As Introduced

136th General Assembly Regular Session 2025-2026

H. B. No. 615

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Representative Williams

To amend sections 2913.02 and 2929.14 of the

Revised Code to enact the Retail Theft

Prevention Act to prohibit groups acting in

concert to commit retail theft.	4
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:	
Section 1. That sections 2913.02 and 2929.14 of the	5
Revised Code be amended to read as follows:	6
Sec. 2913.02. (A) As used in this section, "retail	7
property" and "retail value" have the same meanings as in	8
section 2923.31 of the Revised Code.	9
(B) No person, with purpose to deprive the owner of	10
property or services, shall knowingly obtain or exert control	11
over either the property or services in any of the following	12
ways:	13
(1) Without the consent of the owner or person authorized	14
to give consent;	15
(2) Beyond the scope of the express or implied consent of	16
the owner or person authorized to give consent;	17
(3) By deception;	18
(4) By threat;	19

(5) By intimidation.	20
(B)(1)(C) No person shall knowingly participate with one	21
or more others to violate division (B) of this section when the	22
property involved in the violation is retail property with a	23
retail value of one thousand dollars or more from one or more	24
retail establishments.	25
(D)(1) Whoever violates division (B) of this section is	26
guilty of theft.	27
(2) Except as otherwise provided in this division or	28
division $\frac{(B)(3)}{(D)(3)}$, (4), (5), (6), (7), (8), or (9) of this	29
section, a violation of division (B) of this section is	30
misdemeanor theft, a misdemeanor of the first degree. If the	31
value of the property or services stolen is one thousand dollars	32
or more and is less than seven thousand five hundred dollars or	33
if the property stolen is any of the property listed in section	34
2913.71 of the Revised Code, a violation of division (B) of this	35
section is theft, a felony of the fifth degree. If the value of	36
the property or services stolen is seven thousand five hundred	37
dollars or more and is less than one hundred fifty thousand	38
dollars, or if the offender has been convicted of or pleaded	39
guilty to a felony theft offense within the previous three	40
years, a violation of division (B) of this section is grand	41
theft, a felony of the fourth degree. If the value of the	42
property or services stolen is one hundred fifty thousand	43
dollars or more and is less than seven hundred fifty thousand	44
dollars, or if the offender two or more times has been convicted	45
of or pleaded guilty to a felony theft offense within the	46
previous three years, a violation of division (B) of this	47
section is aggravated theft, a felony of the third degree. If	48
the value of the property or services is seven hundred fifty	49

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thousand dollars or more and is less than one million five hundred thousand dollars, a violation of <u>division (B) of this</u> section is aggravated theft, a felony of the second degree. If the value of the property or services stolen is one million five hundred thousand dollars or more, a violation of <u>division (B) of</u> this section is aggravated theft of one million five hundred thousand dollars or more, a felony of the first degree.

(3) Except as otherwise provided in division $\frac{(B)(4)}{(D)}(D)(4)$, 57 (5), (6), (7), (8), or (9) of this section, if the victim of the 58 offense is an elderly person, disabled adult, active duty 59 60 service member, or spouse of an active duty service member, a violation of division (B) of this section is theft from a person 61 in a protected class, and division $\frac{(B)(3)}{(D)}(D)(3)$ of this section 62 applies. Except as otherwise provided in this division, theft 63 from a person in a protected class is a felony of the fifth 64 degree. If the value of the property or services stolen is one 6.5 thousand dollars or more and is less than seven thousand five 66 hundred dollars, or if the offender has been convicted of or 67 pleaded quilty to a felony theft offense within the previous 68 three years, theft from a person in a protected class is a 69 felony of the fourth degree. If the value of the property or 70 services stolen is seven thousand five hundred dollars or more 71 and is less than thirty-seven thousand five hundred dollars, or 72 if the offender two or more times has been convicted of or 73 pleaded guilty to a felony theft offense within the previous 74 three years, theft from a person in a protected class is a 75 felony of the third degree. If the value of the property or 76 services stolen is thirty-seven thousand five hundred dollars or 77 more and is less than one hundred fifty thousand dollars, theft 78 from a person in a protected class is a felony of the second 79 degree. If the value of the property or services stolen is one 80

hundred fifty thousand dollars or more, theft from a person in a	81
protected class is a felony of the first degree. If the victim	82
of the offense is an elderly person, in addition to any other	83
penalty imposed for the offense, the offender shall be required	84
to pay full restitution to the victim and to pay a fine of up to	85
fifty thousand dollars. The clerk of court shall forward all	86
fines collected under division $\frac{(B)(3)}{(D)(3)}$ of this section to	87
the county department of job and family services to be used for	88
the reporting and investigation of elder abuse, neglect, and	89
exploitation or for the provision or arrangement of protective	90
services under sections 5101.61 to 5101.71 of the Revised Code.	91

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- (4) If the property stolen is a firearm or dangerous ordnance, a violation of division (B) of this section is grand theft. Except as otherwise provided in this division, grand theft when the property stolen is a firearm or dangerous ordnance is a felony of the third degree, and there is a presumption in favor of the court imposing a prison term for the offense. If the firearm or dangerous ordnance was stolen from a federally licensed firearms dealer, grand theft when the property stolen is a firearm or dangerous ordnance is a felony of the first degree. The offender shall serve a prison term imposed for grand theft when the property stolen is a firearm or dangerous ordnance consecutively to any other prison term or mandatory prison term previously or subsequently imposed upon the offender.
- (5) If the property stolen is a motor vehicle, a violation 106 of division (B) of this section is grand theft of a motor 107 vehicle, a felony of the fourth degree. 108
- (6) If the property stolen is any dangerous drug, a 109 violation of division (B) of this section is theft of drugs, a 110

felony of the fourth degree, or, if the offender previously has	111
been convicted of a felony drug abuse offense, a felony of the	112
third degree.	113
(7) If the property stolen is a police dog or horse or an	114
assistance dog and the offender knows or should know that the	115
property stolen is a police dog or horse or an assistance dog, a	116
violation of division (B) of this section is theft of a police	117
dog or horse or an assistance dog, a felony of the third degree.	118
(8) If the property stolen is anhydrous ammonia, a	119
violation of division (B) of this section is theft of anhydrous	120
ammonia, a felony of the third degree.	121
(9) Except as provided in division (B)(2)(D)(2) of this	122
section with respect to property with a value of seven thousand	123
five hundred dollars or more and division $\frac{B}{D}$ (D) (3) of this	124
section with respect to property with a value of one thousand	125
dollars or more, if the property stolen is a special purpose	126
article as defined in section 4737.04 of the Revised Code or is	127
a bulk merchandise container as defined in section 4737.012 of	128
the Revised Code, a violation of division (B) of this section is	129
theft of a special purpose article or articles or theft of a	130
bulk merchandise container or containers, a felony of the fifth	131
degree.	132
(10) In addition to the penalties described in division	133
$\frac{B}{B}$ (D) (3) of this section, if the offender committed the	134
violation of division (B) of this section by causing a motor	135
vehicle to leave the premises of an establishment at which	136
gasoline is offered for retail sale without the offender making	137
full payment for gasoline that was dispensed into the fuel tank	138
of the motor vehicle or into another container, the court may do	139

one of the following:

(a) Unless division $\frac{(B)(10)(b)}{(D)(10)(b)}$ of this section	141
applies, suspend for not more than six months the offender's	142
driver's license, probationary driver's license, commercial	143
driver's license, temporary instruction permit, or nonresident	144
operating privilege;	145
(b) If the offender's driver's license, probationary	146
driver's license, commercial driver's license, temporary	147
instruction permit, or nonresident operating privilege has	148
previously been suspended pursuant to division (B)(10)(a) (D)(10)	149
(a) of this section, impose a class seven suspension of the	150
offender's license, permit, or privilege from the range	151
specified in division (A)(7) of section 4510.02 of the Revised	152
Code, provided that the suspension shall be for at least six	153
months- <u>;</u>	154
(c) The court, in lieu of suspending the offender's	155
driver's or commercial driver's license, probationary driver's	156
license, temporary instruction permit, or nonresident operating	157
privilege pursuant to division $\frac{(B)(10)(a)}{(D)(10)(a)}$ or (b) of	158
this section, instead may require the offender to perform	159
community service for a number of hours determined by the court.	160
(11) In addition to the penalties described in division	161
$\frac{(B)(2)}{(D)(2)}$ of this section, if the offender committed the	162
violation of division (B) of this section by stealing rented	163
property or rental services, the court may order that the	164
offender make restitution pursuant to section 2929.18 or 2929.28	165
of the Revised Code. Restitution may include, but is not limited	166
to, the cost of repairing or replacing the stolen property, or	167
the cost of repairing the stolen property and any loss of	168
revenue resulting from deprivation of the property due to theft	169
of rental services that is less than or equal to the actual	170

value of the property at the time it was rented. Evidence of	171
intent to commit theft of rented property or rental services	172
shall be determined pursuant to the provisions of section	173
2913.72 of the Revised Code.	174
(C)(E) Whoever violates division (C) of this section is	175
guilty of group retail theft. Except as otherwise provided in	176
this division, if a person commits group retail theft with one	177
or more other persons but fewer than four persons, group retail	178
theft is a felony of the fifth degree. If a person commits group	179
retail theft with four or more other persons, group retail theft	180
is a felony of the third degree and there is a presumption for a	181
prison term for the offense. If a person commits group retail	182
theft with ten or more other persons and the property stolen has	183
a retail value of five thousand dollars or more, a violation of	184
this section is a felony of the second degree.	185
(F) The sentencing court that suspends an offender's	186
license, permit, or nonresident operating privilege under	187
division $\frac{(B)(10)}{(D)(10)}$ of this section may grant the offender	188
limited driving privileges during the period of the suspension	189
in accordance with Chapter 4510. of the Revised Code.	190
Sec. 2929.14. (A) Except as provided in division (B)(1),	191
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9),	192
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or	193
in division (D)(6) of section 2919.25 of the Revised Code and	194
except in relation to an offense for which a sentence of death	195
or life imprisonment is to be imposed, if the court imposing a	196
sentence upon an offender for a felony elects or is required to	197
impose a prison term on the offender pursuant to this chapter,	198
the court shall impose a prison term that shall be one of the	199
following:	200

(1)(a) For a felony of the first degree committed on or	201
after March 22, 2019, the prison term shall be an indefinite	202
prison term with a stated minimum term selected by the court of	203
three, four, five, six, seven, eight, nine, ten, or eleven years	204
and a maximum term that is determined pursuant to section	205
2929.144 of the Revised Code, except that if the section that	206
criminalizes the conduct constituting the felony specifies a	207
different minimum term or penalty for the offense, the specific	208
language of that section shall control in determining the	209
minimum term or otherwise sentencing the offender but the	210
minimum term or sentence imposed under that specific language	211
shall be considered for purposes of the Revised Code as if it	212
had been imposed under this division.	213
(b) For a felony of the first degree committed prior to	214
March 22, 2019, the prison term shall be a definite prison term	215
of three, four, five, six, seven, eight, nine, ten, or eleven	216
years.	217
(2)(a) For a felony of the second degree committed on or	218
after March 22, 2019, the prison term shall be an indefinite	219
prison term with a stated minimum term selected by the court of	220
two, three, four, five, six, seven, or eight years and a maximum	221
term that is determined pursuant to section 2929.144 of the	222
Revised Code, except that if the section that criminalizes the	223
conduct constituting the felony specifies a different minimum	224
term or penalty for the offense, the specific language of that	225
section shall control in determining the minimum term or	226
otherwise sentencing the offender but the minimum term or	227
sentence imposed under that specific language shall be	228
considered for purposes of the Revised Code as if it had been	229

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imposed under this division.

(b) For a felony of the second degree committed prior to	231
March 22, 2019, the prison term shall be a definite term of two,	232
three, four, five, six, seven, or eight years.	233
(3)(a) For a felony of the third degree that is a	234
violation of section 2903.06, 2903.08, 2907.03, 2907.04,	235
2907.05, 2907.321, 2907.322, 2907.323, 2919.25, or 3795.04 of	236
the Revised Code, that is a violation of division (A) of section	237
4511.19 of the Revised Code if the offender previously has been	238
convicted of or pleaded guilty to a violation of division (A) of	239
that section that was a felony, that is a violation of section	240
2911.02 or 2911.12 of the Revised Code if the offender	241
previously has been convicted of or pleaded guilty in two or	242
more separate proceedings to two or more violations of section	243
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, or	244
that is a violation of division (B) of section 2921.331 of the	245
Revised Code if division (C)(5) of that section applies, the	246
prison term shall be a definite term of twelve, eighteen,	247
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-	248
four, or sixty months.	249
(b) For a felony of the third degree that is not an	250
offense for which division (A)(3)(a) of this section applies,	251
the prison term shall be a definite term of nine, twelve,	252
eighteen, twenty-four, thirty, or thirty-six months.	253
(4) For a felony of the fourth degree, the prison term	254
shall be a definite term of six, seven, eight, nine, ten,	255
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen,	256
or eighteen months.	257
(5) For a felony of the fifth degree, the prison term	258
shall be a definite term of six, seven, eight, nine, ten,	259
eleven, or twelve months.	260

(B)(1)(a) Except as provided in division(B)(1)(e) of this	261
section, if an offender who is convicted of or pleads guilty to	262
a felony also is convicted of or pleads guilty to a	263
specification of the type described in section 2941.141,	264
2941.144, or 2941.145 of the Revised Code, the court shall	265
impose on the offender one of the following prison terms:	266
(i) A prison term of six years if the specification is of	267
the type described in division (A) of section 2941.144 of the	268
Revised Code that charges the offender with having a firearm	269
that is an automatic firearm or that was equipped with a firearm	270
muffler or suppressor on or about the offender's person or under	271
the offender's control while committing the offense;	272
(ii) A prison term of three years if the specification is	273
of the type described in division (A) of section 2941.145 of the	274
Revised Code that charges the offender with having a firearm on	275
or about the offender's person or under the offender's control	276
while committing the offense and displaying the firearm,	277
brandishing the firearm, indicating that the offender possessed	278
the firearm, or using it to facilitate the offense;	279
(iii) A prison term of one year if the specification is of	280
the type described in division (A) of section 2941.141 of the	281
Revised Code that charges the offender with having a firearm on	282
or about the offender's person or under the offender's control	283
while committing the offense;	284
(iv) A prison term of nine years if the specification is	285
of the type described in division (D) of section 2941.144 of the	286
Revised Code that charges the offender with having a firearm	287
that is an automatic firearm or that was equipped with a firearm	288
muffler or suppressor on or about the offender's person or under	289
the offender's control while committing the offense and	290

specifies that the offender previously has been convicted of or	291
pleaded guilty to a specification of the type described in	292
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of	293
the Revised Code;	294
(v) A prison term of fifty-four months if the	295
specification is of the type described in division (D) of	296
section 2941.145 of the Revised Code that charges the offender	297
with having a firearm on or about the offender's person or under	298
the offender's control while committing the offense and	299
displaying the firearm, brandishing the firearm, indicating that	300
the offender possessed the firearm, or using the firearm to	301
facilitate the offense and that the offender previously has been	302
convicted of or pleaded guilty to a specification of the type	303
described in section 2941.141, 2941.144, 2941.145, 2941.146, or	304
2941.1412 of the Revised Code;	305
(vi) A prison term of eighteen months if the specification	306
(vi) A prison term of eighteen months if the specification is of the type described in division (D) of section 2941.141 of	306 307
is of the type described in division (D) of section 2941.141 of	307
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm	307 308
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's	307 308 309
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and that the offender	307 308 309 310
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and that the offender previously has been convicted of or pleaded guilty to a	307 308 309 310 311
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code.	307 308 309 310 311 312 313
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. (b) If a court imposes a prison term on an offender under	307 308 309 310 311 312 313
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. (b) If a court imposes a prison term on an offender under division (B)(1)(a) of this section, the prison term shall not be	307 308 309 310 311 312 313 314 315
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. (b) If a court imposes a prison term on an offender under division (B)(1)(a) of this section, the prison term shall not be reduced pursuant to section 2929.20, division (A)(2) or (3) of	307 308 309 310 311 312 313
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. (b) If a court imposes a prison term on an offender under division (B)(1)(a) of this section, the prison term shall not be	307 308 309 310 311 312 313 314 315 316
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. (b) If a court imposes a prison term on an offender under division (B)(1)(a) of this section, the prison term shall not be reduced pursuant to section 2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, or any other provision of Chapter	307 308 309 310 311 312 313 314 315 316 317
is of the type described in division (D) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. (b) If a court imposes a prison term on an offender under division (B)(1)(a) of this section, the prison term shall not be reduced pursuant to section 2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. Except as provided	307 308 309 310 311 312 313 314 315 316 317 318

(a) of this section for felonies committed as part of the same	321
act or transaction.	322
(c)(i) Except as provided in division (B)(1)(e) of this	323
section, if an offender who is convicted of or pleads guilty to	324
a violation of section 2923.161 of the Revised Code or to a	325
felony that includes, as an essential element, purposely or	326
knowingly causing or attempting to cause the death of or	327
physical harm to another, also is convicted of or pleads guilty	328
to a specification of the type described in division (A) of	329
section 2941.146 of the Revised Code that charges the offender	330
with committing the offense by discharging a firearm from a	331
motor vehicle other than a manufactured home, the court, after	332
imposing a prison term on the offender for the violation of	333
section 2923.161 of the Revised Code or for the other felony	334
offense under division (A), (B)(2), or (B)(3) of this section,	335
shall impose an additional prison term of five years upon the	336
offender that shall not be reduced pursuant to section 2929.20,	337
division (A)(2) or (3) of section 2967.193 or 2967.194, or any	338
other provision of Chapter 2967. or Chapter 5120. of the Revised	339
Code.	340
(ii) Except as provided in division (B)(1)(e) of this	341
section, if an offender who is convicted of or pleads guilty to	342
a violation of section 2923.161 of the Revised Code or to a	343
felony that includes, as an essential element, purposely or	344
knowingly causing or attempting to cause the death of or	345
physical harm to another, also is convicted of or pleads guilty	346
to a specification of the type described in division (C) of	347
section 2941.146 of the Revised Code that charges the offender	348
with committing the offense by discharging a firearm from a	349
motor vehicle other than a manufactured home and that the	350

offender previously has been convicted of or pleaded guilty to a

specification of the type described in section 2941.141,	352
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code,	353
the court, after imposing a prison term on the offender for the	354
violation of section 2923.161 of the Revised Code or for the	355
other felony offense under division (A), (B)(2), or (3) of this	356
section, shall impose an additional prison term of ninety months	357
upon the offender that shall not be reduced pursuant to section	358
2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194,	359
or any other provision of Chapter 2967. or Chapter 5120. of the	360
Revised Code.	361

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- (iii) A court shall not impose more than one additional prison term on an offender under division (B)(1)(c) of this section for felonies committed as part of the same act or transaction. If a court imposes an additional prison term on an offender under division (B)(1)(c) of this section relative to an offense, the court also shall impose a prison term under division (B)(1)(a) of this section relative to the same offense, provided the criteria specified in that division for imposing an additional prison term are satisfied relative to the offender and the offense.
- (d) If an offender who is convicted of or pleads guilty to 372 an offense of violence that is a felony also is convicted of or 373 pleads guilty to a specification of the type described in 374 section 2941.1411 of the Revised Code that charges the offender 375 with wearing or carrying body armor while committing the felony 376 offense of violence, the court shall impose on the offender an 377 additional prison term of two years. The prison term so imposed 378 shall not be reduced pursuant to section 2929.20, division (A) 379 (2) or (3) of section 2967.193 or 2967.194, or any other 380 provision of Chapter 2967. or Chapter 5120. of the Revised Code. 381 A court shall not impose more than one prison term on an 382

offender under division (B)(1)(d) of this section for felonies	383
committed as part of the same act or transaction. If a court	384
imposes an additional prison term under division (B)(1)(a) or	385
(c) of this section, the court is not precluded from imposing an	386
additional prison term under division (B)(1)(d) of this section.	387
(e) The court shall not impose any of the prison terms	388
described in division (B)(1)(a) of this section or any of the	389
additional prison terms described in division (B)(1)(c) of this	390
section upon an offender for a violation of section 2923.12 or	391
2923.123 of the Revised Code. The court shall not impose any of	392
the prison terms described in division (B)(1)(a) or (b) of this	393
section upon an offender for a violation of section 2923.122	394
that involves a deadly weapon that is a firearm other than a	395
dangerous ordnance, section 2923.16, or section 2923.121 of the	396
Revised Code. The court shall not impose any of the prison terms	397
described in division (B)(1)(a) of this section or any of the	398
additional prison terms described in division (B)(1)(c) of this	399
section upon an offender for a violation of section 2923.13 of	400
the Revised Code unless all of the following apply:	401
(i) The offender previously has been convicted of	402
aggravated murder, murder, or any felony of the first or second	403
degree.	404
(ii) Less than five years have passed since the offender	405
was released from prison or post-release control, whichever is	406
later, for the prior offense.	407
(f)(i) If an offender is convicted of or pleads guilty to	408
a felony that includes, as an essential element, causing or	409
attempting to cause the death of or physical harm to another and	410
also is convicted of or pleads guilty to a specification of the	411

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type described in division (A) of section 2941.1412 of the

Revised Code that charges the offender with committing the	413
offense by discharging a firearm at a peace officer as defined	414
in section 2935.01 of the Revised Code or a corrections officer,	415
as defined in section 2941.1412 of the Revised Code, the court,	416
after imposing a prison term on the offender for the felony	417
offense under division (A), (B)(2), or (B)(3) of this section,	418
shall impose an additional prison term of seven years upon the	419
offender that shall not be reduced pursuant to section 2929.20,	420
division (A)(2) or (3) of section 2967.193 or 2967.194, or any	421
other provision of Chapter 2967. or Chapter 5120. of the Revised	422
Code.	423
(ii) If an offender is convicted of or pleads guilty to a	424
felony that includes, as an essential element, causing or	425
attempting to cause the death of or physical harm to another and	426
also is convicted of or pleads guilty to a specification of the	427
type described in division (B) of section 2941.1412 of the	428
Revised Code that charges the offender with committing the	429
offense by discharging a firearm at a peace officer, as defined	430
in section 2935.01 of the Revised Code, or a corrections	431
officer, as defined in section 2941.1412 of the Revised Code,	432
and that the offender previously has been convicted of or	433
pleaded guilty to a specification of the type described in	434
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of	435
the Revised Code, the court, after imposing a prison term on the	436
offender for the felony offense under division (A), (B)(2), or	437
(3) of this section, shall impose an additional prison term of	438
one hundred twenty-six months upon the offender that shall not	439
be reduced pursuant to section 2929.20, division (A)(2) or (3)	440
of section 2967.193 or 2967.194, or any other provision of	441
Chapter 2967. or 5120. of the Revised Code.	442

(iii) If an offender is convicted of or pleads guilty to

two or more felonies that include, as an essential element,	444
causing or attempting to cause the death or physical harm to	445
another and also is convicted of or pleads guilty to a	446
specification of the type described under division (B)(1)(f) of	447
this section in connection with two or more of the felonies of	448
which the offender is convicted or to which the offender pleads	449
guilty, the sentencing court shall impose on the offender the	450
prison term specified under division (B)(1)(f) of this section	451
for each of two of the specifications of which the offender is	452
convicted or to which the offender pleads guilty and, in its	453
discretion, also may impose on the offender the prison term	454
specified under that division for any or all of the remaining	455
specifications. If a court imposes an additional prison term on	456
an offender under division (B)(1)(f) of this section relative to	457
an offense, the court shall not impose a prison term under	458
division (B)(1)(a) or (c) of this section relative to the same	459
offense.	460

(g) If an offender is convicted of or pleads guilty to two 461 or more felonies, if one or more of those felonies are 462 aggravated murder, murder, attempted aggravated murder, 463 attempted murder, aggravated robbery, felonious assault, or 464 rape, and if the offender is convicted of or pleads guilty to a 465 specification of the type described under division (B)(1)(a) of 466 this section in connection with two or more of the felonies, the 467 sentencing court shall impose on the offender the prison term 468 specified under division (B)(1)(a) of this section for each of 469 the two most serious specifications of which the offender is 470 convicted or to which the offender pleads guilty and, in its 471 discretion, also may impose on the offender the prison term 472 specified under that division for any or all of the remaining 473 specifications. 474

(2) (a) If division (B) (2) (b) of this section does not	475
apply, the court may impose on an offender, in addition to the	476
longest prison term authorized or required for the offense or,	477
for offenses for which division (A)(1)(a) or (2)(a) of this	478
section applies, in addition to the longest minimum prison term	479
authorized or required for the offense, an additional definite	480
prison term of one, two, three, four, five, six, seven, eight,	481
nine, or ten years if all of the following criteria are met:	482
(i) The offender is convicted of or pleads guilty to a	483
specification of the type described in section 2941.149 of the	484
Revised Code that the offender is a repeat violent offender.	485
(ii) The offense of which the offender currently is	486
convicted or to which the offender currently pleads guilty is	487
aggravated murder and the court does not impose a sentence of	488
death or life imprisonment without parole, murder, terrorism and	489
the court does not impose a sentence of life imprisonment	490
without parole, any felony of the first degree that is an	491
offense of violence and the court does not impose a sentence of	492
life imprisonment without parole, or any felony of the second	493
degree that is an offense of violence and the trier of fact	494
finds that the offense involved an attempt to cause or a threat	495
to cause serious physical harm to a person or resulted in	496
serious physical harm to a person.	497
(iii) The court imposes the longest prison term for the	498
offense or the longest minimum prison term for the offense,	499
whichever is applicable, that is not life imprisonment without	500
parole.	501
(iv) The court finds that the prison terms imposed	502
pursuant to division (B)(2)(a)(iii) of this section and, if	503

applicable, division (B)(1) or (3) of this section are

inadequate to punish the offender and protect the public from	505
future crime, because the applicable factors under section	506
2929.12 of the Revised Code indicating a greater likelihood of	507
recidivism outweigh the applicable factors under that section	508
indicating a lesser likelihood of recidivism.	509
(v) The court finds that the prison terms imposed pursuant	510
to division (B)(2)(a)(iii) of this section and, if applicable,	511
division (B)(1) or (3) of this section are demeaning to the	512
seriousness of the offense, because one or more of the factors	513
under section 2929.12 of the Revised Code indicating that the	514
offender's conduct is more serious than conduct normally	515
constituting the offense are present, and they outweigh the	516
applicable factors under that section indicating that the	517
offender's conduct is less serious than conduct normally	518
constituting the offense.	519
(b) The court shall impose on an offender the longest	520
prison term authorized or required for the offense or, for	521
·	-
offenses for which division (A)(1)(a) or (2)(a) of this section	522
offenses for which division (A)(1)(a) or (2)(a) of this section	522
offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required	522 523
offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required for the offense, and shall impose on the offender an additional	522 523 524
offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required for the offense, and shall impose on the offender an additional definite prison term of one, two, three, four, five, six, seven,	522523524525
offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required for the offense, and shall impose on the offender an additional definite prison term of one, two, three, four, five, six, seven, eight, nine, or ten years if all of the following criteria are	522 523 524 525 526
offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required for the offense, and shall impose on the offender an additional definite prison term of one, two, three, four, five, six, seven, eight, nine, or ten years if all of the following criteria are met:	522523524525526527
offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required for the offense, and shall impose on the offender an additional definite prison term of one, two, three, four, five, six, seven, eight, nine, or ten years if all of the following criteria are met: (i) The offender is convicted of or pleads guilty to a	522523524525526527528
offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required for the offense, and shall impose on the offender an additional definite prison term of one, two, three, four, five, six, seven, eight, nine, or ten years if all of the following criteria are met: (i) The offender is convicted of or pleads guilty to a specification of the type described in section 2941.149 of the	 522 523 524 525 526 527 528 529
offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required for the offense, and shall impose on the offender an additional definite prison term of one, two, three, four, five, six, seven, eight, nine, or ten years if all of the following criteria are met: (i) The offender is convicted of or pleads guilty to a specification of the type described in section 2941.149 of the Revised Code that the offender is a repeat violent offender.	522 523 524 525 526 527 528 529 530

Code, including all offenses described in that division of which

the offender is convicted or to which the offender pleads guilty	535
in the current prosecution and all offenses described in that	536
division of which the offender previously has been convicted or	537
to which the offender previously pleaded guilty, whether	538
prosecuted together or separately.	539
(iii) The offense or offenses of which the offender	540
currently is convicted or to which the offender currently pleads	541
guilty is aggravated murder and the court does not impose a	542
sentence of death or life imprisonment without parole, murder,	543
terrorism and the court does not impose a sentence of life	544
imprisonment without parole, any felony of the first degree that	545
is an offense of violence and the court does not impose a	546
sentence of life imprisonment without parole, or any felony of	547
the second degree that is an offense of violence and the trier	548
of fact finds that the offense involved an attempt to cause or a	549
threat to cause serious physical harm to a person or resulted in	550
serious physical harm to a person.	551
(c) For purposes of division (B)(2)(b) of this section,	552
two or more offenses committed at the same time or as part of	553
the same act or event shall be considered one offense, and that	554
one offense shall be the offense with the greatest penalty.	555
(d) A sentence imposed under division (B)(2)(a) or (b) of	556
this section shall not be reduced pursuant to section 2929.20,	557
division (A)(2) or (3) of section 2967.193 or 2967.194, or any	558
other provision of Chapter 2967. or Chapter 5120. of the Revised	559
Code. The offender shall serve an additional prison term imposed	560
under division (B)(2)(a) or (b) of this section consecutively to	561
and prior to the prison term imposed for the underlying offense.	562
(e) When imposing a sentence pursuant to division (B)(2)	563

(a) or (b) of this section, the court shall state its findings

explaining the imposed sentence.

(3) Except when an offender commits a violation of section	566
2903.01 or 2907.02 of the Revised Code and the penalty imposed	567
for the violation is life imprisonment or commits a violation of	568
section 2903.02 of the Revised Code, if the offender commits a	569
violation of section 2925.03 or 2925.11 of the Revised Code and	570
that section classifies the offender as a major drug offender,	571
if the offender commits a violation of section 2925.05 of the	572
Revised Code and division (E)(1) of that section classifies the	573
offender as a major drug offender, if the offender commits a	574
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36,	575
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61,	576
division (C) or (D) of section 3719.172, division (E) of section	577
4729.51, or division (J) of section 4729.54 of the Revised Code	578
that includes the sale, offer to sell, or possession of a	579
schedule I or II controlled substance, with the exception of	580
marihuana, and the court imposing sentence upon the offender	581
finds that the offender is guilty of a specification of the type	582
described in division (A) of section 2941.1410 of the Revised	583
Code charging that the offender is a major drug offender, if the	584
court imposing sentence upon an offender for a felony finds that	585
the offender is guilty of corrupt activity with the most serious	586
offense in the pattern of corrupt activity being a felony of the	587
first degree, or if the offender is guilty of an attempted	588
violation of section 2907.02 of the Revised Code and, had the	589
offender completed the violation of section 2907.02 of the	590
Revised Code that was attempted, the offender would have been	591
subject to a sentence of life imprisonment or life imprisonment	592
without parole for the violation of section 2907.02 of the	593
Revised Code, the court shall impose upon the offender for the	594
felony violation a mandatory prison term determined as described	595

in this division that cannot be reduced pursuant to section 596 2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, 597 or any other provision of Chapter 2967. or 5120. of the Revised 598 Code. The mandatory prison term shall be the maximum definite 599 prison term prescribed in division (A)(1)(b) of this section for 600 a felony of the first degree, except that for offenses for which 601 division (A)(1)(a) of this section applies, the mandatory prison 602 term shall be the longest minimum prison term prescribed in that 603 division for the offense. 604

(4) If the offender is being sentenced for a third or 605 fourth degree felony OVI offense under division (G)(2) of 606 section 2929.13 of the Revised Code, the sentencing court shall 607 impose upon the offender a mandatory prison term in accordance 608 with that division. In addition to the mandatory prison term, if 609 the offender is being sentenced for a fourth degree felony OVI 610 offense, the court, notwithstanding division (A)(4) of this 611 section, may sentence the offender to a definite prison term of 612 not less than six months and not more than thirty months, and if 613 614 the offender is being sentenced for a third degree felony OVI offense, the sentencing court may sentence the offender to an 615 additional prison term of any duration specified in division (A) 616 (3) of this section. In either case, the additional prison term 617 imposed shall be reduced by the sixty or one hundred twenty days 618 imposed upon the offender as the mandatory prison term. The 619 total of the additional prison term imposed under division (B) 620 (4) of this section plus the sixty or one hundred twenty days 621 imposed as the mandatory prison term shall equal a definite term 622 in the range of six months to thirty months for a fourth degree 623 felony OVI offense and shall equal one of the authorized prison 624 terms specified in division (A)(3) of this section for a third 625 degree felony OVI offense. If the court imposes an additional 626

prison term under division (B)(4) of this section, the offender	627
shall serve the additional prison term after the offender has	628
served the mandatory prison term required for the offense. In	629
addition to the mandatory prison term or mandatory and	630
additional prison term imposed as described in division (B)(4)	631
of this section, the court also may sentence the offender to a	632
community control sanction under section 2929.16 or 2929.17 of	633
the Revised Code, but the offender shall serve all of the prison	634
terms so imposed prior to serving the community control	635
sanction.	636

If the offender is being sentenced for a fourth degree 637 felony OVI offense under division (G)(1) of section 2929.13 of 638 the Revised Code and the court imposes a mandatory term of local 639 incarceration, the court may impose a prison term as described 640 in division (A)(1) of that section.

(5) If an offender is convicted of or pleads guilty to a 642 violation of division (A)(1) or (2) of section 2903.06 of the 643 Revised Code and also is convicted of or pleads guilty to a 644 specification of the type described in section 2941.1414 of the 645 Revised Code that charges that the victim of the offense is a 646 peace officer, as defined in section 2935.01 of the Revised 647 Code, an investigator of the bureau of criminal identification 648 and investigation, as defined in section 2903.11 of the Revised 649 Code, or a firefighter or emergency medical worker, both as 650 defined in section 2941.1414 of the Revised Code, the court 651 shall impose on the offender a prison term of five years. If a 652 court imposes a prison term on an offender under division (B)(5) 653 of this section, the prison term shall not be reduced pursuant 654 to section 2929.20, division (A)(2) or (3) of section 2967.193 655 or 2967.194, or any other provision of Chapter 2967. or Chapter 656 5120. of the Revised Code. A court shall not impose more than 657 one prison term on an offender under division (B)(5) of this
section for felonies committed as part of the same act.

658

- (6) If an offender is convicted of or pleads quilty to a 660 violation of division (A)(1) or (2) of section 2903.06 of the 661 Revised Code and also is convicted of or pleads guilty to a 662 specification of the type described in section 2941.1415 of the 663 Revised Code that charges that the offender previously has been 664 convicted of or pleaded quilty to three or more violations of 665 division (A) of section 4511.19 of the Revised Code or an 666 equivalent offense, as defined in section 2941.1415 of the 667 Revised Code, or three or more violations of any combination of 668 those offenses, the court shall impose on the offender a prison 669 term of three years. If a court imposes a prison term on an 670 offender under division (B)(6) of this section, the prison term 671 shall not be reduced pursuant to section 2929.20, division (A) 672 (2) or (3) of section 2967.193 or 2967.194, or any other 673 provision of Chapter 2967. or Chapter 5120. of the Revised Code. 674 A court shall not impose more than one prison term on an 675 offender under division (B)(6) of this section for felonies 676 committed as part of the same act. 677
- (7) (a) If an offender is convicted of or pleads guilty to 678 a felony violation of section 2905.01, 2905.02, 2907.21, 679 2907.22, or 2923.32, division (A)(1) or (2) of section 2907.323 680 involving a minor, or division (B)(1), (2), (3), (4), or (5) of 681 section 2919.22 of the Revised Code and also is convicted of or 682 pleads guilty to a specification of the type described in 683 section 2941.1422 of the Revised Code that charges that the 684 offender knowingly committed the offense in furtherance of human 685 trafficking, the court shall impose on the offender a mandatory 686 687 prison term that is one of the following:

(i) If the offense is a felony of the first degree, a	688
definite prison term of not less than five years and not greater	689
than eleven years, except that if the offense is a felony of the	690
first degree committed on or after March 22, 2019, the court	691
shall impose as the minimum prison term a mandatory term of not	692
less than five years and not greater than eleven years;	693
(ii) If the offense is a felony of the second or third	694
degree, a definite prison term of not less than three years and	695
not greater than the maximum prison term allowed for the offense	696
by division (A)(2)(b) or (3) of this section, except that if the	697
offense is a felony of the second degree committed on or after	698
March 22, 2019, the court shall impose as the minimum prison	699
term a mandatory term of not less than three years and not	700
greater than eight years;	701
(iii) If the offense is a felony of the fourth or fifth	702
degree, a definite prison term that is the maximum prison term	703
allowed for the offense by division (A) of section 2929.14 of	704
the Revised Code.	705
(b) The prison term imposed under division (B)(7)(a) of	706
this section shall not be reduced pursuant to section 2929.20,	707
division (A)(2) or (3) of section 2967.193 or 2967.194, or any	708
other provision of Chapter 2967. of the Revised Code. A court	709
shall not impose more than one prison term on an offender under	710
division (B)(7)(a) of this section for felonies committed as	711
part of the same act, scheme, or plan.	712
(8) If an offender is convicted of or pleads guilty to a	713
felony violation of section 2903.11, 2903.12, or 2903.13 of the	714
Revised Code and also is convicted of or pleads guilty to a	715
specification of the type described in section 2941.1423 of the	716

Revised Code that charges that the victim of the violation was a

woman whom the offender knew was pregnant at the time of the	718
violation, notwithstanding the range prescribed in division (A)	719
of this section as the definite prison term or minimum prison	720
term for felonies of the same degree as the violation, the court	721
shall impose on the offender a mandatory prison term that is	722
either a definite prison term of six months or one of the prison	723
terms prescribed in division (A) of this section for felonies of	724
the same degree as the violation, except that if the violation	725
is a felony of the first or second degree committed on or after	726
March 22, 2019, the court shall impose as the minimum prison	727
term under division (A)(1)(a) or (2)(a) of this section a	728
mandatory term that is one of the terms prescribed in that	729
division, whichever is applicable, for the offense.	730

- (9) (a) If an offender is convicted of or pleads guilty to 731 a violation of division (A)(1) or (2) of section 2903.11 of the 732 Revised Code and also is convicted of or pleads guilty to a 733 specification of the type described in section 2941.1425 of the 734 Revised Code, the court shall impose on the offender a mandatory 735 prison term of six years if either of the following applies: 736
- (i) The violation is a violation of division (A)(1) of

 section 2903.11 of the Revised Code and the specification

 738
 charges that the offender used an accelerant in committing the

 violation and the serious physical harm to another or to

 740
 another's unborn caused by the violation resulted in a

 permanent, serious disfigurement or permanent, substantial

 742
 incapacity;
- (ii) The violation is a violation of division (A)(2) of 744 section 2903.11 of the Revised Code and the specification 745 charges that the offender used an accelerant in committing the 746 violation, that the violation caused physical harm to another or 747

to another's unborn, and that the physical harm resulted in a	748
permanent, serious disfigurement or permanent, substantial	749
incapacity.	750
(b) If a court imposes a prison term on an offender under	751
division (B)(9)(a) of this section, the prison term shall not be	752
reduced pursuant to section 2929.20, division (A)(2) or (3) of	753
section 2967.193 or 2967.194, or any other provision of Chapter	754
2967. or Chapter 5120. of the Revised Code. A court shall not	755
impose more than one prison term on an offender under division	756
(B)(9) of this section for felonies committed as part of the	757
same act.	758
(c) The provisions of divisions (B)(9) and (C)(6) of this	759
section and of division (D)(2) of section 2903.11, division (F)	760
(20) of section 2929.13, and section 2941.1425 of the Revised	761
Code shall be known as "Judy's Law."	762
(10) If an offender is convicted of or pleads guilty to a	763
violation of division (A) of section 2903.11 of the Revised Code	764
and also is convicted of or pleads guilty to a specification of	765
the type described in section 2941.1426 of the Revised Code that	766
charges that the victim of the offense suffered permanent	767
disabling harm as a result of the offense and that the victim	768
was under ten years of age at the time of the offense,	769
regardless of whether the offender knew the age of the victim,	770
the court shall impose upon the offender an additional definite	771
prison term of six years. A prison term imposed on an offender	772
under division (B)(10) of this section shall not be reduced	773
pursuant to section 2929.20, division (A)(2) or (3) of section	774
2967.193 or 2967.194, or any other provision of Chapter 2967. or	775
Chapter 5120. of the Revised Code. If a court imposes an	776

additional prison term on an offender under this division

relative to a violation of division (A) of section 2903.11 of 778
the Revised Code, the court shall not impose any other 779
additional prison term on the offender relative to the same 780
offense. 781

(11) If an offender is convicted of or pleads guilty to a 782 felony violation of section 2925.03 or 2925.05 of the Revised 783 Code or a felony violation of section 2925.11 of the Revised 784 Code for which division (C)(11) of that section applies in 785 determining the sentence for the violation, if the drug involved 786 787 in the violation is a fentanyl-related compound or a compound, mixture, preparation, or substance containing a fentanyl-related 788 compound, and if the offender also is convicted of or pleads 789 790 quilty to a specification of the type described in division (B) of section 2941.1410 of the Revised Code that charges that the 791 offender is a major drug offender, in addition to any other 792 penalty imposed for the violation, the court shall impose on the 793 offender a mandatory prison term of three, four, five, six, 794 seven, or eight years. If a court imposes a prison term on an 795 offender under division (B)(11) of this section, the prison term 796 shall not be reduced pursuant to section 2929.20, division (A) 797 (2) or (3) of section 2967.193 or 2967.194, or any other 798 provision of Chapter 2967. or 5120. of the Revised Code. A court 799 shall not impose more than one prison term on an offender under 800 division (B)(11) of this section for felonies committed as part 801 of the same act. 802

(C) (1) (a) Subject to division (C) (1) (b) of this section,

if a mandatory prison term is imposed upon an offender pursuant

to division (B) (1) (a) of this section for having a firearm on or

about the offender's person or under the offender's control

while committing a felony, if a mandatory prison term is imposed

upon an offender pursuant to division (B) (1) (c) of this section

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for committing a felony specified in that division by	809
discharging a firearm from a motor vehicle, or if both types of	810
mandatory prison terms are imposed, the offender shall serve any	811
mandatory prison term imposed under either division	812
consecutively to any other mandatory prison term imposed under	813
either division or under division (B)(1)(d) of this section,	814
consecutively to and prior to any prison term imposed for the	815
underlying felony pursuant to division (A), (B)(2), or (B)(3) of	816
this section or any other section of the Revised Code, and	817
consecutively to any other prison term or mandatory prison term	818
previously or subsequently imposed upon the offender.	819

- (b) If a mandatory prison term is imposed upon an offender 820 pursuant to division (B)(1)(d) of this section for wearing or 821 carrying body armor while committing an offense of violence that 822 is a felony, the offender shall serve the mandatory term so 823 imposed consecutively to any other mandatory prison term imposed 824 under that division or under division (B)(1)(a) or (c) of this 825 section, consecutively to and prior to any prison term imposed 826 for the underlying felony under division (A), (B)(2), or (B)(3) 827 of this section or any other section of the Revised Code, and 828 consecutively to any other prison term or mandatory prison term 829 previously or subsequently imposed upon the offender. 830
- (c) If a mandatory prison term is imposed upon an offender 831 pursuant to division (B)(1)(f) of this section, the offender 832 shall serve the mandatory prison term so imposed consecutively 833 to and prior to any prison term imposed for the underlying 834 felony under division (A), (B)(2), or (B)(3) of this section or 835 any other section of the Revised Code, and consecutively to any 836 other prison term or mandatory prison term previously or 837 subsequently imposed upon the offender. 838

(d) If a mandatory prison term is imposed upon an offender	839
pursuant to division (B)(7) or (8) of this section, the offender	840
shall serve the mandatory prison term so imposed consecutively	841
to any other mandatory prison term imposed under that division	842
or under any other provision of law and consecutively to any	843
other prison term or mandatory prison term previously or	844
subsequently imposed upon the offender.	845

- (e) If a mandatory prison term is imposed upon an offender 846 pursuant to division (B)(11) of this section, the offender shall 847 serve the mandatory prison term consecutively to any other 848 mandatory prison term imposed under that division, consecutively 849 to and prior to any prison term imposed for the underlying 850 felony, and consecutively to any other prison term or mandatory 851 prison term previously or subsequently imposed upon the 852 offender. 853
- (2) If an offender who is an inmate in a jail, prison, or 854 other residential detention facility violates section 2917.02, 855 2917.03, or 2921.35 of the Revised Code or division (A)(1) or 8.56 (2) of section 2921.34 of the Revised Code, if an offender who 857 is under detention at a detention facility commits a felony 858 violation of section 2923.131 of the Revised Code, or if an 859 860 offender who is an inmate in a jail, prison, or other residential detention facility or is under detention at a 861 detention facility commits another felony while the offender is 862 an escapee in violation of division (A)(1) or (2) of section 863 2921.34 of the Revised Code, any prison term imposed upon the 864 offender for one of those violations shall be served by the 865 offender consecutively to the prison term or term of 866 imprisonment the offender was serving when the offender 867 committed that offense and to any other prison term previously 868 or subsequently imposed upon the offender. 869

(3) If a prison term is imposed for a violation of	870
division (B) of section 2911.01 of the Revised Code, a violation	871
of division $\frac{(A)}{(B)}$ of section 2913.02 of the Revised Code in	872
which the stolen property is a firearm or dangerous ordnance, or	873
a felony violation of division (B) of section 2921.331 of the	874
Revised Code, the offender shall serve that prison term	875
consecutively to any other prison term or mandatory prison term	876
previously or subsequently imposed upon the offender.	877
(4) If multiple prison terms are imposed on an offender	878
for convictions of multiple offenses, the court may require the	879
offender to serve the prison terms consecutively if the court	880
finds that the consecutive service is necessary to protect the	881
public from future crime or to punish the offender and that	882
consecutive sentences are not disproportionate to the	883
seriousness of the offender's conduct and to the danger the	884
offender poses to the public, and if the court also finds any of	885
the following:	886
(a) The offender committed one or more of the multiple	887
offenses while the offender was awaiting trial or sentencing,	888
was under a sanction imposed pursuant to section 2929.16,	889
2929.17, or 2929.18 of the Revised Code, or was under post-	890
release control for a prior offense.	891
(b) At least two of the multiple offenses were committed	892
as part of one or more courses of conduct, and the harm caused	893
by two or more of the multiple offenses so committed was so	894
great or unusual that no single prison term for any of the	895
offenses committed as part of any of the courses of conduct	896
adequately reflects the seriousness of the offender's conduct.	897
(c) The offender's history of criminal conduct	898

demonstrates that consecutive sentences are necessary to protect

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the public from future crime by the offender.

(5) If a mandatory prison term is imposed upon an offender 901 pursuant to division (B)(5) or (6) of this section, the offender 902 shall serve the mandatory prison term consecutively to and prior 903 to any prison term imposed for the underlying violation of 904 division (A)(1) or (2) of section 2903.06 of the Revised Code 905 pursuant to division (A) of this section or section 2929.142 of 906 the Revised Code. If a mandatory prison term is imposed upon an 907 offender pursuant to division (B)(5) of this section, and if a 908 909 mandatory prison term also is imposed upon the offender pursuant to division (B)(6) of this section in relation to the same 910 violation, the offender shall serve the mandatory prison term 911 imposed pursuant to division (B)(5) of this section 912 consecutively to and prior to the mandatory prison term imposed 913 pursuant to division (B)(6) of this section and consecutively to 914 and prior to any prison term imposed for the underlying 915 violation of division (A)(1) or (2) of section 2903.06 of the 916 Revised Code pursuant to division (A) of this section or section 917 2929.142 of the Revised Code. 918

- (6) If a mandatory prison term is imposed on an offender pursuant to division (B)(9) of this section, the offender shall serve the mandatory prison term consecutively to and prior to any prison term imposed for the underlying violation of division (A)(1) or (2) of section 2903.11 of the Revised Code and consecutively to and prior to any other prison term or mandatory prison term previously or subsequently imposed on the offender.
- (7) If a mandatory prison term is imposed on an offender pursuant to division (B)(10) of this section, the offender shall serve that mandatory prison term consecutively to and prior to any prison term imposed for the underlying felonious assault.

Except as otherwise provided in division (C) of this section,	930
any other prison term or mandatory prison term previously or	931
subsequently imposed upon the offender may be served	932
concurrently with, or consecutively to, the prison term imposed	933
pursuant to division (B)(10) of this section.	934
(8) Any prison term imposed for a violation of section	935
2903.04 of the Revised Code that is based on a violation of	936
section 2925.03 or 2925.11 of the Revised Code or on a violation	937
of section 2925.05 of the Revised Code that is not funding of	938
marihuana trafficking shall run consecutively to any prison term	939
imposed for the violation of section 2925.03 or 2925.11 of the	940
Revised Code or for the violation of section 2925.05 of the	941
Revised Code that is not funding of marihuana trafficking.	942
(9) When consecutive prison terms are imposed pursuant to	943
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or	944
division (H)(1) or (2) of this section, subject to division (C)	945
(10) of this section, the term to be served is the aggregate of	946
all of the terms so imposed.	947
(10) When a court sentences an offender to a non-life	948
felony indefinite prison term, any definite prison term or	949
mandatory definite prison term previously or subsequently	950
imposed on the offender in addition to that indefinite sentence	951
that is required to be served consecutively to that indefinite	952
sentence shall be served prior to the indefinite sentence.	953
(11) If a court is sentencing an offender for a felony of	954
the first or second degree, if division (A)(1)(a) or (2)(a) of	955
this section applies with respect to the sentencing for the	956
offense, and if the court is required under the Revised Code	957
section that sets forth the offense or any other Revised Code	958

provision to impose a mandatory prison term for the offense, the

court shall impose the required mandatory prison term as the 960 minimum term imposed under division (A)(1)(a) or (2)(a) of this 961 section, whichever is applicable. 962

- 963 (D)(1) If a court imposes a prison term, other than a term of life imprisonment, for a felony of the first degree, for a 964 felony of the second degree, for a felony sex offense, or for a 965 felony of the third degree that is an offense of violence and 966 that is not a felony sex offense, it shall include in the 967 sentence a requirement that the offender be subject to a period 968 of post-release control after the offender's release from 969 imprisonment, in accordance with section 2967.28 of the Revised 970 Code. If a court imposes a sentence including a prison term of a 971 type described in this division on or after July 11, 2006, the 972 failure of a court to include a post-release control requirement 973 in the sentence pursuant to this division does not negate, 974 limit, or otherwise affect the mandatory period of post-release 975 control that is required for the offender under division (B) of 976 section 2967.28 of the Revised Code. Section 2929.191 of the 977 Revised Code applies if, prior to July 11, 2006, a court imposed 978 a sentence including a prison term of a type described in this 979 980 division and failed to include in the sentence pursuant to this division a statement regarding post-release control. 981
- (2) If a court imposes a prison term for a felony of the 982 third, fourth, or fifth degree that is not subject to division 983 (D) (1) of this section, it shall include in the sentence a 984 requirement that the offender be subject to a period of post-985 release control after the offender's release from imprisonment, 986 in accordance with that division, if the parole board determines 987 that a period of post-release control is necessary. Section 988 2929.191 of the Revised Code applies if, prior to July 11, 2006, 989 a court imposed a sentence including a prison term of a type 990

described in this division and failed to include in the sentence	991
pursuant to this division a statement regarding post-release	992
control.	993
(E) The court shall impose sentence upon the offender in	994
accordance with section 2971.03 of the Revised Code, and Chapter	995
2971. of the Revised Code applies regarding the prison term or	996
term of life imprisonment without parole imposed upon the	997
offender and the service of that term of imprisonment if any of	998
the following apply:	999
(1) A person is convicted of or pleads guilty to a violent	1000
sex offense or a designated homicide, assault, or kidnapping	1001
offense, and, in relation to that offense, the offender is	1002
adjudicated a sexually violent predator.	1003
(2) A person is convicted of or pleads guilty to a	1004
violation of division (A)(1)(b) of section 2907.02 of the	1005
Revised Code committed on or after January 2, 2007, and either	1006
the court does not impose a sentence of life without parole when	1007
authorized pursuant to division (B) of section 2907.02 of the	1008
Revised Code, or division (B) of section 2907.02 of the Revised	1009
Code provides that the court shall not sentence the offender	1010
pursuant to section 2971.03 of the Revised Code.	1011
(3) A person is convicted of or pleads guilty to attempted	1012
rape committed on or after January 2, 2007, and a specification	1013
of the type described in section 2941.1418, 2941.1419, or	1014
2941.1420 of the Revised Code.	1015
(4) A person is convicted of or pleads guilty to a	1016
violation of section 2905.01 of the Revised Code committed on or	1017
after January 1, 2008, and that section requires the court to	1018
sentence the offender pursuant to section 2971.03 of the Revised	1019

Code. 1020 (5) A person is convicted of or pleads guilty to 1021 aggravated murder committed on or after January 1, 2008, and 1022 division (A)(2)(b)(ii) of section 2929.022, division (A)(1)(e), 1023 (C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1024 (a) (iv) of section 2929.03, or division (A) or (B) of section 1025 2929.06 of the Revised Code requires the court to sentence the 1026 offender pursuant to division (B)(3) of section 2971.03 of the 1027 Revised Code. 1028 1029 (6) A person is convicted of or pleads guilty to murder committed on or after January 1, 2008, and division (B)(2) of 1030 section 2929.02 of the Revised Code requires the court to 1031 sentence the offender pursuant to section 2971.03 of the Revised 1032 Code. 1033 (F) If a person who has been convicted of or pleaded 1034 quilty to a felony is sentenced to a prison term or term of 1035 imprisonment under this section, sections 2929.02 to 2929.06 of 1036 the Revised Code, section 2929.142 of the Revised Code, section 1037 2971.03 of the Revised Code, or any other provision of law, 1038 section 5120.163 of the Revised Code applies regarding the 1039 person while the person is confined in a state correctional 1040 institution. 1041 (G) If an offender who is convicted of or pleads quilty to 1042 a felony that is an offense of violence also is convicted of or 1043 pleads quilty to a specification of the type described in 1044 section 2941.142 of the Revised Code that charges the offender 1045 with having committed the felony while participating in a 1046 criminal gang, the court shall impose upon the offender an 1047 additional prison term of one, two, or three years. 1048

(H)(1) If an offender who is convicted of or pleads guilty	1049
to aggravated murder, murder, or a felony of the first, second,	1050
or third degree that is an offense of violence also is convicted	1051
of or pleads guilty to a specification of the type described in	1052
section 2941.143 of the Revised Code that charges the offender	1053
with having committed the offense in a school safety zone or	1054
towards a person in a school safety zone, the court shall impose	1055
upon the offender an additional prison term of two years. The	1056
offender shall serve the additional two years consecutively to	1057
and prior to the prison term imposed for the underlying offense.	1058
(2)(a) If an offender is convicted of or pleads guilty to	1059
a felony violation of section 2907.22, 2907.24, 2907.241, or	1060
2907.25 of the Revised Code and to a specification of the type	1061
described in section 2941.1421 of the Revised Code and if the	1062
court imposes a prison term on the offender for the felony	1063
violation, the court may impose upon the offender an additional	1064
prison term as follows:	1065
(i) Subject to division (H)(2)(a)(ii) of this section, an	1066
additional prison term of one, two, three, four, five, or six	1067
months;	1068
(ii) If the offender previously has been convicted of or	1069
pleaded guilty to one or more felony or misdemeanor violations	1070
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of	1071
the Revised Code and also was convicted of or pleaded guilty to	1072
a specification of the type described in section 2941.1421 of	1073
the Revised Code regarding one or more of those violations, an	1074
additional prison term of one, two, three, four, five, six,	1075
seven, eight, nine, ten, eleven, or twelve months.	1076
(b) In lieu of imposing an additional prison term under	1077
division (H)(2)(a) of this section, the court may directly	1078

impose on the offender a sanction that requires the offender to	1079
wear a real-time processing, continual tracking electronic	1080
monitoring device during the period of time specified by the	1081
court. The period of time specified by the court shall equal the	1082
duration of an additional prison term that the court could have	1083
imposed upon the offender under division (H)(2)(a) of this	1084
section. A sanction imposed under this division shall commence	1085
on the date specified by the court, provided that the sanction	1086
shall not commence until after the offender has served the	1087
prison term imposed for the felony violation of section 2907.22,	1088
2907.24, 2907.241, or 2907.25 of the Revised Code and any	1089
residential sanction imposed for the violation under section	1090
2929.16 of the Revised Code. A sanction imposed under this	1091
division shall be considered to be a community control sanction	1092
for purposes of section 2929.15 of the Revised Code, and all	1093
provisions of the Revised Code that pertain to community control	1094
sanctions shall apply to a sanction imposed under this division,	1095
except to the extent that they would by their nature be clearly	1096
inapplicable. The offender shall pay all costs associated with a	1097
sanction imposed under this division, including the cost of the	1098
use of the monitoring device.	1099

(I) At the time of sentencing, the court may recommend the 1100 offender for placement in a program of shock incarceration under 1101 section 5120.031 of the Revised Code or for placement in an 1102 intensive program prison under section 5120.032 of the Revised 1103 Code, disapprove placement of the offender in a program of shock 1104 incarceration or an intensive program prison of that nature, or 1105 make no recommendation on placement of the offender. In no case 1106 shall the department of rehabilitation and correction place the 1107 offender in a program or prison of that nature unless the 1108 department determines as specified in section 5120.031 or 1109

5120.032 of the Revised Code, whichever is applicable, that the	1110
offender is eligible for the placement.	1111
If the court disapproves placement of the offender in a	1112
program or prison of that nature, the department of	1113
rehabilitation and correction shall not place the offender in	1114
any program of shock incarceration or intensive program prison.	1115
If the court recommends placement of the offender in a	1116
program of shock incarceration or in an intensive program	1117
prison, and if the offender is subsequently placed in the	1118
recommended program or prison, the department shall notify the	1119
court of the placement and shall include with the notice a brief	1120
description of the placement.	1121
If the court recommends placement of the offender in a	1122
program of shock incarceration or in an intensive program prison	1123
and the department does not subsequently place the offender in	1124
the recommended program or prison, the department shall send a	1125
notice to the court indicating why the offender was not placed	1126
in the recommended program or prison.	1127
If the court does not make a recommendation under this	1128
division with respect to an offender and if the department	1129
determines as specified in section 5120.031 or 5120.032 of the	1130
Revised Code, whichever is applicable, that the offender is	1131
eligible for placement in a program or prison of that nature,	1132
the department shall screen the offender and determine if there	1133
is an available program of shock incarceration or an intensive	1134
program prison for which the offender is suited. If there is an	1135
available program of shock incarceration or an intensive program	1136
prison for which the offender is suited, the department shall	1137
notify the court of the proposed placement of the offender as	1138

specified in section 5120.031 or 5120.032 of the Revised Code

and shall include with the notice a brief description of the	1140
placement. The court shall have ten days from receipt of the	1141
notice to disapprove the placement.	1142
(J) If a person is convicted of or pleads guilty to	1143
aggravated vehicular homicide in violation of division (A)(1) of	1144
section 2903.06 of the Revised Code and division (B)(2)(c) or	1145
(d) of that section applies, the person shall be sentenced	1146
pursuant to section 2929.142 of the Revised Code.	1147
(K)(1) The court shall impose an additional mandatory	1148
prison term of two, three, four, five, six, seven, eight, nine,	1149
ten, or eleven years on an offender who is convicted of or	1150
pleads guilty to a violent felony offense if the offender also	1151
is convicted of or pleads guilty to a specification of the type	1152
described in section 2941.1424 of the Revised Code that charges	1153
that the offender is a violent career criminal and had a firearm	1154
on or about the offender's person or under the offender's	1155
control while committing the presently charged violent felony	1156
offense and displayed or brandished the firearm, indicated that	1157
the offender possessed a firearm, or used the firearm to	1158
facilitate the offense. The offender shall serve the prison term	1159
imposed under this division consecutively to and prior to the	1160
prison term imposed for the underlying offense. The prison term	1161
shall not be reduced pursuant to section 2929.20, division (A)	1162
(2) or (3) of section 2967.193 or 2967.194, or any other	1163
provision of Chapter 2967. or 5120. of the Revised Code. A court	1164
may not impose more than one sentence under division (B)(2)(a)	1165
of this section and this division for acts committed as part of	1166
the same act or transaction.	1167

(2) As used in division (K)(1) of this section, "violent

career criminal" and "violent felony offense" have the same

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meanings as in section 2923.132 of the Revised Code.	1170
(L) If an offender receives or received a sentence of life	1171
imprisonment without parole, a sentence of life imprisonment, a	1172
definite sentence, or a sentence to an indefinite prison term	1173
under this chapter for a felony offense that was committed when	1174
the offender was under eighteen years of age, the offender's	1175
parole eligibility shall be determined under section 2967.132 of	1176
the Revised Code.	1177
Section 2. That existing sections 2913.02 and 2929.14 of	1178
the Revised Code are hereby repealed.	1179
Section 3. This act shall be known as the Retail Theft	1180
Prevention Act.	1181
	1101
Section 4. Section 2929.14 of the Revised Code is	1182
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Section 4. Section 2929.14 of the Revised Code is presented in this act as a composite of the section as amended	1182 1183
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Section 4. Section 2929.14 of the Revised Code is presented in this act as a composite of the section as amended by H.B. 56, H.B. 111, and S.B. 106, all of the 135th General Assembly. The General Assembly, applying the principle stated in	1182 1183 1184 1185
Section 4. Section 2929.14 of the Revised Code is presented in this act as a composite of the section as amended by H.B. 56, H.B. 111, and S.B. 106, all of the 135th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments	1182 1183 1184 1185 1186
Section 4. Section 2929.14 of the Revised Code is presented in this act as a composite of the section as amended by H.B. 56, H.B. 111, and S.B. 106, all of the 135th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous	1182 1183 1184 1185 1186 1187