

**As Passed by the Senate**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. S. B. No. 55**

**Senator Gavarone**

**Cosponsors: Senators Fedor, O'Brien, Coley, Brenner, Hackett, Hoagland,  
Huffman, S., McColley, Roegner, Rulli, Schaffer, Schuring, Terhar, Uecker, Wilson**

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**A BILL**

To amend sections 2925.01 and 2925.03 of the 1  
Revised Code to enhance penalties for certain 2  
drug trafficking offenses committed in the 3  
vicinity of a substance addiction services 4  
provider and to name the act's provisions the 5  
"Relapse Reduction Act." 6

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

**Section 1.** That sections 2925.01 and 2925.03 of the 7  
Revised Code be amended to read as follows: 8

**Sec. 2925.01.** As used in this chapter: 9

(A) "Administer," "controlled substance," "controlled 10  
substance analog," "dispense," "distribute," "hypodermic," 11  
"manufacturer," "official written order," "person," 12  
"pharmacist," "pharmacy," "sale," "schedule I," "schedule II," 13  
"schedule III," "schedule IV," "schedule V," and "wholesaler" 14  
have the same meanings as in section 3719.01 of the Revised 15  
Code. 16

(B) "Drug dependent person" and "drug of abuse" have the 17

same meanings as in section 3719.011 of the Revised Code. 18

(C) "Drug," "dangerous drug," "licensed health 19  
professional authorized to prescribe drugs," and "prescription" 20  
have the same meanings as in section 4729.01 of the Revised 21  
Code. 22

(D) "Bulk amount" of a controlled substance means any of 23  
the following: 24

(1) For any compound, mixture, preparation, or substance 25  
included in schedule I, schedule II, or schedule III, with the 26  
exception of any controlled substance analog, marihuana, 27  
cocaine, L.S.D., heroin, any fentanyl-related compound, and 28  
hashish and except as provided in division (D) (2), (5), or (6) 29  
of this section, whichever of the following is applicable: 30

(a) An amount equal to or exceeding ten grams or twenty- 31  
five unit doses of a compound, mixture, preparation, or 32  
substance that is or contains any amount of a schedule I opiate 33  
or opium derivative; 34

(b) An amount equal to or exceeding ten grams of a 35  
compound, mixture, preparation, or substance that is or contains 36  
any amount of raw or gum opium; 37

(c) An amount equal to or exceeding thirty grams or ten 38  
unit doses of a compound, mixture, preparation, or substance 39  
that is or contains any amount of a schedule I hallucinogen 40  
other than tetrahydrocannabinol or lysergic acid amide, or a 41  
schedule I stimulant or depressant; 42

(d) An amount equal to or exceeding twenty grams or five 43  
times the maximum daily dose in the usual dose range specified 44  
in a standard pharmaceutical reference manual of a compound, 45  
mixture, preparation, or substance that is or contains any 46

amount of a schedule II opiate or opium derivative; 47

(e) An amount equal to or exceeding five grams or ten unit 48  
doses of a compound, mixture, preparation, or substance that is 49  
or contains any amount of phencyclidine; 50

(f) An amount equal to or exceeding one hundred twenty 51  
grams or thirty times the maximum daily dose in the usual dose 52  
range specified in a standard pharmaceutical reference manual of 53  
a compound, mixture, preparation, or substance that is or 54  
contains any amount of a schedule II stimulant that is in a 55  
final dosage form manufactured by a person authorized by the 56  
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 57  
U.S.C.A. 301, as amended, and the federal drug abuse control 58  
laws, as defined in section 3719.01 of the Revised Code, that is 59  
or contains any amount of a schedule II depressant substance or 60  
a schedule II hallucinogenic substance; 61

(g) An amount equal to or exceeding three grams of a 62  
compound, mixture, preparation, or substance that is or contains 63  
any amount of a schedule II stimulant, or any of its salts or 64  
isomers, that is not in a final dosage form manufactured by a 65  
person authorized by the Federal Food, Drug, and Cosmetic Act 66  
and the federal drug abuse control laws. 67

(2) An amount equal to or exceeding one hundred twenty 68  
grams or thirty times the maximum daily dose in the usual dose 69  
range specified in a standard pharmaceutical reference manual of 70  
a compound, mixture, preparation, or substance that is or 71  
contains any amount of a schedule III or IV substance other than 72  
an anabolic steroid or a schedule III opiate or opium 73  
derivative; 74

(3) An amount equal to or exceeding twenty grams or five 75

times the maximum daily dose in the usual dose range specified 76  
in a standard pharmaceutical reference manual of a compound, 77  
mixture, preparation, or substance that is or contains any 78  
amount of a schedule III opiate or opium derivative; 79

(4) An amount equal to or exceeding two hundred fifty 80  
milliliters or two hundred fifty grams of a compound, mixture, 81  
preparation, or substance that is or contains any amount of a 82  
schedule V substance; 83

(5) An amount equal to or exceeding two hundred solid 84  
dosage units, sixteen grams, or sixteen milliliters of a 85  
compound, mixture, preparation, or substance that is or contains 86  
any amount of a schedule III anabolic steroid; 87

(6) For any compound, mixture, preparation, or substance 88  
that is a combination of a fentanyl-related compound and any 89  
other compound, mixture, preparation, or substance included in 90  
schedule III, schedule IV, or schedule V, if the defendant is 91  
charged with a violation of section 2925.11 of the Revised Code 92  
and the sentencing provisions set forth in divisions (C) (10) (b) 93  
and (C) (11) of that section will not apply regarding the 94  
defendant and the violation, the bulk amount of the controlled 95  
substance for purposes of the violation is the amount specified 96  
in division (D) (1), (2), (3), (4), or (5) of this section for 97  
the other schedule III, IV, or V controlled substance that is 98  
combined with the fentanyl-related compound. 99

(E) "Unit dose" means an amount or unit of a compound, 100  
mixture, or preparation containing a controlled substance that 101  
is separately identifiable and in a form that indicates that it 102  
is the amount or unit by which the controlled substance is 103  
separately administered to or taken by an individual. 104

(F) "Cultivate" includes planting, watering, fertilizing,	105
or tilling.	106
(G) "Drug abuse offense" means any of the following:	107
(1) A violation of division (A) of section 2913.02 that	108
constitutes theft of drugs, or a violation of section 2925.02,	109
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12,	110
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36,	111
or 2925.37 of the Revised Code;	112
(2) A violation of an existing or former law of this or	113
any other state or of the United States that is substantially	114
equivalent to any section listed in division (G) (1) of this	115
section;	116
(3) An offense under an existing or former law of this or	117
any other state, or of the United States, of which planting,	118
cultivating, harvesting, processing, making, manufacturing,	119
producing, shipping, transporting, delivering, acquiring,	120
possessing, storing, distributing, dispensing, selling, inducing	121
another to use, administering to another, using, or otherwise	122
dealing with a controlled substance is an element;	123
(4) A conspiracy to commit, attempt to commit, or	124
complicity in committing or attempting to commit any offense	125
under division (G) (1), (2), or (3) of this section.	126
(H) "Felony drug abuse offense" means any drug abuse	127
offense that would constitute a felony under the laws of this	128
state, any other state, or the United States.	129
(I) "Harmful intoxicant" does not include beer or	130
intoxicating liquor but means any of the following:	131
(1) Any compound, mixture, preparation, or substance the	132

gas, fumes, or vapor of which when inhaled can induce	133
intoxication, excitement, giddiness, irrational behavior,	134
depression, stupefaction, paralysis, unconsciousness,	135
asphyxiation, or other harmful physiological effects, and	136
includes, but is not limited to, any of the following:	137
(a) Any volatile organic solvent, plastic cement, model	138
cement, fingernail polish remover, lacquer thinner, cleaning	139
fluid, gasoline, or other preparation containing a volatile	140
organic solvent;	141
(b) Any aerosol propellant;	142
(c) Any fluorocarbon refrigerant;	143
(d) Any anesthetic gas.	144
(2) Gamma Butyrolactone;	145
(3) 1,4 Butanediol.	146
(J) "Manufacture" means to plant, cultivate, harvest,	147
process, make, prepare, or otherwise engage in any part of the	148
production of a drug, by propagation, extraction, chemical	149
synthesis, or compounding, or any combination of the same, and	150
includes packaging, repackaging, labeling, and other activities	151
incident to production.	152
(K) "Possess" or "possession" means having control over a	153
thing or substance, but may not be inferred solely from mere	154
access to the thing or substance through ownership or occupation	155
of the premises upon which the thing or substance is found.	156
(L) "Sample drug" means a drug or pharmaceutical	157
preparation that would be hazardous to health or safety if used	158
without the supervision of a licensed health professional	159
authorized to prescribe drugs, or a drug of abuse, and that, at	160

one time, had been placed in a container plainly marked as a 161  
sample by a manufacturer. 162

(M) "Standard pharmaceutical reference manual" means the 163  
current edition, with cumulative changes if any, of references 164  
that are approved by the state board of pharmacy. 165

(N) "Juvenile" means a person under eighteen years of age. 166

(O) "Counterfeit controlled substance" means any of the 167  
following: 168

(1) Any drug that bears, or whose container or label 169  
bears, a trademark, trade name, or other identifying mark used 170  
without authorization of the owner of rights to that trademark, 171  
trade name, or identifying mark; 172

(2) Any unmarked or unlabeled substance that is 173  
represented to be a controlled substance manufactured, 174  
processed, packed, or distributed by a person other than the 175  
person that manufactured, processed, packed, or distributed it; 176

(3) Any substance that is represented to be a controlled 177  
substance but is not a controlled substance or is a different 178  
controlled substance; 179

(4) Any substance other than a controlled substance that a 180  
reasonable person would believe to be a controlled substance 181  
because of its similarity in shape, size, and color, or its 182  
markings, labeling, packaging, distribution, or the price for 183  
which it is sold or offered for sale. 184

(P) An offense is "committed in the vicinity of a school" 185  
if the offender commits the offense on school premises, in a 186  
school building, or within one thousand feet of the boundaries 187  
of any school premises, regardless of whether the offender knows 188

the offense is being committed on school premises, in a school 189  
building, or within one thousand feet of the boundaries of any 190  
school premises. 191

(Q) "School" means any school operated by a board of 192  
education, any community school established under Chapter 3314. 193  
of the Revised Code, or any nonpublic school for which the state 194  
board of education prescribes minimum standards under section 195  
3301.07 of the Revised Code, whether or not any instruction, 196  
extracurricular activities, or training provided by the school 197  
is being conducted at the time a criminal offense is committed. 198

(R) "School premises" means either of the following: 199

(1) The parcel of real property on which any school is 200  
situated, whether or not any instruction, extracurricular 201  
activities, or training provided by the school is being 202  
conducted on the premises at the time a criminal offense is 203  
committed; 204

(2) Any other parcel of real property that is owned or 205  
leased by a board of education of a school, the governing 206  
authority of a community school established under Chapter 3314. 207  
of the Revised Code, or the governing body of a nonpublic school 208  
for which the state board of education prescribes minimum 209  
standards under section 3301.07 of the Revised Code and on which 210  
some of the instruction, extracurricular activities, or training 211  
of the school is conducted, whether or not any instruction, 212  
extracurricular activities, or training provided by the school 213  
is being conducted on the parcel of real property at the time a 214  
criminal offense is committed. 215

(S) "School building" means any building in which any of 216  
the instruction, extracurricular activities, or training 217



provided by a school is conducted, whether or not any 218  
instruction, extracurricular activities, or training provided by 219  
the school is being conducted in the school building at the time 220  
a criminal offense is committed. 221

(T) "Disciplinary counsel" means the disciplinary counsel 222  
appointed by the board of commissioners on grievances and 223  
discipline of the supreme court under the Rules for the 224  
Government of the Bar of Ohio. 225

(U) "Certified grievance committee" means a duly 226  
constituted and organized committee of the Ohio state bar 227  
association or of one or more local bar associations of the 228  
state of Ohio that complies with the criteria set forth in Rule 229  
V, section 6 of the Rules for the Government of the Bar of Ohio. 230

(V) "Professional license" means any license, permit, 231  
certificate, registration, qualification, admission, temporary 232  
license, temporary permit, temporary certificate, or temporary 233  
registration that is described in divisions (W)(1) to (36) of 234  
this section and that qualifies a person as a professionally 235  
licensed person. 236

(W) "Professionally licensed person" means any of the 237  
following: 238

(1) A person who has obtained a license as a manufacturer 239  
of controlled substances or a wholesaler of controlled 240  
substances under Chapter 3719. of the Revised Code; 241

(2) A person who has received a certificate or temporary 242  
certificate as a certified public accountant or who has 243  
registered as a public accountant under Chapter 4701. of the 244  
Revised Code and who holds an Ohio permit issued under that 245  
chapter; 246

(3) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Chapter 4703. of the Revised Code;	247 248 249
(4) A person who is registered as a landscape architect under Chapter 4703. of the Revised Code or who holds a permit as a landscape architect issued under that chapter;	250 251 252
(5) A person licensed under Chapter 4707. of the Revised Code;	253 254
(6) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;	255 256 257
(7) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;	258 259 260
(8) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license, advanced hair designer's license, advanced manicurist's license, advanced esthetician's license, advanced natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;	261 262 263 264 265 266 267 268 269 270 271
(9) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious intravenous sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental	272 273 274 275

hygienist's teacher's certificate under Chapter 4715. of the	276
Revised Code;	277
(10) A person who has been issued an embalmer's license, a	278
funeral director's license, a funeral home license, or a	279
crematory license, or who has been registered for an embalmer's	280
or funeral director's apprenticeship under Chapter 4717. of the	281
Revised Code;	282
(11) A person who has been licensed as a registered nurse	283
or practical nurse, or who has been issued a certificate for the	284
practice of nurse-midwifery under Chapter 4723. of the Revised	285
Code;	286
(12) A person who has been licensed to practice optometry	287
or to engage in optical dispensing under Chapter 4725. of the	288
Revised Code;	289
(13) A person licensed to act as a pawnbroker under	290
Chapter 4727. of the Revised Code;	291
(14) A person licensed to act as a precious metals dealer	292
under Chapter 4728. of the Revised Code;	293
(15) A person licensed as a pharmacist, a pharmacy intern,	294
a wholesale distributor of dangerous drugs, or a terminal	295
distributor of dangerous drugs under Chapter 4729. of the	296
Revised Code;	297
(16) A person who is authorized to practice as a physician	298
assistant under Chapter 4730. of the Revised Code;	299
(17) A person who has been issued a license to practice	300
medicine and surgery, osteopathic medicine and surgery, or	301
podiatric medicine and surgery under Chapter 4731. of the	302
Revised Code or has been issued a certificate to practice a	303

limited branch of medicine under that chapter;	304
(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;	305 306
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	307 308 309
(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	310 311
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	312 313
(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;	314 315
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	316 317
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	318 319
(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	320 321
(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;	322 323 324 325
(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;	326 327 328
(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or	329 330

security guard employee under Chapter 4749. of the Revised Code;	331
(29) A person licensed and registered to practice as a	332
nursing home administrator under Chapter 4751. of the Revised	333
Code;	334
(30) A person licensed to practice as a speech-language	335
pathologist or audiologist under Chapter 4753. of the Revised	336
Code;	337
(31) A person issued a license as an occupational	338
therapist or physical therapist under Chapter 4755. of the	339
Revised Code;	340
(32) A person who is licensed as a licensed professional	341
clinical counselor, licensed professional counselor, social	342
worker, independent social worker, independent marriage and	343
family therapist, or marriage and family therapist, or	344
registered as a social work assistant under Chapter 4757. of the	345
Revised Code;	346
(33) A person issued a license to practice dietetics under	347
Chapter 4759. of the Revised Code;	348
(34) A person who has been issued a license or limited	349
permit to practice respiratory therapy under Chapter 4761. of	350
the Revised Code;	351
(35) A person who has been issued a real estate appraiser	352
certificate under Chapter 4763. of the Revised Code;	353
(36) A person who has been admitted to the bar by order of	354
the supreme court in compliance with its prescribed and	355
published rules.	356
(X) "Cocaine" means any of the following:	357

(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;	358 359
(2) Coca leaves or a salt, compound, derivative, or preparation of coca leaves, including ecgonine, a salt, isomer, or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine;	360 361 362 363
(3) A salt, compound, derivative, or preparation of a substance identified in division (X) (1) or (2) of this section that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.	364 365 366 367 368 369
(Y) "L.S.D." means lysergic acid diethylamide.	370
(Z) "Hashish" means the resin or a preparation of the resin contained in marihuana, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.	371 372 373
(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.	374 375 376
(BB) An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within one hundred feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender knows the offense is being committed within one hundred feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.	377 378 379 380 381 382 383
(CC) "Presumption for a prison term" or "presumption that a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised	384 385 386

Code, that a prison term is a necessary sanction for a felony in 387  
order to comply with the purposes and principles of sentencing 388  
under section 2929.11 of the Revised Code. 389

(DD) "Major drug offender" has the same meaning as in 390  
section 2929.01 of the Revised Code. 391

(EE) "Minor drug possession offense" means either of the 392  
following: 393

(1) A violation of section 2925.11 of the Revised Code as 394  
it existed prior to July 1, 1996; 395

(2) A violation of section 2925.11 of the Revised Code as 396  
it exists on and after July 1, 1996, that is a misdemeanor or a 397  
felony of the fifth degree. 398

(FF) "Mandatory prison term" has the same meaning as in 399  
section 2929.01 of the Revised Code. 400

(GG) "Adulterate" means to cause a drug to be adulterated 401  
as described in section 3715.63 of the Revised Code. 402

(HH) "Public premises" means any hotel, restaurant, 403  
tavern, store, arena, hall, or other place of public 404  
accommodation, business, amusement, or resort. 405

(II) "Methamphetamine" means methamphetamine, any salt, 406  
isomer, or salt of an isomer of methamphetamine, or any 407  
compound, mixture, preparation, or substance containing 408  
methamphetamine or any salt, isomer, or salt of an isomer of 409  
methamphetamine. 410

(JJ) "Lawful prescription" means a prescription that is 411  
issued for a legitimate medical purpose by a licensed health 412  
professional authorized to prescribe drugs, that is not altered 413  
or forged, and that was not obtained by means of deception or by 414

the commission of any theft offense.	415
(KK) "Deception" and "theft offense" have the same meanings as in section 2913.01 of the Revised Code.	416 417
(LL) "Fentanyl-related compound" means any of the following:	418 419
(1) Fentanyl;	420
(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);	421 422 423
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);	424 425
(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-N-phenylpropanamide);	426 427
(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);	428 429 430
(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);	431 432
(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);	433 434
(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;	435 436
(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;	437 438
(10) Alfentanil;	439
(11) Carfentanil;	440



- (12) Remifentanil; 441
- (13) Sufentanil; 442
- (14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and 443  
444
- (15) A schedule I narcotic-opiate that meets the fentanyl 445  
pharmacophore requirements specified in division (A) (56) of 446  
section 3719.41 of the Revised Code, including acetylfentanyl, 447  
furanylfentanyl, valerylfentanyl, butyrylfentanyl, 448  
isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para- 449  
fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl. 450
- (MM) An offense is "committed in the vicinity of a 451  
substance addiction services provider" if both of the following 452  
apply: 453
- (1) The offender commits the offense on the premises of a 454  
substance addiction services provider's facility, including a 455  
facility licensed prior to June 29, 2019, under section 5119.391 456  
of the Revised Code to provide methadone treatment or an opioid 457  
treatment program licensed on or after that date under section 458  
5119.37 of the Revised Code, or within one thousand feet of the 459  
premises of a substance addiction services provider's facility. 460
- (2) The offender recklessly disregards whether the offense 461  
is being committed within the vicinity described in division 462  
(MM) (1) of this section. 463
- (NN) "Substance addiction services provider" means an 464  
agency, association, corporation or other legal entity, 465  
individual, or program that provides one or more of the 466  
following at a facility: 467
- (1) Either alcohol addiction services, or drug addiction 468

services, or both such services that are certified by the 469  
director of mental health and addiction services under section 470  
5119.36 of the Revised Code; 471

(2) Recovery supports that are related to either alcohol 472  
addiction services, or drug addiction services, or both such 473  
services and paid for with federal, state, or local funds 474  
administered by the department of mental health and addiction 475  
services or a board of alcohol, drug addiction, and mental 476  
health services. 477

(OO) "Premises of a substance addiction services 478  
provider's facility" means the parcel of real property on which 479  
any substance addiction service provider's facility is situated. 480

(PP) "Alcohol and drug addiction services" has the same 481  
meaning as in section 5119.01 of the Revised Code. 482

**Sec. 2925.03.** (A) No person shall knowingly do any of the 483  
following: 484

(1) Sell or offer to sell a controlled substance or a 485  
controlled substance analog; 486

(2) Prepare for shipment, ship, transport, deliver, 487  
prepare for distribution, or distribute a controlled substance 488  
or a controlled substance analog, when the offender knows or has 489  
reasonable cause to believe that the controlled substance or a 490  
controlled substance analog is intended for sale or resale by 491  
the offender or another person. 492

(B) This section does not apply to any of the following: 493

(1) Manufacturers, licensed health professionals 494  
authorized to prescribe drugs, pharmacists, owners of 495  
pharmacies, and other persons whose conduct is in accordance 496

with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 497  
4741. of the Revised Code; 498

(2) If the offense involves an anabolic steroid, any 499  
person who is conducting or participating in a research project 500  
involving the use of an anabolic steroid if the project has been 501  
approved by the United States food and drug administration; 502

(3) Any person who sells, offers for sale, prescribes, 503  
dispenses, or administers for livestock or other nonhuman 504  
species an anabolic steroid that is expressly intended for 505  
administration through implants to livestock or other nonhuman 506  
species and approved for that purpose under the "Federal Food, 507  
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, 508  
as amended, and is sold, offered for sale, prescribed, 509  
dispensed, or administered for that purpose in accordance with 510  
that act. 511

(C) Whoever violates division (A) of this section is 512  
guilty of one of the following: 513

(1) If the drug involved in the violation is any compound, 514  
mixture, preparation, or substance included in schedule I or 515  
schedule II, with the exception of marihuana, cocaine, L.S.D., 516  
heroin, any fentanyl-related compound, hashish, and any 517  
controlled substance analog, whoever violates division (A) of 518  
this section is guilty of aggravated trafficking in drugs. The 519  
penalty for the offense shall be determined as follows: 520

(a) Except as otherwise provided in division (C) (1) (b), 521  
(c), (d), (e), or (f) of this section, aggravated trafficking in 522  
drugs is a felony of the fourth degree, and division (C) of 523  
section 2929.13 of the Revised Code applies in determining 524  
whether to impose a prison term on the offender. 525

(b) Except as otherwise provided in division (C) (1) (c), 526  
(d), (e), or (f) of this section, if the offense was committed 527  
in the vicinity of a school ~~or~~, in the vicinity of a juvenile, 528  
or in the vicinity of a substance addiction services provider, 529  
aggravated trafficking in drugs is a felony of the third degree, 530  
and division (C) of section 2929.13 of the Revised Code applies 531  
in determining whether to impose a prison term on the offender. 532

(c) Except as otherwise provided in this division, if the 533  
amount of the drug involved equals or exceeds the bulk amount 534  
but is less than five times the bulk amount, aggravated 535  
trafficking in drugs is a felony of the third degree, and, 536  
except as otherwise provided in this division, there is a 537  
presumption for a prison term for the offense. If aggravated 538  
trafficking in drugs is a felony of the third degree under this 539  
division and if the offender two or more times previously has 540  
been convicted of or pleaded guilty to a felony drug abuse 541  
offense, the court shall impose as a mandatory prison term one 542  
of the prison terms prescribed for a felony of the third degree. 543  
If the amount of the drug involved is within that range and if 544  
the offense was committed in the vicinity of a school ~~or~~, in the 545  
vicinity of a juvenile, or in the vicinity of a substance 546  
addiction services provider, aggravated trafficking in drugs is 547  
a felony of the second degree, and the court shall impose as a 548  
mandatory prison term one of the prison terms prescribed for a 549  
felony of the second degree. 550

(d) Except as otherwise provided in this division, if the 551  
amount of the drug involved equals or exceeds five times the 552  
bulk amount but is less than fifty times the bulk amount, 553  
aggravated trafficking in drugs is a felony of the second 554  
degree, and the court shall impose as a mandatory prison term 555  
one of the prison terms prescribed for a felony of the second 556

degree. If the amount of the drug involved is within that range 557  
and if the offense was committed in the vicinity of a school~~or,~~ 558  
in the vicinity of a juvenile, or in the vicinity of a substance 559  
addiction services provider, aggravated trafficking in drugs is 560  
a felony of the first degree, and the court shall impose as a 561  
mandatory prison term one of the prison terms prescribed for a 562  
felony of the first degree. 563

(e) If the amount of the drug involved equals or exceeds 564  
fifty times the bulk amount but is less than one hundred times 565  
the bulk amount and regardless of whether the offense was 566  
committed in the vicinity of a school~~or,~~ in the vicinity of a 567  
juvenile, or in the vicinity of a substance addiction services 568  
provider, aggravated trafficking in drugs is a felony of the 569  
first degree, and the court shall impose as a mandatory prison 570  
term one of the prison terms prescribed for a felony of the 571  
first degree. 572

(f) If the amount of the drug involved equals or exceeds 573  
one hundred times the bulk amount and regardless of whether the 574  
offense was committed in the vicinity of a school~~or,~~ in the 575  
vicinity of a juvenile, or in the vicinity of a substance 576  
addiction services provider, aggravated trafficking in drugs is 577  
a felony of the first degree, the offender is a major drug 578  
offender, and the court shall impose as a mandatory prison term 579  
the maximum prison term prescribed for a felony of the first 580  
degree. 581

(2) If the drug involved in the violation is any compound, 582  
mixture, preparation, or substance included in schedule III, IV, 583  
or V, whoever violates division (A) of this section is guilty of 584  
trafficking in drugs. The penalty for the offense shall be 585  
determined as follows: 586

(a) Except as otherwise provided in division (C) (2) (b), 587  
(c), (d), or (e) of this section, trafficking in drugs is a 588  
felony of the fifth degree, and division (B) of section 2929.13 589  
of the Revised Code applies in determining whether to impose a 590  
prison term on the offender. 591

(b) Except as otherwise provided in division (C) (2) (c), 592  
(d), or (e) of this section, if the offense was committed in the 593  
vicinity of a school or in the vicinity of a juvenile, 594  
trafficking in drugs is a felony of the fourth degree, and 595  
division (C) of section 2929.13 of the Revised Code applies in 596  
determining whether to impose a prison term on the offender. 597

(c) Except as otherwise provided in this division, if the 598  
amount of the drug involved equals or exceeds the bulk amount 599  
but is less than five times the bulk amount, trafficking in 600  
drugs is a felony of the fourth degree, and division (B) of 601  
section 2929.13 of the Revised Code applies in determining 602  
whether to impose a prison term for the offense. If the amount 603  
of the drug involved is within that range and if the offense was 604  
committed in the vicinity of a school or in the vicinity of a 605  
juvenile, trafficking in drugs is a felony of the third degree, 606  
and there is a presumption for a prison term for the offense. 607

(d) Except as otherwise provided in this division, if the 608  
amount of the drug involved equals or exceeds five times the 609  
bulk amount but is less than fifty times the bulk amount, 610  
trafficking in drugs is a felony of the third degree, and there 611  
is a presumption for a prison term for the offense. If the 612  
amount of the drug involved is within that range and if the 613  
offense was committed in the vicinity of a school or in the 614  
vicinity of a juvenile, trafficking in drugs is a felony of the 615  
second degree, and there is a presumption for a prison term for 616

the offense. 617

(e) Except as otherwise provided in this division, if the 618  
amount of the drug involved equals or exceeds fifty times the 619  
bulk amount, trafficking in drugs is a felony of the second 620  
degree, and the court shall impose as a mandatory prison term 621  
one of the prison terms prescribed for a felony of the second 622  
degree. If the amount of the drug involved equals or exceeds 623  
fifty times the bulk amount and if the offense was committed in 624  
the vicinity of a school or in the vicinity of a juvenile, 625  
trafficking in drugs is a felony of the first degree, and the 626  
court shall impose as a mandatory prison term one of the prison 627  
terms prescribed for a felony of the first degree. 628

(3) If the drug involved in the violation is marihuana or 629  
a compound, mixture, preparation, or substance containing 630  
marihuana other than hashish, whoever violates division (A) of 631  
this section is guilty of trafficking in marihuana. The penalty 632  
for the offense shall be determined as follows: 633

(a) Except as otherwise provided in division (C) (3) (b), 634  
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 635  
marihuana is a felony of the fifth degree, and division (B) of 636  
section 2929.13 of the Revised Code applies in determining 637  
whether to impose a prison term on the offender. 638

(b) Except as otherwise provided in division (C) (3) (c), 639  
(d), (e), (f), (g), or (h) of this section, if the offense was 640  
committed in the vicinity of a school or in the vicinity of a 641  
juvenile, trafficking in marihuana is a felony of the fourth 642  
degree, and division (B) of section 2929.13 of the Revised Code 643  
applies in determining whether to impose a prison term on the 644  
offender. 645

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds two hundred grams but is less than one thousand grams, trafficking in marihuana is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. 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 marihuana is a felony of the 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.

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds one thousand grams but is less than five thousand grams, trafficking in marihuana is a felony of the 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. 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 marihuana is a felony of the second degree, and there is a presumption that a prison term shall be imposed for the offense.

(e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds five thousand grams but is less than twenty thousand grams, trafficking in marihuana is a felony of the third degree, and there is a presumption that a prison term shall be imposed 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 marihuana is a felony of the second degree, and there is a presumption that a prison term



shall be imposed for the offense. 677

(f) Except as otherwise provided in this division, if the 678  
amount of the drug involved equals or exceeds twenty thousand 679  
grams but is less than forty thousand grams, trafficking in 680  
marihuana is a felony of the second degree, and the court shall 681  
impose a mandatory prison term of five, six, seven, or eight 682  
years. If the amount of the drug involved is within that range 683  
and if the offense was committed in the vicinity of a school or 684  
in the vicinity of a juvenile, trafficking in marihuana is a 685  
felony of the first degree, and the court shall impose as a 686  
mandatory prison term the maximum prison term prescribed for a 687  
felony of the first degree. 688

(g) Except as otherwise provided in this division, if the 689  
amount of the drug involved equals or exceeds forty thousand 690  
grams, trafficking in marihuana is a felony of the second 691  
degree, and the court shall impose as a mandatory prison term 692  
the maximum prison term prescribed for a felony of the second 693  
degree. If the amount of the drug involved equals or exceeds 694  
forty thousand grams and if the offense was committed in the 695  
vicinity of a school or in the vicinity of a juvenile, 696  
trafficking in marihuana is a felony of the first degree, and 697  
the court shall impose as a mandatory prison term the maximum 698  
prison term prescribed for a felony of the first degree. 699

(h) Except as otherwise provided in this division, if the 700  
offense involves a gift of twenty grams or less of marihuana, 701  
trafficking in marihuana is a minor misdemeanor upon a first 702  
offense and a misdemeanor of the third degree upon a subsequent 703  
offense. If the offense involves a gift of twenty grams or less 704  
of marihuana and if the offense was committed in the vicinity of 705  
a school or in the vicinity of a juvenile, trafficking in 706

marihuana is a misdemeanor of the third degree. 707

(4) If the drug involved in the violation is cocaine or a 708  
compound, mixture, preparation, or substance containing cocaine, 709  
whoever violates division (A) of this section is guilty of 710  
trafficking in cocaine. The penalty for the offense shall be 711  
determined as follows: 712

(a) Except as otherwise provided in division (C) (4) (b), 713  
(c), (d), (e), (f), or (g) of this section, trafficking in 714  
cocaine is a felony of the fifth degree, and division (B) of 715  
section 2929.13 of the Revised Code applies in determining 716  
whether to impose a prison term on the offender. 717

(b) Except as otherwise provided in division (C) (4) (c), 718  
(d), (e), (f), or (g) of this section, if the offense was 719  
committed in the vicinity of a school ~~or~~, in the vicinity of a 720  
juvenile, or in the vicinity of a substance addiction services 721  
provider, trafficking in cocaine is a felony of the fourth 722  
degree, and division (C) of section 2929.13 of the Revised Code 723  
applies in determining whether to impose a prison term on the 724  
offender. 725

(c) Except as otherwise provided in this division, if the 726  
amount of the drug involved equals or exceeds five grams but is 727  
less than ten grams of cocaine, trafficking in cocaine is a 728  
felony of the fourth degree, and division (B) of section 2929.13 729  
of the Revised Code applies in determining whether to impose a 730  
prison term for the offense. If the amount of the drug involved 731  
is within that range and if the offense was committed in the 732  
vicinity of a school ~~or~~, in the vicinity of a juvenile, or in 733  
the vicinity of a substance addiction services provider, 734  
trafficking in cocaine is a felony of the third degree, and 735  
there is a presumption for a prison term for the offense. 736

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten grams but is less than twenty grams of cocaine, trafficking in cocaine is a felony of the third degree, and, except as otherwise provided in this division, there is a presumption for a prison term for the offense. If trafficking in cocaine 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, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third 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, or in the vicinity of a substance addiction services provider, trafficking in cocaine 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 twenty grams but is less than twenty-seven grams of cocaine, trafficking in cocaine 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, or in the vicinity of a substance addiction services provider, trafficking in cocaine 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

twenty-seven grams but is less than one hundred grams of cocaine 768  
and regardless of whether the offense was committed in the 769  
vicinity of a school ~~or~~, in the vicinity of a juvenile, or in 770  
the vicinity of a substance addiction services provider, 771  
trafficking in cocaine is a felony of the first degree, and the 772  
court shall impose as a mandatory prison term one of the prison 773  
terms prescribed for a felony of the first degree. 774

(g) If the amount of the drug involved equals or exceeds 775  
one hundred grams of cocaine and regardless of whether the 776  
offense was committed in the vicinity of a school ~~or~~, in the 777  
vicinity of a juvenile, or in the vicinity of a substance 778  
addiction services provider, trafficking in cocaine is a felony 779  
of the first degree, the offender is a major drug offender, and 780  
the court shall impose as a mandatory prison term the maximum 781  
prison term prescribed for a felony of the first degree. 782

(5) If the drug involved in the violation is L.S.D. or a 783  
compound, mixture, preparation, or substance containing L.S.D., 784  
whoever violates division (A) of this section is guilty of 785  
trafficking in L.S.D. The penalty for the offense shall be 786  
determined as follows: 787

(a) Except as otherwise provided in division (C) (5) (b), 788  
(c), (d), (e), (f), or (g) of this section, trafficking in 789  
L.S.D. is a felony of the fifth degree, and division (B) of 790  
section 2929.13 of the Revised Code applies in determining 791  
whether to impose a prison term on the offender. 792

(b) Except as otherwise provided in division (C) (5) (c), 793  
(d), (e), (f), or (g) of this section, if the offense was 794  
committed in the vicinity of a school ~~or~~, in the vicinity of a 795  
juvenile, or in the vicinity of a substance addiction services 796  
provider, trafficking in L.S.D. is a felony of the fourth 797

degree, and division (C) of section 2929.13 of the Revised Code 798  
applies in determining whether to impose a prison term on the 799  
offender. 800

(c) Except as otherwise provided in this division, if the 801  
amount of the drug involved equals or exceeds ten unit doses but 802  
is less than fifty unit doses of L.S.D. in a solid form or 803  
equals or exceeds one gram but is less than five grams of L.S.D. 804  
in a liquid concentrate, liquid extract, or liquid distillate 805  
form, trafficking in L.S.D. is a felony of the fourth degree, 806  
and division (B) of section 2929.13 of the Revised Code applies 807  
in determining whether to impose a prison term for the offense. 808  
If the amount of the drug involved is within that range and if 809  
the offense was committed in the vicinity of a school ~~or~~, in the 810  
vicinity of a juvenile, or in the vicinity of a substance 811  
addiction services provider, trafficking in L.S.D. is a felony 812  
of the third degree, and there is a presumption for a prison 813  
term for the offense. 814

(d) Except as otherwise provided in this division, if the 815  
amount of the drug involved equals or exceeds fifty unit doses 816  
but is less than two hundred fifty unit doses of L.S.D. in a 817  
solid form or equals or exceeds five grams but is less than 818  
twenty-five grams of L.S.D. in a liquid concentrate, liquid 819  
extract, or liquid distillate form, trafficking in L.S.D. is a 820  
felony of the third degree, and, except as otherwise provided in 821  
this division, there is a presumption for a prison term for the 822  
offense. If trafficking in L.S.D. is a felony of the third 823  
degree under this division and if the offender two or more times 824  
previously has been convicted of or pleaded guilty to a felony 825  
drug abuse offense, the court shall impose as a mandatory prison 826  
term one of the prison terms prescribed for a felony of the 827  
third degree. If the amount of the drug involved is within that 828

range and if the offense was committed in the vicinity of a 829  
school ~~or~~, in the vicinity of a juvenile, or in the vicinity of 830  
a substance addiction services provider, trafficking in L.S.D. 831  
is a felony of the second degree, and the court shall impose as 832  
a mandatory prison term one of the prison terms prescribed for a 833  
felony of the second degree. 834

(e) Except as otherwise provided in this division, if the 835  
amount of the drug involved equals or exceeds two hundred fifty 836  
unit doses but is less than one thousand unit doses of L.S.D. in 837  
a solid form or equals or exceeds twenty-five grams but is less 838  
than one hundred grams of L.S.D. in a liquid concentrate, liquid 839  
extract, or liquid distillate form, trafficking in L.S.D. is a 840  
felony of the second degree, and the court shall impose as a 841  
mandatory prison term one of the prison terms prescribed for a 842  
felony of the second degree. If the amount of the drug involved 843  
is within that range and if the offense was committed in the 844  
vicinity of a school ~~or~~, in the vicinity of a juvenile, or in 845  
the vicinity of a substance addiction services provider, 846  
trafficking in L.S.D. is a felony of the first degree, and the 847  
court shall impose as a mandatory prison term one of the prison 848  
terms prescribed for a felony of the first degree. 849

(f) If the amount of the drug involved equals or exceeds 850  
one thousand unit doses but is less than five thousand unit 851  
doses of L.S.D. in a solid form or equals or exceeds one hundred 852  
grams but is less than five hundred grams of L.S.D. in a liquid 853  
concentrate, liquid extract, or liquid distillate form and 854  
regardless of whether the offense was committed in the vicinity 855  
of a school ~~or~~, in the vicinity of a juvenile, or in the 856  
vicinity of a substance addiction services provider, trafficking 857  
in L.S.D. is a felony of the first degree, and the court shall 858  
impose as a mandatory prison term one of the prison terms 859

prescribed for a felony of the first degree. 860

(g) If the amount of the drug involved equals or exceeds 861  
five thousand unit doses of L.S.D. in a solid form or equals or 862  
exceeds five hundred grams of L.S.D. in a liquid concentrate, 863  
liquid extract, or liquid distillate form and regardless of 864  
whether the offense was committed in the vicinity of a school 865  
~~or~~, in the vicinity of a juvenile, or in the vicinity of a 866  
substance addiction services provider, trafficking in L.S.D. is 867  
a felony of the first degree, the offender is a major drug 868  
offender, and the court shall impose as a mandatory prison term 869  
the maximum prison term prescribed for a felony of the first 870  
degree. 871

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

(a) Except as otherwise provided in division (C) (6) (b), 877  
(c), (d), (e), (f), or (g) of this section, trafficking in 878  
heroin is a felony of the fifth degree, and division (B) of 879  
section 2929.13 of the Revised Code applies in determining 880  
whether to impose a prison term on the offender. 881

(b) Except as otherwise provided in division (C) (6) (c), 882  
(d), (e), (f), or (g) of this section, if the offense was 883  
committed in the vicinity of a school~~or~~, in the vicinity of a 884  
juvenile, or in the vicinity of a substance addiction services 885  
provider, trafficking in heroin is a felony of the fourth 886  
degree, and division (C) of section 2929.13 of the Revised Code 887  
applies in determining whether to impose a prison term on the 888  
offender. 889

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten unit doses but is less than fifty unit doses or equals or exceeds one gram but is less than five grams, trafficking in heroin is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term 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, or in the vicinity of a substance addiction services provider, trafficking in heroin is a felony of the third degree, and there is a presumption for a prison term for the offense.

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty unit doses but is less than one hundred unit doses or equals or exceeds five grams but is less than ten grams, trafficking in heroin is a felony of the third degree, and there is a 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, or in the vicinity of a substance addiction services provider, 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 921  
juvenile, or in the vicinity of a substance addiction services 922  
provider, trafficking in heroin is a felony of the first degree, 923  
and the court shall impose as a mandatory prison term one of the 924  
prison terms prescribed for a felony of the first degree. 925

(f) If the amount of the drug involved equals or exceeds 926  
five hundred unit doses but is less than one thousand unit doses 927  
or equals or exceeds fifty grams but is less than one hundred 928  
grams and regardless of whether the offense was committed in the 929  
vicinity of a school ~~or~~, in the vicinity of a juvenile, or in 930  
the vicinity of a substance addiction services provider, 931  
trafficking in heroin is a felony of the first degree, and the 932  
court shall impose as a mandatory prison term one of the prison 933  
terms prescribed for a felony of the first degree. 934

(g) If the amount of the drug involved equals or exceeds 935  
one thousand unit doses or equals or exceeds one hundred grams 936  
and regardless of whether the offense was committed in the 937  
vicinity of a school ~~or~~, in the vicinity of a juvenile, or in 938  
the vicinity of a substance addiction services provider, 939  
trafficking in heroin is a felony of the first degree, the 940  
offender is a major drug offender, and the court shall impose as 941  
a mandatory prison term the maximum prison term prescribed for a 942  
felony of the first degree. 943

(7) If the drug involved in the violation is hashish or a 944  
compound, mixture, preparation, or substance containing hashish, 945  
whoever violates division (A) of this section is guilty of 946  
trafficking in hashish. The penalty for the offense shall be 947  
determined as follows: 948

(a) Except as otherwise provided in division (C) (7) (b), 949  
(c), (d), (e), (f), or (g) of this section, trafficking in 950

hashish is a felony of the fifth degree, and division (B) of 951  
section 2929.13 of the Revised Code applies in determining 952  
whether to impose a prison term on the offender. 953

(b) Except as otherwise provided in division (C) (7) (c), 954  
(d), (e), (f), or (g) of this section, if the offense was 955  
committed in the vicinity of a school ~~or~~, in the vicinity of a 956  
juvenile, or in the vicinity of a substance addiction services 957  
provider, trafficking in hashish is a felony of the fourth 958  
degree, and division (B) of section 2929.13 of the Revised Code 959  
applies in determining whether to impose a prison term on the 960  
offender. 961

(c) Except as otherwise provided in this division, if the 962  
amount of the drug involved equals or exceeds ten grams but is 963  
less than fifty grams of hashish in a solid form or equals or 964  
exceeds two grams but is less than ten grams of hashish in a 965  
liquid concentrate, liquid extract, or liquid distillate form, 966  
trafficking in hashish is a felony of the fourth degree, and 967  
division (B) of section 2929.13 of the Revised Code applies in 968  
determining whether to impose a prison term on the offender. If 969  
the amount of the drug involved is within that range and if the 970  
offense was committed in the vicinity of a school ~~or~~, in the 971  
vicinity of a juvenile, or in the vicinity of a substance 972  
addiction services provider, trafficking in hashish is a felony 973  
of the third degree, and division (C) of section 2929.13 of the 974  
Revised Code applies in determining whether to impose a prison 975  
term on the offender. 976

(d) Except as otherwise provided in this division, if the 977  
amount of the drug involved equals or exceeds fifty grams but is 978  
less than two hundred fifty grams of hashish in a solid form or 979  
equals or exceeds ten grams but is less than fifty grams of 980

hashish in a liquid concentrate, liquid extract, or liquid 981  
distillate form, trafficking in hashish is a felony of the third 982  
degree, and division (C) of section 2929.13 of the Revised Code 983  
applies in determining whether to impose a prison term on the 984  
offender. If the amount of the drug involved is within that 985  
range and if the offense was committed in the vicinity of a 986  
school ~~or~~, in the vicinity of a juvenile, or in the vicinity of 987  
a substance addiction services provider, trafficking in hashish 988  
is a felony of the second degree, and there is a presumption 989  
that a prison term shall be imposed for the offense. 990

(e) Except as otherwise provided in this division, if the 991  
amount of the drug involved equals or exceeds two hundred fifty 992  
grams but is less than one thousand grams of hashish in a solid 993  
form or equals or exceeds fifty grams but is less than two 994  
hundred grams of hashish in a liquid concentrate, liquid 995  
extract, or liquid distillate form, trafficking in hashish is a 996  
felony of the third degree, and there is a presumption that a 997  
prison term shall be imposed for the offense. If the amount of 998  
the drug involved is within that range and if the offense was 999  
committed in the vicinity of a school ~~or~~, in the vicinity of a 1000  
juvenile, or in the vicinity of a substance addiction services 1001  
provider, trafficking in hashish is a felony of the second 1002  
degree, and there is a presumption that a prison term shall be 1003  
imposed for the offense. 1004

(f) Except as otherwise provided in this division, if the 1005  
amount of the drug involved equals or exceeds one thousand grams 1006  
but is less than two thousand grams of hashish in a solid form 1007  
or equals or exceeds two hundred grams but is less than four 1008  
hundred grams of hashish in a liquid concentrate, liquid 1009  
extract, or liquid distillate form, trafficking in hashish is a 1010  
felony of the second degree, and the court shall impose a 1011

mandatory prison term of five, six, seven, or eight years. If 1012  
the amount of the drug involved is within that range and if the 1013  
offense was committed in the vicinity of a school ~~or~~, in the 1014  
vicinity of a juvenile, or in the vicinity of a substance 1015  
addiction services provider, trafficking in hashish is a felony 1016  
of the first degree, and the court shall impose as a mandatory 1017  
prison term the maximum prison term prescribed for a felony of 1018  
the first degree. 1019

(g) Except as otherwise provided in this division, if the 1020  
amount of the drug involved equals or exceeds two thousand grams 1021  
of hashish in a solid form or equals or exceeds four hundred 1022  
grams of hashish in a liquid concentrate, liquid extract, or 1023  
liquid distillate form, trafficking in hashish is a felony of 1024  
the second degree, and the court shall impose as a mandatory 1025  
prison term the maximum prison term prescribed for a felony of 1026  
the second degree. If the amount of the drug involved equals or 1027  
exceeds two thousand grams of hashish in a solid form or equals 1028  
or exceeds four hundred grams of hashish in a liquid 1029  
concentrate, liquid extract, or liquid distillate form and if 1030  
the offense was committed in the vicinity of a school ~~or~~, in the 1031  
vicinity of a juvenile, or in the vicinity of a substance 1032  
addiction services provider, trafficking in hashish is a felony 1033  
of the first degree, and the court shall impose as a mandatory 1034  
prison term the maximum prison term prescribed for a felony of 1035  
the first degree. 1036

(8) If the drug involved in the violation is a controlled 1037  
substance analog or compound, mixture, preparation, or substance 1038  
that contains a controlled substance analog, whoever violates 1039  
division (A) of this section is guilty of trafficking in a 1040  
controlled substance analog. The penalty for the offense shall 1041  
be determined as follows: 1042

(a) Except as otherwise provided in division (C) (8) (b), 1043  
(c), (d), (e), (f), or (g) of this section, trafficking in a 1044  
controlled substance analog is a felony of the fifth degree, and 1045  
division (C) of section 2929.13 of the Revised Code applies in 1046  
determining whether to impose a prison term on the offender. 1047

(b) Except as otherwise provided in division (C) (8) (c), 1048  
(d), (e), (f), or (g) of this section, if the offense was 1049  
committed in the vicinity of a school ~~or~~, in the vicinity of a 1050  
juvenile, or in the vicinity of a substance addiction services 1051  
provider, trafficking in a controlled substance analog is a 1052  
felony of the fourth degree, and division (C) of section 2929.13 1053  
of the Revised Code applies in determining whether to impose a 1054  
prison term on the offender. 1055

(c) Except as otherwise provided in this division, if the 1056  
amount of the drug involved equals or exceeds ten grams but is 1057  
less than twenty grams, trafficking in a controlled substance 1058  
analog is a felony of the fourth degree, and division (B) of 1059  
section 2929.13 of the Revised Code applies in determining 1060  
whether to impose a prison term for the offense. If the amount 1061  
of the drug involved is within that range and if the offense was 1062  
committed in the vicinity of a school ~~or~~, in the vicinity of a 1063  
juvenile, or in the vicinity of a substance addiction services 1064  
provider, trafficking in a controlled substance analog is a 1065  
felony of the third degree, and there is a presumption for a 1066  
prison term for the offense. 1067

(d) Except as otherwise provided in this division, if the 1068  
amount of the drug involved equals or exceeds twenty grams but 1069  
is less than thirty grams, trafficking in a controlled substance 1070  
analog is a felony of the third degree, and there is a 1071  
presumption for a prison term for the offense. If the amount of 1072

the drug involved is within that range and if the offense was 1073  
committed in the vicinity of a school ~~or~~, in the vicinity of a 1074  
juvenile, or in the vicinity of a substance addiction services 1075  
provider, trafficking in a controlled substance analog is a 1076  
felony of the second degree, and there is a presumption for a 1077  
prison term for the offense. 1078

(e) Except as otherwise provided in this division, if the 1079  
amount of the drug involved equals or exceeds thirty grams but 1080  
is less than forty grams, trafficking in a controlled substance 1081  
analog is a felony of the second degree, and the court shall 1082  
impose as a mandatory prison term one of the prison terms 1083  
prescribed for a felony of the second degree. If the amount of 1084  
the drug involved is within that range and if the offense was 1085  
committed in the vicinity of a school ~~or~~, in the vicinity of a 1086  
juvenile, or in the vicinity of a substance addiction services 1087  
provider, trafficking in a controlled substance analog is a 1088  
felony of the first degree, and the court shall impose as a 1089  
mandatory prison term one of the prison terms prescribed for a 1090  
felony of the first degree. 1091

(f) If the amount of the drug involved equals or exceeds 1092  
forty grams but is less than fifty grams and regardless of 1093  
whether the offense was committed in the vicinity of a school 1094  
 ~~or~~, in the vicinity of a juvenile, or in the vicinity of a 1095  
substance addiction services provider, trafficking in a 1096  
controlled substance analog is a felony of the first degree, and 1097  
the court shall impose as a mandatory prison term one of the 1098  
prison terms prescribed for a felony of the first degree. 1099

(g) If the amount of the drug involved equals or exceeds 1100  
fifty grams and regardless of whether the offense was committed 1101  
in the vicinity of a school ~~or~~, in the vicinity of a juvenile, 1102

or in the vicinity of a substance addiction services provider, 1103  
trafficking in a controlled substance analog is a felony of the 1104  
first degree, the offender is a major drug offender, and the 1105  
court shall impose as a mandatory prison term the maximum prison 1106  
term prescribed for a felony of the first degree. 1107

(9) If the drug involved in the violation is a fentanyl- 1108  
related compound or a compound, mixture, preparation, or 1109  
substance containing a fentanyl-related compound and division 1110  
(C) (10) (a) of this section does not apply to the drug involved, 1111  
whoever violates division (A) of this section is guilty of 1112  
trafficking in a fentanyl-related compound. The penalty for the 1113  
offense shall be determined as follows: 1114

(a) Except as otherwise provided in division (C) (9) (b), 1115  
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 1116  
a fentanyl-related compound is a felony of the fifth degree, and 1117  
division (B) of section 2929.13 of the Revised Code applies in 1118  
determining whether to impose a prison term on the offender. 1119

(b) Except as otherwise provided in division (C) (9) (c), 1120  
(d), (e), (f), (g), or (h) of this section, if the offense was 1121  
committed in the vicinity of a school ~~or~~, in the vicinity of a 1122  
juvenile, or in the vicinity of a substance addiction services 1123  
provider, trafficking in a fentanyl-related compound is a felony 1124  
of the fourth degree, and division (C) of section 2929.13 of the 1125  
Revised Code applies in determining whether to impose a prison 1126  
term on the offender. 1127

(c) Except as otherwise provided in this division, if the 1128  
amount of the drug involved equals or exceeds ten unit doses but 1129  
is less than fifty unit doses or equals or exceeds one gram but 1130  
is less than five grams, trafficking in a fentanyl-related 1131  
compound is a felony of the fourth degree, and division (B) of 1132

section 2929.13 of the Revised Code applies in determining 1133  
whether to impose a prison term for the offense. If the amount 1134  
of the drug involved is within that range and if the offense was 1135  
committed in the vicinity of a school ~~or~~, in the vicinity of a 1136  
juvenile, or in the vicinity of a substance addiction services 1137  
provider, trafficking in a fentanyl-related compound is a felony 1138  
of the third degree, and there is a presumption for a prison 1139  
term for the offense. 1140

(d) Except as otherwise provided in this division, if the 1141  
amount of the drug involved equals or exceeds fifty unit doses 1142  
but is less than one hundred unit doses or equals or exceeds 1143  
five grams but is less than ten grams, trafficking in a 1144  
fentanyl-related compound is a felony of the third degree, and 1145  
there is a presumption for a prison term for the offense. If the 1146  
amount of the drug involved is within that range and if the 1147  
offense was committed in the vicinity of a school ~~or~~, in the 1148  
vicinity of a juvenile, or in the vicinity of a substance 1149  
addiction services provider, trafficking in a fentanyl-related 1150  
compound is a felony of the second degree, and there is a 1151  
presumption for a prison term for the offense. 1152

(e) Except as otherwise provided in this division, if the 1153  
amount of the drug involved equals or exceeds one hundred unit 1154  
doses but is less than two hundred unit doses or equals or 1155  
exceeds ten grams but is less than twenty grams, trafficking in 1156  
a fentanyl-related compound is a felony of the second degree, 1157  
and the court shall impose as a mandatory prison term one of the 1158  
prison terms prescribed for a felony of the second degree. If 1159  
the amount of the drug involved is within that range and if the 1160  
offense was committed in the vicinity of a school ~~or~~, in the 1161  
vicinity of a juvenile, or in the vicinity of a substance 1162  
addiction services provider, trafficking in a fentanyl-related 1163



compound is a felony of the first degree, and the court shall 1164  
impose as a mandatory prison term one of the prison terms 1165  
prescribed for a felony of the first degree. 1166

(f) If the amount of the drug involved equals or exceeds 1167  
two hundred unit doses but is less than five hundred unit doses 1168  
or equals or exceeds twenty grams but is less than fifty grams 1169  
and regardless of whether the offense was committed in the 1170  
vicinity of a school ~~or~~, in the vicinity of a juvenile, or in 1171  
the vicinity of a substance addiction services provider, 1172  
trafficking in a fentanyl-related compound is a felony of the 1173  
first degree, and the court shall impose as a mandatory prison 1174  
term one of the prison terms prescribed for a felony of the 1175  
first degree. 1176

(g) If the amount of the drug involved equals or exceeds 1177  
five hundred unit doses but is less than one thousand unit doses 1178  
or equals or exceeds fifty grams but is less than one hundred 1179  
grams and regardless of whether the offense was committed in the 1180  
vicinity of a school ~~or~~, in the vicinity of a juvenile, or in 1181  
the vicinity of a substance addiction services provider, 1182  
trafficking in a fentanyl-related compound is a felony of the 1183  
first degree, and the court shall impose as a mandatory prison 1184  
term the maximum prison term prescribed for a felony of the 1185  
first degree. 1186

(h) If the amount of the drug involved equals or exceeds 1187  
one thousand unit doses or equals or exceeds one hundred grams 1188  
and regardless of whether the offense was committed in the 1189  
vicinity of a school ~~or~~, in the vicinity of a juvenile, or in 1190  
the vicinity of a substance addiction services provider, 1191  
trafficking in a fentanyl-related compound is a felony of the 1192  
first degree, the offender is a major drug offender, and the 1193

court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree. 1194  
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(10) If the drug involved in the violation is a compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and marihuana, one of the following applies: 1196  
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(a) Except as otherwise provided in division (C) (10) (b) of this section, the offender is guilty of trafficking in marihuana and shall be punished under division (C) (3) of this section. The offender is not guilty of trafficking in a fentanyl-related compound and shall not be charged with, convicted of, or punished under division (C) (9) of this section for trafficking in a fentanyl-related compound. 1200  
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(b) If the offender knows or has reason to know that the compound, mixture, preparation, or substance that is the drug involved contains a fentanyl-related compound, the offender is guilty of trafficking in a fentanyl-related compound and shall be punished under division (C) (9) of this section. 1207  
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(D) In addition to any prison term authorized or required by division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section may suspend the driver's or commercial driver's license or permit of the offender in accordance with division (G) of this section. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United 1212  
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States arising out of the same set of circumstances as the 1224  
violation, the court shall suspend the offender's driver's or 1225  
commercial driver's license or permit in accordance with 1226  
division (G) of this section. If applicable, the court also 1227  
shall do the following: 1228

(1) If the violation of division (A) of this section is a 1229  
felony of the first, second, or third degree, the court shall 1230  
impose upon the offender the mandatory fine specified for the 1231  
offense under division (B) (1) of section 2929.18 of the Revised 1232  
Code unless, as specified in that division, the court determines 1233  
that the offender is indigent. Except as otherwise provided in 1234  
division (H) (1) of this section, a mandatory fine or any other 1235  
fine imposed for a violation of this section is subject to 1236  
division (F) of this section. If a person is charged with a 1237  
violation of this section that is a felony of the first, second, 1238  
or third degree, posts bail, and forfeits the bail, the clerk of 1239  
the court shall pay the forfeited bail pursuant to divisions (D) 1240  
(1) and (F) of this section, as if the forfeited bail was a fine 1241  
imposed for a violation of this section. If any amount of the 1242  
forfeited bail remains after that payment and if a fine is 1243  
imposed under division (H) (1) of this section, the clerk of the 1244  
court shall pay the remaining amount of the forfeited bail 1245  
pursuant to divisions (H) (2) and (3) of this section, as if that 1246  
remaining amount was a fine imposed under division (H) (1) of 1247  
this section. 1248

(2) If the offender is a professionally licensed person, 1249  
the court immediately shall comply with section 2925.38 of the 1250  
Revised Code. 1251

(E) When a person is charged with the sale of or offer to 1252  
sell a bulk amount or a multiple of a bulk amount of a 1253

controlled substance, the jury, or the court trying the accused, 1254  
shall determine the amount of the controlled substance involved 1255  
at the time of the offense and, if a guilty verdict is returned, 1256  
shall return the findings as part of the verdict. In any such 1257  
case, it is unnecessary to find and return the exact amount of 1258  
the controlled substance involved, and it is sufficient if the 1259  
finding and return is to the effect that the amount of the 1260  
controlled substance involved is the requisite amount, or that 1261  
the amount of the controlled substance involved is less than the 1262  
requisite amount. 1263

(F) (1) Notwithstanding any contrary provision of section 1264  
3719.21 of the Revised Code and except as provided in division 1265  
(H) of this section, the clerk of the court shall pay any 1266  
mandatory fine imposed pursuant to division (D) (1) of this 1267  
section and any fine other than a mandatory fine that is imposed 1268  
for a violation of this section pursuant to division (A) or (B) 1269  
(5) of section 2929.18 of the Revised Code to the county, 1270  
township, municipal corporation, park district, as created 1271  
pursuant to section 511.18 or 1545.04 of the Revised Code, or 1272  
state law enforcement agencies in this state that primarily were 1273  
responsible for or involved in making the arrest of, and in 1274  
prosecuting, the offender. However, the clerk shall not pay a 1275  
mandatory fine so imposed to a law enforcement agency unless the 1276  
agency has adopted a written internal control policy under 1277  
division (F) (2) of this section that addresses the use of the 1278  
fine moneys that it receives. Each agency shall use the 1279  
mandatory fines so paid to subsidize the agency's law 1280  
enforcement efforts that pertain to drug offenses, in accordance 1281  
with the written internal control policy adopted by the 1282  
recipient agency under division (F) (2) of this section. 1283

(2) Prior to receiving any fine moneys under division (F) 1284

(1) of this section or division (B) of section 2925.42 of the Revised Code, a law enforcement agency shall adopt a written internal control policy that addresses the agency's use and disposition of all fine moneys so received and that provides for the keeping of detailed financial records of the receipts of those fine moneys, the general types of expenditures made out of those fine moneys, and the specific amount of each general type of expenditure. The policy shall not provide for or permit the identification of any specific expenditure that is made in an ongoing investigation. All financial records of the receipts of those fine moneys, the general types of expenditures made out of those fine moneys, and the specific amount of each general type of expenditure by an agency are public records open for inspection under section 149.43 of the Revised Code. Additionally, a written internal control policy adopted under this division is such a public record, and the agency that adopted it shall comply with it.

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

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

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

(G)(1) If the sentencing court suspends the offender's driver's or commercial driver's license or permit under division (D) of this section or any other provision of this chapter, the court shall suspend the license, by order, for not more than five years. If an offender's driver's or commercial driver's license or permit is suspended pursuant to this division, the offender, at any time after the expiration of two years from the

day on which the offender's sentence was imposed or from the day 1315  
on which the offender finally was released from a prison term 1316  
under the sentence, whichever is later, may file a motion with 1317  
the sentencing court requesting termination of the suspension; 1318  
upon the filing of such a motion and the court's finding of good 1319  
cause for the termination, the court may terminate the 1320  
suspension. 1321

(2) Any offender who received a mandatory suspension of 1322  
the offender's driver's or commercial driver's license or permit 1323  
under this section prior to September 13, 2016, may file a 1324  
motion with the sentencing court requesting the termination of 1325  
the suspension. However, an offender who pleaded guilty to or 1326  
was convicted of a violation of section 4511.19 of the Revised 1327  
Code or a substantially similar municipal ordinance or law of 1328  
another state or the United States that arose out of the same 1329  
set of circumstances as the violation for which the offender's 1330  
license or permit was suspended under this section shall not 1331  
file such a motion. 1332

Upon the filing of a motion under division (G) (2) of this 1333  
section, the sentencing court, in its discretion, may terminate 1334  
the suspension. 1335

(H) (1) In addition to any prison term authorized or 1336  
required by division (C) of this section and sections 2929.13 1337  
and 2929.14 of the Revised Code, in addition to any other 1338  
penalty or sanction imposed for the offense under this section 1339  
or sections 2929.11 to 2929.18 of the Revised Code, and in 1340  
addition to the forfeiture of property in connection with the 1341  
offense as prescribed in Chapter 2981. of the Revised Code, the 1342  
court that sentences an offender who is convicted of or pleads 1343  
guilty to a violation of division (A) of this section may impose 1344

upon the offender an additional fine specified for the offense 1345  
in division (B) (4) of section 2929.18 of the Revised Code. A 1346  
fine imposed under division (H) (1) of this section is not 1347  
subject to division (F) of this section and shall be used solely 1348  
for the support of one or more eligible community addiction 1349  
services providers in accordance with divisions (H) (2) and (3) 1350  
of this section. 1351

(2) The court that imposes a fine under division (H) (1) of 1352  
this section shall specify in the judgment that imposes the fine 1353  
one or more eligible community addiction services providers for 1354  
the support of which the fine money is to be used. No community 1355  
addiction services provider shall receive or use money paid or 1356  
collected in satisfaction of a fine imposed under division (H) 1357  
(1) of this section unless the services provider is specified in 1358  
the judgment that imposes the fine. No community addiction 1359  
services provider shall be specified in the judgment unless the 1360  
services provider is an eligible community addiction services 1361  
provider and, except as otherwise provided in division (H) (2) of 1362  
this section, unless the services provider is located in the 1363  
county in which the court that imposes the fine is located or in 1364  
a county that is immediately contiguous to the county in which 1365  
that court is located. If no eligible community addiction 1366  
services provider is located in any of those counties, the 1367  
judgment may specify an eligible community addiction services 1368  
provider that is located anywhere within this state. 1369

(3) Notwithstanding any contrary provision of section 1370  
3719.21 of the Revised Code, the clerk of the court shall pay 1371  
any fine imposed under division (H) (1) of this section to the 1372  
eligible community addiction services provider specified 1373  
pursuant to division (H) (2) of this section in the judgment. The 1374  
eligible community addiction services provider that receives the 1375

fine moneys shall use the moneys only for the alcohol and drug 1376  
addiction services identified in the application for 1377  
certification of services under section 5119.36 of the Revised 1378  
Code or in the application for a license under section 5119.37 1379  
of the Revised Code filed with the department of mental health 1380  
and addiction services by the community addiction services 1381  
provider specified in the judgment. 1382

(4) Each community addiction services provider that 1383  
receives in a calendar year any fine moneys under division (H) 1384  
(3) of this section shall file an annual report covering that 1385  
calendar year with the court of common pleas and the board of 1386  
county commissioners of the county in which the services 1387  
provider is located, with the court of common pleas and the 1388  
board of county commissioners of each county from which the 1389  
services provider received the moneys if that county is 1390  
different from the county in which the services provider is 1391  
located, and with the attorney general. The community addiction 1392  
services provider shall file the report no later than the first 1393  
day of March in the calendar year following the calendar year in 1394  
which the services provider received the fine moneys. The report 1395  
shall include statistics on the number of persons served by the 1396  
community addiction services provider, identify the types of 1397  
alcohol and drug addiction services provided to those persons, 1398  
and include a specific accounting of the purposes for which the 1399  
fine moneys received were used. No information contained in the 1400  
report shall identify, or enable a person to determine the 1401  
identity of, any person served by the community addiction 1402  
services provider. Each report received by a court of common 1403  
pleas, a board of county commissioners, or the attorney general 1404  
is a public record open for inspection under section 149.43 of 1405  
the Revised Code. 1406



(5) As used in divisions (H) (1) to (5) of this section:	1407
(a) "Community addiction services provider" and "alcohol and drug addiction services" have the same meanings as in section 5119.01 of the Revised Code.	1408 1409 1410
(b) "Eligible community addiction services provider" means a community addiction services provider, including a community addiction services provider that operates an opioid treatment program licensed under section 5119.37 of the Revised Code.	1411 1412 1413 1414
(I) As used in this section, "drug" includes any substance that is represented to be a drug.	1415 1416
(J) It is an affirmative defense to a charge of trafficking in a controlled substance analog under division (C) (8) of this section that the person charged with violating that offense sold or offered to sell, or prepared for shipment, shipped, transported, delivered, prepared for distribution, or distributed an item described in division (HH) (2) (a), (b), or (c) of section 3719.01 of the Revised Code.	1417 1418 1419 1420 1421 1422 1423
<b>Section 2.</b> That existing sections 2925.01 and 2925.03 of the Revised Code are hereby repealed.	1424 1425
<b>Section 3.</b> The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:	1426 1427 1428 1429 1430 1431 1432 1433
Section 2925.01 of the Revised Code as amended by both Am. Sub. H.B. 49 and Am. Sub. S.B. 1 of the 132nd General Assembly.	1434 1435

Section 2925.03 of the Revised Code as amended by both Am.	1436
Sub. H.B. 111 and Am. Sub. S.B. 1 of the 132nd General Assembly.	1437
<b>Section 4.</b> This act shall be known as the "Relapse	1438
Reduction Act."	1439