

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 665

Representative Humphrey



A BILL

To amend sections 2903.02 and 2903.04 of the
Revised Code to provide that the prohibition
under "murder" against causing the death of
another as a proximate result of committing or
attempting to commit a first or second degree
felony offense of violence, and the prohibitions
under "involuntary manslaughter," apply only to
a person who is age 18 or older.

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

Section 1. That sections 2903.02 and 2903.04 of the
Revised Code be amended to read as follows:

Sec. 2903.02. (A) No person shall purposely cause the
death of another or the unlawful termination of another's
pregnancy.

(B) No person who is eighteen years of age or older shall
cause the death of another as a proximate result of the
offender's committing or attempting to commit an offense of
violence that is a felony of the first or second degree and that
is not a violation of section 2903.03 or 2903.04 of the Revised
Code.

(C) Division (B) of this section does not apply to an offense that becomes a felony of the first or second degree only if the offender previously has been convicted of that offense or another specified offense.

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

Sec. 2903.04. (A) No person who is eighteen years of age or older shall cause the death of another or the unlawful termination of another's pregnancy as a proximate result of the offender's committing or attempting to commit a felony.

(B) No person who is eighteen years of age or older shall cause the death of another or the unlawful termination of another's pregnancy as a proximate result of the offender's committing or attempting to commit a misdemeanor of any degree, a regulatory offense, or a minor misdemeanor other than a violation of any section contained in Title XLV of the Revised Code that is a minor misdemeanor and other than a violation of an ordinance of a municipal corporation that, regardless of the penalty set by ordinance for the violation, is substantially equivalent to any section contained in Title XLV of the Revised Code that is a minor misdemeanor.

(C) Whoever violates this section is guilty of involuntary manslaughter. Violation of division (A) of this section is a felony of the first degree. Violation of division (B) of this section is a felony of the third degree.

(D) If an offender is convicted of or pleads guilty to a violation of division (A) or (B) of this section and if the felony, misdemeanor, or regulatory offense that the offender

committed or attempted to commit, that proximately resulted in 49
the death of the other person or the unlawful termination of 50
another's pregnancy, and that is the basis of the offender's 51
violation of division (A) or (B) of this section was a violation 52
of division (A) or (B) of section 4511.19 of the Revised Code or 53
of a substantially equivalent municipal ordinance or included, 54
as an element of that felony, misdemeanor, or regulatory 55
offense, the offender's operation or participation in the 56
operation of a snowmobile, locomotive, watercraft, or aircraft 57
while the offender was under the influence of alcohol, a drug of 58
abuse, or alcohol and a drug of abuse, both of the following 59
apply: 60

(1) The court shall impose a class one suspension of the 61
offender's driver's or commercial driver's license or permit or 62
nonresident operating privilege as specified in division (A)(1) 63
of section 4510.02 of the Revised Code. 64

(2) The court shall impose a mandatory prison term for the 65
violation of division (A) or (B) of this section from the range 66
of prison terms authorized for the level of the offense under 67
section 2929.14 of the Revised Code. 68

Section 2. That existing sections 2903.02 and 2903.04 of 69
the Revised Code are hereby repealed. 70