

As Introduced

136th General Assembly

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H. B. No. 305

Representatives Deeter, Williams

To amend sections 2925.03, 2929.14, and 3705.08 and	1
to enact section 2941.1427 of the Revised Code	2
to establish penalties for trafficking in	3
pressed pill fentanyl, to require a death	4
certificate to indicate if a death is caused by	5
fentanyl poisoning, and to name this act Logan's	6
Law.	7

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

Section 1. That sections 2925.03, 2929.14, and 3705.08 be	8
amended and section 2941.1427 of the Revised Code be enacted to	9
read as follows:	10

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

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

(2) Prepare for shipment, ship, transport, deliver,	15
prepare for distribution, or distribute a controlled substance	16
or a controlled substance analog, when the offender knows or has	17
reasonable cause to believe that the controlled substance or a	18
controlled substance analog is intended for sale or resale by	19
the offender or another person.	20

(B) This section does not apply to any of the following:	21
(1) Manufacturers, licensed health professionals	22
authorized to prescribe drugs, pharmacists, owners of	23
pharmacies, and other persons whose conduct is in accordance	24
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., 4741.,	25
and 4772. of the Revised Code;	26
(2) If the offense involves an anabolic steroid, any	27
person who is conducting or participating in a research project	28
involving the use of an anabolic steroid if the project has been	29
approved by the United States food and drug administration;	30
(3) Any person who sells, offers for sale, prescribes,	31
dispenses, or administers for livestock or other nonhuman	32
species an anabolic steroid that is expressly intended for	33
administration through implants to livestock or other nonhuman	34
species and approved for that purpose under the "Federal Food,	35
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301,	36
as amended, and is sold, offered for sale, prescribed,	37
dispensed, or administered for that purpose in accordance with	38
that act.	39
(C) Whoever violates division (A) of this section is	40
guilty of one of the following:	41
(1) If the drug involved in the violation is any compound,	42
mixture, preparation, or substance included in schedule I or	43
schedule II, with the exception of marihuana, cocaine, L.S.D.,	44
heroin, any fentanyl-related compound, hashish, and any	45
controlled substance analog, whoever violates division (A) of	46
this section is guilty of aggravated trafficking in drugs. The	47
penalty for the offense shall be determined as follows:	48
(a) Except as otherwise provided in division (C) (1) (b),	49

(c), (d), (e), or (f) of this section, aggravated trafficking in 50
drugs is a felony of the fourth degree, and division (C) of 51
section 2929.13 of the Revised Code applies in determining 52
whether to impose a prison term on the offender. 53

(b) Except as otherwise provided in division (C) (1) (c), 54
(d), (e), or (f) of this section, if the offense was committed 55
in the vicinity of a school, in the vicinity of a juvenile, or 56
in the vicinity of a substance addiction services provider or a 57
recovering addict, aggravated trafficking in drugs is a felony 58
of the third degree, and division (C) of section 2929.13 of the 59
Revised Code applies in determining whether to impose a prison 60
term on the offender. 61

(c) Except as otherwise provided in this division, if the 62
amount of the drug involved equals or exceeds the bulk amount 63
but is less than five times the bulk amount, aggravated 64
trafficking in drugs is a felony of the third degree, and, 65
except as otherwise provided in this division, there is a 66
presumption for a prison term for the offense. If aggravated 67
trafficking in drugs is a felony of the third degree under this 68
division and if the offender two or more times previously has 69
been convicted of or pleaded guilty to a felony drug abuse 70
offense, the court shall impose as a mandatory prison term one 71
of the prison terms prescribed for a felony of the third degree. 72
If the amount of the drug involved is within that range and if 73
the offense was committed in the vicinity of a school, in the 74
vicinity of a juvenile, or in the vicinity of a substance 75
addiction services provider or a recovering addict, aggravated 76
trafficking in drugs is a felony of the second degree, and the 77
court shall impose as a mandatory prison term a second degree 78
felony mandatory prison term. 79

(d) Except as otherwise provided in this division, if the
amount of the drug involved equals or exceeds five times the
bulk amount but is less than fifty times the bulk amount,
aggravated trafficking in drugs is a felony of the second
degree, and the court shall impose as a mandatory prison term a
second degree felony mandatory prison term. If the amount of the
drug involved is within that range and if the offense was
committed in the vicinity of a school, in the vicinity of a
juvenile, or in the vicinity of a substance addiction services
provider or a recovering addict, aggravated trafficking in drugs
is a felony of the first degree, and the court shall impose as a
mandatory prison term a first degree felony mandatory prison
term.

(e) If the amount of the drug involved equals or exceeds
fifty times the bulk amount but is less than one hundred times
the bulk amount and regardless of whether the offense was
committed in the vicinity of a school, in the vicinity of a
juvenile, or in the vicinity of a substance addiction services
provider or a recovering addict, aggravated trafficking in drugs
is a felony of the first degree, and the court shall impose as a
mandatory prison term a first degree felony mandatory prison
term.

(f) If the amount of the drug involved equals or exceeds
one hundred times the bulk amount and regardless of whether the
offense was committed in the vicinity of a school, in the
vicinity of a juvenile, or in the vicinity of a substance
addiction services provider or a recovering addict, aggravated
trafficking in drugs is a felony of the first degree, the
offender is a major drug offender, and the court shall impose as
a mandatory prison term a maximum first degree felony mandatory
prison term.

(2) If the drug involved in the violation is any compound, 111
mixture, preparation, or substance included in schedule III, IV, 112
or V, whoever violates division (A) of this section is guilty of 113
trafficking in drugs. The penalty for the offense shall be 114
determined as follows: 115

(a) Except as otherwise provided in division (C) (2) (b), 116
(c), (d), or (e) of this section, trafficking in drugs is a 117
felony of the fifth degree, and division (B) of section 2929.13 118
of the Revised Code applies in determining whether to impose a 119
prison term on the offender. 120

(b) Except as otherwise provided in division (C) (2) (c), 121
(d), or (e) of this section, if the offense was committed in the 122
vicinity of a school or in the vicinity of a juvenile, 123
trafficking in drugs is a felony of the fourth degree, and 124
division (C) of section 2929.13 of the Revised Code applies in 125
determining whether to impose a prison term on the offender. 126

(c) Except as otherwise provided in this division, if the 127
amount of the drug involved equals or exceeds the bulk amount 128
but is less than five times the bulk amount, trafficking in 129
drugs is a felony of the fourth degree, and division (B) of 130
section 2929.13 of the Revised Code applies in determining 131
whether to impose a prison term for the offense. If the amount 132
of the drug involved is within that range and if the offense was 133
committed in the vicinity of a school or in the vicinity of a 134
juvenile, trafficking in drugs is a felony of the third degree, 135
and there is a presumption for a prison term for the offense. 136

(d) Except as otherwise provided in this division, if the 137
amount of the drug involved equals or exceeds five times the 138
bulk amount but is less than fifty times the bulk amount, 139
trafficking in drugs is a felony of the third degree, and there 140

is a presumption for a prison term for the offense. If the 141
amount of the drug involved is within that range and if the 142
offense was committed in the vicinity of a school or in the 143
vicinity of a juvenile, trafficking in drugs is a felony of the 144
second degree, and there is a presumption for a prison term for 145
the offense. 146

(e) Except as otherwise provided in this division, if the 147
amount of the drug involved equals or exceeds fifty times the 148
bulk amount, trafficking in drugs is a felony of the second 149
degree, and the court shall impose as a mandatory prison term a 150
second degree felony mandatory prison term. If the amount of the 151
drug involved equals or exceeds fifty times the bulk amount and 152
if the offense was committed in the vicinity of a school or in 153
the vicinity of a juvenile, trafficking in drugs is a felony of 154
the first degree, and the court shall impose as a mandatory 155
prison term a first degree felony mandatory prison term. 156

(3) If the drug involved in the violation is marihuana or 157
a compound, mixture, preparation, or substance containing 158
marihuana other than hashish, whoever violates division (A) of 159
this section is guilty of trafficking in marihuana. The penalty 160
for the offense shall be determined as follows: 161

(a) Except as otherwise provided in division (C) (3) (b), 162
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 163
marihuana is a felony of the fifth degree, and division (B) of 164
section 2929.13 of the Revised Code applies in determining 165
whether to impose a prison term on the offender. 166

(b) Except as otherwise provided in division (C) (3) (c), 167
(d), (e), (f), (g), or (h) of this section, if the offense was 168
committed in the vicinity of a school or in the vicinity of a 169
juvenile, trafficking in marihuana is a felony of the fourth 170

degree, and division (B) of section 2929.13 of the Revised Code 171
applies in determining whether to impose a prison term on the 172
offender. 173

(c) Except as otherwise provided in this division, if the 174
amount of the drug involved equals or exceeds two hundred grams 175
but is less than one thousand grams, trafficking in marihuana is 176
a felony of the fourth degree, and division (B) of section 177
2929.13 of the Revised Code applies in determining whether to 178
impose a prison term on the offender. If the amount of the drug 179
involved is within that range and if the offense was committed 180
in the vicinity of a school or in the vicinity of a juvenile, 181
trafficking in marihuana is a felony of the third degree, and 182
division (C) of section 2929.13 of the Revised Code applies in 183
determining whether to impose a prison term on the offender. 184

(d) Except as otherwise provided in this division, if the 185
amount of the drug involved equals or exceeds one thousand grams 186
but is less than five thousand grams, trafficking in marihuana 187
is a felony of the third degree, and division (C) of section 188
2929.13 of the Revised Code applies in determining whether to 189
impose a prison term on the offender. If the amount of the drug 190
involved is within that range and if the offense was committed 191
in the vicinity of a school or in the vicinity of a juvenile, 192
trafficking in marihuana is a felony of the second degree, and 193
there is a presumption that a prison term shall be imposed for 194
the offense. 195

(e) Except as otherwise provided in this division, if the 196
amount of the drug involved equals or exceeds five thousand 197
grams but is less than twenty thousand grams, trafficking in 198
marihuana is a felony of the third degree, and there is a 199
presumption that a prison term shall be imposed for the offense. 200

If the amount of the drug involved is within that range and if 201
the offense was committed in the vicinity of a school or in the 202
vicinity of a juvenile, trafficking in marihuana is a felony of 203
the second degree, and there is a presumption that a prison term 204
shall be imposed for the offense. 205

(f) Except as otherwise provided in this division, if the 206
amount of the drug involved equals or exceeds twenty thousand 207
grams but is less than forty thousand grams, trafficking in 208
marihuana is a felony of the second degree, and the court shall 209
impose as a mandatory prison term a second degree felony 210
mandatory prison term of five, six, seven, or eight years. If 211
the amount of the drug involved is within that range and if the 212
offense was committed in the vicinity of a school or in the 213
vicinity of a juvenile, trafficking in marihuana is a felony of 214
the first degree, and the court shall impose as a mandatory 215
prison term a maximum first degree felony mandatory prison term. 216

(g) Except as otherwise provided in this division, if the 217
amount of the drug involved equals or exceeds forty thousand 218
grams, trafficking in marihuana is a felony of the second 219
degree, and the court shall impose as a mandatory prison term a 220
maximum second degree felony mandatory prison term. If the 221
amount of the drug involved equals or exceeds forty thousand 222
grams and if the offense was committed in the vicinity of a 223
school or in the vicinity of a juvenile, trafficking in 224
marihuana is a felony of the first degree, and the court shall 225
impose as a mandatory prison term a maximum first degree felony 226
mandatory prison term. 227

(h) Except as otherwise provided in this division, if the 228
offense involves a gift of twenty grams or less of marihuana, 229
trafficking in marihuana is a minor misdemeanor upon a first 230

offense and a misdemeanor of the third degree upon a subsequent 231
offense. If the offense involves a gift of twenty grams or less 232
of marihuana and if the offense was committed in the vicinity of 233
a school or in the vicinity of a juvenile, trafficking in 234
marihuana is a misdemeanor of the third degree. 235

(4) If the drug involved in the violation is cocaine or a 236
compound, mixture, preparation, or substance containing cocaine, 237
whoever violates division (A) of this section is guilty of 238
trafficking in cocaine. The penalty for the offense shall be 239
determined as follows: 240

(a) Except as otherwise provided in division (C) (4) (b), 241
(c), (d), (e), (f), or (g) of this section, trafficking in 242
cocaine is a felony of the fifth degree, and division (B) of 243
section 2929.13 of the Revised Code applies in determining 244
whether to impose a prison term on the offender. 245

(b) Except as otherwise provided in division (C) (4) (c), 246
(d), (e), (f), or (g) of this section, if the offense was 247
committed in the vicinity of a school, in the vicinity of a 248
juvenile, or in the vicinity of a substance addiction services 249
provider or a recovering addict, trafficking in cocaine is a 250
felony of the fourth degree, and division (C) of section 2929.13 251
of the Revised Code applies in determining whether to impose a 252
prison term on the offender. 253

(c) Except as otherwise provided in this division, if the 254
amount of the drug involved equals or exceeds five grams but is 255
less than ten grams of cocaine, trafficking in cocaine is a 256
felony of the fourth degree, and division (B) of section 2929.13 257
of the Revised Code applies in determining whether to impose a 258
prison term for the offense. If the amount of the drug involved 259
is within that range and if the offense was committed in the 260

vicinity of a school, in the vicinity of a juvenile, or in the 261
vicinity of a substance addiction services provider or a 262
recovering addict, trafficking in cocaine is a felony of the 263
third degree, and there is a presumption for a prison term for 264
the offense. 265

(d) Except as otherwise provided in this division, if the 266
amount of the drug involved equals or exceeds ten grams but is 267
less than twenty grams of cocaine, trafficking in cocaine is a 268
felony of the third degree, and, except as otherwise provided in 269
this division, there is a presumption for a prison term for the 270
offense. If trafficking in cocaine is a felony of the third 271
degree under this division and if the offender two or more times 272
previously has been convicted of or pleaded guilty to a felony 273
drug abuse offense, the court shall impose as a mandatory prison 274
term one of the prison terms prescribed for a felony of the 275
third degree. If the amount of the drug involved is within that 276
range and if the offense was committed in the vicinity of a 277
school, in the vicinity of a juvenile, or in the vicinity of a 278
substance addiction services provider or a recovering addict, 279
trafficking in cocaine is a felony of the second degree, and the 280
court shall impose as a mandatory prison term a second degree 281
felony mandatory prison term. 282

(e) Except as otherwise provided in this division, if the 283
amount of the drug involved equals or exceeds twenty grams but 284
is less than twenty-seven grams of cocaine, trafficking in 285
cocaine is a felony of the second degree, and the court shall 286
impose as a mandatory prison term a second degree felony 287
mandatory prison term. If the amount of the drug involved is 288
within that range and if the offense was committed in the 289
vicinity of a school, in the vicinity of a juvenile, or in the 290
vicinity of a substance addiction services provider or a 291

recovering addict, trafficking in cocaine is a felony of the 292
first degree, and the court shall impose as a mandatory prison 293
term a first degree felony mandatory prison term. 294

(f) If the amount of the drug involved equals or exceeds 295
twenty-seven grams but is less than one hundred grams of cocaine 296
and regardless of whether the offense was committed in the 297
vicinity of a school, in the vicinity of a juvenile, or in the 298
vicinity of a substance addiction services provider or a 299
recovering addict, trafficking in cocaine is a felony of the 300
first degree, and the court shall impose as a mandatory prison 301
term a first degree felony mandatory prison term. 302

(g) If the amount of the drug involved equals or exceeds 303
one hundred grams of cocaine and regardless of whether the 304
offense was committed in the vicinity of a school, in the 305
vicinity of a juvenile, or in the vicinity of a substance 306
addiction services provider or a recovering addict, trafficking 307
in cocaine is a felony of the first degree, the offender is a 308
major drug offender, and the court shall impose as a mandatory 309
prison term a maximum first degree felony mandatory prison term. 310

(5) If the drug involved in the violation is L.S.D. or a 311
compound, mixture, preparation, or substance containing L.S.D., 312
whoever violates division (A) of this section is guilty of 313
trafficking in L.S.D. The penalty for the offense shall be 314
determined as follows: 315

(a) Except as otherwise provided in division (C) (5) (b), 316
(c), (d), (e), (f), or (g) of this section, trafficking in 317
L.S.D. is a felony of the fifth degree, and division (B) of 318
section 2929.13 of the Revised Code applies in determining 319
whether to impose a prison term on the offender. 320

(b) Except as otherwise provided in division (C) (5) (c), 321
(d), (e), (f), or (g) of this section, if the offense was 322
committed in the vicinity of a school, in the vicinity of a 323
juvenile, or in the vicinity of a substance addiction services 324
provider or a recovering addict, trafficking in L.S.D. is a 325
felony of the fourth degree, and division (C) of section 2929.13 326
of the Revised Code applies in determining whether to impose a 327
prison term on the offender. 328

(c) Except as otherwise provided in this division, if the 329
amount of the drug involved equals or exceeds ten unit doses but 330
is less than fifty unit doses of L.S.D. in a solid form or 331
equals or exceeds one gram but is less than five grams of L.S.D. 332
in a liquid concentrate, liquid extract, or liquid distillate 333
form, trafficking in L.S.D. is a felony of the fourth degree, 334
and division (B) of section 2929.13 of the Revised Code applies 335
in determining whether to impose a prison term for the offense. 336
If the amount of the drug involved is within that range and if 337
the offense was committed in the vicinity of a school, in the 338
vicinity of a juvenile, or in the vicinity of a substance 339
addiction services provider or a recovering addict, trafficking 340
in L.S.D. is a felony of the third degree, and there is a 341
presumption for a prison term for the offense. 342

(d) Except as otherwise provided in this division, if the 343
amount of the drug involved equals or exceeds fifty unit doses 344
but is less than two hundred fifty unit doses of L.S.D. in a 345
solid form or equals or exceeds five grams but is less than 346
twenty-five grams of L.S.D. in a liquid concentrate, liquid 347
extract, or liquid distillate form, trafficking in L.S.D. is a 348
felony of the third degree, and, except as otherwise provided in 349
this division, there is a presumption for a prison term for the 350
offense. If trafficking in L.S.D. is a felony of the third 351

degree under this division and if the offender two or more times 352
previously has been convicted of or pleaded guilty to a felony 353
drug abuse offense, the court shall impose as a mandatory prison 354
term one of the prison terms prescribed for a felony of the 355
third degree. If the amount of the drug involved is within that 356
range and if the offense was committed in the vicinity of a 357
school, in the vicinity of a juvenile, or in the vicinity of a 358
substance addiction services provider or a recovering addict, 359
trafficking in L.S.D. is a felony of the second degree, and the 360
court shall impose as a mandatory prison term a second degree 361
felony mandatory prison term. 362

(e) Except as otherwise provided in this division, if the 363
amount of the drug involved equals or exceeds two hundred fifty 364
unit doses but is less than one thousand unit doses of L.S.D. in 365
a solid form or equals or exceeds twenty-five grams but is less 366
than one hundred grams of L.S.D. in a liquid concentrate, liquid 367
extract, or liquid distillate form, trafficking in L.S.D. is a 368
felony of the second degree, and the court shall impose as a 369
mandatory prison term a second degree felony mandatory prison 370
term. If the amount of the drug involved is within that range 371
and if the offense was committed in the vicinity of a school, in 372
the vicinity of a juvenile, or in the vicinity of a substance 373
addiction services provider or a recovering addict, trafficking 374
in L.S.D. is a felony of the first degree, and the court shall 375
impose as a mandatory prison term a first degree felony 376
mandatory prison term. 377

(f) If the amount of the drug involved equals or exceeds 378
one thousand unit doses but is less than five thousand unit 379
doses of L.S.D. in a solid form or equals or exceeds one hundred 380
grams but is less than five hundred grams of L.S.D. in a liquid 381
concentrate, liquid extract, or liquid distillate form and 382

regardless of whether the offense was committed in the vicinity 383
of a school, in the vicinity of a juvenile, or in the vicinity 384
of a substance addiction services provider or a recovering 385
addict, trafficking in L.S.D. is a felony of the first degree, 386
and the court shall impose as a mandatory prison term a first 387
degree felony mandatory prison term. 388

(g) If the amount of the drug involved equals or exceeds 389
five thousand unit doses of L.S.D. in a solid form or equals or 390
exceeds five hundred grams of L.S.D. in a liquid concentrate, 391
liquid extract, or liquid distillate form and regardless of 392
whether the offense was committed in the vicinity of a school, 393
in the vicinity of a juvenile, or in the vicinity of a substance 394
addiction services provider or a recovering addict, trafficking 395
in L.S.D. is a felony of the first degree, the offender is a 396
major drug offender, and the court shall impose as a mandatory 397
prison term a maximum first degree felony mandatory prison term. 398

(6) If the drug involved in the violation is heroin or a 399
compound, mixture, preparation, or substance containing heroin, 400
whoever violates division (A) of this section is guilty of 401
trafficking in heroin. The penalty for the offense shall be 402
determined as follows: 403

(a) Except as otherwise provided in division (C) (6) (b), 404
(c), (d), (e), (f), or (g) of this section, trafficking in 405
heroin is a felony of the fifth degree, and division (B) of 406
section 2929.13 of the Revised Code applies in determining 407
whether to impose a prison term on the offender. 408

(b) Except as otherwise provided in division (C) (6) (c), 409
(d), (e), (f), or (g) of this section, if the offense was 410
committed in the vicinity of a school, in the vicinity of a 411
juvenile, or in the vicinity of a substance addiction services 412

provider or a recovering addict, trafficking in heroin is a 413
felony of the fourth degree, and division (C) of section 2929.13 414
of the Revised Code applies in determining whether to impose a 415
prison term on the offender. 416

(c) Except as otherwise provided in this division, if the 417
amount of the drug involved equals or exceeds ten unit doses but 418
is less than fifty unit doses or equals or exceeds one gram but 419
is less than five grams, trafficking in heroin is a felony of 420
the fourth degree, and division (B) of section 2929.13 of the 421
Revised Code applies in determining whether to impose a prison 422
term for the offense. If the amount of the drug involved is 423
within that range and if the offense was committed in the 424
vicinity of a school, in the vicinity of a juvenile, or in the 425
vicinity of a substance addiction services provider or a 426
recovering addict, trafficking in heroin is a felony of the 427
third degree, and there is a presumption for a prison term for 428
the offense. 429

(d) Except as otherwise provided in this division, if the 430
amount of the drug involved equals or exceeds fifty unit doses 431
but is less than one hundred unit doses or equals or exceeds 432
five grams but is less than ten grams, trafficking in heroin is 433
a felony of the third degree, and there is a presumption for a 434
prison term for the offense. If the amount of the drug involved 435
is within that range and if the offense was committed in the 436
vicinity of a school, in the vicinity of a juvenile, or in the 437
vicinity of a substance addiction services provider or a 438
recovering addict, trafficking in heroin is a felony of the 439
second degree, and there is a presumption for a prison term for 440
the offense. 441

(e) Except as otherwise provided in this division, if the 442

amount of the drug involved equals or exceeds one hundred unit 443
doses but is less than five hundred unit doses or equals or 444
exceeds ten grams but is less than fifty grams, trafficking in 445
heroin is a felony of the second degree, and the court shall 446
impose as a mandatory prison term a second degree felony 447
mandatory prison term. If the amount of the drug involved is 448
within that range and if the offense was committed in the 449
vicinity of a school, in the vicinity of a juvenile, or in the 450
vicinity of a substance addiction services provider or a 451
recovering addict, trafficking in heroin is a felony of the 452
first degree, and the court shall impose as a mandatory prison 453
term a first degree felony mandatory prison term. 454

(f) If the amount of the drug involved equals or exceeds 455
five hundred unit doses but is less than one thousand unit doses 456
or equals or exceeds fifty grams but is less than one hundred 457
grams and regardless of whether the offense was committed in the 458
vicinity of a school, in the vicinity of a juvenile, or in the 459
vicinity of a substance addiction services provider or a 460
recovering addict, trafficking in heroin is a felony of the 461
first degree, and the court shall impose as a mandatory prison 462
term a first degree felony mandatory prison term. 463

(g) If the amount of the drug involved equals or exceeds 464
one thousand unit doses or equals or exceeds one hundred grams 465
and regardless of whether the offense was committed in the 466
vicinity of a school, in the vicinity of a juvenile, or in the 467
vicinity of a substance addiction services provider or a 468
recovering addict, trafficking in heroin is a felony of the 469
first degree, the offender is a major drug offender, and the 470
court shall impose as a mandatory prison term a maximum first 471
degree felony mandatory prison term. 472

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

(a) Except as otherwise provided in division (C) (7) (b), (c), (d), (e), (f), or (g) of this section, trafficking in hashish is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

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

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten grams but is less than fifty grams of hashish in a solid form or equals or exceeds two grams but is less than ten grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in hashish is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school, in the vicinity of a juvenile, or in the vicinity of a substance addiction services provider or a recovering addict, trafficking

in hashish is a felony of the third degree, and division (C) of 503
section 2929.13 of the Revised Code applies in determining 504
whether to impose a prison term on the offender. 505

(d) Except as otherwise provided in this division, if the 506
amount of the drug involved equals or exceeds fifty grams but is 507
less than two hundred fifty grams of hashish in a solid form or 508
equals or exceeds ten grams but is less than fifty grams of 509
hashish in a liquid concentrate, liquid extract, or liquid 510
distillate form, trafficking in hashish is a felony of the third 511
degree, and division (C) of section 2929.13 of the Revised Code 512
applies in determining whether to impose a prison term on the 513
offender. If the amount of the drug involved is within that 514
range and if the offense was committed in the vicinity of a 515
school, in the vicinity of a juvenile, or in the vicinity of a 516
substance addiction services provider or a recovering addict, 517
trafficking in hashish is a felony of the second degree, and 518
there is a presumption that a prison term shall be imposed for 519
the offense. 520

(e) Except as otherwise provided in this division, if the 521
amount of the drug involved equals or exceeds two hundred fifty 522
grams but is less than one thousand grams of hashish in a solid 523
form or equals or exceeds fifty grams but is less than two 524
hundred grams of hashish in a liquid concentrate, liquid 525
extract, or liquid distillate form, trafficking in hashish is a 526
felony of the third degree, and there is a presumption that a 527
prison term shall be imposed for the offense. If the amount of 528
the drug involved is within that range and if the offense was 529
committed in the vicinity of a school, in the vicinity of a 530
juvenile, or in the vicinity of a substance addiction services 531
provider or a recovering addict, trafficking in hashish is a 532
felony of the second degree, and there is a presumption that a 533

prison term shall be imposed for the offense. 534

(f) Except as otherwise provided in this division, if the 535
amount of the drug involved equals or exceeds one thousand grams 536
but is less than two thousand grams of hashish in a solid form 537
or equals or exceeds two hundred grams but is less than four 538
hundred grams of hashish in a liquid concentrate, liquid 539
extract, or liquid distillate form, trafficking in hashish is a 540
felony of the second degree, and the court shall impose as a 541
mandatory prison term a second degree felony mandatory prison 542
term of five, six, seven, or eight years. If the amount of the 543
drug involved is within that range and if the offense was 544
committed in the vicinity of a school, in the vicinity of a 545
juvenile, or in the vicinity of a substance addiction services 546
provider or a recovering addict, trafficking in hashish is a 547
felony of the first degree, and the court shall impose as a 548
mandatory prison term a maximum first degree felony mandatory 549
prison term. 550

(g) Except as otherwise provided in this division, if the 551
amount of the drug involved equals or exceeds two thousand grams 552
of hashish in a solid form or equals or exceeds four hundred 553
grams of hashish in a liquid concentrate, liquid extract, or 554
liquid distillate form, trafficking in hashish is a felony of 555
the second degree, and the court shall impose as a mandatory 556
prison term a maximum second degree felony mandatory prison 557
term. If the amount of the drug involved equals or exceeds two 558
thousand grams of hashish in a solid form or equals or exceeds 559
four hundred grams of hashish in a liquid concentrate, liquid 560
extract, or liquid distillate form and if the offense was 561
committed in the vicinity of a school, in the vicinity of a 562
juvenile, or in the vicinity of a substance addiction services 563
provider or a recovering addict, trafficking in hashish is a 564

felony of the first degree, and the court shall impose as a 565
mandatory prison term a maximum first degree felony mandatory 566
prison term. 567

(8) If the drug involved in the violation is a controlled 568
substance analog or compound, mixture, preparation, or substance 569
that contains a controlled substance analog, whoever violates 570
division (A) of this section is guilty of trafficking in a 571
controlled substance analog. The penalty for the offense shall 572
be determined as follows: 573

(a) Except as otherwise provided in division (C) (8) (b), 574
(c), (d), (e), (f), or (g) of this section, trafficking in a 575
controlled substance analog is a felony of the fifth degree, and 576
division (C) of section 2929.13 of the Revised Code applies in 577
determining whether to impose a prison term on the offender. 578

(b) Except as otherwise provided in division (C) (8) (c), 579
(d), (e), (f), or (g) of this section, if the offense was 580
committed in the vicinity of a school, in the vicinity of a 581
juvenile, or in the vicinity of a substance addiction services 582
provider or a recovering addict, trafficking in a controlled 583
substance analog is a felony of the fourth degree, and division 584
(C) of section 2929.13 of the Revised Code applies in 585
determining whether to impose a prison term on the offender. 586

(c) Except as otherwise provided in this division, if the 587
amount of the drug involved equals or exceeds ten grams but is 588
less than twenty grams, trafficking in a controlled substance 589
analog is a felony of the fourth degree, and division (B) of 590
section 2929.13 of the Revised Code applies in determining 591
whether to impose a prison term for the offense. If the amount 592
of the drug involved is within that range and if the offense was 593
committed in the vicinity of a school, in the vicinity of a 594

juvenile, or in the vicinity of a substance addiction services 595
provider or a recovering addict, trafficking in a controlled 596
substance analog is a felony of the third degree, and there is a 597
presumption for a prison term for the offense. 598

(d) Except as otherwise provided in this division, if the 599
amount of the drug involved equals or exceeds twenty grams but 600
is less than thirty grams, trafficking in a controlled substance 601
analog is a felony of the third degree, and there is a 602
presumption for a prison term for the offense. If the amount of 603
the drug involved is within that range and if the offense was 604
committed in the vicinity of a school, in the vicinity of a 605
juvenile, or in the vicinity of a substance addiction services 606
provider or a recovering addict, trafficking in a controlled 607
substance analog is a felony of the second degree, and there is 608
a presumption for a prison term for the offense. 609

(e) Except as otherwise provided in this division, if the 610
amount of the drug involved equals or exceeds thirty grams but 611
is less than forty grams, trafficking in a controlled substance 612
analog is a felony of the second degree, and the court shall 613
impose as a mandatory prison term a second degree felony 614
mandatory prison term. If the amount of the drug involved is 615
within that range and if the offense was committed in the 616
vicinity of a school, in the vicinity of a juvenile, or in the 617
vicinity of a substance addiction services provider or a 618
recovering addict, trafficking in a controlled substance analog 619
is a felony of the first degree, and the court shall impose as a 620
mandatory prison term a first degree felony mandatory prison 621
term. 622

(f) If the amount of the drug involved equals or exceeds 623
forty grams but is less than fifty grams and regardless of 624

whether the offense was committed in the vicinity of a school, 625
in the vicinity of a juvenile, or in the vicinity of a substance 626
addiction services provider or a recovering addict, trafficking 627
in a controlled substance analog is a felony of the first 628
degree, and the court shall impose as a mandatory prison term a 629
first degree felony mandatory prison term. 630

(g) If the amount of the drug involved equals or exceeds 631
fifty grams and regardless of whether the offense was committed 632
in the vicinity of a school, in the vicinity of a juvenile, or 633
in the vicinity of a substance addiction services provider or a 634
recovering addict, trafficking in a controlled substance analog 635
is a felony of the first degree, the offender is a major drug 636
offender, and the court shall impose as a mandatory prison term 637
a maximum first degree felony mandatory prison term. 638

(9) If the drug involved in the violation is a fentanyl- 639
related compound not in a pressed pill form or a compound, 640
mixture, preparation, or substance ~~containing~~ not in a pressed 641
pill form that contains a fentanyl-related compound and division 642
(C) (10) (a) of this section does not apply to the drug involved, 643
whoever violates division (A) of this section is guilty of 644
trafficking in a fentanyl-related compound. The penalty for the 645
offense shall be determined as follows: 646

(a) Except as otherwise provided in division (C) (9) (b), 647
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 648
a fentanyl-related compound is a felony of the fifth degree, and 649
division (B) of section 2929.13 of the Revised Code applies in 650
determining whether to impose a prison term on the offender. 651

(b) Except as otherwise provided in division (C) (9) (c), 652
(d), (e), (f), (g), or (h) of this section, if the offense was 653
committed in the vicinity of a school, in the vicinity of a 654

juvenile, or in the vicinity of a substance addiction services 655
provider or a recovering addict, trafficking in a fentanyl- 656
related compound is a felony of the fourth degree, and division 657
(C) of section 2929.13 of the Revised Code applies in 658
determining whether to impose a prison term on the offender. 659

(c) Except as otherwise provided in this division, if the 660
amount of the drug involved equals or exceeds ten unit doses but 661
is less than fifty unit doses or equals or exceeds one gram but 662
is less than five grams, trafficking in a fentanyl-related 663
compound is a felony of the fourth degree, and division (B) of 664
section 2929.13 of the Revised Code applies in determining 665
whether to impose a prison term for the offense. If the amount 666
of the drug involved is within that range and if the offense was 667
committed in the vicinity of a school, in the vicinity of a 668
juvenile, or in the vicinity of a substance addiction services 669
provider or a recovering addict, trafficking in a fentanyl- 670
related compound is a felony of the third degree, and there is a 671
presumption for a prison term for the offense. 672

(d) Except as otherwise provided in this division, if the 673
amount of the drug involved equals or exceeds fifty unit doses 674
but is less than one hundred unit doses or equals or exceeds 675
five grams but is less than ten grams, trafficking in a 676
fentanyl-related compound is a felony of the third degree, and 677
there is a presumption for a prison term for the offense. If the 678
amount of the drug involved is within that range and if the 679
offense was committed in the vicinity of a school, in the 680
vicinity of a juvenile, or in the vicinity of a substance 681
addiction services provider or a recovering addict, trafficking 682
in a fentanyl-related compound is a felony of the second degree, 683
and there is a presumption for a prison term for the offense. 684

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

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

(g) If the amount of the drug involved equals or exceeds
five hundred unit doses but is less than one thousand unit doses
or equals or exceeds fifty grams but is less than one hundred
grams and regardless of whether the offense was committed in the
vicinity of a school, in the vicinity of a juvenile, or in the
vicinity of a substance addiction services provider or a
recovering addict, trafficking in a fentanyl-related compound is

a felony of the first degree, and the court shall impose as a 716
mandatory prison term the maximum prison term prescribed for a 717
felony of the first degree. 718

(h) If the amount of the drug involved equals or exceeds 719
one thousand unit doses or equals or exceeds one hundred grams 720
and regardless of whether the offense was committed in the 721
vicinity of a school, in the vicinity of a juvenile, or in the 722
vicinity of a substance addiction services provider or a 723
recovering addict, trafficking in a fentanyl-related compound is 724
a felony of the first degree, the offender is a major drug 725
offender, and the court shall impose as a mandatory prison term 726
the maximum prison term prescribed for a felony of the first 727
degree. 728

(10) If the drug involved in the violation is a compound, 729
mixture, preparation, or substance that is a combination of a 730
fentanyl-related compound not in a pressed pill form and 731
marihuana, one of the following applies: 732

(a) Except as otherwise provided in division (C) (10) (b) of 733
this section, the offender is guilty of trafficking in marihuana 734
and shall be punished under division (C) (3) of this section. The 735
offender is not guilty of trafficking in a fentanyl-related 736
compound and shall not be charged with, convicted of, or 737
punished under division (C) (9) of this section for trafficking 738
in a fentanyl-related compound. 739

(b) If the offender knows or has reason to know that the 740
compound, mixture, preparation, or substance that is the drug 741
involved contains a fentanyl-related compound, the offender is 742
guilty of trafficking in a fentanyl-related compound and shall 743
be punished under division (C) (9) of this section. 744

(11) If the drug involved in the violation is a fentanyl- 745
related compound in a pressed pill form or a compound, mixture, 746
preparation, or substance in a pressed pill form that contains a 747
fentanyl-related compound, whoever violates division (A) of this 748
section is guilty of trafficking in pressed pill fentanyl. The 749
penalty for the offense shall be determined as follows: 750

(a) Except as otherwise provided in division (C) (11) (b), 751
(c), (d), or (e) of this section, trafficking in pressed pill 752
fentanyl is a felony of the third degree. 753

(b) Except as otherwise provided in division (C) (11) (c), 754
(d), or (e) of this section, if the offense was committed in the 755
vicinity of a school, in the vicinity of a juvenile, or in the 756
vicinity of a substance addiction services provider or a 757
recovering addict, trafficking in pressed pill fentanyl is a 758
felony of the second degree. 759

(c) If the amount of the drug involved equals or exceeds 760
fifty unit doses but is less than one hundred unit doses or 761
equals or exceeds five grams but is less than ten grams, and 762
regardless of whether the offense was committed in the vicinity 763
of a school, in the vicinity of a juvenile, or in the vicinity 764
of a substance addiction services provider or a recovering 765
addict, trafficking in pressed pill fentanyl is a felony of the 766
second degree, and the court shall impose as a mandatory prison 767
term one of the prison terms prescribed for a felony of the 768
second degree. 769

(d) If the amount of the drug involved equals or exceeds 770
one hundred unit doses but is less than five hundred unit doses 771
or equals or exceeds ten grams but is less than fifty grams, and 772
regardless of whether the offense was committed in the vicinity 773
of a school, in the vicinity of a juvenile, or in the vicinity 774

of a substance addiction services provider or a recovering 775
addict, trafficking in pressed pill fentanyl is a felony of the 776
second degree, and the court shall impose as a mandatory prison 777
term the maximum prison term prescribed for a felony of the 778
second degree. 779

(e) If the amount of the drug involved equals or exceeds 780
five hundred unit doses or equals or exceeds fifty grams and 781
regardless of whether the offense was committed in the vicinity 782
of a school, in the vicinity of a juvenile, or in the vicinity 783
of a substance addiction services provider or a recovering 784
addict, trafficking in pressed pill fentanyl is a felony of the 785
first degree, the offender is a major drug offender, and the 786
court shall impose as a mandatory prison term the maximum prison 787
term prescribed for a felony of the first degree. 788

(D) In addition to any prison term authorized or required 789
by division (C) of this section and sections 2929.13 and 2929.14 790
of the Revised Code, and in addition to any other sanction 791
imposed for the offense under this section or sections 2929.11 792
to 2929.18 of the Revised Code, if applicable, the court also 793
shall do the following: 794

(1) If the violation of division (A) of this section is a 795
felony of the first, second, or third degree, the court shall 796
impose upon the offender the mandatory fine specified for the 797
offense under division (B)(1) of section 2929.18 of the Revised 798
Code unless, as specified in that division, the court determines 799
that the offender is indigent. Except as otherwise provided in 800
division (H)(1) of this section, a mandatory fine or any other 801
fine imposed for a violation of this section is subject to 802
division (F) of this section. If a person is charged with a 803
violation of this section that is a felony of the first, second, 804

or third degree, posts bail, and forfeits the bail, the clerk of 805
the court shall pay the forfeited bail pursuant to divisions (D) 806
(1) and (F) of this section, as if the forfeited bail was a fine 807
imposed for a violation of this section. If any amount of the 808
forfeited bail remains after that payment and if a fine is 809
imposed under division (H)(1) of this section, the clerk of the 810
court shall pay the remaining amount of the forfeited bail 811
pursuant to divisions (H)(2) and (3) of this section, as if that 812
remaining amount was a fine imposed under division (H)(1) of 813
this section. 814

(2) If the offender is a professionally licensed person, 815
the court immediately shall comply with section 2925.38 of the 816
Revised Code. 817

(3) If the offender has a driver's or commercial driver's 818
license or permit, section 2929.33 of the Revised Code applies. 819

(E) When a person is charged with the sale of or offer to 820
sell a bulk amount or a multiple of a bulk amount of a 821
controlled substance, the jury, or the court trying the accused, 822
shall determine the amount of the controlled substance involved 823
at the time of the offense and, if a guilty verdict is returned, 824
shall return the findings as part of the verdict. In any such 825
case, it is unnecessary to find and return the exact amount of 826
the controlled substance involved, and it is sufficient if the 827
finding and return is to the effect that the amount of the 828
controlled substance involved is the requisite amount, or that 829
the amount of the controlled substance involved is less than the 830
requisite amount. 831

(F)(1) Notwithstanding any contrary provision of section 832
3719.21 of the Revised Code and except as provided in division 833
(H) of this section, the clerk of the court shall pay any 834

mandatory fine imposed pursuant to division (D) (1) of this 835
section and any fine other than a mandatory fine that is imposed 836
for a violation of this section pursuant to division (A) or (B) 837
(5) of section 2929.18 of the Revised Code to the county, 838
township, municipal corporation, park district, as created 839
pursuant to section 511.18 or 1545.04 of the Revised Code, or 840
state law enforcement agencies in this state that primarily were 841
responsible for or involved in making the arrest of, and in 842
prosecuting, the offender. However, the clerk shall not pay a 843
mandatory fine so imposed to a law enforcement agency unless the 844
agency has adopted a written internal control policy under 845
division (F) (2) of this section that addresses the use of the 846
fine moneys that it receives. Each agency shall use the 847
mandatory fines so paid to subsidize the agency's law 848
enforcement efforts that pertain to drug offenses, in accordance 849
with the written internal control policy adopted by the 850
recipient agency under division (F) (2) of this section. 851

(2) Prior to receiving any fine moneys under division (F) 852
(1) of this section or division (B) of section 2925.42 of the 853
Revised Code, a law enforcement agency shall adopt a written 854
internal control policy that addresses the agency's use and 855
disposition of all fine moneys so received and that provides for 856
the keeping of detailed financial records of the receipts of 857
those fine moneys, the general types of expenditures made out of 858
those fine moneys, and the specific amount of each general type 859
of expenditure. The policy shall not provide for or permit the 860
identification of any specific expenditure that is made in an 861
ongoing investigation. All financial records of the receipts of 862
those fine moneys, the general types of expenditures made out of 863
those fine moneys, and the specific amount of each general type 864
of expenditure by an agency are public records open for 865

inspection under section 149.43 of the Revised Code. 866
Additionally, a written internal control policy adopted under 867
this division is such a public record, and the agency that 868
adopted it shall comply with it. 869

(3) As used in division (F) of this section: 870

(a) "Law enforcement agencies" includes, but is not 871
limited to, the state board of pharmacy and the office of a 872
prosecutor. 873

(b) "Prosecutor" has the same meaning as in section 874
2935.01 of the Revised Code. 875

(G) Any offender who received a mandatory suspension of 876
the offender's driver's or commercial driver's license or permit 877
under this section prior to September 13, 2016, may file a 878
motion with the sentencing court requesting the termination of 879
the suspension. However, an offender who pleaded guilty to or 880
was convicted of a violation of section 4511.19 of the Revised 881
Code or a substantially similar municipal ordinance or law of 882
another state or the United States that arose out of the same 883
set of circumstances as the violation for which the offender's 884
license or permit was suspended under this section shall not 885
file such a motion. 886

Upon the filing of a motion under division (G) of this 887
section, the sentencing court, in its discretion, may terminate 888
the suspension. 889

(H) (1) In addition to any prison term authorized or 890
required by division (C) of this section and sections 2929.13 891
and 2929.14 of the Revised Code, in addition to any other 892
penalty or sanction imposed for the offense under this section 893
or sections 2929.11 to 2929.18 of the Revised Code, and in 894

addition to the forfeiture of property in connection with the 895
offense as prescribed in Chapter 2981. of the Revised Code, the 896
court that sentences an offender who is convicted of or pleads 897
guilty to a violation of division (A) of this section may impose 898
upon the offender an additional fine specified for the offense 899
in division (B)(4) of section 2929.18 of the Revised Code. A 900
fine imposed under division (H)(1) of this section is not 901
subject to division (F) of this section and shall be used solely 902
for the support of one or more eligible community addiction 903
services providers in accordance with divisions (H)(2) and (3) 904
of this section. 905

(2) The court that imposes a fine under division (H)(1) of 906
this section shall specify in the judgment that imposes the fine 907
one or more eligible community addiction services providers for 908
the support of which the fine money is to be used. No community 909
addiction services provider shall receive or use money paid or 910
collected in satisfaction of a fine imposed under division (H) 911
(1) of this section unless the services provider is specified in 912
the judgment that imposes the fine. No community addiction 913
services provider shall be specified in the judgment unless the 914
services provider is an eligible community addiction services 915
provider and, except as otherwise provided in division (H)(2) of 916
this section, unless the services provider is located in the 917
county in which the court that imposes the fine is located or in 918
a county that is immediately contiguous to the county in which 919
that court is located. If no eligible community addiction 920
services provider is located in any of those counties, the 921
judgment may specify an eligible community addiction services 922
provider that is located anywhere within this state. 923

(3) Notwithstanding any contrary provision of section 924
3719.21 of the Revised Code, the clerk of the court shall pay 925

any fine imposed under division (H) (1) of this section to the 926
eligible community addiction services provider specified 927
pursuant to division (H) (2) of this section in the judgment. The 928
eligible community addiction services provider that receives the 929
fine moneys shall use the moneys only for the alcohol and drug 930
addiction services identified in the application for 931
certification of services under section 5119.36 of the Revised 932
Code or in the application for a license under section 5119.37 933
of the Revised Code filed with the department of mental health 934
and addiction services by the community addiction services 935
provider specified in the judgment. 936

(4) Each community addiction services provider that 937
receives in a calendar year any fine moneys under division (H) 938
(3) of this section shall file an annual report covering that 939
calendar year with the court of common pleas and the board of 940
county commissioners of the county in which the services 941
provider is located, with the court of common pleas and the 942
board of county commissioners of each county from which the 943
services provider received the moneys if that county is 944
different from the county in which the services provider is 945
located, and with the attorney general. The community addiction 946
services provider shall file the report no later than the first 947
day of March in the calendar year following the calendar year in 948
which the services provider received the fine moneys. The report 949
shall include statistics on the number of persons served by the 950
community addiction services provider, identify the types of 951
alcohol and drug addiction services provided to those persons, 952
and include a specific accounting of the purposes for which the 953
fine moneys received were used. No information contained in the 954
report shall identify, or enable a person to determine the 955
identity of, any person served by the community addiction 956

services provider. Each report received by a court of common 957
pleas, a board of county commissioners, or the attorney general 958
is a public record open for inspection under section 149.43 of 959
the Revised Code. 960

(5) As used in divisions (H) (1) to (5) of this section: 961

(a) "Community addiction services provider" and "alcohol 962
and drug addiction services" have the same meanings as in 963
section 5119.01 of the Revised Code. 964

(b) "Eligible community addiction services provider" means 965
a community addiction services provider, including a community 966
addiction services provider that operates an opioid treatment 967
program licensed under section 5119.37 of the Revised Code. 968

(I) As used in this section, "drug" includes any substance 969
that is represented to be a drug. 970

(J) It is an affirmative defense to a charge of 971
trafficking in a controlled substance analog under division (C) 972
(8) of this section that the person charged with violating that 973
offense sold or offered to sell, or prepared for shipment, 974
shipped, transported, delivered, prepared for distribution, or 975
distributed one of the following items that are excluded from 976
the meaning of "controlled substance analog" under section 977
3719.01 of the Revised Code: 978

(1) A controlled substance; 979

(2) Any substance for which there is an approved new drug 980
application; 981

(3) With respect to a particular person, any substance if 982
an exemption is in effect for investigational use for that 983
person pursuant to federal law to the extent that conduct with 984

respect to that substance is pursuant to that exemption. 985

Sec. 2929.14. (A) Except as provided in division (B) (1), 986
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 987
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 988
in division (D) (6) of section 2919.25 of the Revised Code and 989
except in relation to an offense for which a sentence of death 990
or life imprisonment is to be imposed, if the court imposing a 991
sentence upon an offender for a felony elects or is required to 992
impose a prison term on the offender pursuant to this chapter, 993
the court shall impose a prison term that shall be one of the 994
following: 995

(1) (a) For a felony of the first degree committed on or 996
after March 22, 2019, the prison term shall be an indefinite 997
prison term with a stated minimum term selected by the court of 998
three, four, five, six, seven, eight, nine, ten, or eleven years 999
and a maximum term that is determined pursuant to section 1000
2929.144 of the Revised Code, except that if the section that 1001
criminalizes the conduct constituting the felony specifies a 1002
different minimum term or penalty for the offense, the specific 1003
language of that section shall control in determining the 1004
minimum term or otherwise sentencing the offender but the 1005
minimum term or sentence imposed under that specific language 1006
shall be considered for purposes of the Revised Code as if it 1007
had been imposed under this division. 1008

(b) For a felony of the first degree committed prior to 1009
March 22, 2019, the prison term shall be a definite prison term 1010
of three, four, five, six, seven, eight, nine, ten, or eleven 1011
years. 1012

(2) (a) For a felony of the second degree committed on or 1013
after March 22, 2019, the prison term shall be an indefinite 1014

prison term with a stated minimum term selected by the court of 1015
two, three, four, five, six, seven, or eight years and a maximum 1016
term that is determined pursuant to section 2929.144 of the 1017
Revised Code, except that if the section that criminalizes the 1018
conduct constituting the felony specifies a different minimum 1019
term or penalty for the offense, the specific language of that 1020
section shall control in determining the minimum term or 1021
otherwise sentencing the offender but the minimum term or 1022
sentence imposed under that specific language shall be 1023
considered for purposes of the Revised Code as if it had been 1024
imposed under this division. 1025

(b) For a felony of the second degree committed prior to 1026
March 22, 2019, the prison term shall be a definite term of two, 1027
three, four, five, six, seven, or eight years. 1028

(3) (a) For a felony of the third degree that is a 1029
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 1030
2907.05, 2907.321, 2907.322, 2907.323, 2919.25, or 3795.04 of 1031
the Revised Code, that is a violation of division (A) of section 1032
4511.19 of the Revised Code if the offender previously has been 1033
convicted of or pleaded guilty to a violation of division (A) of 1034
that section that was a felony, that is a violation of section 1035
2911.02 or 2911.12 of the Revised Code if the offender 1036
previously has been convicted of or pleaded guilty in two or 1037
more separate proceedings to two or more violations of section 1038
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, or 1039
that is a violation of division (B) of section 2921.331 of the 1040
Revised Code if division (C) (5) of that section applies, the 1041
prison term shall be a definite term of twelve, eighteen, 1042
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 1043
four, or sixty months. 1044

(b) For a felony of the third degree that is not an 1045
offense for which division (A) (3) (a) of this section applies, 1046
the prison term shall be a definite term of nine, twelve, 1047
eighteen, twenty-four, thirty, or thirty-six months. 1048

(4) For a felony of the fourth degree, the prison term 1049
shall be a definite term of six, seven, eight, nine, ten, 1050
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 1051
or eighteen months. 1052

(5) For a felony of the fifth degree, the prison term 1053
shall be a definite term of six, seven, eight, nine, ten, 1054
eleven, or twelve months. 1055

(B) (1) (a) Except as provided in division (B) (1) (e) of this 1056
section, if an offender who is convicted of or pleads guilty to 1057
a felony also is convicted of or pleads guilty to a 1058
specification of the type described in section 2941.141, 1059
2941.144, or 2941.145 of the Revised Code, the court shall 1060
impose on the offender one of the following prison terms: 1061

(i) A prison term of six years if the specification is of 1062
the type described in division (A) of section 2941.144 of the 1063
Revised Code that charges the offender with having a firearm 1064
that is an automatic firearm or that was equipped with a firearm 1065
muffler or suppressor on or about the offender's person or under 1066
the offender's control while committing the offense; 1067

(ii) A prison term of three years if the specification is 1068
of the type described in division (A) of section 2941.145 of the 1069
Revised Code that charges the offender with having a firearm on 1070
or about the offender's person or under the offender's control 1071
while committing the offense and displaying the firearm, 1072
brandishing the firearm, indicating that the offender possessed 1073

the firearm, or using it to facilitate the offense; 1074

(iii) A prison term of one year if the specification is of 1075
the type described in division (A) of section 2941.141 of the 1076
Revised Code that charges the offender with having a firearm on 1077
or about the offender's person or under the offender's control 1078
while committing the offense; 1079

(iv) A prison term of nine years if the specification is 1080
of the type described in division (D) of section 2941.144 of the 1081
Revised Code that charges the offender with having a firearm 1082
that is an automatic firearm or that was equipped with a firearm 1083
muffler or suppressor on or about the offender's person or under 1084
the offender's control while committing the offense and 1085
specifies that the offender previously has been convicted of or 1086
pleaded guilty to a specification of the type described in 1087
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1088
the Revised Code; 1089

(v) A prison term of fifty-four months if the 1090
specification is of the type described in division (D) of 1091
section 2941.145 of the Revised Code that charges the offender 1092
with having a firearm on or about the offender's person or under 1093
the offender's control while committing the offense and 1094
displaying the firearm, brandishing the firearm, indicating that 1095
the offender possessed the firearm, or using the firearm to 1096
facilitate the offense and that the offender previously has been 1097
convicted of or pleaded guilty to a specification of the type 1098
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 1099
2941.1412 of the Revised Code; 1100

(vi) A prison term of eighteen months if the specification 1101
is of the type described in division (D) of section 2941.141 of 1102
the Revised Code that charges the offender with having a firearm 1103

on or about the offender's person or under the offender's 1104
control while committing the offense and that the offender 1105
previously has been convicted of or pleaded guilty to a 1106
specification of the type described in section 2941.141, 1107
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 1108

(b) If a court imposes a prison term on an offender under 1109
division (B)(1)(a) of this section, the prison term shall not be 1110
reduced pursuant to section 2929.20, division (A)(2) or (3) of 1111
section 2967.193 or 2967.194, or any other provision of Chapter 1112
2967. or Chapter 5120. of the Revised Code. Except as provided 1113
in division (B)(1)(g) of this section, a court shall not impose 1114
more than one prison term on an offender under division (B)(1) 1115
(a) of this section for felonies committed as part of the same 1116
act or transaction. 1117

(c)(i) Except as provided in division (B)(1)(e) of this 1118
section, if an offender who is convicted of or pleads guilty to 1119
a violation of section 2923.161 of the Revised Code or to a 1120
felony that includes, as an essential element, purposely or 1121
knowingly causing or attempting to cause the death of or 1122
physical harm to another, also is convicted of or pleads guilty 1123
to a specification of the type described in division (A) of 1124
section 2941.146 of the Revised Code that charges the offender 1125
with committing the offense by discharging a firearm from a 1126
motor vehicle other than a manufactured home, the court, after 1127
imposing a prison term on the offender for the violation of 1128
section 2923.161 of the Revised Code or for the other felony 1129
offense under division (A), (B)(2), or (B)(3) of this section, 1130
shall impose an additional prison term of five years upon the 1131
offender that shall not be reduced pursuant to section 2929.20, 1132
division (A)(2) or (3) of section 2967.193 or 2967.194, or any 1133
other provision of Chapter 2967. or Chapter 5120. of the Revised 1134

Code. 1135

(ii) Except as provided in division (B)(1)(e) of this 1136
section, if an offender who is convicted of or pleads guilty to 1137
a violation of section 2923.161 of the Revised Code or to a 1138
felony that includes, as an essential element, purposely or 1139
knowingly causing or attempting to cause the death of or 1140
physical harm to another, also is convicted of or pleads guilty 1141
to a specification of the type described in division (C) of 1142
section 2941.146 of the Revised Code that charges the offender 1143
with committing the offense by discharging a firearm from a 1144
motor vehicle other than a manufactured home and that the 1145
offender previously has been convicted of or pleaded guilty to a 1146
specification of the type described in section 2941.141, 1147
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 1148
the court, after imposing a prison term on the offender for the 1149
violation of section 2923.161 of the Revised Code or for the 1150
other felony offense under division (A), (B)(2), or (3) of this 1151
section, shall impose an additional prison term of ninety months 1152
upon the offender that shall not be reduced pursuant to section 1153
2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, 1154
or any other provision of Chapter 2967. or Chapter 5120. of the 1155
Revised Code. 1156

(iii) A court shall not impose more than one additional 1157
prison term on an offender under division (B)(1)(c) of this 1158
section for felonies committed as part of the same act or 1159
transaction. If a court imposes an additional prison term on an 1160
offender under division (B)(1)(c) of this section relative to an 1161
offense, the court also shall impose a prison term under 1162
division (B)(1)(a) of this section relative to the same offense, 1163
provided the criteria specified in that division for imposing an 1164
additional prison term are satisfied relative to the offender 1165

and the offense. 1166

(d) If an offender who is convicted of or pleads guilty to 1167
an offense of violence that is a felony also is convicted of or 1168
pleads guilty to a specification of the type described in 1169
section 2941.1411 of the Revised Code that charges the offender 1170
with wearing or carrying body armor while committing the felony 1171
offense of violence, the court shall impose on the offender an 1172
additional prison term of two years. The prison term so imposed 1173
shall not be reduced pursuant to section 2929.20, division (A) 1174
(2) or (3) of section 2967.193 or 2967.194, or any other 1175
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 1176
A court shall not impose more than one prison term on an 1177
offender under division (B)(1)(d) of this section for felonies 1178
committed as part of the same act or transaction. If a court 1179
imposes an additional prison term under division (B)(1)(a) or 1180
(c) of this section, the court is not precluded from imposing an 1181
additional prison term under division (B)(1)(d) of this section. 1182

(e) The court shall not impose any of the prison terms 1183
described in division (B)(1)(a) of this section or any of the 1184
additional prison terms described in division (B)(1)(c) of this 1185
section upon an offender for a violation of section 2923.12 or 1186
2923.123 of the Revised Code. The court shall not impose any of 1187
the prison terms described in division (B)(1)(a) or (b) of this 1188
section upon an offender for a violation of section 2923.122 1189
that involves a deadly weapon that is a firearm other than a 1190
dangerous ordnance, section 2923.16, or section 2923.121 of the 1191
Revised Code. The court shall not impose any of the prison terms 1192
described in division (B)(1)(a) of this section or any of the 1193
additional prison terms described in division (B)(1)(c) of this 1194
section upon an offender for a violation of section 2923.13 of 1195
the Revised Code unless all of the following apply: 1196

(i) The offender previously has been convicted of 1197
aggravated murder, murder, or any felony of the first or second 1198
degree. 1199

(ii) Less than five years have passed since the offender 1200
was released from prison or post-release control, whichever is 1201
later, for the prior offense. 1202

(f) (i) If an offender is convicted of or pleads guilty to 1203
a felony that includes, as an essential element, causing or 1204
attempting to cause the death of or physical harm to another and 1205
also is convicted of or pleads guilty to a specification of the 1206
type described in division (A) of section 2941.1412 of the 1207
Revised Code that charges the offender with committing the 1208
offense by discharging a firearm at a peace officer as defined 1209
in section 2935.01 of the Revised Code or a corrections officer, 1210
as defined in section 2941.1412 of the Revised Code, the court, 1211
after imposing a prison term on the offender for the felony 1212
offense under division (A), (B) (2), or (B) (3) of this section, 1213
shall impose an additional prison term of seven years upon the 1214
offender that shall not be reduced pursuant to section 2929.20, 1215
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 1216
other provision of Chapter 2967. or Chapter 5120. of the Revised 1217
Code. 1218

(ii) If an offender is convicted of or pleads guilty to a 1219
felony that includes, as an essential element, causing or 1220
attempting to cause the death of or physical harm to another and 1221
also is convicted of or pleads guilty to a specification of the 1222
type described in division (B) of section 2941.1412 of the 1223
Revised Code that charges the offender with committing the 1224
offense by discharging a firearm at a peace officer, as defined 1225
in section 2935.01 of the Revised Code, or a corrections 1226

officer, as defined in section 2941.1412 of the Revised Code, 1227
and that the offender previously has been convicted of or 1228
pleaded guilty to a specification of the type described in 1229
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1230
the Revised Code, the court, after imposing a prison term on the 1231
offender for the felony offense under division (A), (B) (2), or 1232
(3) of this section, shall impose an additional prison term of 1233
one hundred twenty-six months upon the offender that shall not 1234
be reduced pursuant to section 2929.20, division (A) (2) or (3) 1235
of section 2967.193 or 2967.194, or any other provision of 1236
Chapter 2967. or 5120. of the Revised Code. 1237

(iii) If an offender is convicted of or pleads guilty to 1238
two or more felonies that include, as an essential element, 1239
causing or attempting to cause the death or physical harm to 1240
another and also is convicted of or pleads guilty to a 1241
specification of the type described under division (B) (1) (f) of 1242
this section in connection with two or more of the felonies of 1243
which the offender is convicted or to which the offender pleads 1244
guilty, the sentencing court shall impose on the offender the 1245
prison term specified under division (B) (1) (f) of this section 1246
for each of two of the specifications of which the offender is 1247
convicted or to which the offender pleads guilty and, in its 1248
discretion, also may impose on the offender the prison term 1249
specified under that division for any or all of the remaining 1250
specifications. If a court imposes an additional prison term on 1251
an offender under division (B) (1) (f) of this section relative to 1252
an offense, the court shall not impose a prison term under 1253
division (B) (1) (a) or (c) of this section relative to the same 1254
offense. 1255

(g) If an offender is convicted of or pleads guilty to two 1256
or more felonies, if one or more of those felonies are 1257

aggravated murder, murder, attempted aggravated murder, 1258
attempted murder, aggravated robbery, felonious assault, or 1259
rape, and if the offender is convicted of or pleads guilty to a 1260
specification of the type described under division (B)(1)(a) of 1261
this section in connection with two or more of the felonies, the 1262
sentencing court shall impose on the offender the prison term 1263
specified under division (B)(1)(a) of this section for each of 1264
the two most serious specifications of which the offender is 1265
convicted or to which the offender pleads guilty and, in its 1266
discretion, also may impose on the offender the prison term 1267
specified under that division for any or all of the remaining 1268
specifications. 1269

(2)(a) If division (B)(2)(b) of this section does not 1270
apply, the court may impose on an offender, in addition to the 1271
longest prison term authorized or required for the offense or, 1272
for offenses for which division (A)(1)(a) or (2)(a) of this 1273
section applies, in addition to the longest minimum prison term 1274
authorized or required for the offense, an additional definite 1275
prison term of one, two, three, four, five, six, seven, eight, 1276
nine, or ten years if all of the following criteria are met: 1277

(i) The offender is convicted of or pleads guilty to a 1278
specification of the type described in section 2941.149 of the 1279
Revised Code that the offender is a repeat violent offender. 1280

(ii) The offense of which the offender currently is 1281
convicted or to which the offender currently pleads guilty is 1282
aggravated murder and the court does not impose a sentence of 1283
death or life imprisonment without parole, murder, terrorism and 1284
the court does not impose a sentence of life imprisonment 1285
without parole, any felony of the first degree that is an 1286
offense of violence and the court does not impose a sentence of 1287

life imprisonment without parole, or any felony of the second 1288
degree that is an offense of violence and the trier of fact 1289
finds that the offense involved an attempt to cause or a threat 1290
to cause serious physical harm to a person or resulted in 1291
serious physical harm to a person. 1292

(iii) The court imposes the longest prison term for the 1293
offense or the longest minimum prison term for the offense, 1294
whichever is applicable, that is not life imprisonment without 1295
parole. 1296

(iv) The court finds that the prison terms imposed 1297
pursuant to division (B)(2)(a)(iii) of this section and, if 1298
applicable, division (B)(1) or (3) of this section are 1299
inadequate to punish the offender and protect the public from 1300
future crime, because the applicable factors under section 1301
2929.12 of the Revised Code indicating a greater likelihood of 1302
recidivism outweigh the applicable factors under that section 1303
indicating a lesser likelihood of recidivism. 1304

(v) The court finds that the prison terms imposed pursuant 1305
to division (B)(2)(a)(iii) of this section and, if applicable, 1306
division (B)(1) or (3) of this section are demeaning to the 1307
seriousness of the offense, because one or more of the factors 1308
under section 2929.12 of the Revised Code indicating that the 1309
offender's conduct is more serious than conduct normally 1310
constituting the offense are present, and they outweigh the 1311
applicable factors under that section indicating that the 1312
offender's conduct is less serious than conduct normally 1313
constituting the offense. 1314

(b) The court shall impose on an offender the longest 1315
prison term authorized or required for the offense or, for 1316
offenses for which division (A)(1)(a) or (2)(a) of this section 1317

applies, the longest minimum prison term authorized or required 1318
for the offense, and shall impose on the offender an additional 1319
definite prison term of one, two, three, four, five, six, seven, 1320
eight, nine, or ten years if all of the following criteria are 1321
met: 1322

(i) The offender is convicted of or pleads guilty to a 1323
specification of the type described in section 2941.149 of the 1324
Revised Code that the offender is a repeat violent offender. 1325

(ii) The offender within the preceding twenty years has 1326
been convicted of or pleaded guilty to three or more offenses 1327
described in division (CC)(1) of section 2929.01 of the Revised 1328
Code, including all offenses described in that division of which 1329
the offender is convicted or to which the offender pleads guilty 1330
in the current prosecution and all offenses described in that 1331
division of which the offender previously has been convicted or 1332
to which the offender previously pleaded guilty, whether 1333
prosecuted together or separately. 1334

(iii) The offense or offenses of which the offender 1335
currently is convicted or to which the offender currently pleads 1336
guilty is aggravated murder and the court does not impose a 1337
sentence of death or life imprisonment without parole, murder, 1338
terrorism and the court does not impose a sentence of life 1339
imprisonment without parole, any felony of the first degree that 1340
is an offense of violence and the court does not impose a 1341
sentence of life imprisonment without parole, or any felony of 1342
the second degree that is an offense of violence and the trier 1343
of fact finds that the offense involved an attempt to cause or a 1344
threat to cause serious physical harm to a person or resulted in 1345
serious physical harm to a person. 1346

(c) For purposes of division (B)(2)(b) of this section, 1347

two or more offenses committed at the same time or as part of 1348
the same act or event shall be considered one offense, and that 1349
one offense shall be the offense with the greatest penalty. 1350

(d) A sentence imposed under division (B)(2)(a) or (b) of 1351
this section shall not be reduced pursuant to section 2929.20, 1352
division (A)(2) or (3) of section 2967.193 or 2967.194, or any 1353
other provision of Chapter 2967. or Chapter 5120. of the Revised 1354
Code. The offender shall serve an additional prison term imposed 1355
under division (B)(2)(a) or (b) of this section consecutively to 1356
and prior to the prison term imposed for the underlying offense. 1357

(e) When imposing a sentence pursuant to division (B)(2) 1358
(a) or (b) of this section, the court shall state its findings 1359
explaining the imposed sentence. 1360

(3) Except when an offender commits a violation of section 1361
2903.01 or 2907.02 of the Revised Code and the penalty imposed 1362
for the violation is life imprisonment or commits a violation of 1363
section 2903.02 of the Revised Code, if the offender commits a 1364
violation of section 2925.03 or 2925.11 of the Revised Code and 1365
that section classifies the offender as a major drug offender, 1366
if the offender commits a violation of section 2925.05 of the 1367
Revised Code and division (E)(1) of that section classifies the 1368
offender as a major drug offender, if the offender commits a 1369
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 1370
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 1371
division (C) or (D) of section 3719.172, division (E) of section 1372
4729.51, or division (J) of section 4729.54 of the Revised Code 1373
that includes the sale, offer to sell, or possession of a 1374
schedule I or II controlled substance, with the exception of 1375
marihuana, and the court imposing sentence upon the offender 1376
finds that the offender is guilty of a specification of the type 1377

described in division (A) of section 2941.1410 of the Revised 1378
Code charging that the offender is a major drug offender, if the 1379
court imposing sentence upon an offender for a felony finds that 1380
the offender is guilty of corrupt activity with the most serious 1381
offense in the pattern of corrupt activity being a felony of the 1382
first degree, or if the offender is guilty of an attempted 1383
violation of section 2907.02 of the Revised Code and, had the 1384
offender completed the violation of section 2907.02 of the 1385
Revised Code that was attempted, the offender would have been 1386
subject to a sentence of life imprisonment or life imprisonment 1387
without parole for the violation of section 2907.02 of the 1388
Revised Code, the court shall impose upon the offender for the 1389
felony violation a mandatory prison term determined as described 1390
in this division that cannot be reduced pursuant to section 1391
2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, 1392
or any other provision of Chapter 2967. or 5120. of the Revised 1393
Code. The mandatory prison term shall be the maximum definite 1394
prison term prescribed in division (A)(1)(b) of this section for 1395
a felony of the first degree, except that for offenses for which 1396
division (A)(1)(a) of this section applies, the mandatory prison 1397
term shall be the longest minimum prison term prescribed in that 1398
division for the offense. 1399

(4) If the offender is being sentenced for a third or 1400
fourth degree felony OVI offense under division (G)(2) of 1401
section 2929.13 of the Revised Code, the sentencing court shall 1402
impose upon the offender a mandatory prison term in accordance 1403
with that division. In addition to the mandatory prison term, if 1404
the offender is being sentenced for a fourth degree felony OVI 1405
offense, the court, notwithstanding division (A)(4) of this 1406
section, may sentence the offender to a definite prison term of 1407
not less than six months and not more than thirty months, and if 1408

the offender is being sentenced for a third degree felony OVI 1409
offense, the sentencing court may sentence the offender to an 1410
additional prison term of any duration specified in division (A) 1411
(3) of this section. In either case, the additional prison term 1412
imposed shall be reduced by the sixty or one hundred twenty days 1413
imposed upon the offender as the mandatory prison term. The 1414
total of the additional prison term imposed under division (B) 1415
(4) of this section plus the sixty or one hundred twenty days 1416
imposed as the mandatory prison term shall equal a definite term 1417
in the range of six months to thirty months for a fourth degree 1418
felony OVI offense and shall equal one of the authorized prison 1419
terms specified in division (A) (3) of this section for a third 1420
degree felony OVI offense. If the court imposes an additional 1421
prison term under division (B) (4) of this section, the offender 1422
shall serve the additional prison term after the offender has 1423
served the mandatory prison term required for the offense. In 1424
addition to the mandatory prison term or mandatory and 1425
additional prison term imposed as described in division (B) (4) 1426
of this section, the court also may sentence the offender to a 1427
community control sanction under section 2929.16 or 2929.17 of 1428
the Revised Code, but the offender shall serve all of the prison 1429
terms so imposed prior to serving the community control 1430
sanction. 1431

If the offender is being sentenced for a fourth degree 1432
felony OVI offense under division (G) (1) of section 2929.13 of 1433
the Revised Code and the court imposes a mandatory term of local 1434
incarceration, the court may impose a prison term as described 1435
in division (A) (1) of that section. 1436

(5) If an offender is convicted of or pleads guilty to a 1437
violation of division (A) (1) or (2) of section 2903.06 of the 1438
Revised Code and also is convicted of or pleads guilty to a 1439

specification of the type described in section 2941.1414 of the 1440
Revised Code that charges that the victim of the offense is a 1441
peace officer, as defined in section 2935.01 of the Revised 1442
Code, an investigator of the bureau of criminal identification 1443
and investigation, as defined in section 2903.11 of the Revised 1444
Code, or a firefighter or emergency medical worker, both as 1445
defined in section 2941.1414 of the Revised Code, the court 1446
shall impose on the offender a prison term of five years. If a 1447
court imposes a prison term on an offender under division (B) (5) 1448
of this section, the prison term shall not be reduced pursuant 1449
to section 2929.20, division (A) (2) or (3) of section 2967.193 1450
or 2967.194, or any other provision of Chapter 2967. or Chapter 1451
5120. of the Revised Code. A court shall not impose more than 1452
one prison term on an offender under division (B) (5) of this 1453
section for felonies committed as part of the same act. 1454

(6) If an offender is convicted of or pleads guilty to a 1455
violation of division (A) (1) or (2) of section 2903.06 of the 1456
Revised Code and also is convicted of or pleads guilty to a 1457
specification of the type described in section 2941.1415 of the 1458
Revised Code that charges that the offender previously has been 1459
convicted of or pleaded guilty to three or more violations of 1460
division (A) of section 4511.19 of the Revised Code or an 1461
equivalent offense, as defined in section 2941.1415 of the 1462
Revised Code, or three or more violations of any combination of 1463
those offenses, the court shall impose on the offender a prison 1464
term of three years. If a court imposes a prison term on an 1465
offender under division (B) (6) of this section, the prison term 1466
shall not be reduced pursuant to section 2929.20, division (A) 1467
(2) or (3) of section 2967.193 or 2967.194, or any other 1468
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 1469
A court shall not impose more than one prison term on an 1470

offender under division (B) (6) of this section for felonies 1471
committed as part of the same act. 1472

(7) (a) If an offender is convicted of or pleads guilty to 1473
a felony violation of section 2905.01, 2905.02, 2907.21, 1474
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 1475
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 1476
section 2919.22 of the Revised Code and also is convicted of or 1477
pleads guilty to a specification of the type described in 1478
section 2941.1422 of the Revised Code that charges that the 1479
offender knowingly committed the offense in furtherance of human 1480
trafficking, the court shall impose on the offender a mandatory 1481
prison term that is one of the following: 1482

(i) If the offense is a felony of the first degree, a 1483
definite prison term of not less than five years and not greater 1484
than eleven years, except that if the offense is a felony of the 1485
first degree committed on or after March 22, 2019, the court 1486
shall impose as the minimum prison term a mandatory term of not 1487
less than five years and not greater than eleven years; 1488

(ii) If the offense is a felony of the second or third 1489
degree, a definite prison term of not less than three years and 1490
not greater than the maximum prison term allowed for the offense 1491
by division (A) (2) (b) or (3) of this section, except that if the 1492
offense is a felony of the second degree committed on or after 1493
March 22, 2019, the court shall impose as the minimum prison 1494
term a mandatory term of not less than three years and not 1495
greater than eight years; 1496

(iii) If the offense is a felony of the fourth or fifth 1497
degree, a definite prison term that is the maximum prison term 1498
allowed for the offense by division (A) of section 2929.14 of 1499
the Revised Code. 1500

(b) The prison term imposed under division (B) (7) (a) of 1501
this section shall not be reduced pursuant to section 2929.20, 1502
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 1503
other provision of Chapter 2967. of the Revised Code. A court 1504
shall not impose more than one prison term on an offender under 1505
division (B) (7) (a) of this section for felonies committed as 1506
part of the same act, scheme, or plan. 1507

(8) If an offender is convicted of or pleads guilty to a 1508
felony violation of section 2903.11, 2903.12, or 2903.13 of the 1509
Revised Code and also is convicted of or pleads guilty to a 1510
specification of the type described in section 2941.1423 of the 1511
Revised Code that charges that the victim of the violation was a 1512
woman whom the offender knew was pregnant at the time of the 1513
violation, notwithstanding the range prescribed in division (A) 1514
of this section as the definite prison term or minimum prison 1515
term for felonies of the same degree as the violation, the court 1516
shall impose on the offender a mandatory prison term that is 1517
either a definite prison term of six months or one of the prison 1518
terms prescribed in division (A) of this section for felonies of 1519
the same degree as the violation, except that if the violation 1520
is a felony of the first or second degree committed on or after 1521
March 22, 2019, the court shall impose as the minimum prison 1522
term under division (A) (1) (a) or (2) (a) of this section a 1523
mandatory term that is one of the terms prescribed in that 1524
division, whichever is applicable, for the offense. 1525

(9) (a) If an offender is convicted of or pleads guilty to 1526
a violation of division (A) (1) or (2) of section 2903.11 of the 1527
Revised Code and also is convicted of or pleads guilty to a 1528
specification of the type described in section 2941.1425 of the 1529
Revised Code, the court shall impose on the offender a mandatory 1530
prison term of six years if either of the following applies: 1531

(i) The violation is a violation of division (A) (1) of 1532
section 2903.11 of the Revised Code and the specification 1533
charges that the offender used an accelerant in committing the 1534
violation and the serious physical harm to another or to 1535
another's unborn caused by the violation resulted in a 1536
permanent, serious disfigurement or permanent, substantial 1537
incapacity; 1538

(ii) The violation is a violation of division (A) (2) of 1539
section 2903.11 of the Revised Code and the specification 1540
charges that the offender used an accelerant in committing the 1541
violation, that the violation caused physical harm to another or 1542
to another's unborn, and that the physical harm resulted in a 1543
permanent, serious disfigurement or permanent, substantial 1544
incapacity. 1545

(b) If a court imposes a prison term on an offender under 1546
division (B) (9) (a) of this section, the prison term shall not be 1547
reduced pursuant to section 2929.20, division (A) (2) or (3) of 1548
section 2967.193 or 2967.194, or any other provision of Chapter 1549
2967. or Chapter 5120. of the Revised Code. A court shall not 1550
impose more than one prison term on an offender under division 1551
(B) (9) of this section for felonies committed as part of the 1552
same act. 1553

(c) The provisions of divisions (B) (9) and (C) (6) of this 1554
section and of division (D) (2) of section 2903.11, division (F) 1555
(20) of section 2929.13, and section 2941.1425 of the Revised 1556
Code shall be known as "Judy's Law." 1557

(10) If an offender is convicted of or pleads guilty to a 1558
violation of division (A) of section 2903.11 of the Revised Code 1559
and also is convicted of or pleads guilty to a specification of 1560
the type described in section 2941.1426 of the Revised Code that 1561

charges that the victim of the offense suffered permanent 1562
disabling harm as a result of the offense and that the victim 1563
was under ten years of age at the time of the offense, 1564
regardless of whether the offender knew the age of the victim, 1565
the court shall impose upon the offender an additional definite 1566
prison term of six years. A prison term imposed on an offender 1567
under division (B)(10) of this section shall not be reduced 1568
pursuant to section 2929.20, division (A)(2) or (3) of section 1569
2967.193 or 2967.194, or any other provision of Chapter 2967. or 1570
Chapter 5120. of the Revised Code. If a court imposes an 1571
additional prison term on an offender under this division 1572
relative to a violation of division (A) of section 2903.11 of 1573
the Revised Code, the court shall not impose any other 1574
additional prison term on the offender relative to the same 1575
offense. 1576

(11) If an offender is convicted of or pleads guilty to a 1577
felony violation of section 2925.03 or 2925.05 of the Revised 1578
Code or a felony violation of section 2925.11 of the Revised 1579
Code for which division (C)(11) of that section applies in 1580
determining the sentence for the violation, if the drug involved 1581
in the violation is a fentanyl-related compound or a compound, 1582
mixture, preparation, or substance containing a fentanyl-related 1583
compound, and if the offender also is convicted of or pleads 1584
guilty to a specification of the type described in division (B) 1585
of section 2941.1410 of the Revised Code that charges that the 1586
offender is a major drug offender, in addition to any other 1587
penalty imposed for the violation, the court shall impose on the 1588
offender a mandatory prison term of three, four, five, six, 1589
seven, or eight years. If a court imposes a prison term on an 1590
offender under division (B)(11) of this section, the prison term 1591
shall not be reduced pursuant to section 2929.20, division (A) 1592

(2) or (3) of section 2967.193 or 2967.194, or any other 1593
provision of Chapter 2967. or 5120. of the Revised Code. A court 1594
shall not impose more than one prison term on an offender under 1595
division (B) (11) of this section for felonies committed as part 1596
of the same act. 1597

(12) If an offender is convicted of or pleads guilty to a 1598
violation of section 2903.04 of the Revised Code and if the 1599
offender also is convicted of or pleads guilty to a 1600
specification of the type described in section 2941.1427 of the 1601
Revised Code, in addition to any other penalty imposed for the 1602
violation, the court shall impose on the offender a minimum 1603
mandatory prison term of five years. 1604

(C) (1) (a) Subject to division (C) (1) (b) of this section, 1605
if a mandatory prison term is imposed upon an offender pursuant 1606
to division (B) (1) (a) of this section for having a firearm on or 1607
about the offender's person or under the offender's control 1608
while committing a felony, if a mandatory prison term is imposed 1609
upon an offender pursuant to division (B) (1) (c) of this section 1610
for committing a felony specified in that division by 1611
discharging a firearm from a motor vehicle, or if both types of 1612
mandatory prison terms are imposed, the offender shall serve any 1613
mandatory prison term imposed under either division 1614
consecutively to any other mandatory prison term imposed under 1615
either division or under division (B) (1) (d) of this section, 1616
consecutively to and prior to any prison term imposed for the 1617
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 1618
this section or any other section of the Revised Code, and 1619
consecutively to any other prison term or mandatory prison term 1620
previously or subsequently imposed upon the offender. 1621

(b) If a mandatory prison term is imposed upon an offender 1622

pursuant to division (B)(1)(d) of this section for wearing or 1623
carrying body armor while committing an offense of violence that 1624
is a felony, the offender shall serve the mandatory term so 1625
imposed consecutively to any other mandatory prison term imposed 1626
under that division or under division (B)(1)(a) or (c) of this 1627
section, consecutively to and prior to any prison term imposed 1628
for the underlying felony under division (A), (B)(2), or (B)(3) 1629
of this section or any other section of the Revised Code, and 1630
consecutively to any other prison term or mandatory prison term 1631
previously or subsequently imposed upon the offender. 1632

(c) If a mandatory prison term is imposed upon an offender 1633
pursuant to division (B)(1)(f) of this section, the offender 1634
shall serve the mandatory prison term so imposed consecutively 1635
to and prior to any prison term imposed for the underlying 1636
felony under division (A), (B)(2), or (B)(3) of this section or 1637
any other section of the Revised Code, and consecutively to any 1638
other prison term or mandatory prison term previously or 1639
subsequently imposed upon the offender. 1640

(d) If a mandatory prison term is imposed upon an offender 1641
pursuant to division (B)(7) or (8) of this section, the offender 1642
shall serve the mandatory prison term so imposed consecutively 1643
to any other mandatory prison term imposed under that division 1644
or under any other provision of law and consecutively to any 1645
other prison term or mandatory prison term previously or 1646
subsequently imposed upon the offender. 1647

(e) If a mandatory prison term is imposed upon an offender 1648
pursuant to division (B)(11) of this section, the offender shall 1649
serve the mandatory prison term consecutively to any other 1650
mandatory prison term imposed under that division, consecutively 1651
to and prior to any prison term imposed for the underlying 1652

felony, and consecutively to any other prison term or mandatory 1653
prison term previously or subsequently imposed upon the 1654
offender. 1655

(2) If an offender who is an inmate in a jail, prison, or 1656
other residential detention facility violates section 2917.02, 1657
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 1658
(2) of section 2921.34 of the Revised Code, if an offender who 1659
is under detention at a detention facility commits a felony 1660
violation of section 2923.131 of the Revised Code, or if an 1661
offender who is an inmate in a jail, prison, or other 1662
residential detention facility or is under detention at a 1663
detention facility commits another felony while the offender is 1664
an escapee in violation of division (A) (1) or (2) of section 1665
2921.34 of the Revised Code, any prison term imposed upon the 1666
offender for one of those violations shall be served by the 1667
offender consecutively to the prison term or term of 1668
imprisonment the offender was serving when the offender 1669
committed that offense and to any other prison term previously 1670
or subsequently imposed upon the offender. 1671

(3) If a prison term is imposed for a violation of 1672
division (B) of section 2911.01 of the Revised Code, a violation 1673
of division (A) of section 2913.02 of the Revised Code in which 1674
the stolen property is a firearm or dangerous ordnance, or a 1675
felony violation of division (B) of section 2921.331 of the 1676
Revised Code, the offender shall serve that prison term 1677
consecutively to any other prison term or mandatory prison term 1678
previously or subsequently imposed upon the offender. 1679

(4) If multiple prison terms are imposed on an offender 1680
for convictions of multiple offenses, the court may require the 1681
offender to serve the prison terms consecutively if the court 1682

finds that the consecutive service is necessary to protect the public from future crime or to punish the offender and that consecutive sentences are not disproportionate to the seriousness of the offender's conduct and to the danger the offender poses to the public, and if the court also finds any of the following:

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

(b) At least two of the multiple offenses were committed as part of one or more courses of conduct, and the harm caused by two or more of the multiple offenses so committed was so great or unusual that no single prison term for any of the offenses committed as part of any of the courses of conduct adequately reflects the seriousness of the offender's conduct.

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

(5) If a mandatory prison term is imposed upon an offender pursuant to division (B) (5) or (6) of this section, the offender shall serve the mandatory prison term consecutively to and prior to any prison term imposed for the underlying violation of division (A) (1) or (2) of section 2903.06 of the Revised Code pursuant to division (A) of this section or section 2929.142 of the Revised Code. If a mandatory prison term is imposed upon an offender pursuant to division (B) (5) of this section, and if a mandatory prison term also is imposed upon the offender pursuant to division (B) (6) of this section in relation to the same

violation, the offender shall serve the mandatory prison term 1713
imposed pursuant to division (B) (5) of this section 1714
consecutively to and prior to the mandatory prison term imposed 1715
pursuant to division (B) (6) of this section and consecutively to 1716
and prior to any prison term imposed for the underlying 1717
violation of division (A) (1) or (2) of section 2903.06 of the 1718
Revised Code pursuant to division (A) of this section or section 1719
2929.142 of the Revised Code. 1720

(6) If a mandatory prison term is imposed on an offender 1721
pursuant to division (B) (9) of this section, the offender shall 1722
serve the mandatory prison term consecutively to and prior to 1723
any prison term imposed for the underlying violation of division 1724
(A) (1) or (2) of section 2903.11 of the Revised Code and 1725
consecutively to and prior to any other prison term or mandatory 1726
prison term previously or subsequently imposed on the offender. 1727

(7) If a mandatory prison term is imposed on an offender 1728
pursuant to division (B) (10) of this section, the offender shall 1729
serve that mandatory prison term consecutively to and prior to 1730
any prison term imposed for the underlying felonious assault. 1731
Except as otherwise provided in division (C) of this section, 1732
any other prison term or mandatory prison term previously or 1733
subsequently imposed upon the offender may be served 1734
concurrently with, or consecutively to, the prison term imposed 1735
pursuant to division (B) (10) of this section. 1736

(8) Any prison term imposed for a violation of section 1737
2903.04 of the Revised Code that is based on a violation of 1738
section 2925.03 or 2925.11 of the Revised Code or on a violation 1739
of section 2925.05 of the Revised Code that is not funding of 1740
marihuana trafficking shall run consecutively to any prison term 1741
imposed for the violation of section 2925.03 or 2925.11 of the 1742

Revised Code or for the violation of section 2925.05 of the 1743
Revised Code that is not funding of marihuana trafficking. 1744

(9) When consecutive prison terms are imposed pursuant to 1745
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 1746
division (H)(1) or (2) of this section, subject to division (C) 1747
(10) of this section, the term to be served is the aggregate of 1748
all of the terms so imposed. 1749

(10) When a court sentences an offender to a non-life 1750
felony indefinite prison term, any definite prison term or 1751
mandatory definite prison term previously or subsequently 1752
imposed on the offender in addition to that indefinite sentence 1753
that is required to be served consecutively to that indefinite 1754
sentence shall be served prior to the indefinite sentence. 1755

(11) If a court is sentencing an offender for a felony of 1756
the first or second degree, if division (A)(1)(a) or (2)(a) of 1757
this section applies with respect to the sentencing for the 1758
offense, and if the court is required under the Revised Code 1759
section that sets forth the offense or any other Revised Code 1760
provision to impose a mandatory prison term for the offense, the 1761
court shall impose the required mandatory prison term as the 1762
minimum term imposed under division (A)(1)(a) or (2)(a) of this 1763
section, whichever is applicable. 1764

(D)(1) If a court imposes a prison term, other than a term 1765
of life imprisonment, for a felony of the first degree, for a 1766
felony of the second degree, for a felony sex offense, or for a 1767
felony of the third degree that is an offense of violence and 1768
that is not a felony sex offense, it shall include in the 1769
sentence a requirement that the offender be subject to a period 1770
of post-release control after the offender's release from 1771
imprisonment, in accordance with section 2967.28 of the Revised 1772

Code. If a court imposes a sentence including a prison term of a 1773
type described in this division on or after July 11, 2006, the 1774
failure of a court to include a post-release control requirement 1775
in the sentence pursuant to this division does not negate, 1776
limit, or otherwise affect the mandatory period of post-release 1777
control that is required for the offender under division (B) of 1778
section 2967.28 of the Revised Code. Section 2929.191 of the 1779
Revised Code applies if, prior to July 11, 2006, a court imposed 1780
a sentence including a prison term of a type described in this 1781
division and failed to include in the sentence pursuant to this 1782
division a statement regarding post-release control. 1783

(2) If a court imposes a prison term for a felony of the 1784
third, fourth, or fifth degree that is not subject to division 1785
(D) (1) of this section, it shall include in the sentence a 1786
requirement that the offender be subject to a period of post- 1787
release control after the offender's release from imprisonment, 1788
in accordance with that division, if the parole board determines 1789
that a period of post-release control is necessary. Section 1790
2929.191 of the Revised Code applies if, prior to July 11, 2006, 1791
a court imposed a sentence including a prison term of a type 1792
described in this division and failed to include in the sentence 1793
pursuant to this division a statement regarding post-release 1794
control. 1795

(E) The court shall impose sentence upon the offender in 1796
accordance with section 2971.03 of the Revised Code, and Chapter 1797
2971. of the Revised Code applies regarding the prison term or 1798
term of life imprisonment without parole imposed upon the 1799
offender and the service of that term of imprisonment if any of 1800
the following apply: 1801

(1) A person is convicted of or pleads guilty to a violent 1802

sex offense or a designated homicide, assault, or kidnapping 1803
offense, and, in relation to that offense, the offender is 1804
adjudicated a sexually violent predator. 1805

(2) A person is convicted of or pleads guilty to a 1806
violation of division (A) (1) (b) of section 2907.02 of the 1807
Revised Code committed on or after January 2, 2007, and either 1808
the court does not impose a sentence of life without parole when 1809
authorized pursuant to division (B) of section 2907.02 of the 1810
Revised Code, or division (B) of section 2907.02 of the Revised 1811
Code provides that the court shall not sentence the offender 1812
pursuant to section 2971.03 of the Revised Code. 1813

(3) A person is convicted of or pleads guilty to attempted 1814
rape committed on or after January 2, 2007, and a specification 1815
of the type described in section 2941.1418, 2941.1419, or 1816
2941.1420 of the Revised Code. 1817

(4) A person is convicted of or pleads guilty to a 1818
violation of section 2905.01 of the Revised Code committed on or 1819
after January 1, 2008, and that section requires the court to 1820
sentence the offender pursuant to section 2971.03 of the Revised 1821
Code. 1822

(5) A person is convicted of or pleads guilty to 1823
aggravated murder committed on or after January 1, 2008, and 1824
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 1825
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1826
(a) (iv) of section 2929.03, or division (A) or (B) of section 1827
2929.06 of the Revised Code requires the court to sentence the 1828
offender pursuant to division (B) (3) of section 2971.03 of the 1829
Revised Code. 1830

(6) A person is convicted of or pleads guilty to murder 1831

committed on or after January 1, 2008, and division (B) (2) of 1832
section 2929.02 of the Revised Code requires the court to 1833
sentence the offender pursuant to section 2971.03 of the Revised 1834
Code. 1835

(F) If a person who has been convicted of or pleaded 1836
guilty to a felony is sentenced to a prison term or term of 1837
imprisonment under this section, sections 2929.02 to 2929.06 of 1838
the Revised Code, section 2929.142 of the Revised Code, section 1839
2971.03 of the Revised Code, or any other provision of law, 1840
section 5120.163 of the Revised Code applies regarding the 1841
person while the person is confined in a state correctional 1842
institution. 1843

(G) If an offender who is convicted of or pleads guilty to 1844
a felony that is an offense of violence also is convicted of or 1845
pleads guilty to a specification of the type described in 1846
section 2941.142 of the Revised Code that charges the offender 1847
with having committed the felony while participating in a 1848
criminal gang, the court shall impose upon the offender an 1849
additional prison term of one, two, or three years. 1850

(H) (1) If an offender who is convicted of or pleads guilty 1851
to aggravated murder, murder, or a felony of the first, second, 1852
or third degree that is an offense of violence also is convicted 1853
of or pleads guilty to a specification of the type described in 1854
section 2941.143 of the Revised Code that charges the offender 1855
with having committed the offense in a school safety zone or 1856
towards a person in a school safety zone, the court shall impose 1857
upon the offender an additional prison term of two years. The 1858
offender shall serve the additional two years consecutively to 1859
and prior to the prison term imposed for the underlying offense. 1860

(2) (a) If an offender is convicted of or pleads guilty to 1861

a felony violation of section 2907.22, 2907.24, 2907.241, or 1862
2907.25 of the Revised Code and to a specification of the type 1863
described in section 2941.1421 of the Revised Code and if the 1864
court imposes a prison term on the offender for the felony 1865
violation, the court may impose upon the offender an additional 1866
prison term as follows: 1867

(i) Subject to division (H)(2)(a)(ii) of this section, an 1868
additional prison term of one, two, three, four, five, or six 1869
months; 1870

(ii) If the offender previously has been convicted of or 1871
pleaded guilty to one or more felony or misdemeanor violations 1872
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 1873
the Revised Code and also was convicted of or pleaded guilty to 1874
a specification of the type described in section 2941.1421 of 1875
the Revised Code regarding one or more of those violations, an 1876
additional prison term of one, two, three, four, five, six, 1877
seven, eight, nine, ten, eleven, or twelve months. 1878

(b) In lieu of imposing an additional prison term under 1879
division (H)(2)(a) of this section, the court may directly 1880
impose on the offender a sanction that requires the offender to 1881
wear a real-time processing, continual tracking electronic 1882
monitoring device during the period of time specified by the 1883
court. The period of time specified by the court shall equal the 1884
duration of an additional prison term that the court could have 1885
imposed upon the offender under division (H)(2)(a) of this 1886
section. A sanction imposed under this division shall commence 1887
on the date specified by the court, provided that the sanction 1888
shall not commence until after the offender has served the 1889
prison term imposed for the felony violation of section 2907.22, 1890
2907.24, 2907.241, or 2907.25 of the Revised Code and any 1891

residential sanction imposed for the violation under section 1892
2929.16 of the Revised Code. A sanction imposed under this 1893
division shall be considered to be a community control sanction 1894
for purposes of section 2929.15 of the Revised Code, and all 1895
provisions of the Revised Code that pertain to community control 1896
sanctions shall apply to a sanction imposed under this division, 1897
except to the extent that they would by their nature be clearly 1898
inapplicable. The offender shall pay all costs associated with a 1899
sanction imposed under this division, including the cost of the 1900
use of the monitoring device. 1901

(I) At the time of sentencing, the court may recommend the 1902
offender for placement in a program of shock incarceration under 1903
section 5120.031 of the Revised Code or for placement in an 1904
intensive program prison under section 5120.032 of the Revised 1905
Code, disapprove placement of the offender in a program of shock 1906
incarceration or an intensive program prison of that nature, or 1907
make no recommendation on placement of the offender. In no case 1908
shall the department of rehabilitation and correction place the 1909
offender in a program or prison of that nature unless the 1910
department determines as specified in section 5120.031 or 1911
5120.032 of the Revised Code, whichever is applicable, that the 1912
offender is eligible for the placement. 1913

If the court disapproves placement of the offender in a 1914
program or prison of that nature, the department of 1915
rehabilitation and correction shall not place the offender in 1916
any program of shock incarceration or intensive program prison. 1917

If the court recommends placement of the offender in a 1918
program of shock incarceration or in an intensive program 1919
prison, and if the offender is subsequently placed in the 1920
recommended program or prison, the department shall notify the 1921

court of the placement and shall include with the notice a brief 1922
description of the placement. 1923

If the court recommends placement of the offender in a 1924
program of shock incarceration or in an intensive program prison 1925
and the department does not subsequently place the offender in 1926
the recommended program or prison, the department shall send a 1927
notice to the court indicating why the offender was not placed 1928
in the recommended program or prison. 1929

If the court does not make a recommendation under this 1930
division with respect to an offender and if the department 1931
determines as specified in section 5120.031 or 5120.032 of the 1932
Revised Code, whichever is applicable, that the offender is 1933
eligible for placement in a program or prison of that nature, 1934
the department shall screen the offender and determine if there 1935
is an available program of shock incarceration or an intensive 1936
program prison for which the offender is suited. If there is an 1937
available program of shock incarceration or an intensive program 1938
prison for which the offender is suited, the department shall 1939
notify the court of the proposed placement of the offender as 1940
specified in section 5120.031 or 5120.032 of the Revised Code 1941
and shall include with the notice a brief description of the 1942
placement. The court shall have ten days from receipt of the 1943
notice to disapprove the placement. 1944

(J) If a person is convicted of or pleads guilty to 1945
aggravated vehicular homicide in violation of division (A) (1) of 1946
section 2903.06 of the Revised Code and division (B) (2) (c) or 1947
(d) of that section applies, the person shall be sentenced 1948
pursuant to section 2929.142 of the Revised Code. 1949

(K) (1) The court shall impose an additional mandatory 1950
prison term of two, three, four, five, six, seven, eight, nine, 1951

ten, or eleven years on an offender who is convicted of or 1952
pleads guilty to a violent felony offense if the offender also 1953
is convicted of or pleads guilty to a specification of the type 1954
described in section 2941.1424 of the Revised Code that charges 1955
that the offender is a violent career criminal and had a firearm 1956
on or about the offender's person or under the offender's 1957
control while committing the presently charged violent felony 1958
offense and displayed or brandished the firearm, indicated that 1959
the offender possessed a firearm, or used the firearm to 1960
facilitate the offense. The offender shall serve the prison term 1961
imposed under this division consecutively to and prior to the 1962
prison term imposed for the underlying offense. The prison term 1963
shall not be reduced pursuant to section 2929.20, division (A) 1964
(2) or (3) of section 2967.193 or 2967.194, or any other 1965
provision of Chapter 2967. or 5120. of the Revised Code. A court 1966
may not impose more than one sentence under division (B) (2) (a) 1967
of this section and this division for acts committed as part of 1968
the same act or transaction. 1969

(2) As used in division (K) (1) of this section, "violent 1970
career criminal" and "violent felony offense" have the same 1971
meanings as in section 2923.132 of the Revised Code. 1972

(L) If an offender receives or received a sentence of life 1973
imprisonment without parole, a sentence of life imprisonment, a 1974
definite sentence, or a sentence to an indefinite prison term 1975
under this chapter for a felony offense that was committed when 1976
the offender was under eighteen years of age, the offender's 1977
parole eligibility shall be determined under section 2967.132 of 1978
the Revised Code. 1979

Sec. 2941.1427. (A) Imposition of a mandatory prison term 1980
under division (B) (12) of section 2929.14 of the Revised Code is 1981

precluded unless the offender is convicted of or pleads guilty 1982
to a violation of section 2903.04 of the Revised Code and unless 1983
the indictment, count in the indictment, or information charging 1984
the offense specifies that: 1985

(1) Fentanyl or a fentanyl-related compound, as defined in 1986
section 2925.01 of the Revised Code, was present in the body of 1987
the decedent victim in an amount or concentration that is 1988
considered to be lethal by generally accepted scientific 1989
standards; 1990

(2) The results of an autopsy performed on the decedent 1991
victim are consistent with an opioid overdose as the cause of 1992
death. 1993

(B) The specification shall be stated at the end of the 1994
body of the indictment, count, or information and shall be 1995
stated in substantially the following form: 1996

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1997
Grand Jurors (or insert the person's or prosecuting attorney's 1998
name when appropriate) further find and specify that (set forth 1999
that the victim's death was consistent with opioid overdose and 2000
fentanyl or a fentanyl-related compound was present in the 2001
victim's body in lethal amounts)." 2002

Sec. 3705.08. (A) The director of health, by rule, shall 2003
prescribe the form of records and certificates required by this 2004
chapter. Records and certificates shall include the items and 2005
information prescribed by the director, including the items 2006
recommended by the national center for health statistics of the 2007
United States department of health and human services, subject 2008
to approval of and modification by the director. 2009

(B) All birth certificates shall include a statement 2010

setting forth the names of the child's parents. 2011

(C) All death certificates shall include, in the medical 2012
certification portion of the certificate, a space to indicate, 2013
if the deceased individual is female and the manner of death is 2014
determined to be a suspicious or violent death, whether any of 2015
the following conditions apply to the individual: 2016

(1) Not pregnant within the past year; 2017

(2) Pregnant at the time of death; 2018

(3) Not pregnant, but had been pregnant within forty-two 2019
days prior to the time of death; 2020

(4) Not pregnant, but had been pregnant within forty-three 2021
days to one year prior to the time of death; 2022

(5) Unknown whether pregnant within the past year. 2023

~~(D)(1)~~ (D) All death certificates shall include, in the 2024
medical certification portion of the certificate, a space to 2025
indicate whether the cause of death was due to fentanyl 2026
poisoning and shall include the term "fentanyl poisoning" on the 2027
certificate if both of the following apply: 2028

(1) A toxicology examination reveals fentanyl or a 2029
fentanyl-related compound, as defined in section 2925.01 of the 2030
Revised Code, was present in the body of the decedent in an 2031
amount or concentration that is considered to be lethal by 2032
generally accepted scientific standards; 2033

(2) The manner of death is not determined to be a 2034
suspicious or violent death. 2035

(E) (1) The director shall prescribe electronic methods and 2036
forms for obtaining registration of births, deaths, and other 2037

vital statistics in each registration district, and for 2038
preserving the records of the office of vital statistics, and no 2039
forms or blanks shall be used other than those prescribed by the 2040
director. 2041

(2) All birth, fetal death, and death records and 2042
certificates shall be certified. Except as provided in division 2043
(G) of section 3705.09, section 3705.12, 3705.121, 3705.122, or 2044
3705.124, division (D) of section 3705.15, or section 3705.16 of 2045
the Revised Code, a birth certificate requiring signature may be 2046
electronically certified by the person in charge of the 2047
institution or that person's designee. A death certificate may 2048
be electronically certified by the individual who attests to the 2049
facts of death. 2050

(3) All vital records shall contain the date received for 2051
filing. 2052

(4) Information and signatures required in certificates, 2053
records, or reports authorized by this chapter may be filed and 2054
registered by photographic, electronic, or other means as 2055
prescribed by the director. 2056

Section 2. That existing sections 2925.03, 2929.14, and 2057
3705.08 of the Revised Code are hereby repealed. 2058

Section 3. This act shall be known as Logan's Law. 2059

Section 4. The General Assembly, applying the principle 2060
stated in division (B) of section 1.52 of the Revised Code that 2061
amendments are to be harmonized if reasonably capable of 2062
simultaneous operation, finds that the following sections, 2063
presented in this act as composites of the sections as amended 2064
by the acts indicated, are the resulting versions of the 2065
sections in effect prior to the effective date of the sections 2066

as presented in this act: 2067

Section 2925.03 of the Revised Code as amended by both 2068
H.B. 29 and S.B. 95 of the 135th General Assembly. 2069

Section 2929.14 of the Revised Code as amended by H.B. 37, 2070
H.B. 56, H.B. 111, and S.B. 106, all of the 135th General 2071
Assembly. 2072