the court shall~~ 301  
~~impose as a mandatory prison term one of the prison terms~~ 302  
~~prescribed for a felony of the second degree.~~ 303

~~If the amount of the drug involved is within that range~~ 304  
~~and if the offense was committed in the vicinity of a school or~~ 305  
~~in the vicinity of a juvenile, trafficking in cocaine is a~~ 306  
~~felony of the first degree, and the court shall impose as a~~ 307  
~~mandatory prison term one of the prison terms prescribed for a~~ 308  
~~felony of the first degree.~~ 309

~~(f)~~(e) If the amount of the drug involved equals or 310  
exceeds twenty-seven grams but is less than one hundred grams ~~of~~ 311  
cocaine, regardless of whether the offender has previously been 312  
convicted of or pleaded guilty to a felony drug abuse offense 313  
and regardless of whether the offense was committed in the 314  
vicinity of a school or in the vicinity of a juvenile, 315  
trafficking in cocaine is a felony of the first degree, and the 316

court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree. 317  
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~~(g)~~ (f) If the amount of the drug involved equals or exceeds one hundred grams ~~of cocaine,~~ regardless of whether the offender has previously been convicted of or pleaded guilty to a felony drug abuse offense and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in cocaine is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree. 319  
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(5) If the drug involved in the violation is L.S.D. or a compound, mixture, preparation, or substance containing L.S.D., whoever violates division (A) of this section is guilty of trafficking in L.S.D. The penalty for the offense shall be determined as follows: 328  
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(a) Except as otherwise provided in division (C) (5) (b), (c), (d), (e), (f), or (g) of this section, trafficking in L.S.D. is a felony of the ~~fifth~~ third degree, and ~~division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender~~ the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. 333  
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(b) Except as otherwise provided in division (C) (5) (c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the ~~fourth~~ second degree, and ~~division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender~~ the court shall impose as a mandatory prison term one 340  
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of the prison terms prescribed for a felony of the second 347  
degree. 348

(c) Except as otherwise provided in this division, if the 349  
amount of the drug involved equals or exceeds ten unit doses but 350  
is less than ~~fifty-one thousand~~ unit doses of L.S.D. in a solid 351  
form or equals or exceeds one gram but is less than ~~five-one~~ 352  
hundred grams of L.S.D. in a liquid concentrate, liquid extract, 353  
or liquid distillate form, trafficking in L.S.D. is a felony of 354  
the ~~fourth~~ second degree, and ~~division (B) of section 2929.13 of~~ 355  
~~the Revised Code applies in determining whether to impose a~~ 356  
~~prison term for the offense~~ the court shall impose as a 357  
mandatory prison term one of the prison terms prescribed for a 358  
felony of the second degree. If the amount of the drug involved 359  
~~is within that range~~ equals or exceeds ten unit doses but is 360  
less than two hundred fifty unit doses of L.S.D. in solid form 361  
or equals or exceeds one gram but is less than twenty-five grams 362  
of L.S.D. in a liquid concentrate, liquid extract, or liquid 363  
distillate form, and if the offense was committed in the 364  
vicinity of a school or in the vicinity of a juvenile, 365  
trafficking in L.S.D. is a felony of the ~~third~~ second degree, 366  
and ~~there is a presumption for a prison term for the offense~~ the 367  
court shall impose as a mandatory prison term the maximum prison 368  
term prescribed for a felony of the second degree. 369

(d) Except as otherwise provided in this division, if the 370  
amount of the drug involved equals or exceeds fifty unit doses 371  
but is less than ~~two hundred fifty-one thousand~~ unit doses of 372  
L.S.D. in a solid form or equals or exceeds five grams but is 373  
less than ~~twenty-five one hundred~~ grams of L.S.D. in a liquid 374  
concentrate, liquid extract, or liquid distillate form, 375  
~~trafficking in L.S.D. is a felony of the third degree, and,~~ 376  
~~except as otherwise provided in this division, there is a~~ 377

~~presumption for a prison term for the offense. If trafficking in L.S.D. is a felony of the third degree under this division and if the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense, trafficking in L.S.D. is a felony of the first degree and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the ~~third~~first degree. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, ~~trafficking in L.S.D. is a felony of the second degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree.~~~~

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

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

concentrate, liquid extract, or liquid distillate form, 409  
regardless of whether the offender has previously been convicted 410  
of or pleaded guilty to a felony drug abuse offense and 411  
regardless of whether the offense was committed in the vicinity 412  
of a school or in the vicinity of a juvenile, trafficking in 413  
L.S.D. is a felony of the first degree, and the court shall 414  
impose as a mandatory prison term one of the prison terms 415  
prescribed for a felony of the first degree. 416

(g) If the amount of the drug involved equals or exceeds 417  
five thousand unit doses of L.S.D. in a solid form or equals or 418  
exceeds five hundred grams of L.S.D. in a liquid concentrate, 419  
liquid extract, or liquid distillate form, regardless of whether 420  
the offender has previously been convicted of or pleaded guilty 421  
to a felony drug abuse offense and regardless of whether the 422  
offense was committed in the vicinity of a school or in the 423  
vicinity of a juvenile, trafficking in L.S.D. is a felony of the 424  
first degree, the offender is a major drug offender, and the 425  
court shall impose as a mandatory prison term the maximum prison 426  
term prescribed for a felony of the first degree. 427

(6) If the drug involved in the violation is heroin or a 428  
compound, mixture, preparation, or substance containing heroin, 429  
whoever violates division (A) of this section is guilty of 430  
trafficking in heroin. The penalty for the offense shall be 431  
determined as follows: 432

(a) Except as otherwise provided in division (C) (6) (b), 433  
(c), or (d), ~~(e), (f), or (g)~~ of this section, trafficking in 434  
heroin is a felony of the ~~fifth~~ third degree, and ~~division (B)~~ 435  
~~of section 2929.13 of the Revised Code applies in determining~~ 436  
~~whether to impose a prison term on the offender~~ the court shall 437  
impose as a mandatory prison term one of the prison terms 438

prescribed for a felony of the third degree. 439

(b) Except as otherwise provided in division (C) (6) (c) ~~7~~ or 440  
(d) ~~, (e), (f), or (g)~~ of this section, if the offense was 441  
committed in the vicinity of a school or in the vicinity of a 442  
juvenile, trafficking in heroin is a felony of the ~~fourth~~ second 443  
degree, and ~~division (C) of section 2929.13 of the Revised Code~~ 444  
~~applies in determining whether to impose a prison term on the~~ 445  
~~offender the court shall impose as a mandatory prison term one~~ 446  
~~of the prison terms prescribed for a felony of the second~~ 447  
~~degree.~~ 448

(c) Except as otherwise provided in this division, if the 449  
amount of the drug involved equals or exceeds ten unit doses but 450  
is less than fifty unit doses or equals or exceeds one gram but 451  
is less than five grams, trafficking in heroin is a felony of 452  
the ~~fourth~~ degree, and ~~division (B) of section 2929.13 of the~~ 453  
~~Revised Code applies in determining whether to impose a prison~~ 454  
~~term for the offense~~ second degree and the court shall impose as 455  
a mandatory prison term one of the prison terms prescribed for a 456  
felony of the second degree. If the amount of the drug involved 457  
is within that range and if the offense was committed in the 458  
vicinity of a school or in the vicinity of a juvenile, 459  
trafficking in heroin is a felony of the ~~third~~ second degree, 460  
and ~~there is a presumption for a prison term for the offense~~ the 461  
court shall impose as a mandatory prison term the maximum prison 462  
term prescribed for a felony of the second degree. 463

(d) ~~Except as otherwise provided in this division, if~~ If 464  
the amount of the drug involved equals or exceeds fifty unit 465  
doses ~~but is less than one hundred unit doses~~ or equals or 466  
exceeds five grams ~~but is less than ten grams~~, trafficking in 467  
heroin is a felony of the ~~third~~ degree, and ~~there is a~~ 468



~~presumption for a prison term for the offense. If the amount of  
the drug involved is within that range and if the offense was  
committed in the vicinity of a school or in the vicinity of a  
juvenile, trafficking in heroin is a felony of the second  
degree, and there is a presumption for a prison term for the  
offense.~~

~~(e) Except as otherwise provided in this division, if the  
amount of the drug involved equals or exceeds one hundred unit  
doses but is less than five hundred unit doses or equals or  
exceeds ten grams but is less than fifty grams, trafficking in  
heroin is a felony of the second degree, and the court shall  
impose as a mandatory prison term one of the prison terms  
prescribed for a felony of the second degree. If the amount of  
the drug involved is within that range and if the offense was  
committed in the vicinity of a school or in the vicinity of a  
juvenile, trafficking in heroin is a felony of the first degree,  
and the court shall impose as a mandatory prison term one of the  
prison terms prescribed for a felony of the first degree.~~

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

~~(g) If the amount of the drug involved equals or exceeds  
one thousand unit doses or equals or exceeds one hundred grams  
and regardless of whether the offense was committed in the  
vicinity of a school or in the vicinity of a juvenile,~~

trafficking in heroin is a felony of the first degree, the 499  
offender is a major drug offender, and the court shall impose as 500  
a mandatory prison term the maximum prison term prescribed for a 501  
felony of the first degree. 502

(7) If the drug involved in the violation is hashish or a 503  
compound, mixture, preparation, or substance containing hashish, 504  
whoever violates division (A) of this section is guilty of 505  
trafficking in hashish. The penalty for the offense shall be 506  
determined as follows: 507

(a) Except as otherwise provided in division (C) (7) (b), 508  
(c), or (d), ~~(e), (f), or (g)~~ of this section, trafficking in 509  
hashish is a felony of the ~~fifth~~ third degree, and ~~division (B)~~ 510  
~~of section 2929.13 of the Revised Code applies in determining~~ 511  
~~whether to impose a prison term on the offender~~ the court shall 512  
impose as a mandatory prison term one of the prison terms 513  
prescribed for a felony of the third degree. 514

(b) Except as otherwise provided in division (C) (7) (c) ~~7~~ or 515  
(d), ~~(e), (f), or (g)~~ of this section, if the offense was 516  
committed in the vicinity of a school or in the vicinity of a 517  
juvenile, trafficking in hashish is a felony of the ~~fourth~~ 518  
~~second~~ degree, and ~~division (B) of section 2929.13 of the~~ 519  
~~Revised Code applies in determining whether to impose a prison~~ 520  
~~term on the offender~~ the court shall impose as a mandatory 521  
prison term one of the prison terms prescribed for a felony of 522  
the second degree. 523

(c) Except as otherwise provided in this division, if the 524  
amount of the drug involved equals or exceeds ten grams but is 525  
less than ~~fifty~~ one thousand grams of hashish in a solid form or 526  
equals or exceeds two grams but is less than ~~ten~~ two hundred 527  
grams of hashish in a liquid concentrate, liquid extract, or 528

liquid distillate form, trafficking in hashish is a felony of 529  
the ~~fourth~~ second degree, and ~~division (B) of section 2929.13 of~~ 530  
~~the Revised Code applies in determining whether to impose a~~ 531  
~~prison term on the offender~~ the court shall impose as a 532  
mandatory prison term one of the prison terms prescribed for a 533  
felony of the second degree. If the amount of the drug involved 534  
is within that range and if the offense was committed in the 535  
vicinity of a school or in the vicinity of a juvenile, 536  
trafficking in hashish is a felony of the ~~third~~ second degree, 537  
and ~~division (C) of section 2929.13 of the Revised Code applies~~ 538  
~~in determining whether to impose a prison term on the offender~~ 539  
the court shall impose as a mandatory prison term the maximum 540  
prison term prescribed for a felony of the second degree. 541

(d) ~~Except as otherwise provided in this division, if the~~ 542  
~~amount of the drug involved equals or exceeds fifty grams but is~~ 543  
~~less than two hundred fifty grams of hashish in a solid form or~~ 544  
~~equals or exceeds ten grams but is less than fifty grams of~~ 545  
~~hashish in a liquid concentrate, liquid extract, or liquid~~ 546  
~~distillate form, trafficking in hashish is a felony of the third~~ 547  
~~degree, and division (C) of section 2929.13 of the Revised Code~~ 548  
~~applies in determining whether to impose a prison term on the~~ 549  
~~offender. If the amount of the drug involved is within that~~ 550  
~~range and if the offense was committed in the vicinity of a~~ 551  
~~school or in the vicinity of a juvenile, trafficking in hashish~~ 552  
~~is a felony of the second degree, and there is a presumption~~ 553  
~~that a prison term shall be imposed for the offense.~~ 554

(e) ~~Except as otherwise provided in this division, if the~~ 555  
~~amount of the drug involved equals or exceeds two hundred fifty~~ 556  
~~grams but is less than one thousand grams of hashish in a solid~~ 557  
~~form or equals or exceeds fifty grams but is less than two~~ 558  
~~hundred grams of hashish in a liquid concentrate, liquid~~ 559

~~extract, or liquid distillate form, trafficking in hashish is a~~ 560  
~~felony of the third degree, and there is a presumption that a~~ 561  
~~prison term shall be imposed for the offense. If the amount of~~ 562  
~~the drug involved is within that range and if the offense was~~ 563  
~~committed in the vicinity of a school or in the vicinity of a~~ 564  
~~juvenile, trafficking in hashish is a felony of the second~~ 565  
~~degree, and there is a presumption that a prison term shall be~~ 566  
~~imposed for the offense.~~ 567

~~(f) Except as otherwise provided in this division, if If~~ 568  
~~the amount of the drug involved equals or exceeds one thousand~~ 569  
~~grams but is less than two thousand grams of hashish in a solid~~ 570  
~~form or equals or exceeds two hundred grams but is less than~~ 571  
~~four hundred grams of hashish in a liquid concentrate, liquid~~ 572  
~~extract, or liquid distillate form, trafficking in hashish is a~~ 573  
~~felony of the second degree, and the court shall impose a~~ 574  
~~mandatory prison term of five, six, seven, or eight years. If~~ 575  
~~the amount of the drug involved is within that range and if the~~ 576  
~~offense was committed in the vicinity of a school or in the~~ 577  
~~vicinity of a juvenile, trafficking in hashish is a felony of~~ 578  
~~the first degree, and the court shall impose as a mandatory~~ 579  
~~prison term the maximum prison term prescribed for a felony of~~ 580  
~~the first degree.~~ 581

~~(g) Except as otherwise provided in this division, if the~~ 582  
~~amount of the drug involved equals or exceeds two thousand grams~~ 583  
~~of hashish in a solid form or equals or exceeds four hundred~~ 584  
~~grams of hashish in a liquid concentrate, liquid extract, or~~ 585  
~~liquid distillate form, trafficking in hashish is a felony of~~ 586  
~~the second degree, and the court shall impose as a mandatory~~ 587  
~~prison term the maximum prison term prescribed for a felony of~~ 588  
~~the second degree. If the amount of the drug involved equals or~~ 589  
~~exceeds two thousand grams of hashish in a solid form or equals~~ 590

~~or exceeds four hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in hashish is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree.~~ 591-597

(8) If the drug involved in the violation is a controlled substance analog or compound, mixture, preparation, or substance that contains a controlled substance analog, whoever violates division (A) of this section is guilty of trafficking in a controlled substance analog. The penalty for the offense shall be determined as follows: 598-603

(a) Except as otherwise provided in division (C) (8) (b), (c), (d), (e), or (f), ~~or (g)~~ of this section, trafficking in a controlled substance analog is a felony of the ~~fourth~~ third degree, and ~~division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender~~ the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. 604-610

(b) Except as otherwise provided in division (C) (8) (c), (d), (e), or (f), ~~or (g)~~ of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a controlled substance analog is a felony of the ~~fourth~~ second degree, and ~~division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender~~ the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree. 611-619

(c) Except as otherwise provided in this division, if the 620

amount of the drug involved equals or exceeds ten grams but is 621  
less than ~~twenty-fourty~~ grams, trafficking in a controlled 622  
substance analog is a felony of the ~~fourth~~ second degree, and 623  
~~division (B) of section 2929.13 of the Revised Code applies in-~~ 624  
~~determining whether to impose a prison term for the offense~~ the 625  
court shall impose as a mandatory sentence one of the prison 626  
terms prescribed for a felony of the second degree. If the 627  
amount of the drug involved ~~is within that range~~ equals or 628  
exceeds ten grams but is less than thirty grams and if the 629  
offense was committed in the vicinity of a school or in the 630  
vicinity of a juvenile, trafficking in a controlled substance 631  
analog is a felony of the ~~third~~ second degree, and ~~there is a~~ 632  
~~presumption for a prison term for the offense~~ the court shall 633  
impose as a mandatory prison term the maximum prison term 634  
prescribed for a felony of the second degree. 635

(d) ~~Except as otherwise provided in this division, if the~~ 636  
~~amount of the drug involved equals or exceeds twenty grams but~~ 637  
~~is less than thirty grams, trafficking in a controlled substance~~ 638  
~~analog is a felony of the third degree, and there is a~~ 639  
~~presumption for a prison term for the offense. If the amount of~~ 640  
~~the drug involved is within that range and if the offense was~~ 641  
~~committed in the vicinity of a school or in the vicinity of a~~ 642  
~~juvenile, trafficking in a controlled substance analog is a~~ 643  
~~felony of the second degree, and there is a presumption for a~~ 644  
~~prison term for the offense.~~ 645

(e) ~~Except as otherwise provided in this division, if the~~ 646  
amount of the drug involved equals or exceeds thirty grams but 647  
is less than forty grams, ~~trafficking in a controlled substance~~ 648  
~~analog is a felony of the second degree, and the court shall~~ 649  
~~impose as a mandatory prison term one of the prison terms~~ 650  
~~prescribed for a felony of the second degree. If the amount of~~ 651

~~the drug involved is within that range~~ and if the offense was 652  
committed in the vicinity of a school or in the vicinity of a 653  
juvenile, trafficking in a controlled substance analog is a 654  
felony of the first degree, and the court shall impose as a 655  
mandatory prison term one of the prison terms prescribed for a 656  
felony of the first degree. 657

~~(f)~~ (e) If the amount of the drug involved equals or 658  
exceeds forty grams but is less than fifty grams and regardless 659  
of whether the offense was committed in the vicinity of a school 660  
or in the vicinity of a juvenile, trafficking in a controlled 661  
substance analog is a felony of the first degree, and the court 662  
shall impose as a mandatory prison term one of the prison terms 663  
prescribed for a felony of the first degree. 664

~~(g)~~ (f) If the amount of the drug involved equals or 665  
exceeds fifty grams and regardless of whether the offense was 666  
committed in the vicinity of a school or in the vicinity of a 667  
juvenile, trafficking in a controlled substance analog is a 668  
felony of the first degree, the offender is a major drug 669  
offender, and the court shall impose as a mandatory prison term 670  
the maximum prison term prescribed for a felony of the first 671  
degree. 672

(D) In addition to any prison term authorized or required 673  
by division (C) of this section and sections 2929.13 and 2929.14 674  
of the Revised Code, and in addition to any other sanction 675  
imposed for the offense under this section or sections 2929.11 676  
to 2929.18 of the Revised Code, the court that sentences an 677  
offender who is convicted of or pleads guilty to a violation of 678  
division (A) of this section may suspend the driver's or 679  
commercial driver's license or permit of the offender in 680  
accordance with division (G) of this section. However, if the 681

offender pleaded guilty to or was convicted of a violation of 682  
section 4511.19 of the Revised Code or a substantially similar 683  
municipal ordinance or the law of another state or the United 684  
States arising out of the same set of circumstances as the 685  
violation, the court shall suspend the offender's driver's or 686  
commercial driver's license or permit in accordance with 687  
division (G) of this section. If applicable, the court also 688  
shall do the following: 689

(1) If the violation of division (A) of this section is a 690  
felony of the first, second, or third degree, the court shall 691  
impose upon the offender the mandatory fine specified for the 692  
offense under division (B)(1) of section 2929.18 of the Revised 693  
Code unless, as specified in that division, the court determines 694  
that the offender is indigent. Except as otherwise provided in 695  
division (H)(1) of this section, a mandatory fine or any other 696  
fine imposed for a violation of this section is subject to 697  
division (F) of this section. If a person is charged with a 698  
violation of this section that is a felony of the first, second, 699  
or third degree, posts bail, and forfeits the bail, the clerk of 700  
the court shall pay the forfeited bail pursuant to divisions (D) 701  
(1) and (F) of this section, as if the forfeited bail was a fine 702  
imposed for a violation of this section. If any amount of the 703  
forfeited bail remains after that payment and if a fine is 704  
imposed under division (H)(1) of this section, the clerk of the 705  
court shall pay the remaining amount of the forfeited bail 706  
pursuant to divisions (H)(2) and (3) of this section, as if that 707  
remaining amount was a fine imposed under division (H)(1) of 708  
this section. 709

(2) If the offender is a professionally licensed person, 710  
the court immediately shall comply with section 2925.38 of the 711  
Revised Code. 712



(E) When a person is charged with the sale of or offer to 713  
sell a bulk amount or a multiple of a bulk amount of a 714  
controlled substance, the jury, or the court trying the accused, 715  
shall determine the amount of the controlled substance involved 716  
at the time of the offense and, if a guilty verdict is returned, 717  
shall return the findings as part of the verdict. In any such 718  
case, it is unnecessary to find and return the exact amount of 719  
the controlled substance involved, and it is sufficient if the 720  
finding and return is to the effect that the amount of the 721  
controlled substance involved is the requisite amount, or that 722  
the amount of the controlled substance involved is less than the 723  
requisite amount. 724

(F) (1) Notwithstanding any contrary provision of section 725  
3719.21 of the Revised Code and except as provided in division 726  
(H) of this section, the clerk of the court shall pay any 727  
mandatory fine imposed pursuant to division (D) (1) of this 728  
section and any fine other than a mandatory fine that is imposed 729  
for a violation of this section pursuant to division (A) or (B) 730  
(5) of section 2929.18 of the Revised Code to the county, 731  
township, municipal corporation, park district, as created 732  
pursuant to section 511.18 or 1545.04 of the Revised Code, or 733  
state law enforcement agencies in this state that primarily were 734  
responsible for or involved in making the arrest of, and in 735  
prosecuting, the offender. However, the clerk shall not pay a 736  
mandatory fine so imposed to a law enforcement agency unless the 737  
agency has adopted a written internal control policy under 738  
division (F) (2) of this section that addresses the use of the 739  
fine moneys that it receives. Each agency shall use the 740  
mandatory fines so paid to subsidize the agency's law 741  
enforcement efforts that pertain to drug offenses, in accordance 742  
with the written internal control policy adopted by the 743

recipient agency under division (F) (2) of this section. 744

(2) Prior to receiving any fine moneys under division (F) 745  
(1) of this section or division (B) of section 2925.42 of the 746  
Revised Code, a law enforcement agency shall adopt a written 747  
internal control policy that addresses the agency's use and 748  
disposition of all fine moneys so received and that provides for 749  
the keeping of detailed financial records of the receipts of 750  
those fine moneys, the general types of expenditures made out of 751  
those fine moneys, and the specific amount of each general type 752  
of expenditure. The policy shall not provide for or permit the 753  
identification of any specific expenditure that is made in an 754  
ongoing investigation. All financial records of the receipts of 755  
those fine moneys, the general types of expenditures made out of 756  
those fine moneys, and the specific amount of each general type 757  
of expenditure by an agency are public records open for 758  
inspection under section 149.43 of the Revised Code. 759  
Additionally, a written internal control policy adopted under 760  
this division is such a public record, and the agency that 761  
adopted it shall comply with it. 762

(3) As used in division (F) of this section: 763

(a) "Law enforcement agencies" includes, but is not 764  
limited to, the state board of pharmacy and the office of a 765  
prosecutor. 766

(b) "Prosecutor" has the same meaning as in section 767  
2935.01 of the Revised Code. 768

(G) (1) If the sentencing court suspends the offender's 769  
driver's or commercial driver's license or permit under division 770  
(D) of this section or any other provision of this chapter, the 771  
court shall suspend the license, by order, for not more than 772

five years. If an offender's driver's or commercial driver's 773  
license or permit is suspended pursuant to this division, the 774  
offender, at any time after the expiration of two years from the 775  
day on which the offender's sentence was imposed or from the day 776  
on which the offender finally was released from a prison term 777  
under the sentence, whichever is later, may file a motion with 778  
the sentencing court requesting termination of the suspension; 779  
upon the filing of such a motion and the court's finding of good 780  
cause for the termination, the court may terminate the 781  
suspension. 782

(2) Any offender who received a mandatory suspension of 783  
the offender's driver's or commercial driver's license or permit 784  
under this section prior to ~~the effective date of this amendment~~ 785  
September 13, 2016, may file a motion with the sentencing court 786  
requesting the termination of the suspension. However, an 787  
offender who pleaded guilty to or was convicted of a violation 788  
of section 4511.19 of the Revised Code or a substantially 789  
similar municipal ordinance or law of another state or the 790  
United States that arose out of the same set of circumstances as 791  
the violation for which the offender's license or permit was 792  
suspended under this section shall not file such a motion. 793

Upon the filing of a motion under division (G)(2) of this 794  
section, the sentencing court, in its discretion, may terminate 795  
the suspension. 796

(H)(1) In addition to any prison term authorized or 797  
required by division (C) of this section and sections 2929.13 798  
and 2929.14 of the Revised Code, in addition to any other 799  
penalty or sanction imposed for the offense under this section 800  
or sections 2929.11 to 2929.18 of the Revised Code, and in 801  
addition to the forfeiture of property in connection with the 802

offense as prescribed in Chapter 2981. of the Revised Code, the 803  
court that sentences an offender who is convicted of or pleads 804  
guilty to a violation of division (A) of this section may impose 805  
upon the offender an additional fine specified for the offense 806  
in division (B) (4) of section 2929.18 of the Revised Code. A 807  
fine imposed under division (H) (1) of this section is not 808  
subject to division (F) of this section and shall be used solely 809  
for the support of one or more eligible community addiction 810  
services providers in accordance with divisions (H) (2) and (3) 811  
of this section. 812

(2) The court that imposes a fine under division (H) (1) of 813  
this section shall specify in the judgment that imposes the fine 814  
one or more eligible community addiction services providers for 815  
the support of which the fine money is to be used. No community 816  
addiction services provider shall receive or use money paid or 817  
collected in satisfaction of a fine imposed under division (H) 818  
(1) of this section unless the services provider is specified in 819  
the judgment that imposes the fine. No community addiction 820  
services provider shall be specified in the judgment unless the 821  
services provider is an eligible community addiction services 822  
provider and, except as otherwise provided in division (H) (2) of 823  
this section, unless the services provider is located in the 824  
county in which the court that imposes the fine is located or in 825  
a county that is immediately contiguous to the county in which 826  
that court is located. If no eligible community addiction 827  
services provider is located in any of those counties, the 828  
judgment may specify an eligible community addiction services 829  
provider that is located anywhere within this state. 830

(3) Notwithstanding any contrary provision of section 831  
3719.21 of the Revised Code, the clerk of the court shall pay 832  
any fine imposed under division (H) (1) of this section to the 833

eligible community addiction services provider specified 834  
pursuant to division (H) (2) of this section in the judgment. The 835  
eligible community addiction services provider that receives the 836  
fine moneys shall use the moneys only for the alcohol and drug 837  
addiction services identified in the application for 838  
certification of services under section 5119.36 of the Revised 839  
Code or in the application for a license under section 5119.391 840  
of the Revised Code filed with the department of mental health 841  
and addiction services by the community addiction services 842  
provider specified in the judgment. 843

(4) Each community addiction services provider that 844  
receives in a calendar year any fine moneys under division (H) 845  
(3) of this section shall file an annual report covering that 846  
calendar year with the court of common pleas and the board of 847  
county commissioners of the county in which the services 848  
provider is located, with the court of common pleas and the 849  
board of county commissioners of each county from which the 850  
services provider received the moneys if that county is 851  
different from the county in which the services provider is 852  
located, and with the attorney general. The community addiction 853  
services provider shall file the report no later than the first 854  
day of March in the calendar year following the calendar year in 855  
which the services provider received the fine moneys. The report 856  
shall include statistics on the number of persons served by the 857  
community addiction services provider, identify the types of 858  
alcohol and drug addiction services provided to those persons, 859  
and include a specific accounting of the purposes for which the 860  
fine moneys received were used. No information contained in the 861  
report shall identify, or enable a person to determine the 862  
identity of, any person served by the community addiction 863  
services provider. Each report received by a court of common 864

pleas, a board of county commissioners, or the attorney general 865  
is a public record open for inspection under section 149.43 of 866  
the Revised Code. 867

(5) As used in divisions (H) (1) to (5) of this section: 868

(a) "Community addiction services provider" and "alcohol 869  
and drug addiction services" have the same meanings as in 870  
section 5119.01 of the Revised Code. 871

(b) "Eligible community addiction services provider" means 872  
a community addiction services provider, as defined in section 873  
5119.01 of the Revised Code, or a community addiction services 874  
provider that maintains a methadone treatment program licensed 875  
under section 5119.391 of the Revised Code. 876

(I) As used in this section, "drug" includes any substance 877  
that is represented to be a drug. 878

(J) It is an affirmative defense to a charge of 879  
trafficking in a controlled substance analog under division (C) 880  
(8) of this section that the person charged with violating that 881  
offense sold or offered to sell, or prepared for shipment, 882  
shipped, transported, delivered, prepared for distribution, or 883  
distributed an item described in division (HH) (2) (a), (b), or 884  
(c) of section 3719.01 of the Revised Code. 885

**Section 2.** That existing section 2925.03 of the Revised 886  
Code is hereby repealed. 887

**Section 3.** The amendments to section 2925.03 of the 888  
Revised Code by this act shall be known as the "Drug Trafficking 889  
Deterrence Act." 890

**Section 4.** Section 2925.03 of the Revised Code is 891  
presented in this act as a composite of the section as amended 892

by Am. Sub. H.B. 64, H.B. 171, and Sub. S.B. 204, all of the 893  
131st General Assembly. The General Assembly, applying the 894  
principle stated in division (B) of section 1.52 of the Revised 895  
Code that amendments are to be harmonized if reasonably capable 896  
of simultaneous operation, finds that the composite is the 897  
resulting version of the section in effect prior to the 898  
effective date of the section as presented in this act. 899