

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 459

Representatives Gross, Williams

Cosponsors: Representatives Ray, Brennan, Mullins, Deeter, Hall, T.

To amend sections 2152.17, 2901.13, and 2929.14 and
to enact sections 2921.322 and 2941.1427 of the
Revised Code to enact Katelyn's Law to create
an offense and specification related to moving
or removing human remains and to provide that
the offense has no statute of limitations.

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

Section 1. That sections 2152.17, 2901.13, and 2929.14 be
amended and sections 2921.322 and 2941.1427 of the Revised Code
be enacted to read as follows:

Sec. 2152.17. (A) Subject to division (D) of this section,
if a child is adjudicated a delinquent child for committing an
act, other than a violation of section 2923.12 of the Revised
Code, that would be a felony if committed by an adult and if the
court determines that, if the child was an adult, the child
would be guilty of a specification of the type set forth in
section 2941.141, 2941.144, 2941.145, 2941.146, 2941.1412,
2941.1414, ~~or~~ 2941.1415, or 2941.1427 of the Revised Code, in
addition to any commitment or other disposition the court
imposes for the underlying delinquent act, all of the following
apply:

(1) If the court determines that the child would be guilty 21
of a specification of the type set forth in section 2941.141 of 22
the Revised Code, the court may commit the child to the 23
department of youth services for the specification for a 24
definite period of up to one year. 25

(2) If the court determines that the child would be guilty 26
of a specification of the type set forth in section 2941.1427 of 27
the Revised Code, the court shall commit the child to the 28
department of youth services for the specification for a 29
definite period of not less than one and not more than three 30
years. 31

(3) If the court determines that the child would be guilty 32
of a specification of the type set forth in section 2941.145 of 33
the Revised Code or if the delinquent act is a violation of 34
division (A) (1) or (2) of section 2903.06 of the Revised Code 35
and the court determines that the child would be guilty of a 36
specification of the type set forth in section 2941.1415 of the 37
Revised Code, the court shall commit the child to the department 38
of youth services for the specification for a definite period of 39
not less than one and not more than three years, and the court 40
also shall commit the child to the department for the underlying 41
delinquent act under sections 2152.11 to 2152.16 of the Revised 42
Code. 43

~~(3)~~(4) If the court determines that the child would be 44
guilty of a specification of the type set forth in section 45
2941.144, 2941.146, or 2941.1412 of the Revised Code or if the 46
delinquent act is a violation of division (A) (1) or (2) of 47
section 2903.06 of the Revised Code and the court determines 48
that the child would be guilty of a specification of the type 49
set forth in section 2941.1414 of the Revised Code, the court 50

shall commit the child to the department of youth services for 51
the specification for a definite period of not less than one and 52
not more than five years, and the court also shall commit the 53
child to the department for the underlying delinquent act under 54
sections 2152.11 to 2152.16 of the Revised Code. 55

(B) (1) If a child is adjudicated a delinquent child for 56
committing an act, other than a violation of section 2923.12 of 57
the Revised Code, that would be a felony if committed by an 58
adult, if the court determines that the child is complicit in 59
another person's conduct that is of such a nature that the other 60
person would be guilty of a specification of the type set forth 61
in section 2941.141, 2941.144, 2941.145, or 2941.146 of the 62
Revised Code if the other person was an adult, if the other 63
person's conduct relates to the child's underlying delinquent 64
act, and if the child did not furnish, use, or dispose of any 65
firearm that was involved with the underlying delinquent act or 66
with the other person's specification-related conduct, in 67
addition to any other disposition the court imposes for the 68
underlying delinquent act, the court may commit the child to the 69
department of youth services for the specification for a 70
definite period of not more than one year, subject to division 71
(D) (2) of this section. 72

(2) Except as provided in division (B) (1) of this section, 73
division (A) of this section also applies to a child who is an 74
accomplice regarding a specification of the type set forth in 75
section 2941.1412, 2941.1414, or 2941.1415 of the Revised Code 76
to the same extent the specifications would apply to an adult 77
accomplice in a criminal proceeding. 78

(C) If a child is adjudicated a delinquent child for 79
committing an act that would be aggravated murder, murder, or a 80

first, second, or third degree felony offense of violence if 81
committed by an adult and if the court determines that, if the 82
child was an adult, the child would be guilty of a specification 83
of the type set forth in section 2941.142 of the Revised Code in 84
relation to the act for which the child was adjudicated a 85
delinquent child, the court shall commit the child for the 86
specification to the legal custody of the department of youth 87
services for institutionalization in a secure facility for a 88
definite period of not less than one and not more than three 89
years, subject to division (D) (2) of this section, and the court 90
also shall commit the child to the department for the underlying 91
delinquent act. 92

(D) (1) If the child is adjudicated a delinquent child for 93
committing an act that would be an offense of violence that is a 94
felony if committed by an adult and is committed to the legal 95
custody of the department of youth services pursuant to division 96
(A) (1) of section 2152.16 of the Revised Code and if the court 97
determines that the child, if the child was an adult, would be 98
guilty of a specification of the type set forth in section 99
2941.1411 of the Revised Code in relation to the act for which 100
the child was adjudicated a delinquent child, the court may 101
commit the child to the custody of the department of youth 102
services for institutionalization in a secure facility for up to 103
two years, subject to division (D) (2) of this section. 104

(2) A court that imposes a period of commitment under 105
division (A) of this section is not precluded from imposing an 106
additional period of commitment under division (C) or (D) (1) of 107
this section, a court that imposes a period of commitment under 108
division (C) of this section is not precluded from imposing an 109
additional period of commitment under division (A) or (D) (1) of 110
this section, and a court that imposes a period of commitment 111

under division (D) (1) of this section is not precluded from 112
imposing an additional period of commitment under division (A) 113
or (C) of this section. 114

(E) The court shall not commit a child to the legal 115
custody of the department of youth services for a specification 116
pursuant to this section for a period that exceeds five years 117
for any one delinquent act. Any commitment imposed pursuant to 118
division (A), (B), (C), or (D) (1) of this section shall be in 119
addition to, and shall be served consecutively with and prior 120
to, a period of commitment ordered under this chapter for the 121
underlying delinquent act, and each commitment imposed pursuant 122
to division (A), (B), (C), or (D) (1) of this section shall be in 123
addition to, and shall be served consecutively with, any other 124
period of commitment imposed under those divisions. If a 125
commitment is imposed under division (A) or (B) of this section 126
and a commitment also is imposed under division (C) of this 127
section, the period imposed under division (A) or (B) of this 128
section shall be served prior to the period imposed under 129
division (C) of this section. 130

In each case in which a court makes a disposition under 131
this section, the court retains control over the commitment for 132
the entire period of the commitment. 133

The total of all the periods of commitment imposed for any 134
specification under this section and for the underlying offense 135
shall not exceed the child's attainment of twenty-one years of 136
age. 137

(F) If a child is adjudicated a delinquent child for 138
committing two or more acts that would be felonies if committed 139
by an adult and if the court entering the delinquent child 140
adjudication orders the commitment of the child for two or more 141

of those acts to the legal custody of the department of youth 142
services for institutionalization in a secure facility pursuant 143
to section 2152.13 or 2152.16 of the Revised Code, the court may 144
order that all of the periods of commitment imposed under those 145
sections for those acts be served consecutively in the legal 146
custody of the department of youth services, provided that those 147
periods of commitment shall be in addition to and commence 148
immediately following the expiration of a period of commitment 149
that the court imposes pursuant to division (A), (B), (C), or 150
(D) (1) of this section. A court shall not commit a delinquent 151
child to the legal custody of the department of youth services 152
under this division for a period that exceeds the child's 153
attainment of twenty-one years of age. 154

Sec. 2901.13. (A) (1) Except as provided in division (A) 155
(2), (3), (4), or (5) of this section or as otherwise provided 156
in this section, a prosecution shall be barred unless it is 157
commenced within the following periods after an offense is 158
committed: 159

(a) For a felony, six years; 160

(b) For a misdemeanor other than a minor misdemeanor, two 161
years; 162

(c) For a minor misdemeanor, six months. 163

(2) There is no period of limitation for the prosecution 164
of a violation of section 2903.01~~or~~, 2903.02, or 2921.322 of 165
the Revised Code or for the prosecution of a conspiracy to 166
commit, attempt to commit, or complicity in committing a 167
violation of section 2903.01~~or~~, 2903.02, or 2921.322 of the 168
Revised Code. 169

(3) Except as otherwise provided in divisions (B) to (J) 170

of this section, a prosecution of any of the following offenses 171
shall be barred unless it is commenced within twenty years after 172
the offense is committed: 173

(a) A violation of section 2903.03, 2903.04, 2905.01, 174
2905.32, 2907.04, 2907.05, 2907.21, 2909.02, 2909.22, 2909.23, 175
2909.24, 2909.26, 2909.27, 2909.28, 2909.29, 2911.01, 2911.02, 176
2911.11, 2911.12, or 2917.02 of the Revised Code, a violation of 177
section 2903.11 or 2903.12 of the Revised Code if the victim is 178
a peace officer, a violation of section 2903.13 of the Revised 179
Code that is a felony, or a violation of former section 2907.12 180
of the Revised Code; 181

(b) A conspiracy to commit, attempt to commit, or 182
complicity in committing a violation set forth in division (A) 183
(3) (a) of this section. 184

(4) Except as otherwise provided in divisions (D) to (L) 185
of this section, a prosecution of a violation of section 2907.02 186
or 2907.03 of the Revised Code or a conspiracy to commit, 187
attempt to commit, or complicity in committing a violation of 188
either section shall be barred unless it is commenced within 189
twenty-five years after the offense is committed. 190

(5) (a) Except as otherwise provided in divisions (A) (5) (b) 191
and (E) to (I) of this section, a prosecution of a violation of 192
section 2907.13 of the Revised Code shall be barred unless it is 193
commenced within five years after the offense is committed. 194

(b) Prosecution that would otherwise be barred under 195
division (A) (5) (a) of this section may be commenced within five 196
years after the date of the discovery of the offense by either 197
an aggrieved person or the aggrieved person's legal 198
representative who is not a party to the offense. 199

(c) As used in division (B) (5) (b) of this section, 200
"aggrieved person" includes any of the following individuals 201
with regard to a violation of section 2907.13 of the Revised 202
Code: 203

(i) A patient who was the victim of the violation; 204

(ii) The spouse or surviving spouse of a patient who was 205
the victim of the violation; 206

(iii) Any child born as a result of the violation. 207

(B) (1) Except as otherwise provided in division (B) (2) of 208
this section, if the period of limitation provided in division 209
(A) (1) or (3) of this section has expired, prosecution shall be 210
commenced for an offense of which an element is fraud or breach 211
of a fiduciary duty, within one year after discovery of the 212
offense either by an aggrieved person, or by the aggrieved 213
person's legal representative who is not a party to the offense. 214

(2) If the period of limitation provided in division (A) 215
(1) or (3) of this section has expired, prosecution for a 216
violation of section 2913.49 of the Revised Code shall be 217
commenced within five years after discovery of the offense 218
either by an aggrieved person or the aggrieved person's legal 219
representative who is not a party to the offense. 220

(C) (1) If the period of limitation provided in division 221
(A) (1) or (3) of this section has expired, prosecution shall be 222
commenced for the following offenses during the following 223
specified periods of time: 224

(a) For an offense involving misconduct in office by a 225
public servant, at any time while the accused remains a public 226
servant, or within two years thereafter; 227

(b) For an offense by a person who is not a public servant 228
but whose offense is directly related to the misconduct in 229
office of a public servant, at any time while that public 230
servant remains a public servant, or within two years 231
thereafter. 232

(2) As used in this division: 233

(a) An "offense is directly related to the misconduct in 234
office of a public servant" includes, but is not limited to, a 235
violation of section 101.71, 101.91, 121.61 or 2921.13, division 236
(F) or (H) of section 102.03, division (A) of section 2921.02, 237
division (A) or (B) of section 2921.43, or division (F) or (G) 238
of section 3517.13 of the Revised Code, that is directly related 239
to an offense involving misconduct in office of a public 240
servant. 241

(b) "Public servant" has the same meaning as in section 242
2921.01 of the Revised Code. 243

(D) (1) If a DNA record made in connection with the 244
criminal investigation of the commission of a violation of 245
section 2907.02 or 2907.03 of the Revised Code is determined to 246
match another DNA record that is of an identifiable person and 247
if the time of the determination is later than twenty-five years 248
after the offense is committed, prosecution of that person for a 249
violation of the section may be commenced within five years 250
after the determination is complete. 251

(2) If a DNA record made in connection with the criminal 252
investigation of the commission of a violation of section 253
2907.02 or 2907.03 of the Revised Code is determined to match 254
another DNA record that is of an identifiable person and if the 255
time of the determination is within twenty-five years after the 256

offense is committed, prosecution of that person for a violation 257
of the section may be commenced within the longer of twenty-five 258
years after the offense is committed or five years after the 259
determination is complete. 260

(3) As used in this division, "DNA record" has the same 261
meaning as in section 109.573 of the Revised Code. 262

(E) An offense is committed when every element of the 263
offense occurs. In the case of an offense of which an element is 264
a continuing course of conduct, the period of limitation does 265
not begin to run until such course of conduct or the accused's 266
accountability for it terminates, whichever occurs first. 267

(F) A prosecution is commenced on the date an indictment 268
is returned or an information filed, or on the date a lawful 269
arrest without a warrant is made, or on the date a warrant, 270
summons, citation, or other process is issued, whichever occurs 271
first. A prosecution is not commenced by the return of an 272
indictment or the filing of an information unless reasonable 273
diligence is exercised to issue and execute process on the same. 274
A prosecution is not commenced upon issuance of a warrant, 275
summons, citation, or other process, unless reasonable diligence 276
is exercised to execute the same. 277

(G) The period of limitation shall not run during any time 278
when the corpus delicti remains undiscovered. 279

(H) The period of limitation shall not run during any time 280
when the accused purposely avoids prosecution. Proof that the 281
accused departed this state or concealed the accused's identity 282
or whereabouts is prima-facie evidence of the accused's purpose 283
to avoid prosecution. 284

(I) The period of limitation shall not run during any time 285

a prosecution against the accused based on the same conduct is 286
pending in this state, even though the indictment, information, 287
or process that commenced the prosecution is quashed or the 288
proceedings on the indictment, information, or process are set 289
aside or reversed on appeal. 290

(J) The period of limitation for a violation of any 291
provision of Title XXIX of the Revised Code that involves a 292
physical or mental wound, injury, disability, or condition of a 293
nature that reasonably indicates abuse or neglect of a child 294
under eighteen years of age or of a child with a developmental 295
disability or physical impairment under twenty-one years of age 296
shall not begin to run until either of the following occurs: 297

(1) The victim of the offense reaches the age of majority. 298

(2) A public children services agency, or a municipal or 299
county peace officer that is not the parent or guardian of the 300
child, in the county in which the child resides or in which the 301
abuse or neglect is occurring or has occurred has been notified 302
that abuse or neglect is known, suspected, or believed to have 303
occurred. 304

(K) As used in this section, "peace officer" has the same 305
meaning as in section 2935.01 of the Revised Code. 306

(L) (1) The amendments to divisions (A) and (D) of this 307
section that took effect on July 16, 2015, apply to a violation 308
of section 2907.02 or 2907.03 of the Revised Code committed on 309
and after July 16, 2015, and apply to a violation of either of 310
those sections committed prior to July 16, 2015, if prosecution 311
for that violation was not barred under this section as it 312
existed on the day prior to July 16, 2015. 313

(2) The amendment to division (A) (2) of this section that 314

takes effect on ~~the effective date of this amendment~~ April 4, 315
2023, applies to a conspiracy to commit, attempt to commit, or 316
complicity in committing a violation of section 2903.01 or 317
2903.02 of the Revised Code if the conspiracy, attempt, or 318
complicity is committed on or after ~~the effective date of this~~ 319
~~amendment~~ April 4, 2023, and applies to a conspiracy to commit, 320
attempt to commit, or complicity in committing a violation of 321
either of those sections if the conspiracy, attempt, or 322
complicity was committed prior to ~~that effective date~~ April 4, 323
2023, and prosecution for that conspiracy, attempt, or 324
complicity was not barred under this section as it existed on 325
the day prior to ~~that effective date~~ April 4, 2023. 326

Sec. 2921.322. (A) No person, unless otherwise authorized 327
by law, shall purposely move or remove human remains for any of 328
the following purposes: 329

(1) To prevent the discovery of an unlawful act; 330

(2) To prevent the discovery of the death; 331

(3) To prevent the discovery of the cause of the death; 332

(4) To prevent the discovery of the human remains. 333

(B) Whoever violates this section is guilty of moving or 334
removing human remains. A violation of this section is a felony 335
of the third degree and there is a presumption that a prison 336
term shall be imposed for the offense. 337

Sec. 2929.14. (A) Except as provided in division (B) (1), 338
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 339
(B) (10), (B) (11), (B) (12), (E), (G), (H), (J), or (K) of this 340
section or in division (D) (6) of section 2919.25 of the Revised 341
Code and except in relation to an offense for which a sentence 342
of death or life imprisonment is to be imposed, if the court 343

imposing a sentence upon an offender for a felony elects or is 344
required to impose a prison term on the offender pursuant to 345
this chapter, the court shall impose a prison term that shall be 346
one of the following: 347

(1) (a) For a felony of the first degree committed on or 348
after March 22, 2019, the prison term shall be an indefinite 349
prison term with a stated minimum term selected by the court of 350
three, four, five, six, seven, eight, nine, ten, or eleven years 351
and a maximum term that is determined pursuant to section 352
2929.144 of the Revised Code, except that if the section that 353
criminalizes the conduct constituting the felony specifies a 354
different minimum term or penalty for the offense, the specific 355
language of that section shall control in determining the 356
minimum term or otherwise sentencing the offender but the 357
minimum term or sentence imposed under that specific language 358
shall be considered for purposes of the Revised Code as if it 359
had been imposed under this division. 360

(b) For a felony of the first degree committed prior to 361
March 22, 2019, the prison term shall be a definite prison term 362
of three, four, five, six, seven, eight, nine, ten, or eleven 363
years. 364

(2) (a) For a felony of the second degree committed on or 365
after March 22, 2019, the prison term shall be an indefinite 366
prison term with a stated minimum term selected by the court of 367
two, three, four, five, six, seven, or eight years and a maximum 368
term that is determined pursuant to section 2929.144 of the 369
Revised Code, except that if the section that criminalizes the 370
conduct constituting the felony specifies a different minimum 371
term or penalty for the offense, the specific language of that 372
section shall control in determining the minimum term or 373

otherwise sentencing the offender but the minimum term or 374
sentence imposed under that specific language shall be 375
considered for purposes of the Revised Code as if it had been 376
imposed under this division. 377

(b) For a felony of the second degree committed prior to 378
March 22, 2019, the prison term shall be a definite term of two, 379
three, four, five, six, seven, or eight years. 380

(3) (a) For a felony of the third degree that is a 381
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 382
2907.05, 2907.321, 2907.322, 2907.323, 2919.25, or 3795.04 of 383
the Revised Code, that is a violation of division (A) of section 384
4511.19 of the Revised Code if the offender previously has been 385
convicted of or pleaded guilty to a violation of division (A) of 386
that section that was a felony, that is a violation of section 387
2911.02 or 2911.12 of the Revised Code if the offender 388
previously has been convicted of or pleaded guilty in two or 389
more separate proceedings to two or more violations of section 390
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, or 391
that is a violation of division (B) of section 2921.331 of the 392
Revised Code if division (C) (5) of that section applies, the 393
prison term shall be a definite term of twelve, eighteen, 394
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 395
four, or sixty months. 396

(b) For a felony of the third degree that is not an 397
offense for which division (A) (3) (a) of this section applies, 398
the prison term shall be a definite term of nine, twelve, 399
eighteen, twenty-four, thirty, or thirty-six months. 400

(4) For a felony of the fourth degree, the prison term 401
shall be a definite term of six, seven, eight, nine, ten, 402
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 403

or eighteen months. 404

(5) For a felony of the fifth degree, the prison term 405
shall be a definite term of six, seven, eight, nine, ten, 406
eleven, or twelve months. 407

(B) (1) (a) Except as provided in division (B) (1) (e) of this 408
section, if an offender who is convicted of or pleads guilty to 409
a felony also is convicted of or pleads guilty to a 410
specification of the type described in section 2941.141, 411
2941.144, or 2941.145 of the Revised Code, the court shall 412
impose on the offender one of the following prison terms: 413

(i) A prison term of six years if the specification is of 414
the type described in division (A) of section 2941.144 of the 415
Revised Code that charges the offender with having a firearm 416
that is an automatic firearm or that was equipped with a firearm 417
muffler or suppressor on or about the offender's person or under 418
the offender's control while committing the offense; 419

(ii) A prison term of three years if the specification is 420
of the type described in division (A) of section 2941.145 of the 421
Revised Code that charges the offender with having a firearm on 422
or about the offender's person or under the offender's control 423
while committing the offense and displaying the firearm, 424
brandishing the firearm, indicating that the offender possessed 425
the firearm, or using it to facilitate the offense; 426

(iii) A prison term of one year if the specification is of 427
the type described in division (A) of section 2941.141 of the 428
Revised Code that charges the offender with having a firearm on 429
or about the offender's person or under the offender's control 430
while committing the offense; 431

(iv) A prison term of nine years if the specification is 432

of the type described in division (D) of section 2941.144 of the
Revised Code that charges the offender with having a firearm
that is an automatic firearm or that was equipped with a firearm
muffler or suppressor on or about the offender's person or under
the offender's control while committing the offense and
specifies that the offender previously has been convicted of or
pleaded guilty to a specification of the type described in
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of
the Revised Code;

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

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

(b) If a court imposes a prison term on an offender under
division (B) (1) (a) of this section, the prison term shall not be

reduced pursuant to section 2929.20, division (A)(2) or (3) of 463
section 2967.193 or 2967.194, or any other provision of Chapter 464
2967. or Chapter 5120. of the Revised Code. Except as provided 465
in division (B)(1)(g) of this section, a court shall not impose 466
more than one prison term on an offender under division (B)(1) 467
(a) of this section for felonies committed as part of the same 468
act or transaction. 469

(c)(i) Except as provided in division (B)(1)(e) of this 470
section, if an offender who is convicted of or pleads guilty to 471
a violation of section 2923.161 of the Revised Code or to a 472
felony that includes, as an essential element, purposely or 473
knowingly causing or attempting to cause the death of or 474
physical harm to another, also is convicted of or pleads guilty 475
to a specification of the type described in division (A) of 476
section 2941.146 of the Revised Code that charges the offender 477
with committing the offense by discharging a firearm from a 478
motor vehicle other than a manufactured home, the court, after 479
imposing a prison term on the offender for the violation of 480
section 2923.161 of the Revised Code or for the other felony 481
offense under division (A), (B)(2), or (B)(3) of this section, 482
shall impose an additional prison term of five years upon the 483
offender that shall not be reduced pursuant to section 2929.20, 484
division (A)(2) or (3) of section 2967.193 or 2967.194, or any 485
other provision of Chapter 2967. or Chapter 5120. of the Revised 486
Code. 487

(ii) Except as provided in division (B)(1)(e) of this 488
section, if an offender who is convicted of or pleads guilty to 489
a violation of section 2923.161 of the Revised Code or to a 490
felony that includes, as an essential element, purposely or 491
knowingly causing or attempting to cause the death of or 492
physical harm to another, also is convicted of or pleads guilty 493

to a specification of the type described in division (C) of 494
section 2941.146 of the Revised Code that charges the offender 495
with committing the offense by discharging a firearm from a 496
motor vehicle other than a manufactured home and that the 497
offender previously has been convicted of or pleaded guilty to a 498
specification of the type described in section 2941.141, 499
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 500
the court, after imposing a prison term on the offender for the 501
violation of section 2923.161 of the Revised Code or for the 502
other felony offense under division (A), (B) (2), or (3) of this 503
section, shall impose an additional prison term of ninety months 504
upon the offender that shall not be reduced pursuant to section 505
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 506
or any other provision of Chapter 2967. or Chapter 5120. of the 507
Revised Code. 508

(iii) A court shall not impose more than one additional 509
prison term on an offender under division (B) (1) (c) of this 510
section for felonies committed as part of the same act or 511
transaction. If a court imposes an additional prison term on an 512
offender under division (B) (1) (c) of this section relative to an 513
offense, the court also shall impose a prison term under 514
division (B) (1) (a) of this section relative to the same offense, 515
provided the criteria specified in that division for imposing an 516
additional prison term are satisfied relative to the offender 517
and the offense. 518

(d) If an offender who is convicted of or pleads guilty to 519
an offense of violence that is a felony also is convicted of or 520
pleads guilty to a specification of the type described in 521
section 2941.1411 of the Revised Code that charges the offender 522
with wearing or carrying body armor while committing the felony 523
offense of violence, the court shall impose on the offender an 524

additional prison term of two years. The prison term so imposed 525
shall not be reduced pursuant to section 2929.20, division (A) 526
(2) or (3) of section 2967.193 or 2967.194, or any other 527
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 528
A court shall not impose more than one prison term on an 529
offender under division (B)(1)(d) of this section for felonies 530
committed as part of the same act or transaction. If a court 531
imposes an additional prison term under division (B)(1)(a) or 532
(c) of this section, the court is not precluded from imposing an 533
additional prison term under division (B)(1)(d) of this section. 534

(e) The court shall not impose any of the prison terms 535
described in division (B)(1)(a) of this section or any of the 536
additional prison terms described in division (B)(1)(c) of this 537
section upon an offender for a violation of section 2923.12 or 538
2923.123 of the Revised Code. The court shall not impose any of 539
the prison terms described in division (B)(1)(a) or (b) of this 540
section upon an offender for a violation of section 2923.122 541
that involves a deadly weapon that is a firearm other than a 542
dangerous ordnance, section 2923.16, or section 2923.121 of the 543
Revised Code. The court shall not impose any of the prison terms 544
described in division (B)(1)(a) of this section or any of the 545
additional prison terms described in division (B)(1)(c) of this 546
section upon an offender for a violation of section 2923.13 of 547
the Revised Code unless all of the following apply: 548

(i) The offender previously has been convicted of 549
aggravated murder, murder, or any felony of the first or second 550
degree. 551

(ii) Less than five years have passed since the offender 552
was released from prison or post-release control, whichever is 553
later, for the prior offense. 554

(f) (i) If an offender is convicted of or pleads guilty to 555
a felony that includes, as an essential element, causing or 556
attempting to cause the death of or physical harm to another and 557
also is convicted of or pleads guilty to a specification of the 558
type described in division (A) of section 2941.1412 of the 559
Revised Code that charges the offender with committing the 560
offense by discharging a firearm at a peace officer as defined 561
in section 2935.01 of the Revised Code or a corrections officer, 562
as defined in section 2941.1412 of the Revised Code, the court, 563
after imposing a prison term on the offender for the felony 564
offense under division (A), (B) (2), or (B) (3) of this section, 565
shall impose an additional prison term of seven years upon the 566
offender that shall not be reduced pursuant to section 2929.20, 567
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 568
other provision of Chapter 2967. or Chapter 5120. of the Revised 569
Code. 570

(ii) If an offender is convicted of or pleads guilty to a 571
felony that includes, as an essential element, causing or 572
attempting to cause the death of or physical harm to another and 573
also is convicted of or pleads guilty to a specification of the 574
type described in division (B) of section 2941.1412 of the 575
Revised Code that charges the offender with committing the 576
offense by discharging a firearm at a peace officer, as defined 577
in section 2935.01 of the Revised Code, or a corrections 578
officer, as defined in section 2941.1412 of the Revised Code, 579
and that the offender previously has been convicted of or 580
pleaded guilty to a specification of the type described in 581
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 582
the Revised Code, the court, after imposing a prison term on the 583
offender for the felony offense under division (A), (B) (2), or 584
(3) of this section, shall impose an additional prison term of 585

one hundred twenty-six months upon the offender that shall not 586
be reduced pursuant to section 2929.20, division (A) (2) or (3) 587
of section 2967.193 or 2967.194, or any other provision of 588
Chapter 2967. or 5120. of the Revised Code. 589

(iii) If an offender is convicted of or pleads guilty to 590
two or more felonies that include, as an essential element, 591
causing or attempting to cause the death or physical harm to 592
another and also is convicted of or pleads guilty to a 593
specification of the type described under division (B) (1) (f) of 594
this section in connection with two or more of the felonies of 595
which the offender is convicted or to which the offender pleads 596
guilty, the sentencing court shall impose on the offender the 597
prison term specified under division (B) (1) (f) of this section 598
for each of two of the specifications of which the offender is 599
convicted or to which the offender pleads guilty and, in its 600
discretion, also may impose on the offender the prison term 601
specified under that division for any or all of the remaining 602
specifications. If a court imposes an additional prison term on 603
an offender under division (B) (1) (f) of this section relative to 604
an offense, the court shall not impose a prison term under 605
division (B) (1) (a) or (c) of this section relative to the same 606
offense. 607

(g) If an offender is convicted of or pleads guilty to two 608
or more felonies, if one or more of those felonies are 609
aggravated murder, murder, attempted aggravated murder, 610
attempted murder, aggravated robbery, felonious assault, or 611
rape, and if the offender is convicted of or pleads guilty to a 612
specification of the type described under division (B) (1) (a) of 613
this section in connection with two or more of the felonies, the 614
sentencing court shall impose on the offender the prison term 615
specified under division (B) (1) (a) of this section for each of 616

the two most serious specifications of which the offender is 617
convicted or to which the offender pleads guilty and, in its 618
discretion, also may impose on the offender the prison term 619
specified under that division for any or all of the remaining 620
specifications. 621

(2) (a) If division (B) (2) (b) of this section does not 622
apply, the court may impose on an offender, in addition to the 623
longest prison term authorized or required for the offense or, 624
for offenses for which division (A) (1) (a) or (2) (a) of this 625
section applies, in addition to the longest minimum prison term 626
authorized or required for the offense, an additional definite 627
prison term of one, two, three, four, five, six, seven, eight, 628
nine, or ten years if all of the following criteria are met: 629

(i) The offender is convicted of or pleads guilty to a 630
specification of the type described in section 2941.149 of the 631
Revised Code that the offender is a repeat violent offender. 632

(ii) The offense of which the offender currently is 633
convicted or to which the offender currently pleads guilty is 634
aggravated murder and the court does not impose a sentence of 635
death or life imprisonment without parole, murder, terrorism and 636
the court does not impose a sentence of life imprisonment 637
without parole, any felony of the first degree that is an 638
offense of violence and the court does not impose a sentence of 639
life imprisonment without parole, or any felony of the second 640
degree that is an offense of violence and the trier of fact 641
finds that the offense involved an attempt to cause or a threat 642
to cause serious physical harm to a person or resulted in 643
serious physical harm to a person. 644

(iii) The court imposes the longest prison term for the 645
offense or the longest minimum prison term for the offense, 646

whichever is applicable, that is not life imprisonment without 647
parole. 648

(iv) The court finds that the prison terms imposed 649
pursuant to division (B)(2)(a)(iii) of this section and, if 650
applicable, division (B)(1) or (3) of this section are 651
inadequate to punish the offender and protect the public from 652
future crime, because the applicable factors under section 653
2929.12 of the Revised Code indicating a greater likelihood of 654
recidivism outweigh the applicable factors under that section 655
indicating a lesser likelihood of recidivism. 656

(v) The court finds that the prison terms imposed pursuant 657
to division (B)(2)(a)(iii) of this section and, if applicable, 658
division (B)(1) or (3) of this section are demeaning to the 659
seriousness of the offense, because one or more of the factors 660
under section 2929.12 of the Revised Code indicating that the 661
offender's conduct is more serious than conduct normally 662
constituting the offense are present, and they outweigh the 663
applicable factors under that section indicating that the 664
offender's conduct is less serious than conduct normally 665
constituting the offense. 666

(b) The court shall impose on an offender the longest 667
prison term authorized or required for the offense or, for 668
offenses for which division (A)(1)(a) or (2)(a) of this section 669
applies, the longest minimum prison term authorized or required 670
for the offense, and shall impose on the offender an additional 671
definite prison term of one, two, three, four, five, six, seven, 672
eight, nine, or ten years if all of the following criteria are 673
met: 674

(i) The offender is convicted of or pleads guilty to a 675
specification of the type described in section 2941.149 of the 676

Revised Code that the offender is a repeat violent offender. 677

(ii) The offender within the preceding twenty years has 678
been convicted of or pleaded guilty to three or more offenses 679
described in division (CC) (1) of section 2929.01 of the Revised 680
Code, including all offenses described in that division of which 681
the offender is convicted or to which the offender pleads guilty 682
in the current prosecution and all offenses described in that 683
division of which the offender previously has been convicted or 684
to which the offender previously pleaded guilty, whether 685
prosecuted together or separately. 686

(iii) The offense or offenses of which the offender 687
currently is convicted or to which the offender currently pleads 688
guilty is aggravated murder and the court does not impose a 689
sentence of death or life imprisonment without parole, murder, 690
terrorism and the court does not impose a sentence of life 691
imprisonment without parole, any felony of the first degree that 692
is an offense of violence and the court does not impose a 693
sentence of life imprisonment without parole, or any felony of 694
the second degree that is an offense of violence and the trier 695
of fact finds that the offense involved an attempt to cause or a 696
threat to cause serious physical harm to a person or resulted in 697
serious physical harm to a person. 698

(c) For purposes of division (B) (2) (b) of this section, 699
two or more offenses committed at the same time or as part of 700
the same act or event shall be considered one offense, and that 701
one offense shall be the offense with the greatest penalty. 702

(d) A sentence imposed under division (B) (2) (a) or (b) of 703
this section shall not be reduced pursuant to section 2929.20, 704
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 705
other provision of Chapter 2967. or Chapter 5120. of the Revised 706

Code. The offender shall serve an additional prison term imposed 707
under division (B) (2) (a) or (b) of this section consecutively to 708
and prior to the prison term imposed for the underlying offense. 709

(e) When imposing a sentence pursuant to division (B) (2) 710
(a) or (b) of this section, the court shall state its findings 711
explaining the imposed sentence. 712

(3) Except when an offender commits a violation of section 713
2903.01 or 2907.02 of the Revised Code and the penalty imposed 714
for the violation is life imprisonment or commits a violation of 715
section 2903.02 of the Revised Code, if the offender commits a 716
violation of section 2925.03 or 2925.11 of the Revised Code and 717
that section classifies the offender as a major drug offender, 718
if the offender commits a violation of section 2925.05 of the 719
Revised Code and division (E) (1) of that section classifies the 720
offender as a major drug offender, if the offender commits a 721
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 722
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 723
division (C) or (D) of section 3719.172, division (E) of section 724
4729.51, or division (J) of section 4729.54 of the Revised Code 725
that includes the sale, offer to sell, or possession of a 726
schedule I or II controlled substance, with the exception of 727
marihuana, and the court imposing sentence upon the offender 728
finds that the offender is guilty of a specification of the type 729
described in division (A) of section 2941.1410 of the Revised 730
Code charging that the offender is a major drug offender, if the 731
court imposing sentence upon an offender for a felony finds that 732
the offender is guilty of corrupt activity with the most serious 733
offense in the pattern of corrupt activity being a felony of the 734
first degree, or if the offender is guilty of an attempted 735
violation of section 2907.02 of the Revised Code and, had the 736
offender completed the violation of section 2907.02 of the 737

Revised Code that was attempted, the offender would have been 738
subject to a sentence of life imprisonment or life imprisonment 739
without parole for the violation of section 2907.02 of the 740
Revised Code, the court shall impose upon the offender for the 741
felony violation a mandatory prison term determined as described 742
in this division that cannot be reduced pursuant to section 743
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 744
or any other provision of Chapter 2967. or 5120. of the Revised 745
Code. The mandatory prison term shall be the maximum definite 746
prison term prescribed in division (A) (1) (b) of this section for 747
a felony of the first degree, except that for offenses for which 748
division (A) (1) (a) of this section applies, the mandatory prison 749
term shall be the longest minimum prison term prescribed in that 750
division for the offense. 751

(4) If the offender is being sentenced for a third or 752
fourth degree felony OVI offense under division (G) (2) of 753
section 2929.13 of the Revised Code, the sentencing court shall 754
impose upon the offender a mandatory prison term in accordance 755
with that division. In addition to the mandatory prison term, if 756
the offender is being sentenced for a fourth degree felony OVI 757
offense, the court, notwithstanding division (A) (4) of this 758
section, may sentence the offender to a definite prison term of 759
not less than six months and not more than thirty months, and if 760
the offender is being sentenced for a third degree felony OVI 761
offense, the sentencing court may sentence the offender to an 762
additional prison term of any duration specified in division (A) 763
(3) of this section. In either case, the additional prison term 764
imposed shall be reduced by the sixty or one hundred twenty days 765
imposed upon the offender as the mandatory prison term. The 766
total of the additional prison term imposed under division (B) 767
(4) of this section plus the sixty or one hundred twenty days 768

imposed as the mandatory prison term shall equal a definite term 769
in the range of six months to thirty months for a fourth degree 770
felony OVI offense and shall equal one of the authorized prison 771
terms specified in division (A) (3) of this section for a third 772
degree felony OVI offense. If the court imposes an additional 773
prison term under division (B) (4) of this section, the offender 774
shall serve the additional prison term after the offender has 775
served the mandatory prison term required for the offense. In 776
addition to the mandatory prison term or mandatory and 777
additional prison term imposed as described in division (B) (4) 778
of this section, the court also may sentence the offender to a 779
community control sanction under section 2929.16 or 2929.17 of 780
the Revised Code, but the offender shall serve all of the prison 781
terms so imposed prior to serving the community control 782
sanction. 783

If the offender is being sentenced for a fourth degree 784
felony OVI offense under division (G) (1) of section 2929.13 of 785
the Revised Code and the court imposes a mandatory term of local 786
incarceration, the court may impose a prison term as described 787
in division (A) (1) of that section. 788

(5) If an offender is convicted of or pleads guilty to a 789
violation of division (A) (1) or (2) of section 2903.06 of the 790
Revised Code and also is convicted of or pleads guilty to a 791
specification of the type described in section 2941.1414 of the 792
Revised Code that charges that the victim of the offense is a 793
peace officer, as defined in section 2935.01 of the Revised 794
Code, an investigator of the bureau of criminal identification 795
and investigation, as defined in section 2903.11 of the Revised 796
Code, or a firefighter or emergency medical worker, both as 797
defined in section 2941.1414 of the Revised Code, the court 798
shall impose on the offender a prison term of five years. If a 799

court imposes a prison term on an offender under division (B) (5) 800
of this section, the prison term shall not be reduced pursuant 801
to section 2929.20, division (A) (2) or (3) of section 2967.193 802
or 2967.194, or any other provision of Chapter 2967. or Chapter 803
5120. of the Revised Code. A court shall not impose more than 804
one prison term on an offender under division (B) (5) of this 805
section for felonies committed as part of the same act. 806

(6) If an offender is convicted of or pleads guilty to a 807
violation of division (A) (1) or (2) of section 2903.06 of the 808
Revised Code and also is convicted of or pleads guilty to a 809
specification of the type described in section 2941.1415 of the 810
Revised Code that charges that the offender previously has been 811
convicted of or pleaded guilty to three or more violations of 812
division (A) of section 4511.19 of the Revised Code or an 813
equivalent offense, as defined in section 2941.1415 of the 814
Revised Code, or three or more violations of any combination of 815
those offenses, the court shall impose on the offender a prison 816
term of three years. If a court imposes a prison term on an 817
offender under division (B) (6) of this section, the prison term 818
shall not be reduced pursuant to section 2929.20, division (A) 819
(2) or (3) of section 2967.193 or 2967.194, or any other 820
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 821
A court shall not impose more than one prison term on an 822
offender under division (B) (6) of this section for felonies 823
committed as part of the same act. 824

(7) (a) If an offender is convicted of or pleads guilty to 825
a felony violation of section 2905.01, 2905.02, 2907.21, 826
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 827
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 828
section 2919.22 of the Revised Code and also is convicted of or 829
pleads guilty to a specification of the type described in 830

section 2941.1422 of the Revised Code that charges that the 831
offender knowingly committed the offense in furtherance of human 832
trafficking, the court shall impose on the offender a mandatory 833
prison term that is one of the following: 834

(i) If the offense is a felony of the first degree, a 835
definite prison term of not less than five years and not greater 836
than eleven years, except that if the offense is a felony of the 837
first degree committed on or after March 22, 2019, the court 838
shall impose as the minimum prison term a mandatory term of not 839
less than five years and not greater than eleven years; 840

(ii) If the offense is a felony of the second or third 841
degree, a definite prison term of not less than three years and 842
not greater than the maximum prison term allowed for the offense 843
by division (A) (2) (b) or (3) of this section, except that if the 844
offense is a felony of the second degree committed on or after 845
March 22, 2019, the court shall impose as the minimum prison 846
term a mandatory term of not less than three years and not 847
greater than eight years; 848

(iii) If the offense is a felony of the fourth or fifth 849
degree, a definite prison term that is the maximum prison term 850
allowed for the offense by division (A) of section 2929.14 of 851
the Revised Code. 852

(b) The prison term imposed under division (B) (7) (a) of 853
this section shall not be reduced pursuant to section 2929.20, 854
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 855
other provision of Chapter 2967. of the Revised Code. A court 856
shall not impose more than one prison term on an offender under 857
division (B) (7) (a) of this section for felonies committed as 858
part of the same act, scheme, or plan. 859

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

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

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

(ii) The violation is a violation of division (A) (2) of 891
section 2903.11 of the Revised Code and the specification 892
charges that the offender used an accelerant in committing the 893
violation, that the violation caused physical harm to another or 894
to another's unborn, and that the physical harm resulted in a 895
permanent, serious disfigurement or permanent, substantial 896
incapacity. 897

(b) If a court imposes a prison term on an offender under 898
division (B) (9) (a) of this section, the prison term shall not be 899
reduced pursuant to section 2929.20, division (A) (2) or (3) of 900
section 2967.193 or 2967.194, or any other provision of Chapter 901
2967. or Chapter 5120. of the Revised Code. A court shall not 902
impose more than one prison term on an offender under division 903
(B) (9) of this section for felonies committed as part of the 904
same act. 905

(c) The provisions of divisions (B) (9) and (C) (6) of this 906
section and of division (D) (2) of section 2903.11, division (F) 907
(20) of section 2929.13, and section 2941.1425 of the Revised 908
Code shall be known as "Judy's Law." 909

(10) If an offender is convicted of or pleads guilty to a 910
violation of division (A) of section 2903.11 of the Revised Code 911
and also is convicted of or pleads guilty to a specification of 912
the type described in section 2941.1426 of the Revised Code that 913
charges that the victim of the offense suffered permanent 914
disabling harm as a result of the offense and that the victim 915
was under ten years of age at the time of the offense, 916
regardless of whether the offender knew the age of the victim, 917
the court shall impose upon the offender an additional definite 918
prison term of six years. A prison term imposed on an offender 919
under division (B) (10) of this section shall not be reduced 920

pursuant to section 2929.20, division (A) (2) or (3) of section 921
2967.193 or 2967.194, or any other provision of Chapter 2967. or 922
Chapter 5120. of the Revised Code. If a court imposes an 923
additional prison term on an offender under this division 924
relative to a violation of division (A) of section 2903.11 of 925
the Revised Code, the court shall not impose any other 926
additional prison term on the offender relative to the same 927
offense. 928

(11) If an offender is convicted of or pleads guilty to a 929
felony violation of section 2925.03 or 2925.05 of the Revised 930
Code or a felony violation of section 2925.11 of the Revised 931
Code for which division (C) (11) of that section applies in 932
determining the sentence for the violation, if the drug involved 933
in the violation is a fentanyl-related compound or a compound, 934
mixture, preparation, or substance containing a fentanyl-related 935
compound, and if the offender also is convicted of or pleads 936
guilty to a specification of the type described in division (B) 937
of section 2941.1410 of the Revised Code that charges that the 938
offender is a major drug offender, in addition to any other 939
penalty imposed for the violation, the court shall impose on the 940
offender a mandatory prison term of three, four, five, six, 941
seven, or eight years. If a court imposes a prison term on an 942
offender under division (B) (11) of this section, the prison term 943
shall not be reduced pursuant to section 2929.20, division (A) 944
(2) or (3) of section 2967.193 or 2967.194, or any other 945
provision of Chapter 2967. or 5120. of the Revised Code. A court 946
shall not impose more than one prison term on an offender under 947
division (B) (11) of this section for felonies committed as part 948
of the same act. 949

(12) If an offender who is convicted of or pleads guilty 950
to a felony also is convicted of or pleads guilty to a 951

specification of the type described in section 2941.1427 of the 952
Revised Code that charges that the offender moved or removed 953
human remains to prevent the discovery of an unlawful act, the 954
discovery of the death, the discovery of the cause of death, or 955
the discovery of the human remains, the court shall impose on 956
the offender an additional prison term of five years. The prison 957
term so imposed shall not be reduced pursuant to section 958
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 959
or any other provision of Chapter 2967. or Chapter 5120. of the 960
Revised Code. A court shall not impose more than one prison term 961
on an offender under division (B) (12) of this section for 962
felonies committed as part of the same act or transaction. 963

(C) (1) (a) Subject to division (C) (1) (b) of this section, 964
if a mandatory prison term is imposed upon an offender pursuant 965
to division (B) (1) (a) of this section for having a firearm on or 966
about the offender's person or under the offender's control 967
while committing a felony, if a mandatory prison term is imposed 968
upon an offender pursuant to division (B) (1) (c) of this section 969
for committing a felony specified in that division by 970
discharging a firearm from a motor vehicle, or if both types of 971
mandatory prison terms are imposed, the offender shall serve any 972
mandatory prison term imposed under either division 973
consecutively to any other mandatory prison term imposed under 974
either division or under division (B) (1) (d) of this section, 975
consecutively to and prior to any prison term imposed for the 976
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 977
this section or any other section of the Revised Code, and 978
consecutively to any other prison term or mandatory prison term 979
previously or subsequently imposed upon the offender. 980

(b) If a mandatory prison term is imposed upon an offender 981
pursuant to division (B) (1) (d) of this section for wearing or 982

carrying body armor while committing an offense of violence that 983
is a felony, the offender shall serve the mandatory term so 984
imposed consecutively to any other mandatory prison term imposed 985
under that division or under division (B)(1)(a) or (c) of this 986
section, consecutively to and prior to any prison term imposed 987
for the underlying felony under division (A), (B)(2), or (B)(3) 988
of this section or any other section of the Revised Code, and 989
consecutively to any other prison term or mandatory prison term 990
previously or subsequently imposed upon the offender. 991

(c) If a mandatory prison term is imposed upon an offender 992
pursuant to division (B)(1)(f) of this section, the offender 993
shall serve the mandatory prison term so imposed consecutively 994
to and prior to any prison term imposed for the underlying 995
felony under division (A), (B)(2), or (B)(3) of this section or 996
any other section of the Revised Code, and consecutively to any 997
other prison term or mandatory prison term previously or 998
subsequently imposed upon the offender. 999

(d) If a mandatory prison term is imposed upon an offender 1000
pursuant to division (B)(7) or (8) of this section, the offender 1001
shall serve the mandatory prison term so imposed consecutively 1002
to any other mandatory prison term imposed under that division 1003
or under any other provision of law and consecutively to any 1004
other prison term or mandatory prison term previously or 1005
subsequently imposed upon the offender. 1006

(e) If a mandatory prison term is imposed upon an offender 1007
pursuant to division (B)(11) of this section, the offender shall 1008
serve the mandatory prison term consecutively to any other 1009
mandatory prison term imposed under that division, consecutively 1010
to and prior to any prison term imposed for the underlying 1011
felony, and consecutively to any other prison term or mandatory 1012

prison term previously or subsequently imposed upon the 1013
offender. 1014

(2) If an offender who is an inmate in a jail, prison, or 1015
other residential detention facility violates section 2917.02, 1016
2917.03, or 2921.35 of the Revised Code or division (A)(1) or 1017
(2) of section 2921.34 of the Revised Code, if an offender who 1018
is under detention at a detention facility commits a felony 1019
violation of section 2923.131 of the Revised Code, or if an 1020
offender who is an inmate in a jail, prison, or other 1021
residential detention facility or is under detention at a 1022
detention facility commits another felony while the offender is 1023
an escapee in violation of division (A)(1) or (2) of section 1024
2921.34 of the Revised Code, any prison term imposed upon the 1025
offender for one of those violations shall be served by the 1026
offender consecutively to the prison term or term of 1027
imprisonment the offender was serving when the offender 1028
committed that offense and to any other prison term previously 1029
or subsequently imposed upon the offender. 1030

(3) If a prison term is imposed for a violation of 1031
division (B) of section 2911.01 of the Revised Code, a violation 1032
of division (A) of section 2913.02 of the Revised Code in which 1033
the stolen property is a firearm or dangerous ordnance, or a 1034
felony violation of division (B) of section 2921.331 of the 1035
Revised Code, the offender shall serve that prison term 1036
consecutively to any other prison term or mandatory prison term 1037
previously or subsequently imposed upon the offender. 1038

(4) If multiple prison terms are imposed on an offender 1039
for convictions of multiple offenses, the court may require the 1040
offender to serve the prison terms consecutively if the court 1041
finds that the consecutive service is necessary to protect the 1042

public from future crime or to punish the offender and that 1043
consecutive sentences are not disproportionate to the 1044
seriousness of the offender's conduct and to the danger the 1045
offender poses to the public, and if the court also finds any of 1046
the following: 1047

(a) The offender committed one or more of the multiple 1048
offenses while the offender was awaiting trial or sentencing, 1049
was under a sanction imposed pursuant to section 2929.16, 1050
2929.17, or 2929.18 of the Revised Code, or was under post- 1051
release control for a prior offense. 1052

(b) At least two of the multiple offenses were committed 1053
as part of one or more courses of conduct, and the harm caused 1054
by two or more of the multiple offenses so committed was so 1055
great or unusual that no single prison term for any of the 1056
offenses committed as part of any of the courses of conduct 1057
adequately reflects the seriousness of the offender's conduct. 1058

(c) The offender's history of criminal conduct 1059
demonstrates that consecutive sentences are necessary to protect 1060
the public from future crime by the offender. 1061

(5) If a mandatory prison term is imposed upon an offender 1062
pursuant to division (B) (5) or (6) of this section, the offender 1063
shall serve the mandatory prison term consecutively to and prior 1064
to any prison term imposed for the underlying violation of 1065
division (A) (1) or (2) of section 2903.06 of the Revised Code 1066
pursuant to division (A) of this section or section 2929.142 of 1067
the Revised Code. If a mandatory prison term is imposed upon an 1068
offender pursuant to division (B) (5) of this section, and if a 1069
mandatory prison term also is imposed upon the offender pursuant 1070
to division (B) (6) of this section in relation to the same 1071
violation, the offender shall serve the mandatory prison term 1072

imposed pursuant to division (B) (5) of this section 1073
consecutively to and prior to the mandatory prison term imposed 1074
pursuant to division (B) (6) of this section and consecutively to 1075
and prior to any prison term imposed for the underlying 1076
violation of division (A) (1) or (2) of section 2903.06 of the 1077
Revised Code pursuant to division (A) of this section or section 1078
2929.142 of the Revised Code. 1079

(6) If a mandatory prison term is imposed on an offender 1080
pursuant to division (B) (9) of this section, the offender shall 1081
serve the mandatory prison term consecutively to and prior to 1082
any prison term imposed for the underlying violation of division 1083
(A) (1) or (2) of section 2903.11 of the Revised Code and 1084
consecutively to and prior to any other prison term or mandatory 1085
prison term previously or subsequently imposed on the offender. 1086

(7) If a mandatory prison term is imposed on an offender 1087
pursuant to division (B) (10) of this section, the offender shall 1088
serve that mandatory prison term consecutively to and prior to 1089
any prison term imposed for the underlying felonious assault. 1090
Except as otherwise provided in division (C) of this section, 1091
any other prison term or mandatory prison term previously or 1092
subsequently imposed upon the offender may be served 1093
concurrently with, or consecutively to, the prison term imposed 1094
pursuant to division (B) (10) of this section. 1095

(8) Any prison term imposed for a violation of section 1096
2903.04 of the Revised Code that is based on a violation of 1097
section 2925.03 or 2925.11 of the Revised Code or on a violation 1098
of section 2925.05 of the Revised Code that is not funding of 1099
marihuana trafficking shall run consecutively to any prison term 1100
imposed for the violation of section 2925.03 or 2925.11 of the 1101
Revised Code or for the violation of section 2925.05 of the 1102

Revised Code that is not funding of marihuana trafficking. 1103

(9) When consecutive prison terms are imposed pursuant to 1104
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 1105
division (H)(1) or (2) of this section, subject to division (C) 1106
(10) of this section, the term to be served is the aggregate of 1107
all of the terms so imposed. 1108

(10) When a court sentences an offender to a non-life 1109
felony indefinite prison term, any definite prison term or 1110
mandatory definite prison term previously or subsequently 1111
imposed on the offender in addition to that indefinite sentence 1112
that is required to be served consecutively to that indefinite 1113
sentence shall be served prior to the indefinite sentence. 1114

(11) If a court is sentencing an offender for a felony of 1115
the first or second degree, if division (A)(1)(a) or (2)(a) of 1116
this section applies with respect to the sentencing for the 1117
offense, and if the court is required under the Revised Code 1118
section that sets forth the offense or any other Revised Code 1119
provision to impose a mandatory prison term for the offense, the 1120
court shall impose the required mandatory prison term as the 1121
minimum term imposed under division (A)(1)(a) or (2)(a) of this 1122
section, whichever is applicable. 1123

(D)(1) If a court imposes a prison term, other than a term 1124
of life imprisonment, for a felony of the first degree, for a 1125
felony of the second degree, for a felony sex offense, or for a 1126
felony of the third degree that is an offense of violence and 1127
that is not a felony sex offense, it shall include in the 1128
sentence a requirement that the offender be subject to a period 1129
of post-release control after the offender's release from 1130
imprisonment, in accordance with section 2967.28 of the Revised 1131
Code. If a court imposes a sentence including a prison term of a 1132

type described in this division on or after July 11, 2006, the 1133
failure of a court to include a post-release control requirement 1134
in the sentence pursuant to this division does not negate, 1135
limit, or otherwise affect the mandatory period of post-release 1136
control that is required for the offender under division (B) of 1137
section 2967.28 of the Revised Code. Section 2929.191 of the 1138
Revised Code applies if, prior to July 11, 2006, a court imposed 1139
a sentence including a prison term of a type described in this 1140
division and failed to include in the sentence pursuant to this 1141
division a statement regarding post-release control. 1142

(2) If a court imposes a prison term for a felony of the 1143
third, fourth, or fifth degree that is not subject to division 1144
(D)(1) of this section, it shall include in the sentence a 1145
requirement that the offender be subject to a period of post- 1146
release control after the offender's release from imprisonment, 1147
in accordance with that division, if the parole board determines 1148
that a period of post-release control is necessary. Section 1149
2929.191 of the Revised Code applies if, prior to July 11, 2006, 1150
a court imposed a sentence including a prison term of a type 1151
described in this division and failed to include in the sentence 1152
pursuant to this division a statement regarding post-release 1153
control. 1154

(E) The court shall impose sentence upon the offender in 1155
accordance with section 2971.03 of the Revised Code, and Chapter 1156
2971. of the Revised Code applies regarding the prison term or 1157
term of life imprisonment without parole imposed upon the 1158
offender and the service of that term of imprisonment if any of 1159
the following apply: 1160

(1) A person is convicted of or pleads guilty to a violent 1161
sex offense or a designated homicide, assault, or kidnapping 1162

offense, and, in relation to that offense, the offender is 1163
adjudicated a sexually violent predator. 1164

(2) A person is convicted of or pleads guilty to a 1165
violation of division (A) (1) (b) of section 2907.02 of the 1166
Revised Code committed on or after January 2, 2007, and either 1167
the court does not impose a sentence of life without parole when 1168
authorized pursuant to division (B) of section 2907.02 of the 1169
Revised Code, or division (B) of section 2907.02 of the Revised 1170
Code provides that the court shall not sentence the offender 1171
pursuant to section 2971.03 of the Revised Code. 1172

(3) A person is convicted of or pleads guilty to attempted 1173
rape committed on or after January 2, 2007, and a specification 1174
of the type described in section 2941.1418, 2941.1419, or 1175
2941.1420 of the Revised Code. 1176

(4) A person is convicted of or pleads guilty to a 1177
violation of section 2905.01 of the Revised Code committed on or 1178
after January 1, 2008, and that section requires the court to 1179
sentence the offender pursuant to section 2971.03 of the Revised 1180
Code. 1181

(5) A person is convicted of or pleads guilty to 1182
aggravated murder committed on or after January 1, 2008, and 1183
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 1184
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1185
(a) (iv) of section 2929.03, or division (A) or (B) of section 1186
2929.06 of the Revised Code requires the court to sentence the 1187
offender pursuant to division (B) (3) of section 2971.03 of the 1188
Revised Code. 1189

(6) A person is convicted of or pleads guilty to murder 1190
committed on or after January 1, 2008, and division (B) (2) of 1191

section 2929.02 of the Revised Code requires the court to 1192
sentence the offender pursuant to section 2971.03 of the Revised 1193
Code. 1194

(F) If a person who has been convicted of or pleaded 1195
guilty to a felony is sentenced to a prison term or term of 1196
imprisonment under this section, sections 2929.02 to 2929.06 of 1197
the Revised Code, section 2929.142 of the Revised Code, section 1198
2971.03 of the Revised Code, or any other provision of law, 1199
section 5120.163 of the Revised Code applies regarding the 1200
person while the person is confined in a state correctional 1201
institution. 1202

(G) If an offender who is convicted of or pleads guilty to 1203
a felony that is an offense of violence also is convicted of or 1204
pleads guilty to a specification of the type described in 1205
section 2941.142 of the Revised Code that charges the offender 1206
with having committed the felony while participating in a 1207
criminal gang, the court shall impose upon the offender an 1208
additional prison term of one, two, or three years. 1209

(H) (1) If an offender who is convicted of or pleads guilty 1210
to aggravated murder, murder, or a felony of the first, second, 1211
or third degree that is an offense of violence also is convicted 1212
of or pleads guilty to a specification of the type described in 1213
section 2941.143 of the Revised Code that charges the offender 1214
with having committed the offense in a school safety zone or 1215
towards a person in a school safety zone, the court shall impose 1216
upon the offender an additional prison term of two years. The 1217
offender shall serve the additional two years consecutively to 1218
and prior to the prison term imposed for the underlying offense. 1219

(2) (a) If an offender is convicted of or pleads guilty to 1220
a felony violation of section 2907.22, 2907.24, 2907.241, or 1221

2907.25 of the Revised Code and to a specification of the type 1222
described in section 2941.1421 of the Revised Code and if the 1223
court imposes a prison term on the offender for the felony 1224
violation, the court may impose upon the offender an additional 1225
prison term as follows: 1226

(i) Subject to division (H) (2) (a) (ii) of this section, an 1227
additional prison term of one, two, three, four, five, or six 1228
months; 1229

(ii) If the offender previously has been convicted of or 1230
pleaded guilty to one or more felony or misdemeanor violations 1231
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 1232
the Revised Code and also was convicted of or pleaded guilty to 1233
a specification of the type described in section 2941.1421 of 1234
the Revised Code regarding one or more of those violations, an 1235
additional prison term of one, two, three, four, five, six, 1236
seven, eight, nine, ten, eleven, or twelve months. 1237

(b) In lieu of imposing an additional prison term under 1238
division (H) (2) (a) of this section, the court may directly 1239
impose on the offender a sanction that requires the offender to 1240
wear a real-time processing, continual tracking electronic 1241
monitoring device during the period of time specified by the 1242
court. The period of time specified by the court shall equal the 1243
duration of an additional prison term that the court could have 1244
imposed upon the offender under division (H) (2) (a) of this 1245
section. A sanction imposed under this division shall commence 1246
on the date specified by the court, provided that the sanction 1247
shall not commence until after the offender has served the 1248
prison term imposed for the felony violation of section 2907.22, 1249
2907.24, 2907.241, or 2907.25 of the Revised Code and any 1250
residential sanction imposed for the violation under section 1251

2929.16 of the Revised Code. A sanction imposed under this 1252
division shall be considered to be a community control sanction 1253
for purposes of section 2929.15 of the Revised Code, and all 1254
provisions of the Revised Code that pertain to community control 1255
sanctions shall apply to a sanction imposed under this division, 1256
except to the extent that they would by their nature be clearly 1257
inapplicable. The offender shall pay all costs associated with a 1258
sanction imposed under this division, including the cost of the 1259
use of the monitoring device. 1260

(I) At the time of sentencing, the court may recommend the 1261
offender for placement in a program of shock incarceration under 1262
section 5120.031 of the Revised Code or for placement in an 1263
intensive program prison under section 5120.032 of the Revised 1264
Code, disapprove placement of the offender in a program of shock 1265
incarceration or an intensive program prison of that nature, or 1266
make no recommendation on placement of the offender. In no case 1267
shall the department of rehabilitation and correction place the 1268
offender in a program or prison of that nature unless the 1269
department determines as specified in section 5120.031 or 1270
5120.032 of the Revised Code, whichever is applicable, that the 1271
offender is eligible for the placement. 1272

If the court disapproves placement of the offender in a 1273
program or prison of that nature, the department of 1274
rehabilitation and correction shall not place the offender in 1275
any program of shock incarceration or intensive program prison. 1276

If the court recommends placement of the offender in a 1277
program of shock incarceration or in an intensive program 1278
prison, and if the offender is subsequently placed in the 1279
recommended program or prison, the department shall notify the 1280
court of the placement and shall include with the notice a brief 1281

description of the placement. 1282

If the court recommends placement of the offender in a 1283
program of shock incarceration or in an intensive program prison 1284
and the department does not subsequently place the offender in 1285
the recommended program or prison, the department shall send a 1286
notice to the court indicating why the offender was not placed 1287
in the recommended program or prison. 1288

If the court does not make a recommendation under this 1289
division with respect to an offender and if the department 1290
determines as specified in section 5120.031 or 5120.032 of the 1291
Revised Code, whichever is applicable, that the offender is 1292
eligible for placement in a program or prison of that nature, 1293
the department shall screen the offender and determine if there 1294
is an available program of shock incarceration or an intensive 1295
program prison for which the offender is suited. If there is an 1296
available program of shock incarceration or an intensive program 1297
prison for which the offender is suited, the department shall 1298
notify the court of the proposed placement of the offender as 1299
specified in section 5120.031 or 5120.032 of the Revised Code 1300
and shall include with the notice a brief description of the 1301
placement. The court shall have ten days from receipt of the 1302
notice to disapprove the placement. 1303

(J) If a person is convicted of or pleads guilty to 1304
aggravated vehicular homicide in violation of division (A) (1) of 1305
section 2903.06 of the Revised Code and division (B) (2) (c) or 1306
(d) of that section applies, the person shall be sentenced 1307
pursuant to section 2929.142 of the Revised Code. 1308

(K) (1) The court shall impose an additional mandatory 1309
prison term of two, three, four, five, six, seven, eight, nine, 1310
ten, or eleven years on an offender who is convicted of or 1311

pleads guilty to a violent felony offense if the offender also 1312
is convicted of or pleads guilty to a specification of the type 1313
described in section 2941.1424 of the Revised Code that charges 1314
that the offender is a violent career criminal and had a firearm 1315
on or about the offender's person or under the offender's 1316
control while committing the presently charged violent felony 1317
offense and displayed or brandished the firearm, indicated that 1318
the offender possessed a firearm, or used the firearm to 1319
facilitate the offense. The offender shall serve the prison term 1320
imposed under this division consecutively to and prior to the 1321
prison term imposed for the underlying offense. The prison term 1322
shall not be reduced pursuant to section 2929.20, division (A) 1323
(2) or (3) of section 2967.193 or 2967.194, or any other 1324
provision of Chapter 2967. or 5120. of the Revised Code. A court 1325
may not impose more than one sentence under division (B) (2) (a) 1326
of this section and this division for acts committed as part of 1327
the same act or transaction. 1328

(2) As used in division (K) (1) of this section, "violent 1329
career criminal" and "violent felony offense" have the same 1330
meanings as in section 2923.132 of the Revised Code. 1331

(L) If an offender receives or received a sentence of life 1332
imprisonment without parole, a sentence of life imprisonment, a 1333
definite sentence, or a sentence to an indefinite prison term 1334
under this chapter for a felony offense that was committed when 1335
the offender was under eighteen years of age, the offender's 1336
parole eligibility shall be determined under section 2967.132 of 1337
the Revised Code. 1338

Sec. 2941.1427. (A) Imposition of a five-year mandatory 1339
prison term upon an offender under division (B) (12) of section 1340
2929.14 of the Revised Code is precluded unless the indictment, 1341

count in the indictment, or information charging the offense 1342
specifies that the offender moved or removed human remains to 1343
prevent the discovery of an unlawful act, the discovery of the 1344
death, the discovery of the cause of death, or the discovery of 1345
the human remains. The specification shall be stated at the end 1346
of the body of the indictment, count, or information, and shall 1347
be in substantially the following form: 1348

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1349
Grand Jurors (or insert the person's or the prosecuting 1350
attorney's name when appropriate) further find and specify that 1351
(set forth that the offender moved or removed human remains to 1352
prevent the discovery of an unlawful act, the discovery of the 1353
death, the discovery of the cause of death, or the discovery of 1354
the human remains.)" 1355

(B) The specification described in division (A) of this 1356
section may be used in a delinquent child proceeding in the 1357
manner and for the purpose described in section 2152.17 of the 1358
Revised Code. 1359

Section 2. That existing sections 2152.17, 2901.13, and 1360
2929.14 of the Revised Code are hereby repealed. 1361

Section 3. This act shall be known as Katelyn's Law. 1362

Section 4. The General Assembly, applying the principle 1363
stated in division (B) of section 1.52 of the Revised Code that 1364
amendments are to be harmonized if reasonably capable of 1365
simultaneous operation, finds that the following sections, 1366
presented in this act as composites of the sections as amended 1367
by the acts indicated, are the resulting versions of the 1368
sections in effect prior to the effective date of the sections 1369
as presented in this act: 1370

Section 2901.13 of the Revised Code as amended by both 1371
S.B. 16 and S.B. 288 of the 134th General Assembly. 1372

Section 2929.14 of the Revised Code as amended by H.B. 37, 1373
H.B. 56, H.B. 111, and S.B. 106, all of the 135th General 1374
Assembly. 1375