

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**

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
control sanction" includes probation if the sentence involved
was imposed for a felony that was committed prior to July 1,
1996, or if the sentence involved was imposed for a misdemeanor
that was committed prior to January 1, 2004.

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

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

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

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

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

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

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

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

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

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

(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 1455
is an available program of shock incarceration or an intensive 1456
program prison for which the offender is suited. If there is an 1457
available program of shock incarceration or an intensive program 1458
prison for which the offender is suited, the department shall 1459
notify the court of the proposed placement of the offender as 1460
specified in section 5120.031 or 5120.032 of the Revised Code 1461
and shall include with the notice a brief description of the 1462
placement. The court shall have ten days from receipt of the 1463
notice to disapprove the placement. 1464

(J) If a person is convicted of or pleads guilty to 1465
aggravated vehicular homicide in violation of division (A) (1) of 1466
section 2903.06 of the Revised Code and division (B) (2) (c) or 1467
(d) of that section applies, the person shall be sentenced 1468
pursuant to section 2929.142 of the Revised Code. 1469

(K) (1) The court shall impose an additional mandatory 1470
prison term of two, three, four, five, six, seven, eight, nine, 1471
ten, or eleven years on an offender who is convicted of or 1472
pleads guilty to a violent felony offense if the offender also 1473
is convicted of or pleads guilty to a specification of the type 1474
described in section 2941.1424 of the Revised Code that charges 1475
that the offender is a violent career criminal and had a firearm 1476
on or about the offender's person or under the offender's 1477
control while committing the presently charged violent felony 1478
offense and displayed or brandished the firearm, indicated that 1479
the offender possessed a firearm, or used the firearm to 1480
facilitate the offense. The offender shall serve the prison term 1481
imposed under this division consecutively to and prior to the 1482
prison term imposed for the underlying offense. The prison term 1483
shall not be reduced pursuant to section 2929.20, division (A) 1484
(2) or (3) of section 2967.193 or 2967.194, or any other 1485

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