

H. B. No. 372

As Introduced

_____ moved to amend as follows:

In line 1 of the title, delete "and"; after "2929.04" insert ", and 1
2941.14" 2

In line 6 of the title, after "officer," insert "corrections 3
officer," 4

In line 8, delete "and"; after "2929.04" insert ", and 2941.14" 5

In line 28, after "officer" insert ", corrections officer," 6

In line 30, after "officer" insert ", corrections officer," 7

In line 34, after "officer" insert ", corrections officer," 8

After line 61, insert: 9

"(6) "Corrections officer" means a person employed by a 10
detention facility as a corrections officer. 11

(7) "Detention facility" has the same meaning as in 12
section 2921.01 of the Revised Code." 13

In line 196, after "If" insert "one of the specifications the 14
offender is convicted of or pleads guilty to is the specification in 15



division (A) (6) of section 2929.04 of the Revised Code and" 16

In line 197, after "officer," insert "corrections officer, or"; 17
after "prosecutor," insert "or if one of the specifications the offender 18
is convicted of or pleads guilty to is the specification in division (A) 19
(11) of section 2929.04 of the Revised Code and the victim of aggravated 20
murder was a"; delete the third "," 21

In line 302, after "If" insert "one of the specifications the 22
offender is convicted of or pleads guilty to is the specification in 23
division (A) (6) of section 2929.04 of the Revised Code and the"; after 24
"officer," insert "corrections officer, or" 25

In line 303, after "prosecutor," insert "or if one of the 26
specifications the offender is convicted of or pleads guilty to is the 27
specification in division (A) (11) of section 2929.04 of the Revised Code 28
and the victim of aggravated murder was a"; delete the second "," 29

In line 366, after "If" insert "one of the specifications the 30
offender is convicted of or pleads guilty to is the specification in 31
division (A) (6) of section 2929.04 of the Revised Code and" 32

In line 367, after "officer," insert "corrections officer, or"; 33
after "prosecutor," insert "or if one of the specifications the offender 34
is convicted of or pleads guilty to is the specification in division (A) 35
(11) of section 2929.04 of the Revised Code and the victim of aggravated 36
murder was a"; delete the third "," 37

In line 510, after "Code," insert "or a corrections officer, as 38
defined in section 2903.01 of the Revised Code," 39

In line 511, strike through "law enforcement" and insert "peace"; 40
after "officer" insert ", corrections officer, or prosecutor" 41

In line 514, strike through "law enforcement" and insert "peace"; 42

after "officer" insert ", corrections officer, or prosecutor" 43

After line 594, insert: 44

"**Sec. 2941.14.** (A) In an indictment for aggravated 45
murder, murder, or voluntary or involuntary manslaughter, the 46
manner in which, or the means by which the death was caused need 47
not be set forth. 48

(B) Imposition of the death penalty for aggravated murder 49
is precluded unless the indictment or count in the indictment 50
charging the offense specifies one or more of the aggravating 51
circumstances listed in division (A) of section 2929.04 of the 52
Revised Code. If more than one aggravating circumstance is 53
specified to an indictment or count, each shall be in a 54
separately numbered specification, and if an aggravating 55
circumstance is specified to a count in an indictment containing 56
more than one count, such specification shall be identified as 57
to the count to which it applies. 58

(C) A specification to an indictment or count in an 59
indictment charging aggravated murder shall be stated at the end 60
of the body of the indictment or count, and may be in 61
substantially the following form: 62

"SPECIFICATION (or, SPECIFICATION 1, SPECIFICATION TO THE 63
FIRST COUNT, or SPECIFICATION 1 TO THE FIRST COUNT). The Grand 64
Jurors further find and specify that (set forth the applicable 65
aggravating circumstance listed in divisions (A) (1) to ~~(10)~~ (11) 66
of section 2929.04 of the Revised Code. The aggravating 67
circumstance may be stated in the words of the subdivision in 68
which it appears, or in words sufficient to give the accused 69
notice of the same)."" 70

In line 595, delete "and" 71

In line 596, after "2929.04" insert ", and 2941.14" 72

The motion was _____ agreed to.

SYNOPSIS 73

Corrections officer 74

R.C. 2903.01, 2903.03, and 2903.04 75

Modifies the class of victims for aggravated murder and 76
for a specification of aggravating circumstances to include 77
corrections officers. 78

Subject to certain exceptions, requires the court to 79
impose the death penalty or life without the possibility of 80
parole if the victim of aggravated murder is a corrections 81
officer. 82

Corrective reference to peace officer and prosecutor 83

R.C. 2929.04 84

Changes an erroneous reference to "law enforcement 85
officer" to "peace officer" and "prosecutor" in the bill's 86
provisions relating to specifications for aggravating 87
circumstances. 88

Cross reference 89

R.C. 2941.14 90

Changes an erroneous cross reference in R.C. 2941.14. 91