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135th General Assembly
Regular Session
2023-2024

Sub. H. B. No. 56

A BILL

To amend sections 2921.331, 2929.14, 2935.031, 1
2981.02 , 4510.036, 4511.20, 4511.201, and 2
4511.251 of the Revised Code to require law 3
enforcement entities to train officers related 4
to the pursuit of a motor vehicle and to increase 5
penalties for fleeing from law enforcement, 6
reckless operation, and forms of stunt driving. 7

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

Section 1. That sections 2921.331, 2929.14, 2935.031, 8
2981.02 , 4510.036, 4511.20, 4511.201, and 4511.251 of the 9
Revised Code be amended to read as follows: 10

Sec. 2921.331. (A) No person shall fail to comply with any 11
lawful order or direction of any police officer invested with 12
authority to direct, control, or regulate traffic. 13

(B) No person shall operate a motor vehicle so as 14
willfully to elude or flee a police officer after receiving a 15
visible or audible signal from a police officer to bring the 16
person's motor vehicle to a stop. 17



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(C) (1) Whoever violates this section is guilty of failure to comply with an order or signal of a police officer. 18
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(2) A violation of division (A) of this section is a misdemeanor of the first degree. 20
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(3) Except as provided in divisions (C) (4) and (5) of this section, a violation of division (B) of this section is a ~~misdemeanor~~ felony of the ~~first~~ fourth degree. 22
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(4) ~~Except as provided in division (C) (5) of this section,~~ a violation of division (B) of this section is a felony of the ~~fourth~~ third degree if the jury or judge as trier of fact finds by proof beyond a reasonable doubt that, in committing the offense, the offender was fleeing immediately after the commission of a felony. 25
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(5) (a) A violation of division (B) of this section is a felony of the third degree if the jury or judge as trier of fact finds any of the following by proof beyond a reasonable doubt: 31
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(i) The operation of the motor vehicle by the offender was a proximate cause of serious physical harm to persons or property. 34
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(ii) The operation of the motor vehicle by the offender caused a substantial risk of serious physical harm to persons or property. 37
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(b) If a police officer pursues an offender who is violating division (B) of this section and division (C) (5) (a) of this section applies, the sentencing court, in determining the seriousness of an offender's conduct for purposes of sentencing the offender for a violation of division (B) of this section, shall consider, along with the factors set forth in sections 2929.12 and 2929.13 of the Revised Code that are required to be 40
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considered, all of the following:	47
(i) The duration of the pursuit;	48
(ii) The distance of the pursuit;	49
(iii) The rate of speed at which the offender operated the motor vehicle during the pursuit;	50 51
(iv) Whether the offender failed to stop for traffic lights or stop signs during the pursuit;	52 53
(v) The number of traffic lights or stop signs for which the offender failed to stop during the pursuit;	54 55
(vi) Whether the offender operated the motor vehicle during the pursuit without lighted lights during a time when lighted lights are required;	56 57 58
(vii) Whether the offender committed a moving violation during the pursuit;	59 60
(viii) The number of moving violations the offender committed during the pursuit;	61 62
(ix) Any other relevant factors indicating that the offender's conduct is more serious than conduct normally constituting the offense.	63 64 65
(D) If an offender is sentenced pursuant to division (C) (4) or (5) of this section for a violation of division (B) of this section, and if the offender is sentenced to a prison term for that a violation of division (B) of this section, the offender shall serve the prison term consecutively to any other prison term or mandatory prison term imposed upon the offender.	66 67 68 69 70 71
(E) In addition to any other sanction imposed for a felony violation of division (B) of this section, the court shall	72 73

impose a class two suspension from the range specified in 74
division (A) (2) of section 4510.02 of the Revised Code. In 75
addition to any other sanction imposed for a violation of 76
division (A) of this section ~~or a misdemeanor violation of~~ 77
~~division (B) of this section~~, the court shall impose a class 78
five suspension from the range specified in division (A) (5) of 79
section 4510.02 of the Revised Code. If the offender previously 80
has been found guilty of an offense under this section, in 81
addition to any other sanction imposed for the offense, the 82
court shall impose a class one suspension as described in 83
division (A) (1) of that section. The court shall not grant 84
limited driving privileges to the offender on a suspension 85
imposed for a felony violation of this section. The court may 86
grant limited driving privileges to the offender on a suspension 87
imposed for a misdemeanor violation of this section as set forth 88
in section 4510.021 of the Revised Code. No judge shall suspend 89
the first three years of suspension under a class two suspension 90
of an offender's license, permit, or privilege required by this 91
division ~~on or~~ any portion of the suspension under a class one 92
suspension of an offender's license, permit, or privilege 93
required by this division. 94

(F) As used in this section: 95

(1) "Moving violation" has the same meaning as in section 96
2743.70 of the Revised Code. 97

(2) "Police officer" has the same meaning as in section 98
4511.01 of the Revised Code. 99

Sec. 2929.14. (A) Except as provided in division (B) (1), 100
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 101
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 102
in division (D) (6) of section 2919.25 of the Revised Code and 103

except in relation to an offense for which a sentence of death 104
or life imprisonment is to be imposed, if the court imposing a 105
sentence upon an offender for a felony elects or is required to 106
impose a prison term on the offender pursuant to this chapter, 107
the court shall impose a prison term that shall be one of the 108
following: 109

(1) (a) For a felony of the first degree committed on or 110
after March 22, 2019, the prison term shall be an indefinite 111
prison term with a stated minimum term selected by the court of 112
three, four, five, six, seven, eight, nine, ten, or eleven years 113
and a maximum term that is determined pursuant to section 114
2929.144 of the Revised Code, except that if the section that 115
criminalizes the conduct constituting the felony specifies a 116
different minimum term or penalty for the offense, the specific 117
language of that section shall control in determining the 118
minimum term or otherwise sentencing the offender but the 119
minimum term or sentence imposed under that specific language 120
shall be considered for purposes of the Revised Code as if it 121
had been imposed under this division. 122

(b) For a felony of the first degree committed prior to 123
March 22, 2019, the prison term shall be a definite prison term 124
of three, four, five, six, seven, eight, nine, ten, or eleven 125
years. 126

(2) (a) For a felony of the second degree committed on or 127
after March 22, 2019, the prison term shall be an indefinite 128
prison term with a stated minimum term selected by the court of 129
two, three, four, five, six, seven, or eight years and a maximum 130
term that is determined pursuant to section 2929.144 of the 131
Revised Code, except that if the section that criminalizes the 132
conduct constituting the felony specifies a different minimum 133

term or penalty for the offense, the specific language of that 134
section shall control in determining the minimum term or 135
otherwise sentencing the offender but the minimum term or 136
sentence imposed under that specific language shall be 137
considered for purposes of the Revised Code as if it had been 138
imposed under this division. 139

(b) For a felony of the second degree committed prior to 140
March 22, 2019, the prison term shall be a definite term of two, 141
three, four, five, six, seven, or eight years. 142

(3) (a) For a felony of the third degree that is a 143
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 144
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 145
Code, that is a violation of division (A) of section 4511.19 of 146
the Revised Code if the offender previously has been convicted 147
of or pleaded guilty to a violation of division (A) of that 148
section that was a felony, ~~or~~ that is a violation of section 149
2911.02 or 2911.12 of the Revised Code if the offender 150
previously has been convicted of or pleaded guilty in two or 151
more separate proceedings to two or more violations of section 152
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, or 153
that is a violation of division (B) of section 2921.331 of the 154
Revised Code if division (C) (5) of that section applies, the 155
prison term shall be a definite term of twelve, eighteen, 156
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 157
four, or sixty months. 158

(b) For a felony of the third degree that is not an 159
offense for which division (A) (3) (a) of this section applies, 160
the prison term shall be a definite term of nine, twelve, 161
eighteen, twenty-four, thirty, or thirty-six months. 162

(4) For a felony of the fourth degree, the prison term 163

shall be a definite term of six, seven, eight, nine, ten, 164
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 165
or eighteen months. 166

(5) For a felony of the fifth degree, the prison term 167
shall be a definite term of six, seven, eight, nine, ten, 168
eleven, or twelve months. 169

(B) (1) (a) Except as provided in division (B) (1) (e) of this 170
section, if an offender who is convicted of or pleads guilty to 171
a felony also is convicted of or pleads guilty to a 172
specification of the type described in section 2941.141, 173
2941.144, or 2941.145 of the Revised Code, the court shall 174
impose on the offender one of the following prison terms: 175

(i) A prison term of six years if the specification is of 176
the type described in division (A) of section 2941.144 of the 177
Revised Code that charges the offender with having a firearm 178
that is an automatic firearm or that was equipped with a firearm 179
muffler or suppressor on or about the offender's person or under 180
the offender's control while committing the offense; 181

(ii) A prison term of three years if the specification is 182
of the type described in division (A) of section 2941.145 of the 183
Revised Code that charges the offender with having a firearm on 184
or about the offender's person or under the offender's control 185
while committing the offense and displaying the firearm, 186
brandishing the firearm, indicating that the offender possessed 187
the firearm, or using it to facilitate the offense; 188

(iii) A prison term of one year if the specification is of 189
the type described in division (A) of section 2941.141 of the 190
Revised Code that charges the offender with having a firearm on 191
or about the offender's person or under the offender's control 192

while committing the offense; 193

(iv) A prison term of nine years if the specification is 194
of the type described in division (D) of section 2941.144 of the 195
Revised Code that charges the offender with having a firearm 196
that is an automatic firearm or that was equipped with a firearm 197
muffler or suppressor on or about the offender's person or under 198
the offender's control while committing the offense and 199
specifies that the offender previously has been convicted of or 200
pleaded guilty to a specification of the type described in 201
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 202
the Revised Code; 203

(v) A prison term of fifty-four months if the 204
specification is of the type described in division (D) of 205
section 2941.145 of the Revised Code that charges the offender 206
with having a firearm on or about the offender's person or under 207
the offender's control while committing the offense and 208
displaying the firearm, brandishing the firearm, indicating that 209
the offender possessed the firearm, or using the firearm to 210
facilitate the offense and that the offender previously has been 211
convicted of or pleaded guilty to a specification of the type 212
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 213
2941.1412 of the Revised Code; 214

(vi) A prison term of eighteen months if the specification 215
is of the type described in division (D) of section 2941.141 of 216
the Revised Code that charges the offender with having a firearm 217
on or about the offender's person or under the offender's 218
control while committing the offense and that the offender 219
previously has been convicted of or pleaded guilty to a 220
specification of the type described in section 2941.141, 221
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 222

(b) If a court imposes a prison term on an offender under 223
division (B) (1) (a) of this section, the prison term shall not be 224
reduced pursuant to section 2929.20, division (A) (2) or (3) of 225
section 2967.193 or 2967.194, or any other provision of Chapter 226
2967. or Chapter 5120. of the Revised Code. Except as provided 227
in division (B) (1) (g) of this section, a court shall not impose 228
more than one prison term on an offender under division (B) (1) 229
(a) of this section for felonies committed as part of the same 230
act or transaction. 231

(c) (i) Except as provided in division (B) (1) (e) of this 232
section, if an offender who is convicted of or pleads guilty to 233
a violation of section 2923.161 of the Revised Code or to a 234
felony that includes, as an essential element, purposely or 235
knowingly causing or attempting to cause the death of or 236
physical harm to another, also is convicted of or pleads guilty 237
to a specification of the type described in division (A) of 238
section 2941.146 of the Revised Code that charges the offender 239
with committing the offense by discharging a firearm from a 240
motor vehicle other than a manufactured home, the court, after 241
imposing a prison term on the offender for the violation of 242
section 2923.161 of the Revised Code or for the other felony 243
offense under division (A), (B) (2), or (B) (3) of this section, 244
shall impose an additional prison term of five years upon the 245
offender that shall not be reduced pursuant to section 2929.20, 246
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 247
other provision of Chapter 2967. or Chapter 5120. of the Revised 248
Code. 249

(ii) Except as provided in division (B) (1) (e) of this 250
section, if an offender who is convicted of or pleads guilty to 251
a violation of section 2923.161 of the Revised Code or to a 252
felony that includes, as an essential element, purposely or 253

knowingly causing or attempting to cause the death of or 254
physical harm to another, also is convicted of or pleads guilty 255
to a specification of the type described in division (C) of 256
section 2941.146 of the Revised Code that charges the offender 257
with committing the offense by discharging a firearm from a 258
motor vehicle other than a manufactured home and that the 259
offender previously has been convicted of or pleaded guilty to a 260
specification of the type described in section 2941.141, 261
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 262
the court, after imposing a prison term on the offender for the 263
violation of section 2923.161 of the Revised Code or for the 264
other felony offense under division (A), (B) (2), or (3) of this 265
section, shall impose an additional prison term of ninety months 266
upon the offender that shall not be reduced pursuant to section 267
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 268
or any other provision of Chapter 2967. or Chapter 5120. of the 269
Revised Code. 270

(iii) A court shall not impose more than one additional 271
prison term on an offender under division (B) (1) (c) of this 272
section for felonies committed as part of the same act or 273
transaction. If a court imposes an additional prison term on an 274
offender under division (B) (1) (c) of this section relative to an 275
offense, the court also shall impose a prison term under 276
division (B) (1) (a) of this section relative to the same offense, 277
provided the criteria specified in that division for imposing an 278
additional prison term are satisfied relative to the offender 279
and the offense. 280

(d) If an offender who is convicted of or pleads guilty to 281
an offense of violence that is a felony also is convicted of or 282
pleads guilty to a specification of the type described in 283
section 2941.1411 of the Revised Code that charges the offender 284

with wearing or carrying body armor while committing the felony 285
offense of violence, the court shall impose on the offender an 286
additional prison term of two years. The prison term so imposed 287
shall not be reduced pursuant to section 2929.20, division (A) 288
(2) or (3) of section 2967.193 or 2967.194, or any other 289
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 290
A court shall not impose more than one prison term on an 291
offender under division (B) (1) (d) of this section for felonies 292
committed as part of the same act or transaction. If a court 293
imposes an additional prison term under division (B) (1) (a) or 294
(c) of this section, the court is not precluded from imposing an 295
additional prison term under division (B) (1) (d) of this section. 296

(e) The court shall not impose any of the prison terms 297
described in division (B) (1) (a) of this section or any of the 298
additional prison terms described in division (B) (1) (c) of this 299
section upon an offender for a violation of section 2923.12 or 300
2923.123 of the Revised Code. The court shall not impose any of 301
the prison terms described in division (B) (1) (a) or (b) of this 302
section upon an offender for a violation of section 2923.122 303
that involves a deadly weapon that is a firearm other than a 304
dangerous ordnance, section 2923.16, or section 2923.121 of the 305
Revised Code. The court shall not impose any of the prison terms 306
described in division (B) (1) (a) of this section or any of the 307
additional prison terms described in division (B) (1) (c) of this 308
section upon an offender for a violation of section 2923.13 of 309
the Revised Code unless all of the following apply: 310

(i) The offender previously has been convicted of 311
aggravated murder, murder, or any felony of the first or second 312
degree. 313

(ii) Less than five years have passed since the offender 314

was released from prison or post-release control, whichever is 315
later, for the prior offense. 316

(f)(i) If an offender is convicted of or pleads guilty to 317
a felony that includes, as an essential element, causing or 318
attempting to cause the death of or physical harm to another and 319
also is convicted of or pleads guilty to a specification of the 320
type described in division (A) of section 2941.1412 of the 321
Revised Code that charges the offender with committing the 322
offense by discharging a firearm at a peace officer as defined 323
in section 2935.01 of the Revised Code or a corrections officer, 324
as defined in section 2941.1412 of the Revised Code, the court, 325
after imposing a prison term on the offender for the felony 326
offense under division (A), (B)(2), or (B)(3) of this section, 327
shall impose an additional prison term of seven years upon the 328
offender that shall not be reduced pursuant to section 2929.20, 329
division (A)(2) or (3) of section 2967.193 or 2967.194, or any 330
other provision of Chapter 2967. or Chapter 5120. of the Revised 331
Code. 332

(ii) If an offender is convicted of or pleads guilty to a 333
felony that includes, as an essential element, causing or 334
attempting to cause the death of or physical harm to another and 335
also is convicted of or pleads guilty to a specification of the 336
type described in division (B) of section 2941.1412 of the 337
Revised Code that charges the offender with committing the 338
offense by discharging a firearm at a peace officer, as defined 339
in section 2935.01 of the Revised Code, or a corrections 340
officer, as defined in section 2941.1412 of the Revised Code, 341
and that the offender previously has been convicted of or 342
pleaded guilty to a specification of the type described in 343
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 344
the Revised Code, the court, after imposing a prison term on the 345

offender for the felony offense under division (A), (B) (2), or 346
(3) of this section, shall impose an additional prison term of 347
one hundred twenty-six months upon the offender that shall not 348
be reduced pursuant to section 2929.20, division (A) (2) or (3) 349
of section 2967.193 or 2967.194, or any other provision of 350
Chapter 2967. or 5120. of the Revised Code. 351

(iii) If an offender is convicted of or pleads guilty to 352
two or more felonies that include, as an essential element, 353
causing or attempting to cause the death or physical harm to 354
another and also is convicted of or pleads guilty to a 355
specification of the type described under division (B) (1) (f) of 356
this section in connection with two or more of the felonies of 357
which the offender is convicted or to which the offender pleads 358
guilty, the sentencing court shall impose on the offender the 359
prison term specified under division (B) (1) (f) of this section 360
for each of two of the specifications of which the offender is 361
convicted or to which the offender pleads guilty and, in its 362
discretion, also may impose on the offender the prison term 363
specified under that division for any or all of the remaining 364
specifications. If a court imposes an additional prison term on 365
an offender under division (B) (1) (f) of this section relative to 366
an offense, the court shall not impose a prison term under 367
division (B) (1) (a) or (c) of this section relative to the same 368
offense. 369

(g) If an offender is convicted of or pleads guilty to two 370
or more felonies, if one or more of those felonies are 371
aggravated murder, murder, attempted aggravated murder, 372
attempted murder, aggravated robbery, felonious assault, or 373
rape, and if the offender is convicted of or pleads guilty to a 374
specification of the type described under division (B) (1) (a) of 375
this section in connection with two or more of the felonies, the 376

sentencing court shall impose on the offender the prison term 377
specified under division (B) (1) (a) of this section for each of 378
the two most serious specifications of which the offender is 379
convicted or to which the offender pleads guilty and, in its 380
discretion, also may impose on the offender the prison term 381
specified under that division for any or all of the remaining 382
specifications. 383

(2) (a) If division (B) (2) (b) of this section does not 384
apply, the court may impose on an offender, in addition to the 385
longest prison term authorized or required for the offense or, 386
for offenses for which division (A) (1) (a) or (2) (a) of this 387
section applies, in addition to the longest minimum prison term 388
authorized or required for the offense, an additional definite 389
prison term of one, two, three, four, five, six, seven, eight, 390
nine, or ten years if all of the following criteria are met: 391

(i) The offender is convicted of or pleads guilty to a 392
specification of the type described in section 2941.149 of the 393
Revised Code that the offender is a repeat violent offender. 394

(ii) The offense of which the offender currently is 395
convicted or to which the offender currently pleads guilty is 396
aggravated murder and the court does not impose a sentence of 397
death or life imprisonment without parole, murder, terrorism and 398
the court does not impose a sentence of life imprisonment 399
without parole, any felony of the first degree that is an 400
offense of violence and the court does not impose a sentence of 401
life imprisonment without parole, or any felony of the second 402
degree that is an offense of violence and the trier of fact 403
finds that the offense involved an attempt to cause or a threat 404
to cause serious physical harm to a person or resulted in 405
serious physical harm to a person. 406

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

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

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

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

(i) The offender is convicted of or pleads guilty to a 437
specification of the type described in section 2941.149 of the 438
Revised Code that the offender is a repeat violent offender. 439

(ii) The offender within the preceding twenty years has 440
been convicted of or pleaded guilty to three or more offenses 441
described in division (CC) (1) of section 2929.01 of the Revised 442
Code, including all offenses described in that division of which 443
the offender is convicted or to which the offender pleads guilty 444
in the current prosecution and all offenses described in that 445
division of which the offender previously has been convicted or 446
to which the offender previously pleaded guilty, whether 447
prosecuted together or separately. 448

(iii) The offense or offenses of which the offender 449
currently is convicted or to which the offender currently pleads 450
guilty is aggravated murder and the court does not impose a 451
sentence of death or life imprisonment without parole, murder, 452
terrorism and the court does not impose a sentence of life 453
imprisonment without parole, any felony of the first degree that 454
is an offense of violence and the court does not impose a 455
sentence of life imprisonment without parole, or any felony of 456
the second degree that is an offense of violence and the trier 457
of fact finds that the offense involved an attempt to cause or a 458
threat to cause serious physical harm to a person or resulted in 459
serious physical harm to a person. 460

(c) For purposes of division (B) (2) (b) of this section, 461
two or more offenses committed at the same time or as part of 462
the same act or event shall be considered one offense, and that 463
one offense shall be the offense with the greatest penalty. 464

(d) A sentence imposed under division (B) (2) (a) or (b) of 465
this section shall not be reduced pursuant to section 2929.20, 466

division (A) (2) or (3) of section 2967.193 or 2967.194, or any 467
other provision of Chapter 2967. or Chapter 5120. of the Revised 468
Code. The offender shall serve an additional prison term imposed 469
under division (B) (2) (a) or (b) of this section consecutively to 470
and prior to the prison term imposed for the underlying offense. 471

(e) When imposing a sentence pursuant to division (B) (2) 472
(a) or (b) of this section, the court shall state its findings 473
explaining the imposed sentence. 474

(3) Except when an offender commits a violation of section 475
2903.01 or 2907.02 of the Revised Code and the penalty imposed 476
for the violation is life imprisonment or commits a violation of 477
section 2903.02 of the Revised Code, if the offender commits a 478
violation of section 2925.03 or 2925.11 of the Revised Code and 479
that section classifies the offender as a major drug offender, 480
if the offender commits a violation of section 2925.05 of the 481
Revised Code and division (E) (1) of that section classifies the 482
offender as a major drug offender, if the offender commits a 483
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 484
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 485
division (C) or (D) of section 3719.172, division (E) of section 486
4729.51, or division (J) of section 4729.54 of the Revised Code 487
that includes the sale, offer to sell, or possession of a 488
schedule I or II controlled substance, with the exception of 489
marihuana, and the court imposing sentence upon the offender 490
finds that the offender is guilty of a specification of the type 491
described in division (A) of section 2941.1410 of the Revised 492
Code charging that the offender is a major drug offender, if the 493
court imposing sentence upon an offender for a felony finds that 494
the offender is guilty of corrupt activity with the most serious 495
offense in the pattern of corrupt activity being a felony of the 496
first degree, or if the offender is guilty of an attempted 497

violation of section 2907.02 of the Revised Code and, had the 498
offender completed the violation of section 2907.02 of the 499
Revised Code that was attempted, the offender would have been 500
subject to a sentence of life imprisonment or life imprisonment 501
without parole for the violation of section 2907.02 of the 502
Revised Code, the court shall impose upon the offender for the 503
felony violation a mandatory prison term determined as described 504
in this division that cannot be reduced pursuant to section 505
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 506
or any other provision of Chapter 2967. or 5120. of the Revised 507
Code. The mandatory prison term shall be the maximum definite 508
prison term prescribed in division (A) (1) (b) of this section for 509
a felony of the first degree, except that for offenses for which 510
division (A) (1) (a) of this section applies, the mandatory prison 511
term shall be the longest minimum prison term prescribed in that 512
division for the offense. 513

(4) If the offender is being sentenced for a third or 514
fourth degree felony OVI offense under division (G) (2) of 515
section 2929.13 of the Revised Code, the sentencing court shall 516
impose upon the offender a mandatory prison term in accordance 517
with that division. In addition to the mandatory prison term, if 518
the offender is being sentenced for a fourth degree felony OVI 519
offense, the court, notwithstanding division (A) (4) of this 520
section, may sentence the offender to a definite prison term of 521
not less than six months and not more than thirty months, and if 522
the offender is being sentenced for a third degree felony OVI 523
offense, the sentencing court may sentence the offender to an 524
additional prison term of any duration specified in division (A) 525
(3) of this section. In either case, the additional prison term 526
imposed shall be reduced by the sixty or one hundred twenty days 527
imposed upon the offender as the mandatory prison term. The 528

total of the additional prison term imposed under division (B) 529
(4) of this section plus the sixty or one hundred twenty days 530
imposed as the mandatory prison term shall equal a definite term 531
in the range of six months to thirty months for a fourth degree 532
felony OVI offense and shall equal one of the authorized prison 533
terms specified in division (A) (3) of this section for a third 534
degree felony OVI offense. If the court imposes an additional 535
prison term under division (B) (4) of this section, the offender 536
shall serve the additional prison term after the offender has 537
served the mandatory prison term required for the offense. In 538
addition to the mandatory prison term or mandatory and 539
additional prison term imposed as described in division (B) (4) 540
of this section, the court also may sentence the offender to a 541
community control sanction under section 2929.16 or 2929.17 of 542
the Revised Code, but the offender shall serve all of the prison 543
terms so imposed prior to serving the community control 544
sanction. 545

If the offender is being sentenced for a fourth degree 546
felony OVI offense under division (G) (1) of section 2929.13 of 547
the Revised Code and the court imposes a mandatory term of local 548
incarceration, the court may impose a prison term as described 549
in division (A) (1) of that section. 550

(5) If an offender is convicted of or pleads guilty to a 551
violation of division (A) (1) or (2) of section 2903.06 of the 552
Revised Code and also is convicted of or pleads guilty to a 553
specification of the type described in section 2941.1414 of the 554
Revised Code that charges that the victim of the offense is a 555
peace officer, as defined in section 2935.01 of the Revised 556
Code, an investigator of the bureau of criminal identification 557
and investigation, as defined in section 2903.11 of the Revised 558
Code, or a firefighter or emergency medical worker, both as 559

defined in section 4123.026 of the Revised Code, the court shall 560
impose on the offender a prison term of five years. If a court 561
imposes a prison term on an offender under division (B) (5) of 562
this section, the prison term shall not be reduced pursuant to 563
section 2929.20, division (A) (2) or (3) of section 2967.193 or 564
2967.194, or any other provision of Chapter 2967. or Chapter 565
5120. of the Revised Code. A court shall not impose more than 566
one prison term on an offender under division (B) (5) of this 567
section for felonies committed as part of the same act. 568

(6) If an offender is convicted of or pleads guilty to a 569
violation of division (A) (1) or (2) of section 2903.06 of the 570
Revised Code and also is convicted of or pleads guilty to a 571
specification of the type described in section 2941.1415 of the 572
Revised Code that charges that the offender previously has been 573
convicted of or pleaded guilty to three or more violations of 574
division (A) of section 4511.19 of the Revised Code or an 575
equivalent offense, as defined in section 2941.1415 of the 576
Revised Code, or three or more violations of any combination of 577
those offenses, the court shall impose on the offender a prison 578
term of three years. If a court imposes a prison term on an 579
offender under division (B) (6) of this section, the prison term 580
shall not be reduced pursuant to section 2929.20, division (A) 581
(2) or (3) of section 2967.193 or 2967.194, or any other 582
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 583
A court shall not impose more than one prison term on an 584
offender under division (B) (6) of this section for felonies 585
committed as part of the same act. 586

(7) (a) If an offender is convicted of or pleads guilty to 587
a felony violation of section 2905.01, 2905.02, 2907.21, 588
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 589
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 590

section 2919.22 of the Revised Code and also is convicted of or 591
pleads guilty to a specification of the type described in 592
section 2941.1422 of the Revised Code that charges that the 593
offender knowingly committed the offense in furtherance of human 594
trafficking, the court shall impose on the offender a mandatory 595
prison term that is one of the following: 596

(i) If the offense is a felony of the first degree, a 597
definite prison term of not less than five years and not greater 598
than eleven years, except that if the offense is a felony of the 599
first degree committed on or after March 22, 2019, the court 600
shall impose as the minimum prison term a mandatory term of not 601
less than five years and not greater than eleven years; 602

(ii) If the offense is a felony of the second or third 603
degree, a definite prison term of not less than three years and 604
not greater than the maximum prison term allowed for the offense 605
by division (A) (2) (b) or (3) of this section, except that if the 606
offense is a felony of the second degree committed on or after 607
March 22, 2019, the court shall impose as the minimum prison 608
term a mandatory term of not less than three years and not 609
greater than eight years; 610

(iii) If the offense is a felony of the fourth or fifth 611
degree, a definite prison term that is the maximum prison term 612
allowed for the offense by division (A) of section 2929.14 of 613
the Revised Code. 614

(b) The prison term imposed under division (B) (7) (a) of 615
this section shall not be reduced pursuant to section 2929.20, 616
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 617
other provision of Chapter 2967. of the Revised Code. A court 618
shall not impose more than one prison term on an offender under 619
division (B) (7) (a) of this section for felonies committed as 620

part of the same act, scheme, or plan. 621

(8) If an offender is convicted of or pleads guilty to a 622
felony violation of section 2903.11, 2903.12, or 2903.13 of the 623
Revised Code and also is convicted of or pleads guilty to a 624
specification of the type described in section 2941.1423 of the 625
Revised Code that charges that the victim of the violation was a 626
woman whom the offender knew was pregnant at the time of the 627
violation, notwithstanding the range prescribed in division (A) 628
of this section as the definite prison term or minimum prison 629
term for felonies of the same degree as the violation, the court 630
shall impose on the offender a mandatory prison term that is 631
either a definite prison term of six months or one of the prison 632
terms prescribed in division (A) of this section for felonies of 633
the same degree as the violation, except that if the violation 634
is a felony of the first or second degree committed on or after 635
arch 22, 2019, the court shall impose as the minimum prison term 636
under division (A) (1) (a) or (2) (a) of this section a mandatory 637
term that is one of the terms prescribed in that division, 638
whichever is applicable, for the offense. 639

(9) (a) If an offender is convicted of or pleads guilty to 640
a violation of division (A) (1) or (2) of section 2903.11 of the 641
Revised Code and also is convicted of or pleads guilty to a 642
specification of the type described in section 2941.1425 of the 643
Revised Code, the court shall impose on the offender a mandatory 644
prison term of six years if either of the following applies: 645

(i) The violation is a violation of division (A) (1) of 646
section 2903.11 of the Revised Code and the specification 647
charges that the offender used an accelerant in committing the 648
violation and the serious physical harm to another or to 649
another's unborn caused by the violation resulted in a 650

permanent, serious disfigurement or permanent, substantial 651
incapacity; 652

(ii) The violation is a violation of division (A) (2) of 653
section 2903.11 of the Revised Code and the specification 654
charges that the offender used an accelerant in committing the 655
violation, that the violation caused physical harm to another or 656
to another's unborn, and that the physical harm resulted in a 657
permanent, serious disfigurement or permanent, substantial 658
incapacity. 659

(b) If a court imposes a prison term on an offender under 660
division (B) (9) (a) of this section, the prison term shall not be 661
reduced pursuant to section 2929.20, division (A) (2) or (3) of 662
section 2967.193 or 2967.194, or any other provision of Chapter 663
2967. or Chapter 5120. of the Revised Code. A court shall not 664
impose more than one prison term on an offender under division 665
(B) (9) of this section for felonies committed as part of the 666
same act. 667

(c) The provisions of divisions (B) (9) and (C) (6) of this 668
section and of division (D) (2) of section 2903.11, division (F) 669
(20) of section 2929.13, and section 2941.1425 of the Revised 670
Code shall be known as "Judy's Law." 671

(10) If an offender is convicted of or pleads guilty to a 672
violation of division (A) of section 2903.11 of the Revised Code 673
and also is convicted of or pleads guilty to a specification of 674
the type described in section 2941.1426 of the Revised Code that 675
charges that the victim of the offense suffered permanent 676
disabling harm as a result of the offense and that the victim 677
was under ten years of age at the time of the offense, 678
regardless of whether the offender knew the age of the victim, 679
the court shall impose upon the offender an additional definite 680

prison term of six years. A prison term imposed on an offender 681
under division (B) (10) of this section shall not be reduced 682
pursuant to section 2929.20, division (A) (2) or (3) of section 683
2967.193 or 2967.194, or any other provision of Chapter 2967. or 684
Chapter 5120. of the Revised Code. If a court imposes an 685
additional prison term on an offender under this division 686
relative to a violation of division (A) of section 2903.11 of 687
the Revised Code, the court shall not impose any other 688
additional prison term on the offender relative to the same 689
offense. 690

(11) If an offender is convicted of or pleads guilty to a 691
felony violation of section 2925.03 or 2925.05 of the Revised 692
Code or a felony violation of section 2925.11 of the Revised 693
Code for which division (C) (11) of that section applies in 694
determining the sentence for the violation, if the drug involved 695
in the violation is a fentanyl-related compound or a compound, 696
mixture, preparation, or substance containing a fentanyl-related 697
compound, and if the offender also is convicted of or pleads 698
guilty to a specification of the type described in division (B) 699
of section 2941.1410 of the Revised Code that charges that the 700
offender is a major drug offender, in addition to any other 701
penalty imposed for the violation, the court shall impose on the 702
offender a mandatory prison term of three, four, five, six, 703
seven, or eight years. If a court imposes a prison term on an 704
offender under division (B) (11) of this section, the prison term 705
shall not be reduced pursuant to section 2929.20, division (A) 706
(2) or (3) of section 2967.193 or 2967.194, or any other 707
provision of Chapter 2967. or 5120. of the Revised Code. A court 708
shall not impose more than one prison term on an offender under 709
division (B) (11) of this section for felonies committed as part 710
of the same act. 711

(C) (1) (a) Subject to division (C) (1) (b) of this section, 712
if a mandatory prison term is imposed upon an offender pursuant 713
to division (B) (1) (a) of this section for having a firearm on or 714
about the offender's person or under the offender's control 715
while committing a felony, if a mandatory prison term is imposed 716
upon an offender pursuant to division (B) (1) (c) of this section 717
for committing a felony specified in that division by 718
discharging a firearm from a motor vehicle, or if both types of 719
mandatory prison terms are imposed, the offender shall serve any 720
mandatory prison term imposed under either division 721
consecutively to any other mandatory prison term imposed under 722
either division or under division (B) (1) (d) of this section, 723
consecutively to and prior to any prison term imposed for the 724
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 725
this section or any other section of the Revised Code, and 726
consecutively to any other prison term or mandatory prison term 727
previously or subsequently imposed upon the offender. 728

(b) If a mandatory prison term is imposed upon an offender 729
pursuant to division (B) (1) (d) of this section for wearing or 730
carrying body armor while committing an offense of violence that 731
is a felony, the offender shall serve the mandatory term so 732
imposed consecutively to any other mandatory prison term imposed 733
under that division or under division (B) (1) (a) or (c) of this 734
section, consecutively to and prior to any prison term imposed 735
for the underlying felony under division (A), (B) (2), or (B) (3) 736
of this section or any other section of the Revised Code, and 737
consecutively to any other prison term or mandatory prison term 738
previously or subsequently imposed upon the offender. 739

(c) If a mandatory prison term is imposed upon an offender 740
pursuant to division (B) (1) (f) of this section, the offender 741
shall serve the mandatory prison term so imposed consecutively 742

to and prior to any prison term imposed for the underlying 743
felony under division (A), (B) (2), or (B) (3) of this section or 744
any other section of the Revised Code, and consecutively to any 745
other prison term or mandatory prison term previously or 746
subsequently imposed upon the offender. 747

(d) If a mandatory prison term is imposed upon an offender 748
pursuant to division (B) (7) or (8) of this section, the offender 749
shall serve the mandatory prison term so imposed consecutively 750
to any other mandatory prison term imposed under that division 751
or under any other provision of law and consecutively to any 752
other prison term or mandatory prison term previously or 753
subsequently imposed upon the offender. 754

(e) If a mandatory prison term is imposed upon an offender 755
pursuant to division (B) (11) of this section, the offender shall 756
serve the mandatory prison term consecutively to any other 757
mandatory prison term imposed under that division, consecutively 758
to and prior to any prison term imposed for the underlying 759
felony, and consecutively to any other prison term or mandatory 760
prison term previously or subsequently imposed upon the 761
offender. 762

(2) If an offender who is an inmate in a jail, prison, or 763
other residential detention facility violates section 2917.02, 764
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 765
(2) of section 2921.34 of the Revised Code, if an offender who 766
is under detention at a detention facility commits a felony 767
violation of section 2923.131 of the Revised Code, or if an 768
offender who is an inmate in a jail, prison, or other 769
residential detention facility or is under detention at a 770
detention facility commits another felony while the offender is 771
an escapee in violation of division (A) (1) or (2) of section 772

2921.34 of the Revised Code, any prison term imposed upon the 773
offender for one of those violations shall be served by the 774
offender consecutively to the prison term or term of 775
imprisonment the offender was serving when the offender 776
committed that offense and to any other prison term previously 777
or subsequently imposed upon the offender. 778

(3) If a prison term is imposed for a violation of 779
division (B) of section 2911.01 of the Revised Code, a violation 780
of division (A) of section 2913.02 of the Revised Code in which 781
the stolen property is a firearm or dangerous ordnance, or a 782
felony violation of division (B) of section 2921.331 of the 783
Revised Code, the offender shall serve that prison term 784
consecutively to any other prison term or mandatory prison term 785
previously or subsequently imposed upon the offender. 786

(4) If multiple prison terms are imposed on an offender 787
for convictions of multiple offenses, the court may require the 788
offender to serve the prison terms consecutively if the court 789
finds that the consecutive service is necessary to protect the 790
public from future crime or to punish the offender and that 791
consecutive sentences are not disproportionate to the 792
seriousness of the offender's conduct and to the danger the 793
offender poses to the public, and if the court also finds any of 794
the following: 795

(a) The offender committed one or more of the multiple 796
offenses while the offender was awaiting trial or sentencing, 797
was under a sanction imposed pursuant to section 2929.16, 798
2929.17, or 2929.18 of the Revised Code, or was under post- 799
release control for a prior offense. 800

(b) At least two of the multiple offenses were committed 801
as part of one or more courses of conduct, and the harm caused 802

by two or more of the multiple offenses so committed was so 803
great or unusual that no single prison term for any of the 804
offenses committed as part of any of the courses of conduct 805
adequately reflects the seriousness of the offender's conduct. 806

(c) The offender's history of criminal conduct 807
demonstrates that consecutive sentences are necessary to protect 808
the public from future crime by the offender. 809

(5) If a mandatory prison term is imposed upon an offender 810
pursuant to division (B) (5) or (6) of this section, the offender 811
shall serve the mandatory prison term consecutively to and prior 812
to any prison term imposed for the underlying violation of 813
division (A) (1) or (2) of section 2903.06 of the Revised Code 814
pursuant to division (A) of this section or section 2929.142 of 815
the Revised Code. If a mandatory prison term is imposed upon an 816
offender pursuant to division (B) (5) of this section, and if a 817
mandatory prison term also is imposed upon the offender pursuant 818
to division (B) (6) of this section in relation to the same 819
violation, the offender shall serve the mandatory prison term 820
imposed pursuant to division (B) (5) of this section 821
consecutively to and prior to the mandatory prison term imposed 822
pursuant to division (B) (6) of this section and consecutively to 823
and prior to any prison term imposed for the underlying 824
violation of division (A) (1) or (2) of section 2903.06 of the 825
Revised Code pursuant to division (A) of this section or section 826
2929.142 of the Revised Code. 827

(6) If a mandatory prison term is imposed on an offender 828
pursuant to division (B) (9) of this section, the offender shall 829
serve the mandatory prison term consecutively to and prior to 830
any prison term imposed for the underlying violation of division 831
(A) (1) or (2) of section 2903.11 of the Revised Code and 832

consecutively to and prior to any other prison term or mandatory 833
prison term previously or subsequently imposed on the offender. 834

(7) If a mandatory prison term is imposed on an offender 835
pursuant to division (B)(10) of this section, the offender shall 836
serve that mandatory prison term consecutively to and prior to 837
any prison term imposed for the underlying felonious assault. 838
Except as otherwise provided in division (C) of this section, 839
any other prison term or mandatory prison term previously or 840
subsequently imposed upon the offender may be served 841
concurrently with, or consecutively to, the prison term imposed 842
pursuant to division (B)(10) of this section. 843

(8) Any prison term imposed for a violation of section 844
2903.04 of the Revised Code that is based on a violation of 845
section 2925.03 or 2925.11 of the Revised Code or on a violation 846
of section 2925.05 of the Revised Code that is not funding of 847
marihuana trafficking shall run consecutively to any prison term 848
imposed for the violation of section 2925.03 or 2925.11 of the 849
Revised Code or for the violation of section 2925.05 of the 850
Revised Code that is not funding of marihuana trafficking. 851

(9) When consecutive prison terms are imposed pursuant to 852
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 853
division (H)(1) or (2) of this section, subject to division (C) 854
(10) of this section, the term to be served is the aggregate of 855
all of the terms so imposed. 856

(10) When a court sentences an offender to a non-life 857
felony indefinite prison term, any definite prison term or 858
mandatory definite prison term previously or subsequently 859
imposed on the offender in addition to that indefinite sentence 860
that is required to be served consecutively to that indefinite 861
sentence shall be served prior to the indefinite sentence. 862

(11) If a court is sentencing an offender for a felony of 863
the first or second degree, if division (A) (1) (a) or (2) (a) of 864
this section applies with respect to the sentencing for the 865
offense, and if the court is required under the Revised Code 866
section that sets forth the offense or any other Revised Code 867
provision to impose a mandatory prison term for the offense, the 868
court shall impose the required mandatory prison term as the 869
minimum term imposed under division (A) (1) (a) or (2) (a) of this 870
section, whichever is applicable. 871

(D) (1) If a court imposes a prison term, other than a term 872
of life imprisonment, for a felony of the first degree, for a 873
felony of the second degree, for a felony sex offense, or for a 874
felony of the third degree that is an offense of violence and 875
that is not a felony sex offense, it shall include in the 876
sentence a requirement that the offender be subject to a period 877
of post-release control after the offender's release from 878
imprisonment, in accordance with section 2967.28 of the Revised 879
Code. If a court imposes a sentence including a prison term of a 880
type described in this division on or after July 11, 2006, the 881
failure of a court to include a post-release control requirement 882
in the sentence pursuant to this division does not negate, 883
limit, or otherwise affect the mandatory period of post-release 884
control that is required for the offender under division (B) of 885
section 2967.28 of the Revised Code. Section 2929.191 of the 886
Revised Code applies if, prior to July 11, 2006, a court imposed 887
a sentence including a prison term of a type described in this 888
division and failed to include in the sentence pursuant to this 889
division a statement regarding post-release control. 890

(2) If a court imposes a prison term for a felony of the 891
third, fourth, or fifth degree that is not subject to division 892
(D) (1) of this section, it shall include in the sentence a 893

requirement that the offender be subject to a period of post- 894
release control after the offender's release from imprisonment, 895
in accordance with that division, if the parole board determines 896
that a period of post-release control is necessary. Section 897
2929.191 of the Revised Code applies if, prior to July 11, 2006, 898
a court imposed a sentence including a prison term of a type 899
described in this division and failed to include in the sentence 900
pursuant to this division a statement regarding post-release 901
control. 902

(E) The court shall impose sentence upon the offender in 903
accordance with section 2971.03 of the Revised Code, and Chapter 904
2971. of the Revised Code applies regarding the prison term or 905
term of life imprisonment without parole imposed upon the 906
offender and the service of that term of imprisonment if any of 907
the following apply: 908

(1) A person is convicted of or pleads guilty to a violent 909
sex offense or a designated homicide, assault, or kidnapping 910
offense, and, in relation to that offense, the offender is 911
adjudicated a sexually violent predator. 912

(2) A person is convicted of or pleads guilty to a 913
violation of division (A) (1) (b) of section 2907.02 of the 914
Revised Code committed on or after January 2, 2007, and either 915
the court does not impose a sentence of life without parole when 916
authorized pursuant to division (B) of section 2907.02 of the 917
Revised Code, or division (B) of section 2907.02 of the Revised 918
Code provides that the court shall not sentence the offender 919
pursuant to section 2971.03 of the Revised Code. 920

(3) A person is convicted of or pleads guilty to attempted 921
rape committed on or after January 2, 2007, and a specification 922
of the type described in section 2941.1418, 2941.1419, or 923

2941.1420 of the Revised Code.	924
(4) A person is convicted of or pleads guilty to a violation of section 2905.01 of the Revised Code committed on or after January 1, 2008, and that section requires the court to sentence the offender pursuant to section 2971.03 of the Revised Code.	925 926 927 928 929
(5) A person is convicted of or pleads guilty to aggravated murder committed on or after January 1, 2008, and division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), (C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) (a) (iv) of section 2929.03, or division (A) or (B) of section 2929.06 of the Revised Code requires the court to sentence the offender pursuant to division (B) (3) of section 2971.03 of the Revised Code.	930 931 932 933 934 935 936 937
(6) A person is convicted of or pleads guilty to murder committed on or after January 1, 2008, and division (B) (2) of section 2929.02 of the Revised Code requires the court to sentence the offender pursuant to section 2971.03 of the Revised Code.	938 939 940 941 942
(F) If a person who has been convicted of or pleaded guilty to a felony is sentenced to a prison term or term of imprisonment under this section, sections 2929.02 to 2929.06 of the Revised Code, section 2929.142 of the Revised Code, section 2971.03 of the Revised Code, or any other provision of law, section 5120.163 of the Revised Code applies regarding the person while the person is confined in a state correctional institution.	943 944 945 946 947 948 949 950
(G) If an offender who is convicted of or pleads guilty to a felony that is an offense of violence also is convicted of or	951 952

pleads guilty to a specification of the type described in 953
section 2941.142 of the Revised Code that charges the offender 954
with having committed the felony while participating in a 955
criminal gang, the court shall impose upon the offender an 956
additional prison term of one, two, or three years. 957

(H) (1) If an offender who is convicted of or pleads guilty 958
to aggravated murder, murder, or a felony of the first, second, 959
or third degree that is an offense of violence also is convicted 960
of or pleads guilty to a specification of the type described in 961
section 2941.143 of the Revised Code that charges the offender 962
with having committed the offense in a school safety zone or 963
towards a person in a school safety zone, the court shall impose 964
upon the offender an additional prison term of two years. The 965
offender shall serve the additional two years consecutively to 966
and prior to the prison term imposed for the underlying offense. 967

(2) (a) If an offender is convicted of or pleads guilty to 968
a felony violation of section 2907.22, 2907.24, 2907.241, or 969
2907.25 of the Revised Code and to a specification of the type 970
described in section 2941.1421 of the Revised Code and if the 971
court imposes a prison term on the offender for the felony 972
violation, the court may impose upon the offender an additional 973
prison term as follows: 974

(i) Subject to division (H) (2) (a) (ii) of this section, an 975
additional prison term of one, two, three, four, five, or six 976
months; 977

(ii) If the offender previously has been convicted of or 978
pleaded guilty to one or more felony or misdemeanor violations 979
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 980
the Revised Code and also was convicted of or pleaded guilty to 981
a specification of the type described in section 2941.1421 of 982

the Revised Code regarding one or more of those violations, an 983
additional prison term of one, two, three, four, five, six, 984
seven, eight, nine, ten, eleven, or twelve months. 985

(b) In lieu of imposing an additional prison term under 986
division (H)(2)(a) of this section, the court may directly 987
impose on the offender a sanction that requires the offender to 988
wear a real-time processing, continual tracking electronic 989
monitoring device during the period of time specified by the 990
court. The period of time specified by the court shall equal the 991
duration of an additional prison term that the court could have 992
imposed upon the offender under division (H)(2)(a) of this 993
section. A sanction imposed under this division shall commence 994
on the date specified by the court, provided that the sanction 995
shall not commence until after the offender has served the 996
prison term imposed for the felony violation of section 2907.22, 997
2907.24, 2907.241, or 2907.25 of the Revised Code and any 998
residential sanction imposed for the violation under section 999
2929.16 of the Revised Code. A sanction imposed under this 1000
division shall be considered to be a community control sanction 1001
for purposes of section 2929.15 of the Revised Code, and all 1002
provisions of the Revised Code that pertain to community control 1003
sanctions shall apply to a sanction imposed under this division, 1004
except to the extent that they would by their nature be clearly 1005
inapplicable. The offender shall pay all costs associated with a 1006
sanction imposed under this division, including the cost of the 1007
use of the monitoring device. 1008

(I) At the time of sentencing, the court may recommend the 1009
offender for placement in a program of shock incarceration under 1010
section 5120.031 of the Revised Code or for placement in an 1011
intensive program prison under section 5120.032 of the Revised 1012
Code, disapprove placement of the offender in a program of shock 1013

incarceration or an intensive program prison of that nature, or 1014
make no recommendation on placement of the offender. In no case 1015
shall the department of rehabilitation and correction place the 1016
offender in a program or prison of that nature unless the 1017
department determines as specified in section 5120.031 or 1018
5120.032 of the Revised Code, whichever is applicable, that the 1019
offender is eligible for the placement. 1020

If the court disapproves placement of the offender in a 1021
program or prison of that nature, the department of 1022
rehabilitation and correction shall not place the offender in 1023
any program of shock incarceration or intensive program prison. 1024

If the court recommends placement of the offender in a 1025
program of shock incarceration or in an intensive program 1026
prison, and if the offender is subsequently placed in the 1027
recommended program or prison, the department shall notify the 1028
court of the placement and shall include with the notice a brief 1029
description of the placement. 1030

If the court recommends placement of the offender in a 1031
program of shock incarceration or in an intensive program prison 1032
and the department does not subsequently place the offender in 1033
the recommended program or prison, the department shall send a 1034
notice to the court indicating why the offender was not placed 1035
in the recommended program or prison. 1036

If the court does not make a recommendation under this 1037
division with respect to an offender and if the department 1038
determines as specified in section 5120.031 or 5120.032 of the 1039
Revised Code, whichever is applicable, that the offender is 1040
eligible for placement in a program or prison of that nature, 1041
the department shall screen the offender and determine if there 1042
is an available program of shock incarceration or an intensive 1043

program prison for which the offender is suited. If there is an 1044
available program of shock incarceration or an intensive program 1045
prison for which the offender is suited, the department shall 1046
notify the court of the proposed placement of the offender as 1047
specified in section 5120.031 or 5120.032 of the Revised Code 1048
and shall include with the notice a brief description of the 1049
placement. The court shall have ten days from receipt of the 1050
notice to disapprove the placement. 1051

(J) If a person is convicted of or pleads guilty to 1052
aggravated vehicular homicide in violation of division (A) (1) of 1053
section 2903.06 of the Revised Code and division (B) (2) (c) of 1054
that section applies, the person shall be sentenced pursuant to 1055
section 2929.142 of the Revised Code. 1056

(K) (1) The court shall impose an additional mandatory 1057
prison term of two, three, four, five, six, seven, eight, nine, 1058
ten, or eleven years on an offender who is convicted of or 1059
pleads guilty to a violent felony offense if the offender also 1060
is convicted of or pleads guilty to a specification of the type 1061
described in section 2941.1424 of the Revised Code that charges 1062
that the offender is a violent career criminal and had a firearm 1063
on or about the offender's person or under the offender's 1064
control while committing the presently charged violent felony 1065
offense and displayed or brandished the firearm, indicated that 1066
the offender possessed a firearm, or used the firearm to 1067
facilitate the offense. The offender shall serve the prison term 1068
imposed under this division consecutively to and prior to the 1069
prison term imposed for the underlying offense. The prison term 1070
shall not be reduced pursuant to section 2929.20, division (A) 1071
(2) or (3) of section 2967.193 or 2967.194, or any other 1072
provision of Chapter 2967. or 5120. of the Revised Code. A court 1073
may not impose more than one sentence under division (B) (2) (a) 1074

of this section and this division for acts committed as part of 1075
the same act or transaction. 1076

(2) As used in division (K)(1) of this section, "violent 1077
career criminal" and "violent felony offense" have the same 1078
meanings as in section 2923.132 of the Revised Code. 1079

(L) If an offender receives or received a sentence of life 1080
imprisonment without parole, a sentence of life imprisonment, a 1081
definite sentence, or a sentence to an indefinite prison term 1082
under this chapter for a felony offense that was committed when 1083
the offender was under eighteen years of age, the offender's 1084
parole eligibility shall be determined under section 2967.132 of 1085
the Revised Code. 1086

Sec. 2935.031. ~~Any~~ (A) As used in this section, "law 1087
enforcement entity" means an agency, instrumentality, or 1088
political subdivision of the state that employs a sheriff, 1089
deputy sheriff, constable, marshal, deputy marshal, police 1090
officer, member of a metropolitan housing authority police 1091
force, state university law enforcement officer, or veterans' 1092
home police officer with arrest authority under section 2935.03 1093
of the Revised Code or that employs other persons with arrest 1094
authority under the Revised Code. 1095

(B) Each law enforcement entity shall adopt a written 1096
policy for the pursuit in a motor vehicle of any person who 1097
violates a law of this state or an ordinance of a municipal 1098
corporation. In developing its policy, each law enforcement 1099
entity shall consider pursuit policy standards and best-practice 1100
recommendations as established by the Ohio collaborative 1101
community-police advisory board or a similar law enforcement 1102
accrediting entity. The chief law enforcement officer or other 1103
chief official of the ~~agency, instrumentality, or political~~ 1104

~~subdivision law enforcement entity~~ shall formally advise and 1105
train each peace officer or other person with arrest authority 1106
~~it the entity employs of the~~ on each pursuit policy adopted by 1107
that ~~agency, instrumentality, or political subdivision~~ entity 1108
pursuant to this section. 1109

Sec. 2981.02. (A) (1) The following property is subject to 1110
forfeiture to the state or a political subdivision under either 1111
the criminal or delinquency process in section 2981.04 of the 1112
Revised Code or the civil process in section 2981.05 of the 1113
Revised Code: 1114

(a) Contraband involved in an offense; 1115

(b) Proceeds derived from or acquired through the 1116
commission of an offense; 1117

(c) An instrumentality that is used in or intended to be 1118
used in the commission or facilitation of any of the following 1119
offenses when the use or intended use, consistent with division 1120
(B) of this section, is sufficient to warrant forfeiture under 1121
this chapter: 1122

(i) A felony; 1123

(ii) A misdemeanor, when forfeiture is specifically 1124
authorized by a section of the Revised Code or by a municipal 1125
ordinance that creates the offense or sets forth its penalties; 1126

(iii) An attempt to commit, complicity in committing, or a 1127
conspiracy to commit an offense of the type described in 1128
divisions (A) (3) (a) and (b) of this section. 1129

(2) In determining whether an alleged instrumentality was 1130
used in or was intended to be used in the commission or 1131
facilitation of an offense or an attempt, complicity, or 1132

conspiracy to commit an offense in a manner sufficient to 1133
warrant its forfeiture, the trier of fact shall consider the 1134
following factors the trier of fact determines are relevant: 1135

(a) Whether the offense could not have been committed or 1136
attempted but for the presence of the instrumentality; 1137

(b) Whether the primary purpose in using the 1138
instrumentality was to commit or attempt to commit the offense; 1139

(c) The extent to which the instrumentality furthered the 1140
commission of, or attempt to commit, the offense. 1141

(B) The property described in division (F)(2) of section 1142
2917.211 of the Revised Code is subject to forfeiture under the 1143
criminal or delinquency process in section 2981.04 of the 1144
Revised Code, if the forfeiture is ordered by the court imposing 1145
sentence or an order of disposition. 1146

(C) ~~This~~ Except as provided by section 4511.251 of the 1147
Revised Code, this chapter does not apply to or limit 1148
forfeitures under Title XLV of the Revised Code, including 1149
forfeitures relating to section 2903.06 or 2903.08 of the 1150
Revised Code. 1151

Sec. 4510.036. (A) The bureau of motor vehicles shall 1152
record within ten days of conviction or bail forfeiture and 1153
shall keep at its main office, all abstracts received under this 1154
section or section 4510.03, 4510.031, 4510.032, or 4510.034 of 1155
the Revised Code and shall maintain records of convictions and 1156
bond forfeitures for any violation of a state law or a municipal 1157
ordinance regulating the operation of vehicles, streetcars, and 1158
trackless trolleys on highways and streets, except a violation 1159
related to parking a motor vehicle. 1160

(B) Every court of record or mayor's court before which a 1161

person is charged with a violation for which points are 1162
chargeable by this section shall assess and transcribe to the 1163
abstract of conviction that is furnished by the bureau to the 1164
court the number of points chargeable by this section in the 1165
correct space assigned on the reporting form. A United States 1166
district court that has jurisdiction within this state and 1167
before which a person is charged with a violation for which 1168
points are chargeable by this section may assess and transcribe 1169
to the abstract of conviction report that is furnished by the 1170
bureau the number of points chargeable by this section in the 1171
correct space assigned on the reporting form. If the federal 1172
court so assesses and transcribes the points chargeable for the 1173
offense and furnishes the report to the bureau, the bureau shall 1174
record the points in the same manner as those assessed and 1175
transcribed by a court of record or mayor's court. 1176

(C) A court shall assess the following points for an 1177
offense based on the following formula: 1178

(1) Aggravated vehicular homicide, vehicular homicide, 1179
vehicular manslaughter, aggravated vehicular assault, or 1180
vehicular assault when the offense involves the operation of a 1181
vehicle, streetcar, or trackless trolley on a highway or street 1182
_____ 6 points 1183

(2) A violation of section 2921.331 of the Revised Code or 1184
any ordinance prohibiting the willful fleeing or eluding of a 1185
law enforcement officer _____ 6 points 1186

(3) A violation of section 4549.02 or 4549.021 of the 1187
Revised Code or any ordinance requiring the driver of a vehicle 1188
to stop and disclose identity at the scene of an accident 1189
_____ 6 points 1190

(4) A violation of section 4511.251 of the Revised Code or 1191
any ordinance prohibiting street racing, stunt driving, or 1192
street takeover _____ 6 points 1193

(5) A violation of section 4510.037 of the Revised Code or 1194
any ordinance prohibiting the operation of a motor vehicle while 1195
the driver's or commercial driver's license is under a twelve- 1196
point suspension _____ 6 points 1197

(6) A violation of section 4510.14 of the Revised Code, or 1198
any ordinance prohibiting the operation of a motor vehicle upon 1199
the public roads or highways within this state while the 1200
driver's or commercial driver's license of the person is under 1201
suspension and the suspension was imposed under section 4511.19, 1202
4511.191, or 4511.196 of the Revised Code or section 4510.07 of 1203
the Revised Code due to a conviction for a violation of a 1204
municipal OVI ordinance or any ordinance prohibiting the 1205
operation of a motor vehicle while the driver's or commercial 1206
driver's license is under suspension for an OVI offense 1207
_____ 6 points 1208

(7) A violation of division (A) of section 4511.19 of the 1209
Revised Code, any ordinance prohibiting the operation of a 1210
vehicle while under the influence of alcohol, a drug of abuse, 1211
or a combination of them, or any ordinance substantially 1212
equivalent to division (A) of section 4511.19 of the Revised 1213
Code prohibiting the operation of a vehicle with a prohibited 1214
concentration of alcohol, a controlled substance, or a 1215
metabolite of a controlled substance in the whole blood, blood 1216
serum or plasma, breath, or urine _____ 6 points 1217

(8) A violation of section 2913.03 of the Revised Code 1218
that does not involve an aircraft or motorboat or any ordinance 1219
prohibiting the operation of a vehicle without the consent of 1220

the owner _____ 6 points	1221
(9) Any offense under the motor vehicle laws of this state	1222
that is a felony, or any other felony in the commission of which	1223
a motor vehicle was used _____ 6 points	1224
(10) A violation of division (B) of section 4511.19 of the	1225
Revised Code or any ordinance substantially equivalent to that	1226
division prohibiting the operation of a vehicle with a	1227
prohibited concentration of alcohol in the whole blood, blood	1228
serum or plasma, breath, or urine _____ 4 points	1229
(11) A violation of section 4511.20 of the Revised Code or	1230
any ordinance prohibiting the operation of a motor vehicle in	1231
willful or wanton disregard of the safety of persons or property	1232
_____ 4 points	1233
(12) A violation of any law or ordinance pertaining to	1234
speed:	1235
(a) Notwithstanding divisions (C) (12) (b) and (c) of this	1236
section, when the speed exceeds the lawful speed limit by thirty	1237
miles per hour or more _____ 4 points	1238
(b) When the speed exceeds the lawful speed limit of	1239
fifty-five miles per hour or more by more than ten miles per	1240
hour _____ 2 points	1241
(c) When the speed exceeds the lawful speed limit of less	1242
than fifty-five miles per hour by more than five miles per hour	1243
_____ 2 points	1244
(d) When the speed does not exceed the amounts set forth	1245
in divisions (C) (12) (a), (b), or (c) of this section _____	1246
0 points	1247
(13) A violation of division (A) of section 4511.204 of	1248

the Revised Code or any substantially similar municipal ordinance:	1249 1250
(a) For a first offense within any two-year period _____ 2 points	1251 1252
(b) For a second offense within any two-year period _____ 3 points	1253 1254
(c) For a third or subsequent offense within any two-year period _____ 4 points.	1255 1256
(14) Operating a motor vehicle in violation of a restriction imposed by the registrar _____ 2 points	1257 1258
(15) A violation of section 4510.11, 4510.111, 4510.16, or 4510.21 of the Revised Code or any ordinance prohibiting the operation of a motor vehicle while the driver's or commercial driver's license is under suspension _____ 2 points	1259 1260 1261 1262
(16) With the exception of violations under section 4510.12 of the Revised Code where no points shall be assessed, all other moving violations reported under this section _____ 2 points	1263 1264 1265 1266
(D) Upon receiving notification from the proper court, including a United States district court that has jurisdiction within this state, the bureau shall delete any points entered for a bond forfeiture if the driver is acquitted of the offense for which bond was posted.	1267 1268 1269 1270 1271
(E) If a person is convicted of or forfeits bail for two or more offenses arising out of the same facts and points are chargeable for each of the offenses, points shall be charged for only the conviction or bond forfeiture for which the greater number of points is chargeable, and, if the number of points	1272 1273 1274 1275 1276

chargeable for each offense is equal, only one offense shall be 1277
recorded, and points shall be charged only for that offense. 1278

Sec. 4511.20. (A) No person shall operate a vehicle, 1279
trackless trolley, or streetcar on any street or highway in 1280
willful or wanton disregard of the safety of persons or 1281
property. 1282

(B) Except as otherwise provided in this division, whoever 1283
violates this section is guilty of a minor misdemeanor. If, 1284
within one year of the offense, the offender previously has been 1285
convicted of or pleaded guilty to one predicate motor vehicle or 1286
traffic offense, whoever violates this section is guilty of a 1287
misdemeanor of the fourth degree. If, within one year of the 1288
offense, the offender previously has been convicted of two or 1289
more predicate motor vehicle or traffic offenses, whoever 1290
violates this section is guilty of a misdemeanor of the third 1291
degree. 1292

(C) In addition to any other sanctions imposed, if the 1293
offender committed the offense at a planned, but unauthorized, 1294
event, the court may impose on that offender a class five 1295
suspension of the offender's driver's license, commercial 1296
driver's license, temporary instruction permit, probationary 1297
license, or nonresident operating privilege from the range 1298
specified in division (A) (5) of section 4510.02 of the Revised 1299
Code. 1300

Sec. 4511.201. (A) No person shall operate a vehicle, 1301
trackless trolley, or streetcar on any public or private 1302
property other than streets or highways, in willful or wanton 1303
disregard of the safety of persons or property. 1304

This section does not apply to the competitive operation 1305

of vehicles on public or private property when the owner of such 1306
property knowingly permits such operation thereon. 1307

(B) Except as otherwise provided in this division, whoever 1308
violates this section is guilty of a minor misdemeanor. If, 1309
within one year of the offense, the offender previously has been 1310
convicted of or pleaded guilty to one predicate motor vehicle or 1311
traffic offense, whoever violates this section is guilty of a 1312
misdemeanor of the fourth degree. If, within one year of the 1313
offense, the offender previously has been convicted of two or 1314
more predicate motor vehicle or traffic offenses, whoever 1315
violates this section is guilty of a misdemeanor of the third 1316
degree. 1317

(C) In addition to any other sanctions imposed, if the 1318
offender committed the offense at a planned, but unauthorized, 1319
event, the court may impose on that offender a class five 1320
suspension of the offender's driver's license, commercial 1321
driver's license, temporary instruction permit, probationary 1322
license, or nonresident operating privilege from the range 1323
specified in division (A) (5) of section 4510.02 of the Revised 1324
Code. 1325

Sec. 4511.251. (A) As used in this section and section 1326
4510.036 of the Revised Code, ~~"street~~: 1327

(1) "Street racing" means the operation of two or more 1328
vehicles from a point side by side at accelerating speeds in a 1329
competitive attempt to out-distance each other or the operation 1330
of one or more vehicles over a common selected course, from the 1331
same point to the same point, wherein timing is made of the 1332
participating vehicles involving competitive accelerations or 1333
speeds. Persons rendering assistance in any manner to such 1334
competitive use of vehicles shall be equally charged as the 1335

~~participants.~~ The operation of two or more vehicles side by side 1336
either at speeds in excess of prima-facie lawful speeds 1337
established by divisions (B) (1) (a) to (B) (9) of section 4511.21 1338
of the Revised Code or rapidly accelerating from a common 1339
starting point to a speed in excess of such prima-facie lawful 1340
speeds shall be prima-facie evidence of street racing. 1341

(2) "Burnout" means a maneuver performed while operating a 1342
vehicle whereby the vehicle is kept in a stationary position, 1343
but the wheels of the vehicle are spun, which may cause the 1344
tires of the vehicle to become heated and emit smoke from the 1345
friction. 1346

(3) "Doughnut" means a maneuver performed while operating 1347
a vehicle whereby the front or rear of the vehicle is rotated 1348
around the opposite set of wheels in a continuous motion, which 1349
may cause a circular skid-mark pattern of rubber on the driving 1350
surface, or the tires of the vehicle to become heated and emit 1351
smoke from the friction, or both. 1352

(4) "Drifting" means a maneuver performed while operating 1353
a vehicle whereby the vehicle is driven in a manner that causes 1354
a controlled, sideways skid during a turn, with the front wheels 1355
pointing in a direction that is the opposite of the direction of 1356
the turn. 1357

(5) "Wheelie" means a maneuver performed while operating a 1358
vehicle whereby the front wheel or wheels of the vehicle are 1359
raised off of the ground or whereby two wheels that are on the 1360
same side of the vehicle are raised off of the ground. 1361

(6) "Stunt driving" means performing or engaging in 1362
burnouts, doughnuts, drifting, or wheelies, causing vehicle 1363
tires to squeal, or allowing a passenger to ride either 1364

partially or fully outside of the vehicle while operating that 1365
vehicle. 1366

(7) "Street takeover" means blocking or impeding the 1367
regular flow of vehicle or pedestrian traffic on a public road, 1368
street, or highway or on private property that is open to the 1369
general public for the purpose of street racing or stunt 1370
driving. 1371

(8) "Instrumentality" has the same meaning as in section 1372
2981.01 of the Revised Code. 1373

(B) No person shall knowingly participate in street 1374
racing, stunt driving, or street takeover upon any public road, 1375
street, or highway~~in this state,~~ or on private property that is 1376
open to the general public. 1377

(C) Whoever violates this section is guilty of street 1378
racing, stunt driving, or street takeover, a misdemeanor of the 1379
first degree. In addition to any other sanctions, the court 1380
shall suspend the offender's driver's license, commercial 1381
driver's license, temporary instruction permit, probationary 1382
license, or nonresident operating privilege for not less than 1383
thirty days or more than three years. No judge shall suspend the 1384
first thirty days of any suspension of an offender's license, 1385
permit, or privilege imposed under this division. 1386

(D) In addition to any other penalties imposed by law, a 1387
vehicle used in a violation of division (B) of this section is 1388
contraband and is an instrumentality, that is subject to seizure 1389
and forfeiture under Chapter 2981. of the Revised Code. 1390

(E) Persons rendering assistance in any manner to street 1391
racing, stunt driving, or street takeover shall be equally 1392
charged as the participants. 1393

(F) This section does not apply to the competitive 1394
operation of vehicles on public or private property when the 1395
political subdivision with jurisdiction of the location or owner 1396
of the property knowingly permits such operation thereon. 1397

Section 2. That existing sections 2921.331, 2929.14, 1398
2935.031, 2981.02, 4510.036, 4511.20, 4511.201, and 4511.251 of 1399
the Revised Code are hereby repealed. 1400