

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 487**

**Representatives Williams, Plummer**

**Cosponsors: Representatives Hall, T., Brennan, Robb Blasdel, Gross, Miller, K.,  
Daniels**

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To amend sections 2929.01 and 2929.14 and to enact  
section 2941.1427 of the Revised Code to create  
a repeat drug offender specification.

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

**Section 1.** That sections 2929.01 and 2929.14 be amended  
and section 2941.1427 of the Revised Code be enacted to read as  
follows:

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**Sec. 2929.01.** As used in this chapter:

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(A) (1) "Alternative residential facility" means, subject  
to divisions (A) (2) and (3) of this section, any facility other  
than an offender's home or residence in which an offender is  
assigned to live and that satisfies all of the following  
criteria:

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(a) It provides programs through which the offender may  
seek or maintain employment or may receive education, training,  
treatment, or habilitation.

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(b) It has received the appropriate license or certificate  
for any specialized education, training, treatment,  
habilitation, or other service that it provides from the

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government agency that is responsible for licensing or 19  
certifying that type of education, training, treatment, 20  
habilitation, or service. 21

(2) "Alternative residential facility" does not include a 22  
community-based correctional facility, jail, halfway house, or 23  
prison. 24

(3) "Alternative residential facility" includes a 25  
community alternative sentencing center or district community 26  
alternative sentencing center when authorized by section 307.932 27  
of the Revised Code and when the center is being used for an OVI 28  
term of confinement, as defined by that section. 29

(B) "Basic probation supervision" means a requirement that 30  
the offender maintain contact with a person appointed to 31  
supervise the offender in accordance with sanctions imposed by 32  
the court or imposed by the parole board pursuant to section 33  
2967.28 of the Revised Code. "Basic probation supervision" 34  
includes basic parole supervision and basic post-release control 35  
supervision. 36

(C) "Cocaine," "fentanyl-related compound," "hashish," 37  
"L.S.D.," and "unit dose" have the same meanings as in section 38  
2925.01 of the Revised Code. 39

(D) "Community-based correctional facility" means a 40  
community-based correctional facility and program or district 41  
community-based correctional facility and program developed 42  
pursuant to sections 2301.51 to 2301.58 of the Revised Code. 43

(E) "Community control sanction" means a sanction that is 44  
not a prison term and that is described in section 2929.15, 45  
2929.16, 2929.17, or 2929.18 of the Revised Code or a sanction 46  
that is not a jail term and that is described in section 47

2929.26, 2929.27, or 2929.28 of the Revised Code. "Community 48  
control sanction" includes probation if the sentence involved 49  
was imposed for a felony that was committed prior to July 1, 50  
1996, or if the sentence involved was imposed for a misdemeanor 51  
that was committed prior to January 1, 2004. 52

(F) "Controlled substance," "marihuana," "schedule I," and 53  
"schedule II" have the same meanings as in section 3719.01 of 54  
the Revised Code. 55

(G) "Curfew" means a requirement that an offender during a 56  
specified period of time be at a designated place. 57

(H) "Day reporting" means a sanction pursuant to which an 58  
offender is required each day to report to and leave a center or 59  
other approved reporting location at specified times in order to 60  
participate in work, education or training, treatment, and other 61  
approved programs at the center or outside the center. 62

(I) "Deadly weapon" has the same meaning as in section 63  
2923.11 of the Revised Code. 64

(J) "Drug and alcohol use monitoring" means a program 65  
under which an offender agrees to submit to random chemical 66  
analysis of the offender's blood, breath, or urine to determine 67  
whether the offender has ingested any alcohol or other drugs. 68

(K) "Drug treatment program" means any program under which 69  
a person undergoes assessment and treatment designed to reduce 70  
or completely eliminate the person's physical or emotional 71  
reliance upon alcohol, another drug, or alcohol and another drug 72  
and under which the person may be required to receive assessment 73  
and treatment on an outpatient basis or may be required to 74  
reside at a facility other than the person's home or residence 75  
while undergoing assessment and treatment. 76

(L) "Economic loss" means any economic detriment suffered 77  
by a victim as a direct and proximate result of the commission 78  
of an offense and includes any loss of income due to lost time 79  
at work because of any injury caused to the victim, any property 80  
loss, medical cost, or funeral expense incurred as a result of 81  
the commission of the offense, and the cost of any accounting or 82  
auditing done to determine the extent of loss if the cost is 83  
incurred and payable by the victim. "Economic loss" does not 84  
include non-economic loss or any punitive or exemplary damages. 85

(M) "Education or training" includes study at, or in 86  
conjunction with a program offered by, a university, college, or 87  
technical college or vocational study and also includes the 88  
completion of primary school, secondary school, and literacy 89  
curricula or their equivalent. 90

(N) "Firearm" has the same meaning as in section 2923.11 91  
of the Revised Code. 92

(O) "Halfway house" means a facility licensed by the 93  
division of parole and community services of the department of 94  
rehabilitation and correction pursuant to section 2967.14 of the 95  
Revised Code as a suitable facility for the care and treatment 96  
of adult offenders. 97

(P) "House arrest" means a period of confinement of an 98  
offender that is in the offender's home or in other premises 99  
specified by the sentencing court or by the parole board 100  
pursuant to section 2967.28 of the Revised Code and during which 101  
all of the following apply: 102

(1) The offender is required to remain in the offender's 103  
home or other specified premises for the specified period of 104  
confinement, except for periods of time during which the 105

offender is at the offender's place of employment or at other 106  
premises as authorized by the sentencing court or by the parole 107  
board. 108

(2) The offender is required to report periodically to a 109  
person designated by the court or parole board. 110

(3) The offender is subject to any other restrictions and 111  
requirements that may be imposed by the sentencing court or by 112  
the parole board. 113

(Q) "Intensive probation supervision" means a requirement 114  
that an offender maintain frequent contact with a person 115  
appointed by the court, or by the parole board pursuant to 116  
section 2967.28 of the Revised Code, to supervise the offender 117  
while the offender is seeking or maintaining necessary 118  
employment and participating in training, education, and 119  
treatment programs as required in the court's or parole board's 120  
order. "Intensive probation supervision" includes intensive 121  
parole supervision and intensive post-release control 122  
supervision. 123

(R) "Jail" means a jail, workhouse, minimum security jail, 124  
or other residential facility used for the confinement of 125  
alleged or convicted offenders that is operated by a political 126  
subdivision or a combination of political subdivisions of this 127  
state. 128

(S) "Jail term" means the term in a jail that a sentencing 129  
court imposes or is authorized to impose pursuant to section 130  
2929.24 or 2929.25 of the Revised Code or pursuant to any other 131  
provision of the Revised Code that authorizes a term in a jail 132  
for a misdemeanor conviction. 133

(T) "Mandatory jail term" means the term in a jail that a 134

sentencing court is required to impose pursuant to division (G) 135  
of section 1547.99 of the Revised Code, division (E) of section 136  
2903.06 or division (D) of section 2903.08 of the Revised Code, 137  
division (F) of section 2929.24 of the Revised Code, division 138  
(B) of section 4510.14 of the Revised Code, or division (G) of 139  
section 4511.19 of the Revised Code or pursuant to any other 140  
provision of the Revised Code that requires a term in a jail for 141  
a misdemeanor conviction. 142

(U) "Delinquent child" has the same meaning as in section 143  
2152.02 of the Revised Code. 144

(V) "License violation report" means a report that is made 145  
by a sentencing court, or by the parole board pursuant to 146  
section 2967.28 of the Revised Code, to the regulatory or 147  
licensing board or agency that issued an offender a professional 148  
license or a license or permit to do business in this state and 149  
that specifies that the offender has been convicted of or 150  
pleaded guilty to an offense that may violate the conditions 151  
under which the offender's professional license or license or 152  
permit to do business in this state was granted or an offense 153  
for which the offender's professional license or license or 154  
permit to do business in this state may be revoked or suspended. 155

(W) "Major drug offender" means an offender who is 156  
convicted of or pleads guilty to the possession of, sale of, or 157  
offer to sell any drug, compound, mixture, preparation, or 158  
substance that consists of or contains at least one thousand 159  
grams of hashish; at least one hundred grams of cocaine; at 160  
least one thousand unit doses or one hundred grams of heroin; at 161  
least five thousand unit doses of L.S.D. or five hundred grams 162  
of L.S.D. in a liquid concentrate, liquid extract, or liquid 163  
distillate form; at least fifty grams of a controlled substance 164

analog; at least one thousand unit doses or one hundred grams of 165  
a fentanyl-related compound; or at least one hundred times the 166  
amount of any other schedule I or II controlled substance other 167  
than marihuana that is necessary to commit a felony of the third 168  
degree pursuant to section 2925.03, 2925.04, 2925.05, or 2925.11 169  
of the Revised Code that is based on the possession of, sale of, 170  
or offer to sell the controlled substance. 171

(X) "Mandatory prison term" means any of the following: 172

(1) Subject to division (X)(2) of this section, the term 173  
in prison that must be imposed for the offenses or circumstances 174  
set forth in divisions (F)(1) to (8) or (F)(12) to (21) of 175  
section 2929.13 and division (B) of section 2929.14 of the 176  
Revised Code. Except as provided in sections 2925.02, 2925.03, 177  
2925.04, 2925.05, and 2925.11 of the Revised Code, unless the 178  
maximum or another specific term is required under section 179  
2929.14 or 2929.142 of the Revised Code, a mandatory prison term 180  
described in this division may be any prison term authorized for 181  
the level of offense except that if the offense is a felony of 182  
the first or second degree committed on or after March 22, 2019, 183  
a mandatory prison term described in this division may be one of 184  
the terms prescribed in division (A)(1)(a) or (2)(a) of section 185  
2929.14 of the Revised Code, whichever is applicable, that is 186  
authorized as the minimum term for the offense. 187

(2) The term of sixty or one hundred twenty days in prison 188  
that a sentencing court is required to impose for a third or 189  
fourth degree felony OVI offense pursuant to division (G)(2) of 190  
section 2929.13 and division (G)(1)(d) or (e) of section 4511.19 191  
of the Revised Code or the term of one, two, three, four, or 192  
five years in prison that a sentencing court is required to 193  
impose pursuant to division (G)(2) of section 2929.13 of the 194

Revised Code. 195

(3) The term in prison imposed pursuant to division (A) of 196  
section 2971.03 of the Revised Code for the offenses and in the 197  
circumstances described in division (F)(11) of section 2929.13 198  
of the Revised Code or pursuant to division (B)(1)(a), (b), or 199  
(c), (B)(2)(a), (b), or (c), or (B)(3)(a), (b), (c), or (d) of 200  
section 2971.03 of the Revised Code and that term as modified or 201  
terminated pursuant to section 2971.05 of the Revised Code. 202

(Y) "Monitored time" means a period of time during which 203  
an offender continues to be under the control of the sentencing 204  
court or parole board, subject to no conditions other than 205  
leading a law-abiding life. 206

(Z) "Offender" means a person who, in this state, is 207  
convicted of or pleads guilty to a felony or a misdemeanor. 208

(AA) "Prison" means a residential facility used for the 209  
confinement of convicted felony offenders that is under the 210  
control of the department of rehabilitation and correction and 211  
includes a violation sanction center operated under authority of 212  
section 2967.141 of the Revised Code. 213

(BB)(1) "Prison term" includes either of the following 214  
sanctions for an offender: 215

(a) A stated prison term; 216

(b) A term in a prison shortened by, or with the approval 217  
of, the sentencing court pursuant to section 2929.143, 2929.20, 218  
5120.031, 5120.032, or 5120.073 of the Revised Code or shortened 219  
pursuant to section 2967.26 of the Revised Code. 220

(2) With respect to a non-life felony indefinite prison 221  
term, references in any provision of law to a reduction of, or 222



deduction from, the prison term mean a reduction in, or 223  
deduction from, the minimum term imposed as part of the 224  
indefinite term. 225

(CC) "Repeat drug offender" means a person about whom both 226  
of the following apply: 227

(1) The person is being sentenced for committing a felony 228  
violation of section 2925.03 of the Revised Code. 229

(2) The person previously was convicted of or pleaded 230  
guilty to two or more felony violations of section 2925.03 of 231  
the Revised Code. 232

(DD) "Repeat violent offender" means a person about whom 233  
both of the following apply: 234

(1) The person is being sentenced for committing or for 235  
complicity in committing any of the following: 236

(a) Aggravated murder, murder, any felony of the first or 237  
second degree that is an offense of violence, or an attempt to 238  
commit any of these offenses if the attempt is a felony of the 239  
first or second degree; 240

(b) An offense under an existing or former law of this 241  
state, another state, or the United States that is or was 242  
substantially equivalent to an offense described in division 243  
~~(CC) (1) (a)~~ (DD) (1) (a) of this section. 244

(2) The person previously was convicted of or pleaded 245  
guilty to an offense described in division ~~(CC) (1) (a)~~ (DD) (1) (a) 246  
or (b) of this section. 247

~~(DD)~~ (EE) "Sanction" means any penalty imposed upon an 248  
offender who is convicted of or pleads guilty to an offense, as 249  
punishment for the offense. "Sanction" includes any sanction 250

imposed pursuant to any provision of sections 2929.14 to 2929.18 251  
or 2929.24 to 2929.28 of the Revised Code. 252

~~(EE)~~ (FF) "Sentence" means the sanction or combination of 253  
sanctions imposed by the sentencing court on an offender who is 254  
convicted of or pleads guilty to an offense. 255

~~(FF)~~ (1) (GG) (1) "Stated prison term" means the prison term, 256  
mandatory prison term, or combination of all prison terms and 257  
mandatory prison terms imposed by the sentencing court pursuant 258  
to section 2929.14, 2929.142, or 2971.03 of the Revised Code or 259  
under section 2919.25 of the Revised Code. "Stated prison term" 260  
includes any credit received by the offender for time spent in 261  
jail awaiting trial, sentencing, or transfer to prison for the 262  
offense and any time spent under house arrest or house arrest 263  
with electronic monitoring imposed after earning credits 264  
pursuant to section 2967.193 or 2967.194 of the Revised Code. If 265  
an offender is serving a prison term as a risk reduction 266  
sentence under sections 2929.143 and 5120.036 of the Revised 267  
Code, "stated prison term" includes any period of time by which 268  
the prison term imposed upon the offender is shortened by the 269  
offender's successful completion of all assessment and treatment 270  
or programming pursuant to those sections. 271

(2) As used in the definition of "stated prison term" set 272  
forth in division ~~(FF)~~ (1) (GG) (1) of this section, a prison term 273  
is a definite prison term imposed under section 2929.14 of the 274  
Revised Code or any other provision of law, is the minimum and 275  
maximum prison terms under a non-life felony indefinite prison 276  
term, or is a term of life imprisonment except to the extent 277  
that the use of that definition in a section of the Revised Code 278  
clearly is not intended to include a term of life imprisonment. 279  
With respect to an offender sentenced to a non-life felony 280

indefinite prison term, references in section 2967.191, 281  
2967.193, or 2967.194 of the Revised Code or any other provision 282  
of law to a reduction of, or deduction from, the offender's 283  
stated prison term or to release of the offender before the 284  
expiration of the offender's stated prison term mean a reduction 285  
in, or deduction from, the minimum term imposed as part of the 286  
indefinite term or a release of the offender before the 287  
expiration of that minimum term, references in section 2929.19 288  
or 2967.28 of the Revised Code to a stated prison term with 289  
respect to a prison term imposed for a violation of a post- 290  
release control sanction mean the minimum term so imposed, and 291  
references in any provision of law to an offender's service of 292  
the offender's stated prison term or the expiration of the 293  
offender's stated prison term mean service or expiration of the 294  
minimum term so imposed plus any additional period of 295  
incarceration under the sentence that is required under section 296  
2967.271 of the Revised Code. 297

~~(GG)~~ (HH) "Victim-offender mediation" means a 298  
reconciliation or mediation program that involves an offender 299  
and the victim of the offense committed by the offender and that 300  
includes a meeting in which the offender and the victim may 301  
discuss the offense, discuss restitution, and consider other 302  
sanctions for the offense. 303

~~(HH)~~ (II) "Fourth degree felony OVI offense" means a 304  
violation of division (A) of section 4511.19 of the Revised Code 305  
that, under division (G) of that section, is a felony of the 306  
fourth degree. 307

~~(II)~~ (JJ) "Mandatory term of local incarceration" means the 308  
term of sixty or one hundred twenty days in a jail, a community- 309  
based correctional facility, a halfway house, or an alternative 310

residential facility that a sentencing court may impose upon a 311  
person who is convicted of or pleads guilty to a fourth degree 312  
felony OVI offense pursuant to division (G) (1) of section 313  
2929.13 of the Revised Code and division (G) (1) (d) or (e) of 314  
section 4511.19 of the Revised Code. 315

~~(JJ)~~ (KK) "Designated homicide, assault, or kidnapping 316  
offense," "violent sex offense," "sexual motivation 317  
specification," "sexually violent offense," "sexually violent 318  
predator," and "sexually violent predator specification" have 319  
the same meanings as in section 2971.01 of the Revised Code. 320

~~(KK)~~ (LL) "Sexually oriented offense," "child-victim 321  
oriented offense," and "tier III sex offender/child-victim 322  
offender" have the same meanings as in section 2950.01 of the 323  
Revised Code. 324

~~(LL)~~ (MM) An offense is "committed in the vicinity of a 325  
child" if the offender commits the offense within thirty feet of 326  
or within the same residential unit as a child who is under 327  
eighteen years of age, regardless of whether the offender knows 328  
the age of the child or whether the offender knows the offense 329  
is being committed within thirty feet of or within the same 330  
residential unit as the child and regardless of whether the 331  
child actually views the commission of the offense. 332

~~(MM)~~ (NN) "Family or household member" has the same meaning 333  
as in section 2919.25 of the Revised Code. 334

~~(NN)~~ (OO) "Motor vehicle" and "manufactured home" have the 335  
same meanings as in section 4501.01 of the Revised Code. 336

~~(OO)~~ (PP) "Detention" and "detention facility" have the 337  
same meanings as in section 2921.01 of the Revised Code. 338

~~(PP)~~ (QQ) "Third degree felony OVI offense" means a 339

violation of division (A) of section 4511.19 of the Revised Code 340  
that, under division (G) of that section, is a felony of the 341  
third degree. 342

~~(QQ)~~(RR) "Random drug testing" has the same meaning as in 343  
section 5120.63 of the Revised Code. 344

~~(RR)~~(SS) "Felony sex offense" has the same meaning as in 345  
section 2967.28 of the Revised Code. 346

~~(SS)~~(TT) "Body armor" has the same meaning as in section 347  
2941.1411 of the Revised Code. 348

~~(TT)~~(UU) "Electronic monitoring" means monitoring through 349  
the use of an electronic monitoring device. 350

~~(UU)~~(VV) "Electronic monitoring device" means any of the 351  
following: 352

(1) Any device that can be operated by electrical or 353  
battery power and that conforms with all of the following: 354

(a) The device has a transmitter that can be attached to a 355  
person, that will transmit a specified signal to a receiver of 356  
the type described in division ~~(UU) (1) (b)~~ (VV) (1) (b) of this 357  
section if the transmitter is removed from the person, turned 358  
off, or altered in any manner without prior court approval in 359  
relation to electronic monitoring or without prior approval of 360  
the department of rehabilitation and correction in relation to 361  
the use of an electronic monitoring device for an inmate on 362  
transitional control or otherwise is tampered with, that can 363  
transmit continuously and periodically a signal to that receiver 364  
when the person is within a specified distance from the 365  
receiver, and that can transmit an appropriate signal to that 366  
receiver if the person to whom it is attached travels a 367  
specified distance from that receiver. 368

(b) The device has a receiver that can receive 369  
continuously the signals transmitted by a transmitter of the 370  
type described in division ~~(UU) (1) (a)~~ (VV) (1) (a) of this section, 371  
can transmit continuously those signals by a wireless or 372  
landline telephone connection to a central monitoring computer 373  
of the type described in division ~~(UU) (1) (c)~~ (VV) (1) (c) of this 374  
section, and can transmit continuously an appropriate signal to 375  
that central monitoring computer if the device has been turned 376  
off or altered without prior court approval or otherwise 377  
tampered with. The device is designed specifically for use in 378  
electronic monitoring, is not a converted wireless phone or 379  
another tracking device that is clearly not designed for 380  
electronic monitoring, and provides a means of text-based or 381  
voice communication with the person. 382

(c) The device has a central monitoring computer that can 383  
receive continuously the signals transmitted by a wireless or 384  
landline telephone connection by a receiver of the type 385  
described in division ~~(UU) (1) (b)~~ (VV) (1) (b) of this section and 386  
can monitor continuously the person to whom an electronic 387  
monitoring device of the type described in division ~~(UU) (1) (a)~~ 388  
(VV) (1) (a) of this section is attached. 389

(2) Any device that is not a device of the type described 390  
in division ~~(UU) (1)~~ (VV) (1) of this section and that conforms 391  
with all of the following: 392

(a) The device includes a transmitter and receiver that 393  
can monitor and determine the location of a subject person at 394  
any time, or at a designated point in time, through the use of a 395  
central monitoring computer or through other electronic means. 396

(b) The device includes a transmitter and receiver that 397  
can determine at any time, or at a designated point in time, 398

through the use of a central monitoring computer or other 399  
electronic means the fact that the transmitter is turned off or 400  
altered in any manner without prior approval of the court in 401  
relation to the electronic monitoring or without prior approval 402  
of the department of rehabilitation and correction in relation 403  
to the use of an electronic monitoring device for an inmate on 404  
transitional control or otherwise is tampered with. 405

(3) Any type of technology that can adequately track or 406  
determine the location of a subject person at any time and that 407  
is approved by the director of rehabilitation and correction, 408  
including, but not limited to, any satellite technology, voice 409  
tracking system, or retinal scanning system that is so approved. 410

~~(VV)~~ (WW) "Non-economic loss" means nonpecuniary harm 411  
suffered by a victim of an offense as a result of or related to 412  
the commission of the offense, including, but not limited to, 413  
pain and suffering; loss of society, consortium, companionship, 414  
care, assistance, attention, protection, advice, guidance, 415  
counsel, instruction, training, or education; mental anguish; 416  
and any other intangible loss. 417

~~(WW)~~ (XX) "Prosecutor" has the same meaning as in section 418  
2935.01 of the Revised Code. 419

~~(XX)~~ (YY) "Continuous alcohol monitoring" means the ability 420  
to automatically test and periodically transmit alcohol 421  
consumption levels and tamper attempts at least every hour, 422  
regardless of the location of the person who is being monitored. 423

~~(YY)~~ (ZZ) A person is "adjudicated a sexually violent 424  
predator" if the person is convicted of or pleads guilty to a 425  
violent sex offense and also is convicted of or pleads guilty to 426  
a sexually violent predator specification that was included in 427

the indictment, count in the indictment, or information charging 428  
that violent sex offense or if the person is convicted of or 429  
pleads guilty to a designated homicide, assault, or kidnapping 430  
offense and also is convicted of or pleads guilty to both a 431  
sexual motivation specification and a sexually violent predator 432  
specification that were included in the indictment, count in the 433  
indictment, or information charging that designated homicide, 434  
assault, or kidnapping offense. 435

~~(ZZ)~~ (AAA) An offense is "committed in proximity to a 436  
school" if the offender commits the offense in a school safety 437  
zone or within five hundred feet of any school building or the 438  
boundaries of any school premises, regardless of whether the 439  
offender knows the offense is being committed in a school safety 440  
zone or within five hundred feet of any school building or the 441  
boundaries of any school premises. 442

~~(AAA)~~ (BBB) "Human trafficking" means a scheme or plan to 443  
which all of the following apply: 444

(1) Its object is one or both of the following: 445

(a) To subject a victim or victims to involuntary 446  
servitude, as defined in section 2905.31 of the Revised Code or 447  
to compel a victim or victims to engage in sexual activity for 448  
hire, to engage in a performance that is obscene, sexually 449  
oriented, or nudity oriented, or to be a model or participant in 450  
the production of material that is obscene, sexually oriented, 451  
or nudity oriented; 452

(b) To facilitate, encourage, or recruit a victim who is a 453  
minor or is a person with a developmental disability, or victims 454  
who are minors or are persons with developmental disabilities, 455  
for any purpose listed in divisions (A) (2) (a) to (c) of section 456



2905.32 of the Revised Code. 457

(2) It involves at least two felony offenses, whether or 458  
not there has been a prior conviction for any of the felony 459  
offenses, to which all of the following apply: 460

(a) Each of the felony offenses is a violation of section 461  
2905.01, 2905.02, 2905.32, 2907.21, 2907.22, or 2923.32, 462  
division (A) (1) or (2) of section 2907.323, or division (B) (1), 463  
(2), (3), (4), or (5) of section 2919.22 of the Revised Code or 464  
is a violation of a law of any state other than this state that 465  
is substantially similar to any of the sections or divisions of 466  
the Revised Code identified in this division. 467

(b) At least one of the felony offenses was committed in 468  
this state. 469

(c) The felony offenses are related to the same scheme or 470  
plan and are not isolated instances. 471

~~(BBB)~~ (CCC) "Material," "nudity," "obscene," "performance," 472  
and "sexual activity" have the same meanings as in section 473  
2907.01 of the Revised Code. 474

~~(CCC)~~ (DDD) "Material that is obscene, sexually oriented, 475  
or nudity oriented" means any material that is obscene, that 476  
shows a person participating or engaging in sexual activity, 477  
masturbation, or bestiality, or that shows a person in a state 478  
of nudity. 479

~~(DDD)~~ (EEE) "Performance that is obscene, sexually 480  
oriented, or nudity oriented" means any performance that is 481  
obscene, that shows a person participating or engaging in sexual 482  
activity, masturbation, or bestiality, or that shows a person in 483  
a state of nudity. 484

~~(EEE)~~ (FFF) "Accelerant" means a fuel or oxidizing agent, 485  
such as an ignitable liquid, used to initiate a fire or increase 486  
the rate of growth or spread of a fire. 487

~~(FFF)~~ (GGG) "Permanent disabling harm" means serious 488  
physical harm that results in permanent injury to the 489  
intellectual, physical, or sensory functions and that 490  
permanently and substantially impairs a person's ability to meet 491  
one or more of the ordinary demands of life, including the 492  
functions of caring for one's self, performing manual tasks, 493  
walking, seeing, hearing, speaking, breathing, learning, and 494  
working. 495

~~(GGG)~~ (HHH) "Non-life felony indefinite prison term" means 496  
a prison term imposed under division (A) (1) (a) or (2) (a) of 497  
section 2929.14 and section 2929.144 of the Revised Code for a 498  
felony of the first or second degree committed on or after March 499  
22, 2019. 500

**Sec. 2929.14.** (A) Except as provided in division (B) (1), 501  
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 502  
(B) (10), (B) (11), (B) (12), (E), (G), (H), (J), or (K) of this 503  
section or in division (D) (6) of section 2919.25 of the Revised 504  
Code and except in relation to an offense for which a sentence 505  
of death or life imprisonment is to be imposed, if the court 506  
imposing a sentence upon an offender for a felony elects or is 507  
required to impose a prison term on the offender pursuant to 508  
this chapter, the court shall impose a prison term that shall be 509  
one of the following: 510

(1) (a) For a felony of the first degree committed on or 511  
after March 22, 2019, the prison term shall be an indefinite 512  
prison term with a stated minimum term selected by the court of 513  
three, four, five, six, seven, eight, nine, ten, or eleven years 514

and a maximum term that is determined pursuant to section 515  
2929.144 of the Revised Code, except that if the section that 516  
criminalizes the conduct constituting the felony specifies a 517  
different minimum term or penalty for the offense, the specific 518  
language of that section shall control in determining the 519  
minimum term or otherwise sentencing the offender but the 520  
minimum term or sentence imposed under that specific language 521  
shall be considered for purposes of the Revised Code as if it 522  
had been imposed under this division. 523

(b) For a felony of the first degree committed prior to 524  
March 22, 2019, the prison term shall be a definite prison term 525  
of three, four, five, six, seven, eight, nine, ten, or eleven 526  
years. 527

(2) (a) For a felony of the second degree committed on or 528  
after March 22, 2019, the prison term shall be an indefinite 529  
prison term with a stated minimum term selected by the court of 530  
two, three, four, five, six, seven, or eight years and a maximum 531  
term that is determined pursuant to section 2929.144 of the 532  
Revised Code, except that if the section that criminalizes the 533  
conduct constituting the felony specifies a different minimum 534  
term or penalty for the offense, the specific language of that 535  
section shall control in determining the minimum term or 536  
otherwise sentencing the offender but the minimum term or 537  
sentence imposed under that specific language shall be 538  
considered for purposes of the Revised Code as if it had been 539  
imposed under this division. 540

(b) For a felony of the second degree committed prior to 541  
March 22, 2019, the prison term shall be a definite term of two, 542  
three, four, five, six, seven, or eight years. 543

(3) (a) For a felony of the third degree that is a 544

violation of section 2903.06, 2903.08, 2907.03, 2907.04, 545  
2907.05, 2907.321, 2907.322, 2907.323, 2919.25, or 3795.04 of 546  
the Revised Code, that is a violation of division (A) of section 547  
4511.19 of the Revised Code if the offender previously has been 548  
convicted of or pleaded guilty to a violation of division (A) of 549  
that section that was a felony, that is a violation of section 550  
2911.02 or 2911.12 of the Revised Code if the offender 551  
previously has been convicted of or pleaded guilty in two or 552  
more separate proceedings to two or more violations of section 553  
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, or 554  
that is a violation of division (B) of section 2921.331 of the 555  
Revised Code if division (C) (5) of that section applies, the 556  
prison term shall be a definite term of twelve, eighteen, 557  
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 558  
four, or sixty months. 559

(b) For a felony of the third degree that is not an 560  
offense for which division (A) (3) (a) of this section applies, 561  
the prison term shall be a definite term of nine, twelve, 562  
eighteen, twenty-four, thirty, or thirty-six months. 563

(4) For a felony of the fourth degree, the prison term 564  
shall be a definite term of six, seven, eight, nine, ten, 565  
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 566  
or eighteen months. 567

(5) For a felony of the fifth degree, the prison term 568  
shall be a definite term of six, seven, eight, nine, ten, 569  
eleven, or twelve months. 570

(B) (1) (a) Except as provided in division (B) (1) (e) of this 571  
section, if an offender who is convicted of or pleads guilty to 572  
a felony also is convicted of or pleads guilty to a 573  
specification of the type described in section 2941.141, 574

2941.144, or 2941.145 of the Revised Code, the court shall 575  
impose on the offender one of the following prison terms: 576

(i) A prison term of six years if the specification is of 577  
the type described in division (A) of section 2941.144 of the 578  
Revised Code that charges the offender with having a firearm 579  
that is an automatic firearm or that was equipped with a firearm 580  
muffler or suppressor on or about the offender's person or under 581  
the offender's control while committing the offense; 582

(ii) A prison term of three years if the specification is 583  
of the type described in division (A) of section 2941.145 of the 584  
Revised Code that charges the offender with having a firearm on 585  
or about the offender's person or under the offender's control 586  
while committing the offense and displaying the firearm, 587  
brandishing the firearm, indicating that the offender possessed 588  
the firearm, or using it to facilitate the offense; 589

(iii) A prison term of one year if the specification is of 590  
the type described in division (A) of section 2941.141 of the 591  
Revised Code that charges the offender with having a firearm on 592  
or about the offender's person or under the offender's control 593  
while committing the offense; 594

(iv) A prison term of nine years if the specification is 595  
of the type described in division (D) of section 2941.144 of the 596  
Revised Code that charges the offender with having a firearm 597  
that is an automatic firearm or that was equipped with a firearm 598  
muffler or suppressor on or about the offender's person or under 599  
the offender's control while committing the offense and 600  
specifies that the offender previously has been convicted of or 601  
pleaded guilty to a specification of the type described in 602  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 603  
the Revised Code; 604

(v) A prison term of fifty-four months if the 605  
specification is of the type described in division (D) of 606  
section 2941.145 of the Revised Code that charges the offender 607  
with having a firearm on or about the offender's person or under 608  
the offender's control while committing the offense and 609  
displaying the firearm, brandishing the firearm, indicating that 610  
the offender possessed the firearm, or using the firearm to 611  
facilitate the offense and that the offender previously has been 612  
convicted of or pleaded guilty to a specification of the type 613  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 614  
2941.1412 of the Revised Code; 615

(vi) A prison term of eighteen months if the specification 616  
is of the type described in division (D) of section 2941.141 of 617  
the Revised Code that charges the offender with having a firearm 618  
on or about the offender's person or under the offender's 619  
control while committing the offense and that the offender 620  
previously has been convicted of or pleaded guilty to a 621  
specification of the type described in section 2941.141, 622  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 623

(b) If a court imposes a prison term on an offender under 624  
division (B)(1)(a) of this section, the prison term shall not be 625  
reduced pursuant to section 2929.20, division (A)(2) or (3) of 626  
section 2967.193 or 2967.194, or any other provision of Chapter 627  
2967. or Chapter 5120. of the Revised Code. Except as provided 628  
in division (B)(1)(g) of this section, a court shall not impose 629  
more than one prison term on an offender under division (B)(1) 630  
(a) of this section for felonies committed as part of the same 631  
act or transaction. 632

(c) (i) Except as provided in division (B)(1)(e) of this 633  
section, if an offender who is convicted of or pleads guilty to 634

a violation of section 2923.161 of the Revised Code or to a 635  
felony that includes, as an essential element, purposely or 636  
knowingly causing or attempting to cause the death of or 637  
physical harm to another, also is convicted of or pleads guilty 638  
to a specification of the type described in division (A) of 639  
section 2941.146 of the Revised Code that charges the offender 640  
with committing the offense by discharging a firearm from a 641  
motor vehicle other than a manufactured home, the court, after 642  
imposing a prison term on the offender for the violation of 643  
section 2923.161 of the Revised Code or for the other felony 644  
offense under division (A), (B) (2), or (B) (3) of this section, 645  
shall impose an additional prison term of five years upon the 646  
offender that shall not be reduced pursuant to section 2929.20, 647  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 648  
other provision of Chapter 2967. or Chapter 5120. of the Revised 649  
Code. 650

(ii) Except as provided in division (B) (1) (e) of this 651  
section, if an offender who is convicted of or pleads guilty to 652  
a violation of section 2923.161 of the Revised Code or to a 653  
felony that includes, as an essential element, purposely or 654  
knowingly causing or attempting to cause the death of or 655  
physical harm to another, also is convicted of or pleads guilty 656  
to a specification of the type described in division (C) of 657  
section 2941.146 of the Revised Code that charges the offender 658  
with committing the offense by discharging a firearm from a 659  
motor vehicle other than a manufactured home and that the 660  
offender previously has been convicted of or pleaded guilty to a 661  
specification of the type described in section 2941.141, 662  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 663  
the court, after imposing a prison term on the offender for the 664  
violation of section 2923.161 of the Revised Code or for the 665

other felony offense under division (A), (B) (2), or (3) of this 666  
section, shall impose an additional prison term of ninety months 667  
upon the offender that shall not be reduced pursuant to section 668  
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 669  
or any other provision of Chapter 2967. or Chapter 5120. of the 670  
Revised Code. 671

(iii) A court shall not impose more than one additional 672  
prison term on an offender under division (B) (1) (c) of this 673  
section for felonies committed as part of the same act or 674  
transaction. If a court imposes an additional prison term on an 675  
offender under division (B) (1) (c) of this section relative to an 676  
offense, the court also shall impose a prison term under 677  
division (B) (1) (a) of this section relative to the same offense, 678  
provided the criteria specified in that division for imposing an 679  
additional prison term are satisfied relative to the offender 680  
and the offense. 681

(d) If an offender who is convicted of or pleads guilty to 682  
an offense of violence that is a felony also is convicted of or 683  
pleads guilty to a specification of the type described in 684  
section 2941.1411 of the Revised Code that charges the offender 685  
with wearing or carrying body armor while committing the felony 686  
offense of violence, the court shall impose on the offender an 687  
additional prison term of two years. The prison term so imposed 688  
shall not be reduced pursuant to section 2929.20, division (A) 689  
(2) or (3) of section 2967.193 or 2967.194, or any other 690  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 691  
A court shall not impose more than one prison term on an 692  
offender under division (B) (1) (d) of this section for felonies 693  
committed as part of the same act or transaction. If a court 694  
imposes an additional prison term under division (B) (1) (a) or 695  
(c) of this section, the court is not precluded from imposing an 696



additional prison term under division (B) (1) (d) of this section.

(e) The court shall not impose any of the prison terms described in division (B) (1) (a) of this section or any of the additional prison terms described in division (B) (1) (c) of this section upon an offender for a violation of section 2923.12 or 2923.123 of the Revised Code. The court shall not impose any of the prison terms described in division (B) (1) (a) or (b) of this section upon an offender for a violation of section 2923.122 that involves a deadly weapon that is a firearm other than a dangerous ordnance, section 2923.16, or section 2923.121 of the Revised Code. The court shall not impose any of the prison terms described in division (B) (1) (a) of this section or any of the additional prison terms described in division (B) (1) (c) of this section upon an offender for a violation of section 2923.13 of the Revised Code unless all of the following apply:

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

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

(f) (i) If an offender is convicted of or pleads guilty to a felony that includes, as an essential element, causing or attempting to cause the death of or physical harm to another and also is convicted of or pleads guilty to a specification of the type described in division (A) of section 2941.1412 of the Revised Code that charges the offender with committing the offense by discharging a firearm at a peace officer as defined in section 2935.01 of the Revised Code or a corrections officer, as defined in section 2941.1412 of the Revised Code, the court,

after imposing a prison term on the offender for the felony 727  
offense under division (A), (B) (2), or (B) (3) of this section, 728  
shall impose an additional prison term of seven years upon the 729  
offender that shall not be reduced pursuant to section 2929.20, 730  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 731  
other provision of Chapter 2967. or Chapter 5120. of the Revised 732  
Code. 733

(ii) If an offender is convicted of or pleads guilty to a 734  
felony that includes, as an essential element, causing or 735  
attempting to cause the death of or physical harm to another and 736  
also is convicted of or pleads guilty to a specification of the 737  
type described in division (B) of section 2941.1412 of the 738  
Revised Code that charges the offender with committing the 739  
offense by discharging a firearm at a peace officer, as defined 740  
in section 2935.01 of the Revised Code, or a corrections 741  
officer, as defined in section 2941.1412 of the Revised Code, 742  
and that the offender previously has been convicted of or 743  
pleaded guilty to a specification of the type described in 744  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 745  
the Revised Code, the court, after imposing a prison term on the 746  
offender for the felony offense under division (A), (B) (2), or 747  
(3) of this section, shall impose an additional prison term of 748  
one hundred twenty-six months upon the offender that shall not 749  
be reduced pursuant to section 2929.20, division (A) (2) or (3) 750  
of section 2967.193 or 2967.194, or any other provision of 751  
Chapter 2967. or 5120. of the Revised Code. 752

(iii) If an offender is convicted of or pleads guilty to 753  
two or more felonies that include, as an essential element, 754  
causing or attempting to cause the death or physical harm to 755  
another and also is convicted of or pleads guilty to a 756  
specification of the type described under division (B) (1) (f) of 757

this section in connection with two or more of the felonies of 758  
which the offender is convicted or to which the offender pleads 759  
guilty, the sentencing court shall impose on the offender the 760  
prison term specified under division (B)(1)(f) of this section 761  
for each of two of the specifications of which the offender is 762  
convicted or to which the offender pleads guilty and, in its 763  
discretion, also may impose on the offender the prison term 764  
specified under that division for any or all of the remaining 765  
specifications. If a court imposes an additional prison term on 766  
an offender under division (B)(1)(f) of this section relative to 767  
an offense, the court shall not impose a prison term under 768  
division (B)(1)(a) or (c) of this section relative to the same 769  
offense. 770

(g) If an offender is convicted of or pleads guilty to two 771  
or more felonies, if one or more of those felonies are 772  
aggravated murder, murder, attempted aggravated murder, 773  
attempted murder, aggravated robbery, felonious assault, or 774  
rape, and if the offender is convicted of or pleads guilty to a 775  
specification of the type described under division (B)(1)(a) of 776  
this section in connection with two or more of the felonies, the 777  
sentencing court shall impose on the offender the prison term 778  
specified under division (B)(1)(a) of this section for each of 779  
the two most serious specifications of which the offender is 780  
convicted or to which the offender pleads guilty and, in its 781  
discretion, also may impose on the offender the prison term 782  
specified under that division for any or all of the remaining 783  
specifications. 784

(2)(a) If division (B)(2)(b) of this section does not 785  
apply, the court may impose on an offender, in addition to the 786  
longest prison term authorized or required for the offense or, 787  
for offenses for which division (A)(1)(a) or (2)(a) of this 788

section applies, in addition to the longest minimum prison term 789  
authorized or required for the offense, an additional definite 790  
prison term of one, two, three, four, five, six, seven, eight, 791  
nine, or ten years if all of the following criteria are met: 792

(i) The offender is convicted of or pleads guilty to a 793  
specification of the type described in section 2941.149 of the 794  
Revised Code that the offender is a repeat violent offender. 795

(ii) The offense of which the offender currently is 796  
convicted or to which the offender currently pleads guilty is 797  
aggravated murder and the court does not impose a sentence of 798  
death or life imprisonment without parole, murder, terrorism and 799  
the court does not impose a sentence of life imprisonment 800  
without parole, any felony of the first degree that is an 801  
offense of violence and the court does not impose a sentence of 802  
life imprisonment without parole, or any felony of the second 803  
degree that is an offense of violence and the trier of fact 804  
finds that the offense involved an attempt to cause or a threat 805  
to cause serious physical harm to a person or resulted in 806  
serious physical harm to a person. 807

(iii) The court imposes the longest prison term for the 808  
offense or the longest minimum prison term for the offense, 809  
whichever is applicable, that is not life imprisonment without 810  
parole. 811

(iv) The court finds that the prison terms imposed 812  
pursuant to division (B) (2) (a) (iii) of this section and, if 813  
applicable, division (B) (1) or (3) of this section are 814  
inadequate to punish the offender and protect the public from 815  
future crime, because the applicable factors under section 816  
2929.12 of the Revised Code indicating a greater likelihood of 817  
recidivism outweigh the applicable factors under that section 818

indicating a lesser likelihood of recidivism. 819

(v) The court finds that the prison terms imposed pursuant 820  
to division (B) (2) (a) (iii) of this section and, if applicable, 821  
division (B) (1) or (3) of this section are demeaning to the 822  
seriousness of the offense, because one or more of the factors 823  
under section 2929.12 of the Revised Code indicating that the 824  
offender's conduct is more serious than conduct normally 825  
constituting the offense are present, and they outweigh the 826  
applicable factors under that section indicating that the 827  
offender's conduct is less serious than conduct normally 828  
constituting the offense. 829

(b) The court shall impose on an offender the longest 830  
prison term authorized or required for the offense or, for 831  
offenses for which division (A) (1) (a) or (2) (a) of this section 832  
applies, the longest minimum prison term authorized or required 833  
for the offense, and shall impose on the offender an additional 834  
definite prison term of one, two, three, four, five, six, seven, 835  
eight, nine, or ten years if all of the following criteria are 836  
met: 837

(i) The offender is convicted of or pleads guilty to a 838  
specification of the type described in section 2941.149 of the 839  
Revised Code that the offender is a repeat violent offender. 840

(ii) The offender within the preceding twenty years has 841  
been convicted of or pleaded guilty to three or more offenses 842  
described in division ~~(CC) (1)~~ (DD) (1) of section 2929.01 of the 843  
Revised Code, including all offenses described in that division 844  
of which the offender is convicted or to which the offender 845  
pleads guilty in the current prosecution and all offenses 846  
described in that division of which the offender previously has 847  
been convicted or to which the offender previously pleaded 848

guilty, whether prosecuted together or separately. 849

(iii) The offense or offenses of which the offender 850  
currently is convicted or to which the offender currently pleads 851  
guilty is aggravated murder and the court does not impose a 852  
sentence of death or life imprisonment without parole, murder, 853  
terrorism and the court does not impose a sentence of life 854  
imprisonment without parole, any felony of the first degree that 855  
is an offense of violence and the court does not impose a 856  
sentence of life imprisonment without parole, or any felony of 857  
the second degree that is an offense of violence and the trier 858  
of fact finds that the offense involved an attempt to cause or a 859  
threat to cause serious physical harm to a person or resulted in 860  
serious physical harm to a person. 861

(c) For purposes of division (B) (2) (b) of this section, 862  
two or more offenses committed at the same time or as part of 863  
the same act or event shall be considered one offense, and that 864  
one offense shall be the offense with the greatest penalty. 865

(d) A sentence imposed under division (B) (2) (a) or (b) of 866  
this section shall not be reduced pursuant to section 2929.20, 867  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 868  
other provision of Chapter 2967. or Chapter 5120. of the Revised 869  
Code. The offender shall serve an additional prison term imposed 870  
under division (B) (2) (a) or (b) of this section consecutively to 871  
and prior to the prison term imposed for the underlying offense. 872

(e) When imposing a sentence pursuant to division (B) (2) 873  
(a) or (b) of this section, the court shall state its findings 874  
explaining the imposed sentence. 875

(3) Except when an offender commits a violation of section 876  
2903.01 or 2907.02 of the Revised Code and the penalty imposed 877

for the violation is life imprisonment or commits a violation of 878  
section 2903.02 of the Revised Code, if the offender commits a 879  
violation of section 2925.03 or 2925.11 of the Revised Code and 880  
that section classifies the offender as a major drug offender, 881  
if the offender commits a violation of section 2925.05 of the 882  
Revised Code and division (E)(1) of that section classifies the 883  
offender as a major drug offender, if the offender commits a 884  
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 885  
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 886  
division (C) or (D) of section 3719.172, division (E) of section 887  
4729.51, or division (J) of section 4729.54 of the Revised Code 888  
that includes the sale, offer to sell, or possession of a 889  
schedule I or II controlled substance, with the exception of 890  
marihuana, and the court imposing sentence upon the offender 891  
finds that the offender is guilty of a specification of the type 892  
described in division (A) of section 2941.1410 of the Revised 893  
Code charging that the offender is a major drug offender, if the 894  
court imposing sentence upon an offender for a felony finds that 895  
the offender is guilty of corrupt activity with the most serious 896  
offense in the pattern of corrupt activity being a felony of the 897  
first degree, or if the offender is guilty of an attempted 898  
violation of section 2907.02 of the Revised Code and, had the 899  
offender completed the violation of section 2907.02 of the 900  
Revised Code that was attempted, the offender would have been 901  
subject to a sentence of life imprisonment or life imprisonment 902  
without parole for the violation of section 2907.02 of the 903  
Revised Code, the court shall impose upon the offender for the 904  
felony violation a mandatory prison term determined as described 905  
in this division that cannot be reduced pursuant to section 906  
2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, 907  
or any other provision of Chapter 2967. or 5120. of the Revised 908  
Code. The mandatory prison term shall be the maximum definite 909

prison term prescribed in division (A) (1) (b) of this section for 910  
a felony of the first degree, except that for offenses for which 911  
division (A) (1) (a) of this section applies, the mandatory prison 912  
term shall be the longest minimum prison term prescribed in that 913  
division for the offense. 914

(4) If the offender is being sentenced for a third or 915  
fourth degree felony OVI offense under division (G) (2) of 916  
section 2929.13 of the Revised Code, the sentencing court shall 917  
impose upon the offender a mandatory prison term in accordance 918  
with that division. In addition to the mandatory prison term, if 919  
the offender is being sentenced for a fourth degree felony OVI 920  
offense, the court, notwithstanding division (A) (4) of this 921  
section, may sentence the offender to a definite prison term of 922  
not less than six months and not more than thirty months, and if 923  
the offender is being sentenced for a third degree felony OVI 924  
offense, the sentencing court may sentence the offender to an 925  
additional prison term of any duration specified in division (A) 926  
(3) of this section. In either case, the additional prison term 927  
imposed shall be reduced by the sixty or one hundred twenty days 928  
imposed upon the offender as the mandatory prison term. The 929  
total of the additional prison term imposed under division (B) 930  
(4) of this section plus the sixty or one hundred twenty days 931  
imposed as the mandatory prison term shall equal a definite term 932  
in the range of six months to thirty months for a fourth degree 933  
felony OVI offense and shall equal one of the authorized prison 934  
terms specified in division (A) (3) of this section for a third 935  
degree felony OVI offense. If the court imposes an additional 936  
prison term under division (B) (4) of this section, the offender 937  
shall serve the additional prison term after the offender has 938  
served the mandatory prison term required for the offense. In 939  
addition to the mandatory prison term or mandatory and 940



additional prison term imposed as described in division (B) (4) 941  
of this section, the court also may sentence the offender to a 942  
community control sanction under section 2929.16 or 2929.17 of 943  
the Revised Code, but the offender shall serve all of the prison 944  
terms so imposed prior to serving the community control 945  
sanction. 946

If the offender is being sentenced for a fourth degree 947  
felony OVI offense under division (G) (1) of section 2929.13 of 948  
the Revised Code and the court imposes a mandatory term of local 949  
incarceration, the court may impose a prison term as described 950  
in division (A) (1) of that section. 951

(5) If an offender is convicted of or pleads guilty to a 952  
violation of division (A) (1) or (2) of section 2903.06 of the 953  
Revised Code and also is convicted of or pleads guilty to a 954  
specification of the type described in section 2941.1414 of the 955  
Revised Code that charges that the victim of the offense is a 956  
peace officer, as defined in section 2935.01 of the Revised 957  
Code, an investigator of the bureau of criminal identification 958  
and investigation, as defined in section 2903.11 of the Revised 959  
Code, or a firefighter or emergency medical worker, both as 960  
defined in section 2941.1414 of the Revised Code, the court 961  
shall impose on the offender a prison term of five years. If a 962  
court imposes a prison term on an offender under division (B) (5) 963  
of this section, the prison term shall not be reduced pursuant 964  
to section 2929.20, division (A) (2) or (3) of section 2967.193 965  
or 2967.194, or any other provision of Chapter 2967. or Chapter 966  
5120. of the Revised Code. A court shall not impose more than 967  
one prison term on an offender under division (B) (5) of this 968  
section for felonies committed as part of the same act. 969

(6) If an offender is convicted of or pleads guilty to a 970

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

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

(i) If the offense is a felony of the first degree, a definite prison term of not less than five years and not greater than eleven years, except that if the offense is a felony of the first degree committed on or after March 22, 2019, the court

shall impose as the minimum prison term a mandatory term of not 1002  
less than five years and not greater than eleven years; 1003

(ii) If the offense is a felony of the second or third 1004  
degree, a definite prison term of not less than three years and 1005  
not greater than the maximum prison term allowed for the offense 1006  
by division (A) (2) (b) or (3) of this section, except that if the 1007  
offense is a felony of the second degree committed on or after 1008  
March 22, 2019, the court shall impose as the minimum prison 1009  
term a mandatory term of not less than three years and not 1010  
greater than eight years; 1011

(iii) If the offense is a felony of the fourth or fifth 1012  
degree, a definite prison term that is the maximum prison term 1013  
allowed for the offense by division (A) of section 2929.14 of 1014  
the Revised Code. 1015

(b) The prison term imposed under division (B) (7) (a) of 1016  
this section shall not be reduced pursuant to section 2929.20, 1017  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 1018  
other provision of Chapter 2967. of the Revised Code. A court 1019  
shall not impose more than one prison term on an offender under 1020  
division (B) (7) (a) of this section for felonies committed as 1021  
part of the same act, scheme, or plan. 1022

(8) If an offender is convicted of or pleads guilty to a 1023  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 1024  
Revised Code and also is convicted of or pleads guilty to a 1025  
specification of the type described in section 2941.1423 of the 1026  
Revised Code that charges that the victim of the violation was a 1027  
woman whom the offender knew was pregnant at the time of the 1028  
violation, notwithstanding the range prescribed in division (A) 1029  
of this section as the definite prison term or minimum prison 1030  
term for felonies of the same degree as the violation, the court 1031

shall impose on the offender a mandatory prison term that is 1032  
either a definite prison term of six months or one of the prison 1033  
terms prescribed in division (A) of this section for felonies of 1034  
the same degree as the violation, except that if the violation 1035  
is a felony of the first or second degree committed on or after 1036  
March 22, 2019, the court shall impose as the minimum prison 1037  
term under division (A)(1)(a) or (2)(a) of this section a 1038  
mandatory term that is one of the terms prescribed in that 1039  
division, whichever is applicable, for the offense. 1040

(9) (a) If an offender is convicted of or pleads guilty to 1041  
a violation of division (A)(1) or (2) of section 2903.11 of the 1042  
Revised Code and also is convicted of or pleads guilty to a 1043  
specification of the type described in section 2941.1425 of the 1044  
Revised Code, the court shall impose on the offender a mandatory 1045  
prison term of six years if either of the following applies: 1046

(i) The violation is a violation of division (A)(1) of 1047  
section 2903.11 of the Revised Code and the specification 1048  
charges that the offender used an accelerant in committing the 1049  
violation and the serious physical harm to another or to 1050  
another's unborn caused by the violation resulted in a 1051  
permanent, serious disfigurement or permanent, substantial 1052  
incapacity; 1053

(ii) The violation is a violation of division (A)(2) of 1054  
section 2903.11 of the Revised Code and the specification 1055  
charges that the offender used an accelerant in committing the 1056  
violation, that the violation caused physical harm to another or 1057  
to another's unborn, and that the physical harm resulted in a 1058  
permanent, serious disfigurement or permanent, substantial 1059  
incapacity. 1060

(b) If a court imposes a prison term on an offender under 1061

division (B) (9) (a) of this section, the prison term shall not be 1062  
reduced pursuant to section 2929.20, division (A) (2) or (3) of 1063  
section 2967.193 or 2967.194, or any other provision of Chapter 1064  
2967. or Chapter 5120. of the Revised Code. A court shall not 1065  
impose more than one prison term on an offender under division 1066  
(B) (9) of this section for felonies committed as part of the 1067  
same act. 1068

(c) The provisions of divisions (B) (9) and (C) (6) of this 1069  
section and of division (D) (2) of section 2903.11, division (F) 1070  
(20) of section 2929.13, and section 2941.1425 of the Revised 1071  
Code shall be known as "Judy's Law." 1072

(10) If an offender is convicted of or pleads guilty to a 1073  
violation of division (A) of section 2903.11 of the Revised Code 1074  
and also is convicted of or pleads guilty to a specification of 1075  
the type described in section 2941.1426 of the Revised Code that 1076  
charges that the victim of the offense suffered permanent 1077  
disabling harm as a result of the offense and that the victim 1078  
was under ten years of age at the time of the offense, 1079  
regardless of whether the offender knew the age of the victim, 1080  
the court shall impose upon the offender an additional definite 1081  
prison term of six years. A prison term imposed on an offender 1082  
under division (B) (10) of this section shall not be reduced 1083  
pursuant to section 2929.20, division (A) (2) or (3) of section 1084  
2967.193 or 2967.194, or any other provision of Chapter 2967. or 1085  
Chapter 5120. of the Revised Code. If a court imposes an 1086  
additional prison term on an offender under this division 1087  
relative to a violation of division (A) of section 2903.11 of 1088  
the Revised Code, the court shall not impose any other 1089  
additional prison term on the offender relative to the same 1090  
offense. 1091

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

(12) If an offender who is convicted of or pleads guilty to a felony violation of section 2925.03 of the Revised Code is also convicted of or pleads guilty to a specification of the type described in section 2941.1427 of the Revised Code that charges the offender with being a repeat drug offender, the court shall impose on the offender both of the following:

(a) The longest prison term authorized or required for the offense, or if division (A) (1) (a) or (2) (a) of this section applies to the offense, the longest minimum prison term authorized or required for the offense.

(b) A mandatory prison term of one, two, three, four, 1123  
five, six, seven, eight, nine, or ten years. 1124

(C) (1) (a) Subject to division (C) (1) (b) of this section, 1125  
if a mandatory prison term is imposed upon an offender pursuant 1126  
to division (B) (1) (a) of this section for having a firearm on or 1127  
about the offender's person or under the offender's control 1128  
while committing a felony, if a mandatory prison term is imposed 1129  
upon an offender pursuant to division (B) (1) (c) of this section 1130  
for committing a felony specified in that division by 1131  
discharging a firearm from a motor vehicle, or if both types of 1132  
mandatory prison terms are imposed, the offender shall serve any 1133  
mandatory prison term imposed under either division 1134  
consecutively to any other mandatory prison term imposed under 1135  
either division or under division (B) (1) (d) of this section, 1136  
consecutively to and prior to any prison term imposed for the 1137  
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 1138  
this section or any other section of the Revised Code, and 1139  
consecutively to any other prison term or mandatory prison term 1140  
previously or subsequently imposed upon the offender. 1141

(b) If a mandatory prison term is imposed upon an offender 1142  
pursuant to division (B) (1) (d) of this section for wearing or 1143  
carrying body armor while committing an offense of violence that 1144  
is a felony, the offender shall serve the mandatory term so 1145  
imposed consecutively to any other mandatory prison term imposed 1146  
under that division or under division (B) (1) (a) or (c) of this 1147  
section, consecutively to and prior to any prison term imposed 1148  
for the underlying felony under division (A), (B) (2), or (B) (3) 1149  
of this section or any other section of the Revised Code, and 1150  
consecutively to any other prison term or mandatory prison term 1151  
previously or subsequently imposed upon the offender. 1152

(c) If a mandatory prison term is imposed upon an offender 1153  
pursuant to division (B)(1)(f) of this section, the offender 1154  
shall serve the mandatory prison term so imposed consecutively 1155  
to and prior to any prison term imposed for the underlying 1156  
felony under division (A), (B)(2), or (B)(3) of this section or 1157  
any other section of the Revised Code, and consecutively to any 1158  
other prison term or mandatory prison term previously or 1159  
subsequently imposed upon the offender. 1160

(d) If a mandatory prison term is imposed upon an offender 1161  
pursuant to division (B)(7) or (8) of this section, the offender 1162  
shall serve the mandatory prison term so imposed consecutively 1163  
to any other mandatory prison term imposed under that division 1164  
or under any other provision of law and consecutively to any 1165  
other prison term or mandatory prison term previously or 1166  
subsequently imposed upon the offender. 1167

(e) If a mandatory prison term is imposed upon an offender 1168  
pursuant to division (B)(11) of this section, the offender shall 1169  
serve the mandatory prison term consecutively to any other 1170  
mandatory prison term imposed under that division, consecutively 1171  
to and prior to any prison term imposed for the underlying 1172  
felony, and consecutively to any other prison term or mandatory 1173  
prison term previously or subsequently imposed upon the 1174  
offender. 1175

(2) If an offender who is an inmate in a jail, prison, or 1176  
other residential detention facility violates section 2917.02, 1177  
2917.03, or 2921.35 of the Revised Code or division (A)(1) or 1178  
(2) of section 2921.34 of the Revised Code, if an offender who 1179  
is under detention at a detention facility commits a felony 1180  
violation of section 2923.131 of the Revised Code, or if an 1181  
offender who is an inmate in a jail, prison, or other 1182



residential detention facility or is under detention at a 1183  
detention facility commits another felony while the offender is 1184  
an escapee in violation of division (A) (1) or (2) of section 1185  
2921.34 of the Revised Code, any prison term imposed upon the 1186  
offender for one of those violations shall be served by the 1187  
offender consecutively to the prison term or term of 1188  
imprisonment the offender was serving when the offender 1189  
committed that offense and to any other prison term previously 1190  
or subsequently imposed upon the offender. 1191

(3) If a prison term is imposed for a violation of 1192  
division (B) of section 2911.01 of the Revised Code, a violation 1193  
of division (A) of section 2913.02 of the Revised Code in which 1194  
the stolen property is a firearm or dangerous ordnance, or a 1195  
felony violation of division (B) of section 2921.331 of the 1196  
Revised Code, the offender shall serve that prison term 1197  
consecutively to any other prison term or mandatory prison term 1198  
previously or subsequently imposed upon the offender. 1199

(4) If multiple prison terms are imposed on an offender 1200  
for convictions of multiple offenses, the court may require the 1201  
offender to serve the prison terms consecutively if the court 1202  
finds that the consecutive service is necessary to protect the 1203  
public from future crime or to punish the offender and that 1204  
consecutive sentences are not disproportionate to the 1205  
seriousness of the offender's conduct and to the danger the 1206  
offender poses to the public, and if the court also finds any of 1207  
the following: 1208

(a) The offender committed one or more of the multiple 1209  
offenses while the offender was awaiting trial or sentencing, 1210  
was under a sanction imposed pursuant to section 2929.16, 1211  
2929.17, or 2929.18 of the Revised Code, or was under post- 1212

release control for a prior offense. 1213

(b) At least two of the multiple offenses were committed 1214  
as part of one or more courses of conduct, and the harm caused 1215  
by two or more of the multiple offenses so committed was so 1216  
great or unusual that no single prison term for any of the 1217  
offenses committed as part of any of the courses of conduct 1218  
adequately reflects the seriousness of the offender's conduct. 1219

(c) The offender's history of criminal conduct 1220  
demonstrates that consecutive sentences are necessary to protect 1221  
the public from future crime by the offender. 1222

(5) If a mandatory prison term is imposed upon an offender 1223  
pursuant to division (B) (5) or (6) of this section, the offender 1224  
shall serve the mandatory prison term consecutively to and prior 1225  
to any prison term imposed for the underlying violation of 1226  
division (A) (1) or (2) of section 2903.06 of the Revised Code 1227  
pursuant to division (A) of this section or section 2929.142 of 1228  
the Revised Code. If a mandatory prison term is imposed upon an 1229  
offender pursuant to division (B) (5) of this section, and if a 1230  
mandatory prison term also is imposed upon the offender pursuant 1231  
to division (B) (6) of this section in relation to the same 1232  
violation, the offender shall serve the mandatory prison term 1233  
imposed pursuant to division (B) (5) of this section 1234  
consecutively to and prior to the mandatory prison term imposed 1235  
pursuant to division (B) (6) of this section and consecutively to 1236  
and prior to any prison term imposed for the underlying 1237  
violation of division (A) (1) or (2) of section 2903.06 of the 1238  
Revised Code pursuant to division (A) of this section or section 1239  
2929.142 of the Revised Code. 1240

(6) If a mandatory prison term is imposed on an offender 1241  
pursuant to division (B) (9) of this section, the offender shall 1242

serve the mandatory prison term consecutively to and prior to 1243  
any prison term imposed for the underlying violation of division 1244  
(A) (1) or (2) of section 2903.11 of the Revised Code and 1245  
consecutively to and prior to any other prison term or mandatory 1246  
prison term previously or subsequently imposed on the offender. 1247

(7) If a mandatory prison term is imposed on an offender 1248  
pursuant to division (B) (10) of this section, the offender shall 1249  
serve that mandatory prison term consecutively to and prior to 1250  
any prison term imposed for the underlying felonious assault. 1251  
Except as otherwise provided in division (C) of this section, 1252  
any other prison term or mandatory prison term previously or 1253  
subsequently imposed upon the offender may be served 1254  
concurrently with, or consecutively to, the prison term imposed 1255  
pursuant to division (B) (10) of this section. 1256

(8) Any prison term imposed for a violation of section 1257  
2903.04 of the Revised Code that is based on a violation of 1258  
section 2925.03 or 2925.11 of the Revised Code or on a violation 1259  
of section 2925.05 of the Revised Code that is not funding of 1260  
marihuana trafficking shall run consecutively to any prison term 1261  
imposed for the violation of section 2925.03 or 2925.11 of the 1262  
Revised Code or for the violation of section 2925.05 of the 1263  
Revised Code that is not funding of marihuana trafficking. 1264

(9) When consecutive prison terms are imposed pursuant to 1265  
division (C) (1), (2), (3), (4), (5), (6), (7), or (8) or 1266  
division (H) (1) or (2) of this section, subject to division (C) 1267  
(10) of this section, the term to be served is the aggregate of 1268  
all of the terms so imposed. 1269

(10) When a court sentences an offender to a non-life 1270  
felony indefinite prison term, any definite prison term or 1271  
mandatory definite prison term previously or subsequently 1272

imposed on the offender in addition to that indefinite sentence 1273  
that is required to be served consecutively to that indefinite 1274  
sentence shall be served prior to the indefinite sentence. 1275

(11) If a court is sentencing an offender for a felony of 1276  
the first or second degree, if division (A) (1) (a) or (2) (a) of 1277  
this section applies with respect to the sentencing for the 1278  
offense, and if the court is required under the Revised Code 1279  
section that sets forth the offense or any other Revised Code 1280  
provision to impose a mandatory prison term for the offense, the 1281  
court shall impose the required mandatory prison term as the 1282  
minimum term imposed under division (A) (1) (a) or (2) (a) of this 1283  
section, whichever is applicable. 1284

(D) (1) If a court imposes a prison term, other than a term 1285  
of life imprisonment, for a felony of the first degree, for a 1286  
felony of the second degree, for a felony sex offense, or for a 1287  
felony of the third degree that is an offense of violence and 1288  
that is not a felony sex offense, it shall include in the 1289  
sentence a requirement that the offender be subject to a period 1290  
of post-release control after the offender's release from 1291  
imprisonment, in accordance with section 2967.28 of the Revised 1292  
Code. If a court imposes a sentence including a prison term of a 1293  
type described in this division on or after July 11, 2006, the 1294  
failure of a court to include a post-release control requirement 1295  
in the sentence pursuant to this division does not negate, 1296  
limit, or otherwise affect the mandatory period of post-release 1297  
control that is required for the offender under division (B) of 1298  
section 2967.28 of the Revised Code. Section 2929.191 of the 1299  
Revised Code applies if, prior to July 11, 2006, a court imposed 1300  
a sentence including a prison term of a type described in this 1301  
division and failed to include in the sentence pursuant to this 1302  
division a statement regarding post-release control. 1303

(2) If a court imposes a prison term for a felony of the 1304  
third, fourth, or fifth degree that is not subject to division 1305  
(D) (1) of this section, it shall include in the sentence a 1306  
requirement that the offender be subject to a period of post- 1307  
release control after the offender's release from imprisonment, 1308  
in accordance with that division, if the parole board determines 1309  
that a period of post-release control is necessary. Section 1310  
2929.191 of the Revised Code applies if, prior to July 11, 2006, 1311  
a court imposed a sentence including a prison term of a type 1312  
described in this division and failed to include in the sentence 1313  
pursuant to this division a statement regarding post-release 1314  
control. 1315

(E) The court shall impose sentence upon the offender in 1316  
accordance with section 2971.03 of the Revised Code, and Chapter 1317  
2971. of the Revised Code applies regarding the prison term or 1318  
term of life imprisonment without parole imposed upon the 1319  
offender and the service of that term of imprisonment if any of 1320  
the following apply: 1321

(1) A person is convicted of or pleads guilty to a violent 1322  
sex offense or a designated homicide, assault, or kidnapping 1323  
offense, and, in relation to that offense, the offender is 1324  
adjudicated a sexually violent predator. 1325

(2) A person is convicted of or pleads guilty to a 1326  
violation of division (A) (1) (b) of section 2907.02 of the 1327  
Revised Code committed on or after January 2, 2007, and either 1328  
the court does not impose a sentence of life without parole when 1329  
authorized pursuant to division (B) of section 2907.02 of the 1330  
Revised Code, or division (B) of section 2907.02 of the Revised 1331  
Code provides that the court shall not sentence the offender 1332  
pursuant to section 2971.03 of the Revised Code. 1333

(3) A person is convicted of or pleads guilty to attempted 1334  
rape committed on or after January 2, 2007, and a specification 1335  
of the type described in section 2941.1418, 2941.1419, or 1336  
2941.1420 of the Revised Code. 1337

(4) A person is convicted of or pleads guilty to a 1338  
violation of section 2905.01 of the Revised Code committed on or 1339  
after January 1, 2008, and that section requires the court to 1340  
sentence the offender pursuant to section 2971.03 of the Revised 1341  
Code. 1342

(5) A person is convicted of or pleads guilty to 1343  
aggravated murder committed on or after January 1, 2008, and 1344  
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 1345  
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1346  
(a) (iv) of section 2929.03, or division (A) or (B) of section 1347  
2929.06 of the Revised Code requires the court to sentence the 1348  
offender pursuant to division (B) (3) of section 2971.03 of the 1349  
Revised Code. 1350

(6) A person is convicted of or pleads guilty to murder 1351  
committed on or after January 1, 2008, and division (B) (2) of 1352  
section 2929.02 of the Revised Code requires the court to 1353  
sentence the offender pursuant to section 2971.03 of the Revised 1354  
Code. 1355

(F) If a person who has been convicted of or pleaded 1356  
guilty to a felony is sentenced to a prison term or term of 1357  
imprisonment under this section, sections 2929.02 to 2929.06 of 1358  
the Revised Code, section 2929.142 of the Revised Code, section 1359  
2971.03 of the Revised Code, or any other provision of law, 1360  
section 5120.163 of the Revised Code applies regarding the 1361  
person while the person is confined in a state correctional 1362  
institution. 1363

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

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

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

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

(ii) If the offender previously has been convicted of or pleaded guilty to one or more felony or misdemeanor violations of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of

the Revised Code and also was convicted of or pleaded guilty to 1394  
a specification of the type described in section 2941.1421 of 1395  
the Revised Code regarding one or more of those violations, an 1396  
additional prison term of one, two, three, four, five, six, 1397  
seven, eight, nine, ten, eleven, or twelve months. 1398

(b) In lieu of imposing an additional prison term under 1399  
division (H)(2)(a) of this section, the court may directly 1400  
impose on the offender a sanction that requires the offender to 1401  
wear a real-time processing, continual tracking electronic 1402  
monitoring device during the period of time specified by the 1403  
court. The period of time specified by the court shall equal the 1404  
duration of an additional prison term that the court could have 1405  
imposed upon the offender under division (H)(2)(a) of this 1406  
section. A sanction imposed under this division shall commence 1407  
on the date specified by the court, provided that the sanction 1408  
shall not commence until after the offender has served the 1409  
prison term imposed for the felony violation of section 2907.22, 1410  
2907.24, 2907.241, or 2907.25 of the Revised Code and any 1411  
residential sanction imposed for the violation under section 1412  
2929.16 of the Revised Code. A sanction imposed under this 1413  
division shall be considered to be a community control sanction 1414  
for purposes of section 2929.15 of the Revised Code, and all 1415  
provisions of the Revised Code that pertain to community control 1416  
sanctions shall apply to a sanction imposed under this division, 1417  
except to the extent that they would by their nature be clearly 1418  
inapplicable. The offender shall pay all costs associated with a 1419  
sanction imposed under this division, including the cost of the 1420  
use of the monitoring device. 1421

(I) At the time of sentencing, the court may recommend the 1422  
offender for placement in a program of shock incarceration under 1423  
section 5120.031 of the Revised Code or for placement in an 1424



intensive program prison under section 5120.032 of the Revised 1425  
Code, disapprove placement of the offender in a program of shock 1426  
incarceration or an intensive program prison of that nature, or 1427  
make no recommendation on placement of the offender. In no case 1428  
shall the department of rehabilitation and correction place the 1429  
offender in a program or prison of that nature unless the 1430  
department determines as specified in section 5120.031 or 1431  
5120.032 of the Revised Code, whichever is applicable, that the 1432  
offender is eligible for the placement. 1433

If the court disapproves placement of the offender in a 1434  
program or prison of that nature, the department of 1435  
rehabilitation and correction shall not place the offender in 1436  
any program of shock incarceration or intensive program prison. 1437

If the court recommends placement of the offender in a 1438  
program of shock incarceration or in an intensive program 1439  
prison, and if the offender is subsequently placed in the 1440  
recommended program or prison, the department shall notify the 1441  
court of the placement and shall include with the notice a brief 1442  
description of the placement. 1443

If the court recommends placement of the offender in a 1444  
program of shock incarceration or in an intensive program prison 1445  
and the department does not subsequently place the offender in 1446  
the recommended program or prison, the department shall send a 1447  
notice to the court indicating why the offender was not placed 1448  
in the recommended program or prison. 1449

If the court does not make a recommendation under this 1450  
division with respect to an offender and if the department 1451  
determines as specified in section 5120.031 or 5120.032 of the 1452  
Revised Code, whichever is applicable, that the offender is 1453  
eligible for placement in a program or prison of that nature, 1454

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

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

(K) (1) The court shall impose an additional mandatory  
prison term of two, three, four, five, six, seven, eight, nine,  
ten, or eleven years on an offender who is convicted of or  
pleads guilty to a violent felony offense if the offender also  
is convicted of or pleads guilty to a specification of the type  
described in section 2941.1424 of the Revised Code that charges  
that the offender is a violent career criminal and had a firearm  
on or about the offender's person or under the offender's  
control while committing the presently charged violent felony  
offense and displayed or brandished the firearm, indicated that  
the offender possessed a firearm, or used the firearm to  
facilitate the offense. The offender shall serve the prison term  
imposed under this division consecutively to and prior to the  
prison term imposed for the underlying offense. The prison term  
shall not be reduced pursuant to section 2929.20, division (A)  
(2) or (3) of section 2967.193 or 2967.194, or any other

provision of Chapter 2967. or 5120. of the Revised Code. A court 1486  
may not impose more than one sentence under division (B)(2)(a) 1487  
of this section and this division for acts committed as part of 1488  
the same act or transaction. 1489

(2) As used in division (K)(1) of this section, "violent 1490  
career criminal" and "violent felony offense" have the same 1491  
meanings as in section 2923.132 of the Revised Code. 1492

(L) If an offender receives or received a sentence of life 1493  
imprisonment without parole, a sentence of life imprisonment, a 1494  
definite sentence, or a sentence to an indefinite prison term 1495  
under this chapter for a felony offense that was committed when 1496  
the offender was under eighteen years of age, the offender's 1497  
parole eligibility shall be determined under section 2967.132 of 1498  
the Revised Code. 1499

Sec. 2941.1427. (A) Imposition of a one, two, three, four, 1500  
five, six, seven, eight, nine, or ten-year mandatory prison term 1501  
upon an offender pursuant to division (B)(12) of section 2929.14 1502  
of the Revised Code, pursuant to determination by a court that 1503  
an offender is a repeat drug offender, is precluded unless the 1504  
indictment, count in the indictment, or information charging the 1505  
offender specifies that the offender is a repeat drug offender. 1506  
The specification shall be stated at the end of the body of the 1507  
indictment, count, or information, and shall be stated in 1508  
substantially the following form: 1509

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1510  
Grand Jurors (or insert the person's or prosecuting attorney's 1511  
name when appropriate) further find and specify that (set forth 1512  
that the offender is a repeat drug offender)." 1513

(B) The court shall determine the issue of whether an 1514

offender is a repeat drug offender. 1515

(C) At the arraignment of the defendant or as soon 1516  
thereafter as is practicable, the prosecuting attorney may give 1517  
notice to the defendant of the prosecuting attorney's intention 1518  
to use a certified copy of the entry of judgment of a prior 1519  
conviction as proof of that prior conviction. The defendant must 1520  
then give notice to the prosecuting attorney of the defendant's 1521  
intention to object to the use of the entry of judgment. If the 1522  
defendant pursuant to Criminal Rule 12 does not give notice of 1523  
that intention to the prosecuting attorney before trial, the 1524  
defendant waives the objection to the use of an entry of 1525  
judgment as proof of the defendant's prior conviction, as shown 1526  
on the entry of judgment. 1527

(D) As used in this section, "repeat drug offender" has 1528  
the same meaning as in section 2929.01 of the Revised Code. 1529

**Section 2.** That existing sections 2929.01 and 2929.14 of 1530  
the Revised Code are hereby repealed. 1531

**Section 3.** Section 2929.14 of the Revised Code is 1532  
presented in this act as a composite of the section as amended 1533  
by H.B. 37, H.B. 56, H.B. 111, and S.B. 106, all of the 135th 1534  
General Assembly. The General Assembly, applying the principle 1535  
stated in division (B) of section 1.52 of the Revised Code that 1536  
amendments are to be harmonized if reasonably capable of 1537  
simultaneous operation, finds that the composite is the 1538  
resulting version of the section in effect prior to the 1539  
effective date of the section as presented in this act. 1540