

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 559**

**Representative Abdullahi**

**Cosponsors: Representatives Williams, Robinson, McNally, Upchurch,  
Dell'Aquila, Miller, A., Brown**

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**A BILL**

To amend sections 2929.14, 2941.1414, 4123.01, 1  
4123.026, and 4123.46; to enact section 4123.87; 2  
and to repeal section 126.65 of the Revised Code 3  
concerning workers' compensation coverage for 4  
peace officers, firefighters, and emergency 5  
medical workers diagnosed with psychiatric 6  
conditions arising from employment without an 7  
accompanying physical injury. 8

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

**Section 1.** That sections 2929.14, 2941.1414, 4123.01, 9  
4123.026, and 4123.46 be amended and section 4123.87 of the 10  
Revised Code be enacted to read as follows: 11

**Sec. 2929.14.** (A) Except as provided in division (B) (1), 12  
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 13  
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 14  
in division (D) (6) of section 2919.25 of the Revised Code and 15  
except in relation to an offense for which a sentence of death 16  
or life imprisonment is to be imposed, if the court imposing a 17  
sentence upon an offender for a felony elects or is required to 18

impose a prison term on the offender pursuant to this chapter, 19  
the court shall impose a prison term that shall be one of the 20  
following: 21

(1) (a) For a felony of the first degree committed on or 22  
after March 22, 2019, the prison term shall be an indefinite 23  
prison term with a stated minimum term selected by the court of 24  
three, four, five, six, seven, eight, nine, ten, or eleven years 25  
and a maximum term that is determined pursuant to section 26  
2929.144 of the Revised Code, except that if the section that 27  
criminalizes the conduct constituting the felony specifies a 28  
different minimum term or penalty for the offense, the specific 29  
language of that section shall control in determining the 30  
minimum term or otherwise sentencing the offender but the 31  
minimum term or sentence imposed under that specific language 32  
shall be considered for purposes of the Revised Code as if it 33  
had been imposed under this division. 34

(b) For a felony of the first degree committed prior to 35  
March 22, 2019, the prison term shall be a definite prison term 36  
of three, four, five, six, seven, eight, nine, ten, or eleven 37  
years. 38

(2) (a) For a felony of the second degree committed on or 39  
after March 22, 2019, the prison term shall be an indefinite 40  
prison term with a stated minimum term selected by the court of 41  
two, three, four, five, six, seven, or eight years and a maximum 42  
term that is determined pursuant to section 2929.144 of the 43  
Revised Code, except that if the section that criminalizes the 44  
conduct constituting the felony specifies a different minimum 45  
term or penalty for the offense, the specific language of that 46  
section shall control in determining the minimum term or 47  
otherwise sentencing the offender but the minimum term or 48

sentence imposed under that specific language shall be 49  
considered for purposes of the Revised Code as if it had been 50  
imposed under this division. 51

(b) For a felony of the second degree committed prior to 52  
March 22, 2019, the prison term shall be a definite term of two, 53  
three, four, five, six, seven, or eight years. 54

(3) (a) For a felony of the third degree that is a 55  
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 56  
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 57  
Code, that is a violation of division (A) of section 4511.19 of 58  
the Revised Code if the offender previously has been convicted 59  
of or pleaded guilty to a violation of division (A) of that 60  
section that was a felony, or that is a violation of section 61  
2911.02 or 2911.12 of the Revised Code if the offender 62  
previously has been convicted of or pleaded guilty in two or 63  
more separate proceedings to two or more violations of section 64  
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, the 65  
prison term shall be a definite term of twelve, eighteen, 66  
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 67  
four, or sixty months. 68

(b) For a felony of the third degree that is not an 69  
offense for which division (A) (3) (a) of this section applies, 70  
the prison term shall be a definite term of nine, twelve, 71  
eighteen, twenty-four, thirty, or thirty-six months. 72

(4) For a felony of the fourth degree, the prison term 73  
shall be a definite term of six, seven, eight, nine, ten, 74  
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 75  
or eighteen months. 76

(5) For a felony of the fifth degree, the prison term 77

shall be a definite term of six, seven, eight, nine, ten, 78  
eleven, or twelve months. 79

(B) (1) (a) Except as provided in division (B) (1) (e) of this 80  
section, if an offender who is convicted of or pleads guilty to 81  
a felony also is convicted of or pleads guilty to a 82  
specification of the type described in section 2941.141, 83  
2941.144, or 2941.145 of the Revised Code, the court shall 84  
impose on the offender one of the following prison terms: 85

(i) A prison term of six years if the specification is of 86  
the type described in division (A) of section 2941.144 of the 87  
Revised Code that charges the offender with having a firearm 88  
that is an automatic firearm or that was equipped with a firearm 89  
muffler or suppressor on or about the offender's person or under 90  
the offender's control while committing the offense; 91

(ii) A prison term of three years if the specification is 92  
of the type described in division (A) of section 2941.145 of the 93  
Revised Code that charges the offender with having a firearm on 94  
or about the offender's person or under the offender's control 95  
while committing the offense and displaying the firearm, 96  
brandishing the firearm, indicating that the offender possessed 97  
the firearm, or using it to facilitate the offense; 98

(iii) A prison term of one year if the specification is of 99  
the type described in division (A) of section 2941.141 of the 100  
Revised Code that charges the offender with having a firearm on 101  
or about the offender's person or under the offender's control 102  
while committing the offense; 103

(iv) A prison term of nine years if the specification is 104  
of the type described in division (D) of section 2941.144 of the 105  
Revised Code that charges the offender with having a firearm 106

that is an automatic firearm or that was equipped with a firearm 107  
muffler or suppressor on or about the offender's person or under 108  
the offender's control while committing the offense and 109  
specifies that the offender previously has been convicted of or 110  
pleaded guilty to a specification of the type described in 111  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 112  
the Revised Code; 113

(v) A prison term of fifty-four months if the 114  
specification is of the type described in division (D) of 115  
section 2941.145 of the Revised Code that charges the offender 116  
with having a firearm on or about the offender's person or under 117  
the offender's control while committing the offense and 118  
displaying the firearm, brandishing the firearm, indicating that 119  
the offender possessed the firearm, or using the firearm to 120  
facilitate the offense and that the offender previously has been 121  
convicted of or pleaded guilty to a specification of the type 122  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 123  
2941.1412 of the Revised Code; 124

(vi) A prison term of eighteen months if the specification 125  
is of the type described in division (D) of section 2941.141 of 126  
the Revised Code that charges the offender with having a firearm 127  
on or about the offender's person or under the offender's 128  
control while committing the offense and that the offender 129  
previously has been convicted of or pleaded guilty to a 130  
specification of the type described in section 2941.141, 131  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 132

(b) If a court imposes a prison term on an offender under 133  
division (B)(1)(a) of this section, the prison term shall not be 134  
reduced pursuant to section 2929.20, division (A)(2) or (3) of 135  
section 2967.193 or 2967.194, or any other provision of Chapter 136

2967. or Chapter 5120. of the Revised Code. Except as provided 137  
in division (B) (1) (g) of this section, a court shall not impose 138  
more than one prison term on an offender under division (B) (1) 139  
(a) of this section for felonies committed as part of the same 140  
act or transaction. 141

(c) (i) Except as provided in division (B) (1) (e) of this 142  
section, if an offender who is convicted of or pleads guilty to 143  
a violation of section 2923.161 of the Revised Code or to a 144  
felony that includes, as an essential element, purposely or 145  
knowingly causing or attempting to cause the death of or 146  
physical harm to another, also is convicted of or pleads guilty 147  
to a specification of the type described in division (A) of 148  
section 2941.146 of the Revised Code that charges the offender 149  
with committing the offense by discharging a firearm from a 150  
motor vehicle other than a manufactured home, the court, after 151  
imposing a prison term on the offender for the violation of 152  
section 2923.161 of the Revised Code or for the other felony 153  
offense under division (A), (B) (2), or (B) (3) of this section, 154  
shall impose an additional prison term of five years upon the 155  
offender that shall not be reduced pursuant to section 2929.20, 156  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 157  
other provision of Chapter 2967. or Chapter 5120. of the Revised 158  
Code. 159

(ii) Except as provided in division (B) (1) (e) of this 160  
section, if an offender who is convicted of or pleads guilty to 161  
a violation of section 2923.161 of the Revised Code or to a 162  
felony that includes, as an essential element, purposely or 163  
knowingly causing or attempting to cause the death of or 164  
physical harm to another, also is convicted of or pleads guilty 165  
to a specification of the type described in division (C) of 166  
section 2941.146 of the Revised Code that charges the offender 167

with committing the offense by discharging a firearm from a 168  
motor vehicle other than a manufactured home and that the 169  
offender previously has been convicted of or pleaded guilty to a 170  
specification of the type described in section 2941.141, 171  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 172  
the court, after imposing a prison term on the offender for the 173  
violation of section 2923.161 of the Revised Code or for the 174  
other felony offense under division (A), (B) (2), or (3) of this 175  
section, shall impose an additional prison term of ninety months 176  
upon the offender that shall not be reduced pursuant to section 177  
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 178  
or any other provision of Chapter 2967. or Chapter 5120. of the 179  
Revised Code. 180

(iii) A court shall not impose more than one additional 181  
prison term on an offender under division (B) (1) (c) of this 182  
section for felonies committed as part of the same act or 183  
transaction. If a court imposes an additional prison term on an 184  
offender under division (B) (1) (c) of this section relative to an 185  
offense, the court also shall impose a prison term under 186  
division (B) (1) (a) of this section relative to the same offense, 187  
provided the criteria specified in that division for imposing an 188  
additional prison term are satisfied relative to the offender 189  
and the offense. 190

(d) If an offender who is convicted of or pleads guilty to 191  
an offense of violence that is a felony also is convicted of or 192  
pleads guilty to a specification of the type described in 193  
section 2941.1411 of the Revised Code that charges the offender 194  
with wearing or carrying body armor while committing the felony 195  
offense of violence, the court shall impose on the offender an 196  
additional prison term of two years. The prison term so imposed 197  
shall not be reduced pursuant to section 2929.20, division (A) 198

(2) or (3) of section 2967.193 or 2967.194, or any other 199  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 200  
A court shall not impose more than one prison term on an 201  
offender under division (B) (1) (d) of this section for felonies 202  
committed as part of the same act or transaction. If a court 203  
imposes an additional prison term under division (B) (1) (a) or 204  
(c) of this section, the court is not precluded from imposing an 205  
additional prison term under division (B) (1) (d) of this section. 206

(e) The court shall not impose any of the prison terms 207  
described in division (B) (1) (a) of this section or any of the 208  
additional prison terms described in division (B) (1) (c) of this 209  
section upon an offender for a violation of section 2923.12 or 210  
2923.123 of the Revised Code. The court shall not impose any of 211  
the prison terms described in division (B) (1) (a) or (b) of this 212  
section upon an offender for a violation of section 2923.122 213  
that involves a deadly weapon that is a firearm other than a 214  
dangerous ordnance, section 2923.16, or section 2923.121 of the 215  
Revised Code. The court shall not impose any of the prison terms 216  
described in division (B) (1) (a) of this section or any of the 217  
additional prison terms described in division (B) (1) (c) of this 218  
section upon an offender for a violation of section 2923.13 of 219  
the Revised Code unless all of the following apply: 220

(i) The offender previously has been convicted of 221  
aggravated murder, murder, or any felony of the first or second 222  
degree. 223

(ii) Less than five years have passed since the offender 224  
was released from prison or post-release control, whichever is 225  
later, for the prior offense. 226

(f) (i) If an offender is convicted of or pleads guilty to 227  
a felony that includes, as an essential element, causing or 228



attempting to cause the death of or physical harm to another and 229  
also is convicted of or pleads guilty to a specification of the 230  
type described in division (A) of section 2941.1412 of the 231  
Revised Code that charges the offender with committing the 232  
offense by discharging a firearm at a peace officer as defined 233  
in section 2935.01 of the Revised Code or a corrections officer, 234  
as defined in section 2941.1412 of the Revised Code, the court, 235  
after imposing a prison term on the offender for the felony 236  
offense under division (A), (B) (2), or (B) (3) of this section, 237  
shall impose an additional prison term of seven years upon the 238  
offender that shall not be reduced pursuant to section 2929.20, 239  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 240  
other provision of Chapter 2967. or Chapter 5120. of the Revised 241  
Code. 242

(ii) If an offender is convicted of or pleads guilty to a 243  
felony that includes, as an essential element, causing or 244  
attempting to cause the death of or physical harm to another and 245  
also is convicted of or pleads guilty to a specification of the 246  
type described in division (B) of section 2941.1412 of the 247  
Revised Code that charges the offender with committing the 248  
offense by discharging a firearm at a peace officer, as defined 249  
in section 2935.01 of the Revised Code, or a corrections 250  
officer, as defined in section 2941.1412 of the Revised Code, 251  
and that the offender previously has been convicted of or 252  
pleaded guilty to a specification of the type described in 253  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 254  
the Revised Code, the court, after imposing a prison term on the 255  
offender for the felony offense under division (A), (B) (2), or 256  
(3) of this section, shall impose an additional prison term of 257  
one hundred twenty-six months upon the offender that shall not 258  
be reduced pursuant to section 2929.20, division (A) (2) or (3) 259

of section 2967.193 or 2967.194, or any other provision of 260  
Chapter 2967. or 5120. of the Revised Code. 261

(iii) If an offender is convicted of or pleads guilty to 262  
two or more felonies that include, as an essential element, 263  
causing or attempting to cause the death or physical harm to 264  
another and also is convicted of or pleads guilty to a 265  
specification of the type described under division (B)(1)(f) of 266  
this section in connection with two or more of the felonies of 267  
which the offender is convicted or to which the offender pleads 268  
guilty, the sentencing court shall impose on the offender the 269  
prison term specified under division (B)(1)(f) of this section 270  
for each of two of the specifications of which the offender is 271  
convicted or to which the offender pleads guilty and, in its 272  
discretion, also may impose on the offender the prison term 273  
specified under that division for any or all of the remaining 274  
specifications. If a court imposes an additional prison term on 275  
an offender under division (B)(1)(f) of this section relative to 276  
an offense, the court shall not impose a prison term under 277  
division (B)(1)(a) or (c) of this section relative to the same 278  
offense. 279

(g) If an offender is convicted of or pleads guilty to two 280  
or more felonies, if one or more of those felonies are 281  
aggravated murder, murder, attempted aggravated murder, 282  
attempted murder, aggravated robbery, felonious assault, or 283  
rape, and if the offender is convicted of or pleads guilty to a 284  
specification of the type described under division (B)(1)(a) of 285  
this section in connection with two or more of the felonies, the 286  
sentencing court shall impose on the offender the prison term 287  
specified under division (B)(1)(a) of this section for each of 288  
the two most serious specifications of which the offender is 289  
convicted or to which the offender pleads guilty and, in its 290

discretion, also may impose on the offender the prison term 291  
specified under that division for any or all of the remaining 292  
specifications. 293

(2) (a) If division (B) (2) (b) of this section does not 294  
apply, the court may impose on an offender, in addition to the 295  
longest prison term authorized or required for the offense or, 296  
for offenses for which division (A) (1) (a) or (2) (a) of this 297  
section applies, in addition to the longest minimum prison term 298  
authorized or required for the offense, an additional definite 299  
prison term of one, two, three, four, five, six, seven, eight, 300  
nine, or ten years if all of the following criteria are met: 301

(i) The offender is convicted of or pleads guilty to a 302  
specification of the type described in section 2941.149 of the 303  
Revised Code that the offender is a repeat violent offender. 304

(ii) The offense of which the offender currently is 305  
convicted or to which the offender currently pleads guilty is 306  
aggravated murder and the court does not impose a sentence of 307  
death or life imprisonment without parole, murder, terrorism and 308  
the court does not impose a sentence of life imprisonment 309  
without parole, any felony of the first degree that is an 310  
offense of violence and the court does not impose a sentence of 311  
life imprisonment without parole, or any felony of the second 312  
degree that is an offense of violence and the trier of fact 313  
finds that the offense involved an attempt to cause or a threat 314  
to cause serious physical harm to a person or resulted in 315  
serious physical harm to a person. 316

(iii) The court imposes the longest prison term for the 317  
offense or the longest minimum prison term for the offense, 318  
whichever is applicable, that is not life imprisonment without 319  
parole. 320

(iv) The court finds that the prison terms imposed 321  
pursuant to division (B) (2) (a) (iii) of this section and, if 322  
applicable, division (B) (1) or (3) of this section are 323  
inadequate to punish the offender and protect the public from 324  
future crime, because the applicable factors under section 325  
2929.12 of the Revised Code indicating a greater likelihood of 326  
recidivism outweigh the applicable factors under that section 327  
indicating a lesser likelihood of recidivism. 328

(v) The court finds that the prison terms imposed pursuant 329  
to division (B) (2) (a) (iii) of this section and, if applicable, 330  
division (B) (1) or (3) of this section are demeaning to the 331  
seriousness of the offense, because one or more of the factors 332  
under section 2929.12 of the Revised Code indicating that the 333  
offender's conduct is more serious than conduct normally 334  
constituting the offense are present, and they outweigh the 335  
applicable factors under that section indicating that the 336  
offender's conduct is less serious than conduct normally 337  
constituting the offense. 338

(b) The court shall impose on an offender the longest 339  
prison term authorized or required for the offense or, for 340  
offenses for which division (A) (1) (a) or (2) (a) of this section 341  
applies, the longest minimum prison term authorized or required 342  
for the offense, and shall impose on the offender an additional 343  
definite prison term of one, two, three, four, five, six, seven, 344  
eight, nine, or ten years if all of the following criteria are 345  
met: 346

(i) The offender is convicted of or pleads guilty to a 347  
specification of the type described in section 2941.149 of the 348  
Revised Code that the offender is a repeat violent offender. 349

(ii) The offender within the preceding twenty years has 350

been convicted of or pleaded guilty to three or more offenses 351  
described in division (CC) (1) of section 2929.01 of the Revised 352  
Code, including all offenses described in that division of which 353  
the offender is convicted or to which the offender pleads guilty 354  
in the current prosecution and all offenses described in that 355  
division of which the offender previously has been convicted or 356  
to which the offender previously pleaded guilty, whether 357  
prosecuted together or separately. 358

(iii) The offense or offenses of which the offender 359  
currently is convicted or to which the offender currently pleads 360  
guilty is aggravated murder and the court does not impose a 361  
sentence of death or life imprisonment without parole, murder, 362  
terrorism and the court does not impose a sentence of life 363  
imprisonment without parole, any felony of the first degree that 364  
is an offense of violence and the court does not impose a 365  
sentence of life imprisonment without parole, or any felony of 366  
the second degree that is an offense of violence and the trier 367  
of fact finds that the offense involved an attempt to cause or a 368  
threat to cause serious physical harm to a person or resulted in 369  
serious physical harm to a person. 370

(c) For purposes of division (B) (2) (b) of this section, 371  
two or more offenses committed at the same time or as part of 372  
the same act or event shall be considered one offense, and that 373  
one offense shall be the offense with the greatest penalty. 374

(d) A sentence imposed under division (B) (2) (a) or (b) of 375  
this section shall not be reduced pursuant to section 2929.20, 376  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 377  
other provision of Chapter 2967. or Chapter 5120. of the Revised 378  
Code. The offender shall serve an additional prison term imposed 379  
under division (B) (2) (a) or (b) of this section consecutively to 380

and prior to the prison term imposed for the underlying offense. 381

(e) When imposing a sentence pursuant to division (B) (2) 382  
(a) or (b) of this section, the court shall state its findings 383  
explaining the imposed sentence. 384

(3) Except when an offender commits a violation of section 385  
2903.01 or 2907.02 of the Revised Code and the penalty imposed 386  
for the violation is life imprisonment or commits a violation of 387  
section 2903.02 of the Revised Code, if the offender commits a 388  
violation of section 2925.03 or 2925.11 of the Revised Code and 389  
that section classifies the offender as a major drug offender, 390  
if the offender commits a violation of section 2925.05 of the 391  
Revised Code and division (E) (1) of that section classifies the 392  
offender as a major drug offender, if the offender commits a 393  
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 394  
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 395  
division (C) or (D) of section 3719.172, division (E) of section 396  
4729.51, or division (J) of section 4729.54 of the Revised Code 397  
that includes the sale, offer to sell, or possession of a 398  
schedule I or II controlled substance, with the exception of 399  
marihuana, and the court imposing sentence upon the offender 400  
finds that the offender is guilty of a specification of the type 401  
described in division (A) of section 2941.1410 of the Revised 402  
Code charging that the offender is a major drug offender, if the 403  
court imposing sentence upon an offender for a felony finds that 404  
the offender is guilty of corrupt activity with the most serious 405  
offense in the pattern of corrupt activity being a felony of the 406  
first degree, or if the offender is guilty of an attempted 407  
violation of section 2907.02 of the Revised Code and, had the 408  
offender completed the violation of section 2907.02 of the 409  
Revised Code that was attempted, the offender would have been 410  
subject to a sentence of life imprisonment or life imprisonment 411

without parole for the violation of section 2907.02 of the Revised Code, the court shall impose upon the offender for the felony violation a mandatory prison term determined as described in this division that cannot be reduced pursuant to section 2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, or any other provision of Chapter 2967. or 5120. of the Revised Code. The mandatory prison term shall be the maximum definite prison term prescribed in division (A)(1)(b) of this section for a felony of the first degree, except that for offenses for which division (A)(1)(a) of this section applies, the mandatory prison term shall be the longest minimum prison term prescribed in that division for the offense.

(4) If the offender is being sentenced for a third or fourth degree felony OVI offense under division (G)(2) of section 2929.13 of the Revised Code, the sentencing court shall impose upon the offender a mandatory prison term in accordance with that division. In addition to the mandatory prison term, if the offender is being sentenced for a fourth degree felony OVI offense, the court, notwithstanding division (A)(4) of this section, may sentence the offender to a definite prison term of not less than six months and not more than thirty months, and if the offender is being sentenced for a third degree felony OVI offense, the sentencing court may sentence the offender to an additional prison term of any duration specified in division (A)(3) of this section. In either case, the additional prison term imposed shall be reduced by the sixty or one hundred twenty days imposed upon the offender as the mandatory prison term. The total of the additional prison term imposed under division (B)(4) of this section plus the sixty or one hundred twenty days imposed as the mandatory prison term shall equal a definite term in the range of six months to thirty months for a fourth degree

felony OVI offense and shall equal one of the authorized prison 443  
terms specified in division (A) (3) of this section for a third 444  
degree felony OVI offense. If the court imposes an additional 445  
prison term under division (B) (4) of this section, the offender 446  
shall serve the additional prison term after the offender has 447  
served the mandatory prison term required for the offense. In 448  
addition to the mandatory prison term or mandatory and 449  
additional prison term imposed as described in division (B) (4) 450  
of this section, the court also may sentence the offender to a 451  
community control sanction under section 2929.16 or 2929.17 of 452  
the Revised Code, but the offender shall serve all of the prison 453  
terms so imposed prior to serving the community control 454  
sanction. 455

If the offender is being sentenced for a fourth degree 456  
felony OVI offense under division (G) (1) of section 2929.13 of 457  
the Revised Code and the court imposes a mandatory term of local 458  
incarceration, the court may impose a prison term as described 459  
in division (A) (1) of that section. 460

(5) If an offender is convicted of or pleads guilty to a 461  
violation of division (A) (1) or (2) of section 2903.06 of the 462  
Revised Code and also is convicted of or pleads guilty to a 463  
specification of the type described in section 2941.1414 of the 464  
Revised Code that charges that the victim of the offense is a 465  
peace officer, as defined in section 2935.01 of the Revised 466  
Code, an investigator of the bureau of criminal identification 467  
and investigation, as defined in section 2903.11 of the Revised 468  
Code, or a firefighter or emergency medical worker, both as 469  
defined in section ~~4123.026~~ 4123.01 of the Revised Code, the 470  
court shall impose on the offender a prison term of five years. 471  
If a court imposes a prison term on an offender under division 472  
(B) (5) of this section, the prison term shall not be reduced 473



pursuant to section 2929.20, division (A) (2) or (3) of section 474  
2967.193 or 2967.194, or any other provision of Chapter 2967. or 475  
Chapter 5120. of the Revised Code. A court shall not impose more 476  
than one prison term on an offender under division (B) (5) of 477  
this section for felonies committed as part of the same act. 478

(6) If an offender is convicted of or pleads guilty to a 479  
violation of division (A) (1) or (2) of section 2903.06 of the 480  
Revised Code and also is convicted of or pleads guilty to a 481  
specification of the type described in section 2941.1415 of the 482  
Revised Code that charges that the offender previously has been 483  
convicted of or pleaded guilty to three or more violations of 484  
division (A) of section 4511.19 of the Revised Code or an 485  
equivalent offense, as defined in section 2941.1415 of the 486  
Revised Code, or three or more violations of any combination of 487  
those offenses, the court shall impose on the offender a prison 488  
term of three years. If a court imposes a prison term on an 489  
offender under division (B) (6) of this section, the prison term 490  
shall not be reduced pursuant to section 2929.20, division (A) 491  
(2) or (3) of section 2967.193 or 2967.194, or any other 492  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 493  
A court shall not impose more than one prison term on an 494  
offender under division (B) (6) of this section for felonies 495  
committed as part of the same act. 496

(7) (a) If an offender is convicted of or pleads guilty to 497  
a felony violation of section 2905.01, 2905.02, 2907.21, 498  
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 499  
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 500  
section 2919.22 of the Revised Code and also is convicted of or 501  
pleads guilty to a specification of the type described in 502  
section 2941.1422 of the Revised Code that charges that the 503  
offender knowingly committed the offense in furtherance of human 504

trafficking, the court shall impose on the offender a mandatory 505  
prison term that is one of the following: 506

(i) If the offense is a felony of the first degree, a 507  
definite prison term of not less than five years and not greater 508  
than eleven years, except that if the offense is a felony of the 509  
first degree committed on or after March 22, 2019, the court 510  
shall impose as the minimum prison term a mandatory term of not 511  
less than five years and not greater than eleven years; 512

(ii) If the offense is a felony of the second or third 513  
degree, a definite prison term of not less than three years and 514  
not greater than the maximum prison term allowed for the offense 515  
by division (A) (2) (b) or (3) of this section, except that if the 516  
offense is a felony of the second degree committed on or after 517  
March 22, 2019, the court shall impose as the minimum prison 518  
term a mandatory term of not less than three years and not 519  
greater than eight years; 520

(iii) If the offense is a felony of the fourth or fifth 521  
degree, a definite prison term that is the maximum prison term 522  
allowed for the offense by division (A) of section 2929.14 of 523  
the Revised Code. 524

(b) The prison term imposed under division (B) (7) (a) of 525  
this section shall not be reduced pursuant to section 2929.20, 526  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 527  
other provision of Chapter 2967. of the Revised Code. A court 528  
shall not impose more than one prison term on an offender under 529  
division (B) (7) (a) of this section for felonies committed as 530  
part of the same act, scheme, or plan. 531

(8) If an offender is convicted of or pleads guilty to a 532  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 533

Revised Code and also is convicted of or pleads guilty to a 534  
specification of the type described in section 2941.1423 of the 535  
Revised Code that charges that the victim of the violation was a 536  
woman whom the offender knew was pregnant at the time of the 537  
violation, notwithstanding the range prescribed in division (A) 538  
of this section as the definite prison term or minimum prison 539  
term for felonies of the same degree as the violation, the court 540  
shall impose on the offender a mandatory prison term that is 541  
either a definite prison term of six months or one of the prison 542  
terms prescribed in division (A) of this section for felonies of 543  
the same degree as the violation, except that if the violation 544  
is a felony of the first or second degree committed on or after 545  
arch 22, 2019, the court shall impose as the minimum prison term 546  
under division (A) (1) (a) or (2) (a) of this section a mandatory 547  
term that is one of the terms prescribed in that division, 548  
whichever is applicable, for the offense. 549

(9) (a) If an offender is convicted of or pleads guilty to 550  
a violation of division (A) (1) or (2) of section 2903.11 of the 551  
Revised Code and also is convicted of or pleads guilty to a 552  
specification of the type described in section 2941.1425 of the 553  
Revised Code, the court shall impose on the offender a mandatory 554  
prison term of six years if either of the following applies: 555

(i) The violation is a violation of division (A) (1) of 556  
section 2903.11 of the Revised Code and the specification 557  
charges that the offender used an accelerant in committing the 558  
violation and the serious physical harm to another or to 559  
another's unborn caused by the violation resulted in a 560  
permanent, serious disfigurement or permanent, substantial 561  
incapacity; 562

(ii) The violation is a violation of division (A) (2) of 563

section 2903.11 of the Revised Code and the specification 564  
charges that the offender used an accelerant in committing the 565  
violation, that the violation caused physical harm to another or 566  
to another's unborn, and that the physical harm resulted in a 567  
permanent, serious disfigurement or permanent, substantial 568  
incapacity. 569

(b) If a court imposes a prison term on an offender under 570  
division (B) (9) (a) of this section, the prison term shall not be 571  
reduced pursuant to section 2929.20, division (A) (2) or (3) of 572  
section 2967.193 or 2967.194, or any other provision of Chapter 573  
2967. or Chapter 5120. of the Revised Code. A court shall not 574  
impose more than one prison term on an offender under division 575  
(B) (9) of this section for felonies committed as part of the 576  
same act. 577

(c) The provisions of divisions (B) (9) and (C) (6) of this 578  
section and of division (D) (2) of section 2903.11, division (F) 579  
(20) of section 2929.13, and section 2941.1425 of the Revised 580  
Code shall be known as "Judy's Law." 581

(10) If an offender is convicted of or pleads guilty to a 582  
violation of division (A) of section 2903.11 of the Revised Code 583  
and also is convicted of or pleads guilty to a specification of 584  
the type described in section 2941.1426 of the Revised Code that 585  
charges that the victim of the offense suffered permanent 586  
disabling harm as a result of the offense and that the victim 587  
was under ten years of age at the time of the offense, 588  
regardless of whether the offender knew the age of the victim, 589  
the court shall impose upon the offender an additional definite 590  
prison term of six years. A prison term imposed on an offender 591  
under division (B) (10) of this section shall not be reduced 592  
pursuant to section 2929.20, division (A) (2) or (3) of section 593

2967.193 or 2967.194, or any other provision of Chapter 2967. or 594  
Chapter 5120. of the Revised Code. If a court imposes an 595  
additional prison term on an offender under this division 596  
relative to a violation of division (A) of section 2903.11 of 597  
the Revised Code, the court shall not impose any other 598  
additional prison term on the offender relative to the same 599  
offense. 600

(11) If an offender is convicted of or pleads guilty to a 601  
felony violation of section 2925.03 or 2925.05 of the Revised 602  
Code or a felony violation of section 2925.11 of the Revised 603  
Code for which division (C)(11) of that section applies in 604  
determining the sentence for the violation, if the drug involved 605  
in the violation is a fentanyl-related compound or a compound, 606  
mixture, preparation, or substance containing a fentanyl-related 607  
compound, and if the offender also is convicted of or pleads 608  
guilty to a specification of the type described in division (B) 609  
of section 2941.1410 of the Revised Code that charges that the 610  
offender is a major drug offender, in addition to any other 611  
penalty imposed for the violation, the court shall impose on the 612  
offender a mandatory prison term of three, four, five, six, 613  
seven, or eight years. If a court imposes a prison term on an 614  
offender under division (B)(11) of this section, the prison term 615  
shall not be reduced pursuant to section 2929.20, division (A) 616  
(2) or (3) of section 2967.193 or 2967.194, or any other 617  
provision of Chapter 2967. or 5120. of the Revised Code. A court 618  
shall not impose more than one prison term on an offender under 619  
division (B)(11) of this section for felonies committed as part 620  
of the same act. 621

(C)(1)(a) Subject to division (C)(1)(b) of this section, 622  
if a mandatory prison term is imposed upon an offender pursuant 623  
to division (B)(1)(a) of this section for having a firearm on or 624

about the offender's person or under the offender's control 625  
while committing a felony, if a mandatory prison term is imposed 626  
upon an offender pursuant to division (B) (1) (c) of this section 627  
for committing a felony specified in that division by 628  
discharging a firearm from a motor vehicle, or if both types of 629  
mandatory prison terms are imposed, the offender shall serve any 630  
mandatory prison term imposed under either division 631  
consecutively to any other mandatory prison term imposed under 632  
either division or under division (B) (1) (d) of this section, 633  
consecutively to and prior to any prison term imposed for the 634  
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 635  
this section or any other section of the Revised Code, and 636  
consecutively to any other prison term or mandatory prison term 637  
previously or subsequently imposed upon the offender. 638

(b) If a mandatory prison term is imposed upon an offender 639  
pursuant to division (B) (1) (d) of this section for wearing or 640  
carrying body armor while committing an offense of violence that 641  
is a felony, the offender shall serve the mandatory term so 642  
imposed consecutively to any other mandatory prison term imposed 643  
under that division or under division (B) (1) (a) or (c) of this 644  
section, consecutively to and prior to any prison term imposed 645  
for the underlying felony under division (A), (B) (2), or (B) (3) 646  
of this section or any other section of the Revised Code, and 647  
consecutively to any other prison term or mandatory prison term 648  
previously or subsequently imposed upon the offender. 649

(c) If a mandatory prison term is imposed upon an offender 650  
pursuant to division (B) (1) (f) of this section, the offender 651  
shall serve the mandatory prison term so imposed consecutively 652  
to and prior to any prison term imposed for the underlying 653  
felony under division (A), (B) (2), or (B) (3) of this section or 654  
any other section of the Revised Code, and consecutively to any 655

other prison term or mandatory prison term previously or 656  
subsequently imposed upon the offender. 657

(d) If a mandatory prison term is imposed upon an offender 658  
pursuant to division (B) (7) or (8) of this section, the offender 659  
shall serve the mandatory prison term so imposed consecutively 660  
to any other mandatory prison term imposed under that division 661  
or under any other provision of law and consecutively to any 662  
other prison term or mandatory prison term previously or 663  
subsequently imposed upon the offender. 664

(e) If a mandatory prison term is imposed upon an offender 665  
pursuant to division (B) (11) of this section, the offender shall 666  
serve the mandatory prison term consecutively to any other 667  
mandatory prison term imposed under that division, consecutively 668  
to and prior to any prison term imposed for the underlying 669  
felony, and consecutively to any other prison term or mandatory 670  
prison term previously or subsequently imposed upon the 671  
offender. 672

(2) If an offender who is an inmate in a jail, prison, or 673  
other residential detention facility violates section 2917.02, 674  
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 675  
(2) of section 2921.34 of the Revised Code, if an offender who 676  
is under detention at a detention facility commits a felony 677  
violation of section 2923.131 of the Revised Code, or if an 678  
offender who is an inmate in a jail, prison, or other 679  
residential detention facility or is under detention at a 680  
detention facility commits another felony while the offender is 681  
an escapee in violation of division (A) (1) or (2) of section 682  
2921.34 of the Revised Code, any prison term imposed upon the 683  
offender for one of those violations shall be served by the 684  
offender consecutively to the prison term or term of 685

imprisonment the offender was serving when the offender 686  
committed that offense and to any other prison term previously 687  
or subsequently imposed upon the offender. 688

(3) If a prison term is imposed for a violation of 689  
division (B) of section 2911.01 of the Revised Code, a violation 690  
of division (A) of section 2913.02 of the Revised Code in which 691  
the stolen property is a firearm or dangerous ordnance, or a 692  
felony violation of division (B) of section 2921.331 of the 693  
Revised Code, the offender shall serve that prison term 694  
consecutively to any other prison term or mandatory prison term 695  
previously or subsequently imposed upon the offender. 696

(4) If multiple prison terms are imposed on an offender 697  
for convictions of multiple offenses, the court may require the 698  
offender to serve the prison terms consecutively if the court 699  
finds that the consecutive service is necessary to protect the 700  
public from future crime or to punish the offender and that 701  
consecutive sentences are not disproportionate to the 702  
seriousness of the offender's conduct and to the danger the 703  
offender poses to the public, and if the court also finds any of 704  
the following: 705

(a) The offender committed one or more of the multiple 706  
offenses while the offender was awaiting trial or sentencing, 707  
was under a sanction imposed pursuant to section 2929.16, 708  
2929.17, or 2929.18 of the Revised Code, or was under post- 709  
release control for a prior offense. 710

(b) At least two of the multiple offenses were committed 711  
as part of one or more courses of conduct, and the harm caused 712  
by two or more of the multiple offenses so committed was so 713  
great or unusual that no single prison term for any of the 714  
offenses committed as part of any of the courses of conduct 715



adequately reflects the seriousness of the offender's conduct. 716

(c) The offender's history of criminal conduct 717  
demonstrates that consecutive sentences are necessary to protect 718  
the public from future crime by the offender. 719

(5) If a mandatory prison term is imposed upon an offender 720  
pursuant to division (B) (5) or (6) of this section, the offender 721  
shall serve the mandatory prison term consecutively to and prior 722  
to any prison term imposed for the underlying violation of 723  
division (A) (1) or (2) of section 2903.06 of the Revised Code 724  
pursuant to division (A) of this section or section 2929.142 of 725  
the Revised Code. If a mandatory prison term is imposed upon an 726  
offender pursuant to division (B) (5) of this section, and if a 727  
mandatory prison term also is imposed upon the offender pursuant 728  
to division (B) (6) of this section in relation to the same 729  
violation, the offender shall serve the mandatory prison term 730  
imposed pursuant to division (B) (5) of this section 731  
consecutively to and prior to the mandatory prison term imposed 732  
pursuant to division (B) (6) of this section and consecutively to 733  
and prior to any prison term imposed for the underlying 734  
violation of division (A) (1) or (2) of section 2903.06 of the 735  
Revised Code pursuant to division (A) of this section or section 736  
2929.142 of the Revised Code. 737

(6) If a mandatory prison term is imposed on an offender 738  
pursuant to division (B) (9) of this section, the offender shall 739  
serve the mandatory prison term consecutively to and prior to 740  
any prison term imposed for the underlying violation of division 741  
(A) (1) or (2) of section 2903.11 of the Revised Code and 742  
consecutively to and prior to any other prison term or mandatory 743  
prison term previously or subsequently imposed on the offender. 744

(7) If a mandatory prison term is imposed on an offender 745

pursuant to division (B)(10) of this section, the offender shall 746  
serve that mandatory prison term consecutively to and prior to 747  
any prison term imposed for the underlying felonious assault. 748  
Except as otherwise provided in division (C) of this section, 749  
any other prison term or mandatory prison term previously or 750  
subsequently imposed upon the offender may be served 751  
concurrently with, or consecutively to, the prison term imposed 752  
pursuant to division (B)(10) of this section. 753

(8) Any prison term imposed for a violation of section 754  
2903.04 of the Revised Code that is based on a violation of 755  
section 2925.03 or 2925.11 of the Revised Code or on a violation 756  
of section 2925.05 of the Revised Code that is not funding of 757  
marihuana trafficking shall run consecutively to any prison term 758  
imposed for the violation of section 2925.03 or 2925.11 of the 759  
Revised Code or for the violation of section 2925.05 of the 760  
Revised Code that is not funding of marihuana trafficking. 761

(9) When consecutive prison terms are imposed pursuant to 762  
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 763  
division (H)(1) or (2) of this section, subject to division (C) 764  
(10) of this section, the term to be served is the aggregate of 765  
all of the terms so imposed. 766

(10) When a court sentences an offender to a non-life 767  
felony indefinite prison term, any definite prison term or 768  
mandatory definite prison term previously or subsequently 769  
imposed on the offender in addition to that indefinite sentence 770  
that is required to be served consecutively to that indefinite 771  
sentence shall be served prior to the indefinite sentence. 772

(11) If a court is sentencing an offender for a felony of 773  
the first or second degree, if division (A)(1)(a) or (2)(a) of 774  
this section applies with respect to the sentencing for the 775

offense, and if the court is required under the Revised Code 776  
section that sets forth the offense or any other Revised Code 777  
provision to impose a mandatory prison term for the offense, the 778  
court shall impose the required mandatory prison term as the 779  
minimum term imposed under division (A) (1) (a) or (2) (a) of this 780  
section, whichever is applicable. 781

(D) (1) If a court imposes a prison term, other than a term 782  
of life imprisonment, for a felony of the first degree, for a 783  
felony of the second degree, for a felony sex offense, or for a 784  
felony of the third degree that is an offense of violence and 785  
that is not a felony sex offense, it shall include in the 786  
sentence a requirement that the offender be subject to a period 787  
of post-release control after the offender's release from 788  
imprisonment, in accordance with section 2967.28 of the Revised 789  
Code. If a court imposes a sentence including a prison term of a 790  
type described in this division on or after July 11, 2006, the 791  
failure of a court to include a post-release control requirement 792  
in the sentence pursuant to this division does not negate, 793  
limit, or otherwise affect the mandatory period of post-release 794  
control that is required for the offender under division (B) of 795  
section 2967.28 of the Revised Code. Section 2929.191 of the 796  
Revised Code applies if, prior to July 11, 2006, a court imposed 797  
a sentence including a prison term of a type described in this 798  
division and failed to include in the sentence pursuant to this 799  
division a statement regarding post-release control. 800

(2) If a court imposes a prison term for a felony of the 801  
third, fourth, or fifth degree that is not subject to division 802  
(D) (1) of this section, it shall include in the sentence a 803  
requirement that the offender be subject to a period of post- 804  
release control after the offender's release from imprisonment, 805  
in accordance with that division, if the parole board determines 806

that a period of post-release control is necessary. Section 807  
2929.191 of the Revised Code applies if, prior to July 11, 2006, 808  
a court imposed a sentence including a prison term of a type 809  
described in this division and failed to include in the sentence 810  
pursuant to this division a statement regarding post-release 811  
control. 812

(E) The court shall impose sentence upon the offender in 813  
accordance with section 2971.03 of the Revised Code, and Chapter 814  
2971. of the Revised Code applies regarding the prison term or 815  
term of life imprisonment without parole imposed upon the 816  
offender and the service of that term of imprisonment if any of 817  
the following apply: 818

(1) A person is convicted of or pleads guilty to a violent 819  
sex offense or a designated homicide, assault, or kidnapping 820  
offense, and, in relation to that offense, the offender is 821  
adjudicated a sexually violent predator. 822

(2) A person is convicted of or pleads guilty to a 823  
violation of division (A) (1) (b) of section 2907.02 of the 824  
Revised Code committed on or after January 2, 2007, and either 825  
the court does not impose a sentence of life without parole when 826  
authorized pursuant to division (B) of section 2907.02 of the 827  
Revised Code, or division (B) of section 2907.02 of the Revised 828  
Code provides that the court shall not sentence the offender 829  
pursuant to section 2971.03 of the Revised Code. 830

(3) A person is convicted of or pleads guilty to attempted 831  
rape committed on or after January 2, 2007, and a specification 832  
of the type described in section 2941.1418, 2941.1419, or 833  
2941.1420 of the Revised Code. 834

(4) A person is convicted of or pleads guilty to a 835

violation of section 2905.01 of the Revised Code committed on or 836  
after January 1, 2008, and that section requires the court to 837  
sentence the offender pursuant to section 2971.03 of the Revised 838  
Code. 839

(5) A person is convicted of or pleads guilty to 840  
aggravated murder committed on or after January 1, 2008, and 841  
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 842  
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 843  
(a) (iv) of section 2929.03, or division (A) or (B) of section 844  
2929.06 of the Revised Code requires the court to sentence the 845  
offender pursuant to division (B) (3) of section 2971.03 of the 846  
Revised Code. 847

(6) A person is convicted of or pleads guilty to murder 848  
committed on or after January 1, 2008, and division (B) (2) of 849  
section 2929.02 of the Revised Code requires the court to 850  
sentence the offender pursuant to section 2971.03 of the Revised 851  
Code. 852

(F) If a person who has been convicted of or pleaded 853  
guilty to a felony is sentenced to a prison term or term of 854  
imprisonment under this section, sections 2929.02 to 2929.06 of 855  
the Revised Code, section 2929.142 of the Revised Code, section 856  
2971.03 of the Revised Code, or any other provision of law, 857  
section 5120.163 of the Revised Code applies regarding the 858  
person while the person is confined in a state correctional 859  
institution. 860

(G) If an offender who is convicted of or pleads guilty to 861  
a felony that is an offense of violence also is convicted of or 862  
pleads guilty to a specification of the type described in 863  
section 2941.142 of the Revised Code that charges the offender 864  
with having committed the felony while participating in a 865

criminal gang, the court shall impose upon the offender an 866  
additional prison term of one, two, or three years. 867

(H) (1) If an offender who is convicted of or pleads guilty 868  
to aggravated murder, murder, or a felony of the first, second, 869  
or third degree that is an offense of violence also is convicted 870  
of or pleads guilty to a specification of the type described in 871  
section 2941.143 of the Revised Code that charges the offender 872  
with having committed the offense in a school safety zone or 873  
towards a person in a school safety zone, the court shall impose 874  
upon the offender an additional prison term of two years. The 875  
offender shall serve the additional two years consecutively to 876  
and prior to the prison term imposed for the underlying offense. 877

(2) (a) If an offender is convicted of or pleads guilty to 878  
a felony violation of section 2907.22, 2907.24, 2907.241, or 879  
2907.25 of the Revised Code and to a specification of the type 880  
described in section 2941.1421 of the Revised Code and if the 881  
court imposes a prison term on the offender for the felony 882  
violation, the court may impose upon the offender an additional 883  
prison term as follows: 884

(i) Subject to division (H) (2) (a) (ii) of this section, an 885  
additional prison term of one, two, three, four, five, or six 886  
months; 887

(ii) If the offender previously has been convicted of or 888  
pleaded guilty to one or more felony or misdemeanor violations 889  
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 890  
the Revised Code and also was convicted of or pleaded guilty to 891  
a specification of the type described in section 2941.1421 of 892  
the Revised Code regarding one or more of those violations, an 893  
additional prison term of one, two, three, four, five, six, 894  
seven, eight, nine, ten, eleven, or twelve months. 895

(b) In lieu of imposing an additional prison term under 896  
division (H) (2) (a) of this section, the court may directly 897  
impose on the offender a sanction that requires the offender to 898  
wear a real-time processing, continual tracking electronic 899  
monitoring device during the period of time specified by the 900  
court. The period of time specified by the court shall equal the 901  
duration of an additional prison term that the court could have 902  
imposed upon the offender under division (H) (2) (a) of this 903  
section. A sanction imposed under this division shall commence 904  
on the date specified by the court, provided that the sanction 905  
shall not commence until after the offender has served the 906  
prison term imposed for the felony violation of section 2907.22, 907  
2907.24, 2907.241, or 2907.25 of the Revised Code and any 908  
residential sanction imposed for the violation under section 909  
2929.16 of the Revised Code. A sanction imposed under this 910  
division shall be considered to be a community control sanction 911  
for purposes of section 2929.15 of the Revised Code, and all 912  
provisions of the Revised Code that pertain to community control 913  
sanctions shall apply to a sanction imposed under this division, 914  
except to the extent that they would by their nature be clearly 915  
inapplicable. The offender shall pay all costs associated with a 916  
sanction imposed under this division, including the cost of the 917  
use of the monitoring device. 918

(I) At the time of sentencing, the court may recommend the 919  
offender for placement in a program of shock incarceration under 920  
section 5120.031 of the Revised Code or for placement in an 921  
intensive program prison under section 5120.032 of the Revised 922  
Code, disapprove placement of the offender in a program of shock 923  
incarceration or an intensive program prison of that nature, or 924  
make no recommendation on placement of the offender. In no case 925  
shall the department of rehabilitation and correction place the 926

offender in a program or prison of that nature unless the 927  
department determines as specified in section 5120.031 or 928  
5120.032 of the Revised Code, whichever is applicable, that the 929  
offender is eligible for the placement. 930

If the court disapproves placement of the offender in a 931  
program or prison of that nature, the department of 932  
rehabilitation and correction shall not place the offender in 933  
any program of shock incarceration or intensive program prison. 934

If the court recommends placement of the offender in a 935  
program of shock incarceration or in an intensive program 936  
prison, and if the offender is subsequently placed in the 937  
recommended program or prison, the department shall notify the 938  
court of the placement and shall include with the notice a brief 939  
description of the placement. 940

If the court recommends placement of the offender in a 941  
program of shock incarceration or in an intensive program prison 942  
and the department does not subsequently place the offender in 943  
the recommended program or prison, the department shall send a 944  
notice to the court indicating why the offender was not placed 945  
in the recommended program or prison. 946

If the court does not make a recommendation under this 947  
division with respect to an offender and if the department 948  
determines as specified in section 5120.031 or 5120.032 of the 949  
Revised Code, whichever is applicable, that the offender is 950  
eligible for placement in a program or prison of that nature, 951  
the department shall screen the offender and determine if there 952  
is an available program of shock incarceration or an intensive 953  
program prison for which the offender is suited. If there is an 954  
available program of shock incarceration or an intensive program 955  
prison for which the offender is suited, the department shall 956



notify the court of the proposed placement of the offender as 957  
specified in section 5120.031 or 5120.032 of the Revised Code 958  
and shall include with the notice a brief description of the 959  
placement. The court shall have ten days from receipt of the 960  
notice to disapprove the placement. 961

(J) If a person is convicted of or pleads guilty to 962  
aggravated vehicular homicide in violation of division (A) (1) of 963  
section 2903.06 of the Revised Code and division (B) (2) (c) of 964  
that section applies, the person shall be sentenced pursuant to 965  
section 2929.142 of the Revised Code. 966

(K) (1) The court shall impose an additional mandatory 967  
prison term of two, three, four, five, six, seven, eight, nine, 968  
ten, or eleven years on an offender who is convicted of or 969  
pleads guilty to a violent felony offense if the offender also 970  
is convicted of or pleads guilty to a specification of the type 971  
described in section 2941.1424 of the Revised Code that charges 972  
that the offender is a violent career criminal and had a firearm 973  
on or about the offender's person or under the offender's 974  
control while committing the presently charged violent felony 975  
offense and displayed or brandished the firearm, indicated that 976  
the offender possessed a firearm, or used the firearm to 977  
facilitate the offense. The offender shall serve the prison term 978  
imposed under this division consecutively to and prior to the 979  
prison term imposed for the underlying offense. The prison term 980  
shall not be reduced pursuant to section 2929.20, division (A) 981  
(2) or (3) of section 2967.193 or 2967.194, or any other 982  
provision of Chapter 2967. or 5120. of the Revised Code. A court 983  
may not impose more than one sentence under division (B) (2) (a) 984  
of this section and this division for acts committed as part of 985  
the same act or transaction. 986

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

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

**Sec. 2941.1414.** (A) Imposition of a five-year mandatory prison term upon an offender under division (B) (5) of section 2929.14 of the Revised Code is precluded unless the offender is convicted of or pleads guilty to violating division (A) (1) or (2) of section 2903.06 of the Revised Code and unless the indictment, count in the indictment, or information charging the offense specifies that the victim of the offense is a peace officer, an investigator of the bureau of criminal identification and investigation, a firefighter, or an emergency medical worker. The specification shall be stated at the end of the body of the indictment, count, or information and shall be stated in substantially the following form:

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The Grand Jurors (or insert the person's or the prosecuting attorney's name when appropriate) further find and specify that (set forth that the victim of the offense is a peace officer, an investigator of the bureau of criminal identification and investigation, a firefighter, or an emergency medical worker)."

(B) The specification described in division (A) of this section may be used in a delinquent child proceeding in the

manner and for the purpose described in section 2152.17 of the Revised Code. 1017  
1018

(C) As used in this section: 1019

(1) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 1020  
1021

(2) "Investigator of the bureau of criminal identification and investigation" has the same meaning as in section 2903.11 of the Revised Code. 1022  
1023  
1024

(3) "Firefighter" and "emergency medical worker" have the same meanings as in section ~~4123.026~~4123.01 of the Revised Code. 1025  
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1027

**Sec. 4123.01.** As used in this chapter: 1028

(A) (1) "Employee" means: 1029

(a) Every person in the service of the state, or of any county, municipal corporation, township, or school district therein, including regular members of lawfully constituted police and fire departments of municipal corporations and townships, whether paid or volunteer, and wherever serving within the state or on temporary assignment outside thereof, and executive officers of boards of education, under any appointment or contract of hire, express or implied, oral or written, including any elected official of the state, or of any county, municipal corporation, or township, or members of boards of education. 1030  
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As used in division (A) (1) (a) of this section, the term "employee" includes the following persons when responding to an inherently dangerous situation that calls for an immediate response on the part of the person, regardless of whether the 1041  
1042  
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person is within the limits of the jurisdiction of the person's 1045  
regular employment or voluntary service when responding, on the 1046  
condition that the person responds to the situation as the 1047  
person otherwise would if the person were on duty in the 1048  
person's jurisdiction: 1049

(i) Off-duty peace officers. ~~As used in division (A) (1) (a)~~ 1050  
~~(i) of this section, "peace officer" has the same meaning as in~~ 1051  
~~section 2935.01 of the Revised Code.~~ 1052

(ii) Off-duty firefighters, ~~whether paid or volunteer, of~~ 1053  
~~a lawfully constituted fire department.~~ 1054

(iii) Off-duty ~~first responders, emergency medical~~ 1055  
~~technicians basic, emergency medical technicians intermediate,~~ 1056  
~~or emergency medical technicians paramedic, whether paid or~~ 1057  
~~volunteer, emergency medical workers~~ of an ambulance service 1058  
organization or emergency medical service organization ~~pursuant~~ 1059  
~~to Chapter 4765. of the Revised Code.~~ 1060

(b) Every person in the service of any person, firm, or 1061  
private corporation, including any public service corporation, 1062  
that (i) employs one or more persons regularly in the same 1063  
business or in or about the same establishment under any 1064  
contract of hire, express or implied, oral or written, including 1065  
aliens and minors, household workers who earn one hundred sixty 1066  
dollars or more in cash in any calendar quarter from a single 1067  
household and casual workers who earn one hundred sixty dollars 1068  
or more in cash in any calendar quarter from a single employer, 1069  
or (ii) is bound by any such contract of hire or by any other 1070  
written contract, to pay into the state insurance fund the 1071  
premiums provided by this chapter. 1072

(c) Every person who performs labor or provides services 1073

pursuant to a construction contract, as defined in section 1074  
4123.79 of the Revised Code, if at least ten of the following 1075  
criteria apply: 1076

(i) The person is required to comply with instructions 1077  
from the other contracting party regarding the manner or method 1078  
of performing services; 1079

(ii) The person is required by the other contracting party 1080  
to have particular training; 1081

(iii) The person's services are integrated into the 1082  
regular functioning of the other contracting party; 1083

(iv) The person is required to perform the work 1084  
personally; 1085

(v) The person is hired, supervised, or paid by the other 1086  
contracting party; 1087

(vi) A continuing relationship exists between the person 1088  
and the other contracting party that contemplates continuing or 1089  
recurring work even if the work is not full time; 1090

(vii) The person's hours of work are established by the 1091  
other contracting party; 1092

(viii) The person is required to devote full time to the 1093  
business of the other contracting party; 1094

(ix) The person is required to perform the work on the 1095  
premises of the other contracting party; 1096

(x) The person is required to follow the order of work set 1097  
by the other contracting party; 1098

(xi) The person is required to make oral or written 1099  
reports of progress to the other contracting party; 1100

(xii) The person is paid for services on a regular basis	1101
such as hourly, weekly, or monthly;	1102
(xiii) The person's expenses are paid for by the other	1103
contracting party;	1104
(xiv) The person's tools and materials are furnished by	1105
the other contracting party;	1106
(xv) The person is provided with the facilities used to	1107
perform services;	1108
(xvi) The person does not realize a profit or suffer a	1109
loss as a result of the services provided;	1110
(xvii) The person is not performing services for a number	1111
of employers at the same time;	1112
(xviii) The person does not make the same services	1113
available to the general public;	1114
(xix) The other contracting party has a right to discharge	1115
the person;	1116
(xx) The person has the right to end the relationship with	1117
the other contracting party without incurring liability pursuant	1118
to an employment contract or agreement.	1119
Every person in the service of any independent contractor	1120
or subcontractor who has failed to pay into the state insurance	1121
fund the amount of premium determined and fixed by the	1122
administrator of workers' compensation for the person's	1123
employment or occupation or who is a self-insuring employer and	1124
who has failed to pay compensation and benefits directly to the	1125
employer's injured and to the dependents of the employer's	1126
killed employees as required by section 4123.35 of the Revised	1127
Code, shall be considered as the employee of the person who has	1128

entered into a contract, whether written or verbal, with such 1129  
independent contractor unless such employees or their legal 1130  
representatives or beneficiaries elect, after injury or death, 1131  
to regard such independent contractor as the employer. 1132

(d) Every person who operates a vehicle or vessel in the 1133  
performance of services for or on behalf of a motor carrier 1134  
transporting property, unless all of the following factors apply 1135  
to the person: 1136

(i) The person owns the vehicle or vessel that is used in 1137  
performing the services for or on behalf of the carrier, or the 1138  
person leases the vehicle or vessel under a bona fide lease 1139  
agreement that is not a temporary replacement lease agreement. 1140  
For purposes of this division, a bona fide lease agreement does 1141  
not include an agreement between the person and the motor 1142  
carrier transporting property for which, or on whose behalf, the 1143  
person provides services. 1144

(ii) The person is responsible for supplying the necessary 1145  
personal services to operate the vehicle or vessel used to 1146  
provide the service. 1147

(iii) The compensation paid to the person is based on 1148  
factors related to work performed, including on a mileage-based 1149  
rate or a percentage of any schedule of rates, and not solely on 1150  
the basis of the hours or time expended. 1151

(iv) The person substantially controls the means and 1152  
manner of performing the services, in conformance with 1153  
regulatory requirements and specifications of the shipper. 1154

(v) The person enters into a written contract with the 1155  
carrier for whom the person is performing the services that 1156  
describes the relationship between the person and the carrier to 1157

be that of an independent contractor and not that of an 1158  
employee. 1159

(vi) The person is responsible for substantially all of 1160  
the principal operating costs of the vehicle or vessel and 1161  
equipment used to provide the services, including maintenance, 1162  
fuel, repairs, supplies, vehicle or vessel insurance, and 1163  
personal expenses, except that the person may be paid by the 1164  
carrier the carrier's fuel surcharge and incidental costs, 1165  
including tolls, permits, and lump sum fees. 1166

(vii) The person is responsible for any economic loss or 1167  
economic gain from the arrangement with the carrier. 1168

(2) "Employee" does not mean any of the following: 1169

(a) A duly ordained, commissioned, or licensed minister or 1170  
assistant or associate minister of a church in the exercise of 1171  
ministry; 1172

(b) Any officer of a family farm corporation; 1173

(c) An individual incorporated as a corporation; 1174

(d) An officer of a nonprofit corporation, as defined in 1175  
section 1702.01 of the Revised Code, who volunteers the person's 1176  
services as an officer; 1177

(e) An individual who otherwise is an employee of an 1178  
employer but who signs the waiver and affidavit specified in 1179  
section 4123.15 of the Revised Code on the condition that the 1180  
administrator has granted a waiver and exception to the 1181  
individual's employer under section 4123.15 of the Revised Code; 1182

(f) (i) A qualifying employee described in division (A) (14) 1183  
(a) of section 5703.94 of the Revised Code when the qualifying 1184  
employee is performing disaster work in this state during a 1185



disaster response period pursuant to a qualifying solicitation 1186  
received by the employee's employer; 1187

(ii) A qualifying employee described in division (A)(14) 1188  
(b) of section 5703.94 of the Revised Code when the qualifying 1189  
employee is performing disaster work in this state during a 1190  
disaster response period on critical infrastructure owned or 1191  
used by the employee's employer; 1192

(iii) As used in division (A)(2)(f) of this section, 1193  
"critical infrastructure," "disaster response period," "disaster 1194  
work," and "qualifying employee" have the same meanings as in 1195  
section 5703.94 of the Revised Code. 1196

Any employer may elect to include as an "employee" within 1197  
this chapter, any person excluded from the definition of 1198  
"employee" pursuant to division (A)(1)(d) or (A)(2)(a), (b), 1199  
(c), or (e) of this section in accordance with rules adopted by 1200  
the administrator, with the advice and consent of the bureau of 1201  
workers' compensation board of directors. If an employer is a 1202  
partnership, sole proprietorship, individual incorporated as a 1203  
corporation, or family farm corporation, such employer may elect 1204  
to include as an "employee" within this chapter, any member of 1205  
such partnership, the owner of the sole proprietorship, the 1206  
individual incorporated as a corporation, or the officers of the 1207  
family farm corporation. Nothing in this section shall prohibit 1208  
a partner, sole proprietor, or any person excluded from the 1209  
definition of "employee" pursuant to division (A)(2)(a), (b), 1210  
(c), or (e) of this section from electing to be included as an 1211  
"employee" under this chapter in accordance with rules adopted 1212  
by the administrator, with the advice and consent of the board. 1213

In the event of an election, the employer or person 1214  
electing coverage shall serve upon the bureau of workers' 1215

compensation written notice naming the person to be covered and 1216  
include the person's remuneration for premium purposes in all 1217  
future payroll reports. No partner, sole proprietor, or person 1218  
excluded from the definition of "employee" pursuant to division 1219  
(A) (1) (d) or (A) (2) (a), (b), (c), or (e) of this section, shall 1220  
receive benefits or compensation under this chapter until the 1221  
bureau receives written notice of the election permitted by this 1222  
section. 1223

For informational purposes only, the bureau shall 1224  
prescribe such language as it considers appropriate, on such of 1225  
its forms as it considers appropriate, to advise employers of 1226  
their right to elect to include as an "employee" within this 1227  
chapter a sole proprietor, any member of a partnership, or a 1228  
person excluded from the definition of "employee" under division 1229  
(A) (1) (d) or (A) (2) (a), (b), (c), or (e) of this section, that 1230  
they should check any health and disability insurance policy, or 1231  
other form of health and disability plan or contract, presently 1232  
covering them, or the purchase of which they may be considering, 1233  
to determine whether such policy, plan, or contract excludes 1234  
benefits for illness or injury that they might have elected to 1235  
have covered by workers' compensation. 1236

(B) (1) "Employer" means: 1237

(a) The state, including state hospitals, each county, 1238  
municipal corporation, township, school district, and hospital 1239  
owned by a political subdivision or subdivisions other than the 1240  
state; 1241

(b) Every person, firm, professional employer 1242  
organization, alternate employer organization, and private 1243  
corporation, including any public service corporation, that (i) 1244  
has in service one or more employees or shared employees 1245

regularly in the same business or in or about the same 1246  
establishment under any contract of hire, express or implied, 1247  
oral or written, or (ii) is bound by any such contract of hire 1248  
or by any other written contract, to pay into the insurance fund 1249  
the premiums provided by this chapter. 1250

All such employers are subject to this chapter. Any member 1251  
of a firm or association, who regularly performs manual labor in 1252  
or about a mine, factory, or other establishment, including a 1253  
household establishment, shall be considered an employee in 1254  
determining whether such person, firm, or private corporation, 1255  
or public service corporation, has in its service, one or more 1256  
employees and the employer shall report the income derived from 1257  
such labor to the bureau as part of the payroll of such 1258  
employer, and such member shall thereupon be entitled to all the 1259  
benefits of an employee. 1260

(2) "Employer" does not include a franchisor with respect 1261  
to the franchisor's relationship with a franchisee or an 1262  
employee of a franchisee, unless the franchisor agrees to assume 1263  
that role in writing or a court of competent jurisdiction 1264  
determines that the franchisor exercises a type or degree of 1265  
control over the franchisee or the franchisee's employees that 1266  
is not customarily exercised by a franchisor for the purpose of 1267  
protecting the franchisor's trademark, brand, or both. For 1268  
purposes of this division, "franchisor" and "franchisee" have 1269  
the same meanings as in 16 C.F.R. 436.1. 1270

(C) "Injury" includes any injury, whether caused by 1271  
external accidental means or accidental in character and result, 1272  
received in the course of, and arising out of, the injured 1273  
employee's employment. "Injury" does not include: 1274

(1) Psychiatric conditions except ~~where~~ as follows: 1275

(a) Where the claimant's psychiatric conditions have 1276  
arisen from an injury or occupational disease sustained by that 1277  
claimant ~~or where~~; 1278

(b) Where the claimant's psychiatric conditions have 1279  
arisen from sexual conduct in which the claimant was forced by 1280  
threat of physical harm to engage or participate; 1281

(c) Where the claimant is a peace officer, firefighter, or 1282  
emergency medical worker and is diagnosed with a psychiatric 1283  
condition that has been received in the course of, and has 1284  
arisen out of, the claimant's employment as a peace officer, 1285  
firefighter, or emergency medical worker. 1286

(2) Injury or disability caused primarily by the natural 1287  
deterioration of tissue, an organ, or part of the body; 1288

(3) Injury or disability incurred in voluntary 1289  
participation in an employer-sponsored recreation or fitness 1290  
activity if the employee signs a waiver of the employee's right 1291  
to compensation or benefits under this chapter prior to engaging 1292  
in the recreation or fitness activity; 1293

(4) Injury or disability sustained by an employee who 1294  
performs the employee's duties in a work area that is located 1295  
within the employee's home and that is separate and distinct 1296  
from the location of the employer, unless all of the following 1297  
apply: 1298

(a) The employee's injury or disability arises out of the 1299  
employee's employment. 1300

(b) The employee's injury or disability was caused by a 1301  
special hazard of the employee's employment activity. 1302

(c) The employee's injury or disability is sustained in 1303

the course of an activity undertaken by the employee for the 1304  
exclusive benefit of the employer. 1305

(5) A condition that pre-existed an injury unless that 1306  
pre-existing condition is substantially aggravated by the 1307  
injury. Such a substantial aggravation must be documented by 1308  
objective diagnostic findings, objective clinical findings, or 1309  
objective test results. Subjective complaints may be evidence of 1310  
such a substantial aggravation. However, subjective complaints 1311  
without objective diagnostic findings, objective clinical 1312  
findings, or objective test results are insufficient to 1313  
substantiate a substantial aggravation. 1314

(D) "Child" includes a posthumous child and a child 1315  
legally adopted prior to the injury. 1316

(E) "Family farm corporation" means a corporation founded 1317  
for the purpose of farming agricultural land in which the 1318  
majority of the voting stock is held by and the majority of the 1319  
stockholders are persons or the spouse of persons related to 1320  
each other within the fourth degree of kinship, according to the 1321  
rules of the civil law, and at least one of the related persons 1322  
is residing on or actively operating the farm, and none of whose 1323  
stockholders are a corporation. A family farm corporation does 1324  
not cease to qualify under this division where, by reason of any 1325  
devise, bequest, or the operation of the laws of descent or 1326  
distribution, the ownership of shares of voting stock is 1327  
transferred to another person, as long as that person is within 1328  
the degree of kinship stipulated in this division. 1329

(F) "Occupational disease" means a disease contracted in 1330  
the course of employment, which by its causes and the 1331  
characteristics of its manifestation or the condition of the 1332  
employment results in a hazard which distinguishes the 1333

employment in character from employment generally, and the 1334  
employment creates a risk of contracting the disease in greater 1335  
degree and in a different manner from the public in general. 1336

(G) "Self-insuring employer" means an employer who is 1337  
granted the privilege of paying compensation and benefits 1338  
directly under section 4123.35 of the Revised Code, including a 1339  
board of county commissioners for the sole purpose of 1340  
constructing a sports facility as defined in section 307.696 of 1341  
the Revised Code, provided that the electors of the county in 1342  
which the sports facility is to be built have approved 1343  
construction of a sports facility by ballot election no later 1344  
than November 6, 1997. 1345

(H) "Private employer" means an employer as defined in 1346  
division (B) (1) (b) of this section. 1347

(I) "Professional employer organization" has the same 1348  
meaning as in section 4125.01 of the Revised Code. 1349

(J) "Public employer" means an employer as defined in 1350  
division (B) (1) (a) of this section. 1351

(K) "Sexual conduct" means vaginal intercourse between a 1352  
male and female; anal intercourse, fellatio, and cunnilingus 1353  
between persons regardless of gender; and, without privilege to 1354  
do so, the insertion, however slight, of any part of the body or 1355  
any instrument, apparatus, or other object into the vaginal or 1356  
anal cavity of another. Penetration, however slight, is 1357  
sufficient to complete vaginal or anal intercourse. 1358

(L) "Other-states' insurer" means an insurance company 1359  
that is authorized to provide workers' compensation insurance 1360  
coverage in any of the states that permit employers to obtain 1361  
insurance for workers' compensation claims through insurance 1362

companies. 1363

(M) "Other-states' coverage" means both of the following: 1364

(1) Insurance coverage secured by an eligible employer for 1365  
workers' compensation claims of employees who are in employment 1366  
relationships localized in a state other than this state or 1367  
those employees' dependents; 1368

(2) Insurance coverage secured by an eligible employer for 1369  
workers' compensation claims that arise in a state other than 1370  
this state where an employer elects to obtain coverage through 1371  
either the administrator or an other-states' insurer. 1372

(N) "Limited other-states coverage" means insurance 1373  
coverage provided by the administrator to an eligible employer 1374  
for workers' compensation claims of employees who are in an 1375  
employment relationship localized in this state but are 1376  
temporarily working in a state other than this state, or those 1377  
employees' dependents. 1378

(O) "Motor carrier" has the same meaning as in section 1379  
4923.01 of the Revised Code. 1380

(P) "Alternate employer organization" has the same meaning 1381  
as in section 4133.01 of the Revised Code. 1382

(Q) "Peace officer" has the same meaning as in section 1383  
2935.01 of the Revised Code. 1384

(R) "Firefighter" means a firefighter, whether paid or 1385  
volunteer, of a lawfully constituted fire department. 1386

(S) "Emergency medical worker" means a first responder, 1387  
emergency medical technician-basic, emergency medical 1388  
technician-intermediate, or emergency medical technician- 1389  
paramedic, certified under Chapter 4765. of the Revised Code, 1390

whether paid or volunteer. 1391

**Sec. 4123.026.** (A) The administrator of workers' 1392  
compensation, a self-insuring public employer for the peace 1393  
officers, firefighters, and emergency medical workers employed 1394  
by or volunteering for that self-insuring public employer, or a 1395  
detention facility that is a self-insuring employer for the 1396  
facility's employees, including corrections officers, shall pay 1397  
the costs of conducting post-exposure medical diagnostic 1398  
services, consistent with the standards of medical care existing 1399  
at the time of the exposure, to investigate whether an injury or 1400  
occupational disease was sustained by a peace officer, 1401  
firefighter, emergency medical worker, or detention facility 1402  
employee, including a corrections officer, when coming into 1403  
contact with the blood or other body fluid of another person in 1404  
the course of and arising out of the peace officer's, 1405  
firefighter's, emergency medical worker's, or detention facility 1406  
employee's employment, or when responding to an inherently 1407  
dangerous situation in the manner described in, and in 1408  
accordance with the conditions specified under, division (A)(1) 1409  
(a) of section 4123.01 of the Revised Code, through any of the 1410  
following means: 1411

(1) Splash or spatter in the eye or mouth, including when 1412  
received in the course of conducting mouth-to-mouth 1413  
resuscitation; 1414

(2) A puncture in the skin; 1415

(3) A cut in the skin or another opening in the skin such 1416  
as an open sore, wound, lesion, abrasion, or ulcer. 1417

(B) The administrator, a self-insuring public employer, or 1418  
a detention facility that is a self-insuring employer shall pay 1419



the costs of conducting post-exposure medical diagnostic 1420  
services to investigate whether an employee described in 1421  
division (A) of this section sustained an injury or occupational 1422  
disease if both of the following apply: 1423

(1) In the course of employment the employee is exposed to 1424  
a drug or other chemical substance. 1425

(2) The post-exposure medical diagnostic service is 1426  
consistent with the standards of medical care existing at the 1427  
time of exposure. 1428

(C) As used in this section: 1429

~~(1) "Peace officer" has the same meaning as in section 1430  
2935.01 of the Revised Code. 1431~~

~~(2) "Firefighter" means a firefighter, whether paid or 1432  
volunteer, of a lawfully constituted fire department. 1433~~

~~(3) "Emergency medical worker" means a first responder, 1434  
emergency medical technician basic, emergency medical 1435  
technician intermediate, or emergency medical technician 1436  
paramedic, certified under Chapter 4765. of the Revised Code, 1437  
whether paid or volunteer. 1438~~

~~(4) "Corrections officer" means a person employed by a 1439  
detention facility as a corrections officer. 1440~~

~~(5) (2) "Detention facility" means any public or private 1441  
place used for the confinement of a person charged with or 1442  
convicted of any crime in this state or another state or under 1443  
the laws of the United States or alleged or found to be a 1444  
delinquent child or unruly child in this state or another state 1445  
or under the laws of the United States. 1446~~

**Sec. 4123.46.** (A) (1) Except as provided in division (A) (2) 1447

of this section, the bureau of workers' compensation shall 1448  
disburse the state insurance fund to employees of employers who 1449  
have paid into the fund the premiums applicable to the classes 1450  
to which they belong when the employees have been injured in the 1451  
course of their employment, wherever the injuries have occurred, 1452  
and provided the injuries have not been purposely self- 1453  
inflicted, or to the dependents of the employees in case death 1454  
has ensued. 1455

(2) As long as injuries have not been purposely self- 1456  
inflicted, the bureau shall disburse the surplus fund created 1457  
under section 4123.34 of the Revised Code to off-duty peace 1458  
officers, firefighters, ~~and emergency medical technicians, and~~ 1459  
~~first responders workers~~, or to their dependents if death 1460  
ensues, who are injured while responding to inherently dangerous 1461  
situations that call for an immediate response on the part of 1462  
the person, regardless of whether the person was within the 1463  
limits of the person's jurisdiction when responding, on the 1464  
condition that the person responds to the situation as the 1465  
person otherwise would if the person were on duty in the 1466  
person's jurisdiction. 1467

~~As used in division (A) (2) of this section, "peace~~ 1468  
~~officer," "firefighter," "emergency medical technician," "first~~ 1469  
~~responder," and "jurisdiction" have the same meanings as in~~ 1470  
~~section 4123.01 of the Revised Code.~~ 1471

(B) All self-insuring employers, in compliance with this 1472  
chapter, shall pay the compensation to injured employees, or to 1473  
the dependents of employees who have been killed in the course 1474  
of their employment, unless the injury or death of the employee 1475  
was purposely self-inflicted, and shall furnish the medical, 1476  
surgical, nurse, and hospital care and attention or funeral 1477

expenses as would have been paid and furnished by virtue of this 1478  
chapter under a similar state of facts by the bureau out of the 1479  
state insurance fund if the employer had paid the premium into 1480  
the fund. 1481

If any rule or regulation of a self-insuring employer 1482  
provides for or authorizes the payment of greater compensation 1483  
or more complete or extended medical care, nursing, surgical, 1484  
and hospital attention, or funeral expenses to the injured 1485  
employees, or to the dependents of the employees as may be 1486  
killed, the employer shall pay to the employees, or to the 1487  
dependents of employees killed, the amount of compensation and 1488  
furnish the medical care, nursing, surgical, and hospital 1489  
attention or funeral expenses provided by the self-insuring 1490  
employer's rules and regulations. 1491

(C) Payment to injured employees, or to their dependents 1492  
in case death has ensued, is in lieu of any and all rights of 1493  
action against the employer of the injured or killed employees. 1494

Sec. 4123.87. Notwithstanding any provision in section 1495  
4123.52, 4123.54, 4123.55, 4123.56, 4123.57, 4123.58, 4123.59, 1496  
4123.60, or 4123.66 of the Revised Code to the contrary, in the 1497  
case of disability due to an injury described in division (C)(1) 1498  
(c) of section 4123.01 of the Revised Code, any entitlement of a 1499  
claimant to compensation as a result of any order issued under 1500  
this chapter or Chapter 4121., 4127., or 4131. of the Revised 1501  
Code regarding that injury shall cease not later than one year 1502  
after the date those payments commence under division (H) of 1503  
section 4123.511 of the Revised Code. 1504

**Section 2.** That existing sections 2929.14, 2941.1414, 1505  
4123.01, 4123.026, and 4123.46 of the Revised Code are hereby 1506  
repealed. 1507

**Section 3.** That section 126.65 of the Revised Code is 1508  
hereby repealed. 1509