

I_136_2075-3

136th General Assembly
Regular Session
2025-2026

Sub. H. B. No. 635

To amend sections 2151.412, 2151.421, 2151.423, 1
2151.429, 2151.467, 2151.468, 2903.01, 2903.11, 2
2919.22, 2929.13, 2929.14, 2941.1426, 5153.122, 3
and 5153.16 and to enact sections 2151.4211, 4
2151.4235, 2151.89, and 5180.09 of the Revised 5
Code to enact the Child Protection Reform Act. 6

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

Section 1. That sections 2151.412, 2151.421, 2151.423, 7
2151.429, 2151.467, 2151.468, 2903.01, 2903.11, 2919.22, 8
2929.13, 2929.14, 2941.1426, 5153.122, and 5153.16 be amended 9
and sections 2151.4211, 2151.4235, 2151.89, and 5180.09 of the 10
Revised Code be enacted to read as follows: 11

Sec. 2151.412. (A) Each public children services agency 12
and private child placing agency shall prepare and maintain a 13
case plan for any child to whom the agency is providing services 14
and to whom any of the following applies: 15

(1) The agency filed a complaint pursuant to section 16
2151.27 of the Revised Code alleging that the child is an 17
abused, neglected, or dependent child; 18



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(2) The agency has temporary or permanent custody of the child; 19
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(3) The child is living at home subject to an order for protective supervision; 21
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(4) The child is in a planned permanent living arrangement. 23
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Except as provided by division (A) (2) of section 5103.153 of the Revised Code, a private child placing agency providing services to a child who is the subject of a voluntary permanent custody surrender agreement entered into under division (B) (4) of section 5103.15 of the Revised Code is not required to prepare and maintain a case plan for that child. 25
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(B) Each public children services agency shall prepare and maintain a case plan for any child for whom the agency is providing in-home services pursuant to an alternative response. 31
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(C) (1) The director of children and youth shall adopt rules pursuant to Chapter 119. of the Revised Code setting forth the content and format of case plans required by division (A) of this section and establishing procedures for developing, implementing, and changing the case plans. The rules shall at a minimum comply with the requirements of Title IV-E of the "Social Security Act," 42 U.S.C. 670, et seq. (1980). 34
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(2) The director of children and youth shall adopt rules pursuant to Chapter 119. of the Revised Code requiring public children services agencies and private child placing agencies to maintain case plans for children and their families who are receiving services in their homes from the agencies and for whom case plans are not required by division (A) of this section. The rules for public children services agencies shall include the 41
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requirements for case plans maintained for children and their 48
families who are receiving services in their homes from public 49
children services agencies pursuant to an alternative response. 50
The agencies shall maintain case plans as required by those 51
rules; however, the case plans shall not be subject to any other 52
provision of this section except as specifically required by the 53
rules. 54

(D) Each public children services agency and private child 55
placing agency that is required by division (A) of this section 56
to maintain a case plan shall file the case plan with the court 57
prior to the child's adjudicatory hearing but no later than 58
thirty days after the earlier of the date on which the complaint 59
in the case was filed or the child was first placed into shelter 60
care. If the agency does not have sufficient information prior 61
to the adjudicatory hearing to complete any part of the case 62
plan, the agency shall specify in the case plan the additional 63
information necessary to complete each part of the case plan and 64
the steps that will be taken to obtain that information. All 65
parts of the case plan shall be completed by the earlier of 66
thirty days after the adjudicatory hearing or the date of the 67
dispositional hearing for the child. 68

(E) Any agency that is required by division (A) of this 69
section to prepare a case plan shall attempt to obtain an 70
agreement among all parties, including, but not limited to, the 71
parents, guardian, or custodian of the child and the guardian ad 72
litem of the child regarding the content of the case plan. If 73
all parties agree to the content of the case plan and the court 74
approves it, the court shall journalize it as part of its 75
dispositional order. If the agency cannot obtain an agreement 76
upon the contents of the case plan or the court does not approve 77
it, the parties shall present evidence on the contents of the 78

case plan at the dispositional hearing. The court, based upon 79
the evidence presented at the dispositional hearing and the best 80
interest of the child, shall determine the contents of the case 81
plan and journalize it as part of the dispositional order for 82
the child. 83

(F) (1) All parties, including the parents, guardian, or 84
custodian of the child, are bound by the terms of the 85
journalized case plan. A party that fails to comply with the 86
terms of the journalized case plan may be held in contempt of 87
court. 88

(2) Any party may propose a change to a substantive part 89
of the case plan, including, but not limited to, the child's 90
placement and the visitation rights of any party. A party 91
proposing a change to the case plan shall file the proposed 92
change with the court and give notice of the proposed change in 93
writing before the end of the day after the day of filing it to 94
all parties and the child's guardian ad litem. All parties and 95
the guardian ad litem shall have seven days from the date the 96
notice is sent to object to and request a hearing on the 97
proposed change. 98

(a) If it receives a timely request for a hearing, the 99
court shall schedule a hearing pursuant to section 2151.417 of 100
the Revised Code to be held no later than thirty days after the 101
request is received by the court. The court shall give notice of 102
the date, time, and location of the hearing to all parties and 103
the guardian ad litem. The agency may implement the proposed 104
change after the hearing, if the court approves it. The agency 105
shall not implement the proposed change unless it is approved by 106
the court. 107

(b) If it does not receive a timely request for a hearing, 108

the court may approve the proposed change without a hearing. If 109
the court approves the proposed change without a hearing, it 110
shall journalize the case plan with the change not later than 111
fourteen days after the change is filed with the court. If the 112
court does not approve the proposed change to the case plan, it 113
shall schedule a hearing to be held pursuant to section 2151.417 114
of the Revised Code no later than thirty days after the 115
expiration of the fourteen-day time period and give notice of 116
the date, time, and location of the hearing to all parties and 117
the guardian ad litem of the child. If, despite the requirements 118
of division (F) (2) of this section, the court neither approves 119
and journalizes the proposed change nor conducts a hearing, the 120
agency may implement the proposed change not earlier than 121
fifteen days after it is submitted to the court. 122

(3) If an agency has reasonable cause to believe that a 123
child is suffering from illness or injury and is not receiving 124
proper care and that an appropriate change in the child's case 125
plan is necessary to prevent immediate or threatened physical or 126
emotional harm, to believe that a child is in immediate danger 127
from the child's surroundings and that an immediate change in 128
the child's case plan is necessary to prevent immediate or 129
threatened physical or emotional harm to the child, or to 130
believe that a parent, guardian, custodian, or other member of 131
the child's household has abused or neglected the child and that 132
the child is in danger of immediate or threatened physical or 133
emotional harm from that person unless the agency makes an 134
appropriate change in the child's case plan, it may implement 135
the change without prior agreement or a court hearing and, 136
before the end of the next day after the change is made, give 137
all parties, the guardian ad litem of the child, and the court 138
notice of the change. Before the end of the third day after 139

implementing the change in the case plan, the agency shall file 140
a statement of the change with the court and give notice of the 141
filing accompanied by a copy of the statement to all parties and 142
the guardian ad litem. All parties and the guardian ad litem 143
shall have ten days from the date the notice is sent to object 144
to and request a hearing on the change. 145

(a) If it receives a timely request for a hearing, the 146
court shall schedule a hearing pursuant to section 2151.417 of 147
the Revised Code to be held no later than thirty days after the 148
request is received by the court. The court shall give notice of 149
the date, time, and location of the hearing to all parties and 150
the guardian ad litem. The agency shall continue to administer 151
the case plan with the change after the hearing, if the court 152
approves the change. If the court does not approve the change, 153
the court shall make appropriate changes to the case plan and 154
shall journalize the case plan. 155

(b) If it does not receive a timely request for a hearing, 156
the court may approve the change without a hearing. If the court 157
approves the change without a hearing, it shall journalize the 158
case plan with the change within fourteen days after receipt of 159
the change. If the court does not approve the change to the case 160
plan, it shall schedule a hearing under section 2151.417 of the 161
Revised Code to be held no later than thirty days after the 162
expiration of the fourteen-day time period and give notice of 163
the date, time, and location of the hearing to all parties and 164
the guardian ad litem of the child. 165

(G) (1) All case plans for children in temporary custody 166
shall have the following general goals: 167

(a) Consistent with the best interest and special needs of 168
the child, to achieve a safe out-of-home placement in the least 169

restrictive, most family-like setting available and in close 170
proximity to the home from which the child was removed or the 171
home in which the child will be permanently placed; 172

(b) To eliminate with all due speed the need for the out- 173
of-home placement so that the child can safely return home. 174

(2) The director of children and youth shall adopt rules 175
pursuant to Chapter 119. of the Revised Code setting forth the 176
general goals of case plans for children subject to 177
dispositional orders for protective supervision, a planned 178
permanent living arrangement, or permanent custody. 179

(H) All case plans for children under three years of age 180
in temporary custody shall require child and family 181
participation in the help me grow program established under 182
section 5180.21 of the Revised Code and, if the child is 183
eligible, participation in part C early intervention services 184
available pursuant to section 5180.30 of the Revised Code. 185

(I) In the agency's development of a case plan and the 186
court's review of the case plan, the child's health and safety 187
shall be the paramount concern. The agency and the court shall 188
be guided by the following general priorities: 189

(1) A child who is residing with or can be placed with the 190
child's parents within a reasonable time should remain in their 191
legal custody even if an order of protective supervision is 192
required for a reasonable period of time; 193

(2) If both parents of the child have abandoned the child, 194
have relinquished custody of the child, have become incapable of 195
supporting or caring for the child even with reasonable 196
assistance, or have a detrimental effect on the health, safety, 197
and best interest of the child, the child should be placed in 198

the legal custody of a suitable member of the child's extended family; 199
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(3) If a child described in division ~~(H)(2)~~(I)(2) of this section has no suitable member of the child's extended family to accept legal custody, the child should be placed in the legal custody of a suitable nonrelative who shall be made a party to the proceedings after being given legal custody of the child; 201
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(4) If the child has no suitable member of the child's extended family to accept legal custody of the child and no suitable nonrelative is available to accept legal custody of the child and, if the child temporarily cannot or should not be placed with the child's parents, guardian, or custodian, the child should be placed in the temporary custody of a public children services agency or a private child placing agency; 206
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(5) If the child cannot be placed with either of the child's parents within a reasonable period of time or should not be placed with either, if no suitable member of the child's extended family or suitable nonrelative is available to accept legal custody of the child, and if the agency has a reasonable expectation of placing the child for adoption, the child should be committed to the permanent custody of the public children services agency or private child placing agency; 213
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(6) If the child is to be placed for adoption or foster care, the placement shall not be delayed or denied on the basis of the child's or adoptive or foster family's race, color, or national origin. 221
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~~(I)~~(J) The case plan for a child in temporary custody shall include at a minimum the following requirements if the child is or has been the victim of abuse or neglect or if the 225
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child witnessed the commission in the child's household of abuse 228
or neglect against a sibling of the child, a parent of the 229
child, or any other person in the child's household: 230

(1) A requirement that the child's parents, guardian, or 231
custodian participate in mandatory counseling; 232

(2) A requirement that the child's parents, guardian, or 233
custodian participate in any supportive services that are 234
required by or provided pursuant to the child's case plan. 235

~~(J)~~ (K) (1) Prior to January 1, 2023, a case plan for a 236
child in temporary custody may include, as a supplement, a plan 237
for locating a permanent family placement. The supplement shall 238
not be considered part of the case plan for purposes of division 239
(E) of this section. 240

(2) On and after January 1, 2023, a case plan for a child 241
in temporary custody shall include a permanency plan for the 242
child unless it is documented that such a plan would not be in 243
the best interest of the child. The permanency plan shall 244
describe the services the agency shall provide to achieve 245
permanency for the child if reasonable efforts to return the 246
child to the child's home, or eliminate the continued removal 247
from that home, are unsuccessful. Those services shall be 248
provided concurrently with reasonable efforts to return the 249
child home or eliminate the child's continued removal from home. 250

(3) The director of children and youth, pursuant to 251
Chapter 119. of the Revised Code, shall adopt rules necessary to 252
carry out the purposes of division ~~(J)~~ (K) of this section. 253

~~(K)~~ (L) (1) A public children services agency may request 254
that the superintendent of the bureau of criminal identification 255
and investigation conduct a criminal records check with respect 256

to a parent, guardian, custodian, prospective custodian, or 257
prospective placement whose actions result in a finding after 258
the filing of a complaint as described in division (A) (1) of 259
this section that a child is an abused, neglected, or dependent 260
child. The public children services agency shall request that 261
the superintendent obtain information from the federal bureau of 262
investigation as part of the criminal records check. 263

(2) At any time on or after the date that is ninety days 264
after September 10, 2012, a prosecuting attorney, or an 265
assistant prosecuting attorney appointed under section 309.06 of 266
the Revised Code, may request that the superintendent of the 267
bureau of criminal identification and investigation conduct a 268
criminal records check with respect to each parent, guardian, 269
custodian, prospective custodian, or prospective placement whose 270
actions resulted in a finding after the filing of a complaint 271
described in division (A) (1) of this section that a child is an 272
abused, neglected, or dependent child. Each prosecuting attorney 273
or assistant prosecuting attorney who makes such a request shall 274
request that the superintendent obtain information from the 275
federal bureau of investigation as part of the criminal records 276
check for each parent, guardian, custodian, prospective 277
custodian, or prospective placement who is a subject of the 278
request. 279

(3) A public children services agency, prosecuting 280
attorney, or assistant prosecuting attorney that requests a 281
criminal records check under division ~~(K)(1)~~ (L)(1) or (2) of 282
this section shall do both of the following: 283

(a) Provide to each parent, guardian, custodian, 284
prospective custodian, or prospective placement for whom a 285
criminal records check is requested a copy of the form 286

prescribed pursuant to division (C) (1) of section 109.572 of the Revised Code and a standard fingerprint impression sheet prescribed pursuant to division (C) (2) of that section and obtain the completed form and impression sheet from the parent, guardian, custodian, prospective custodian, or prospective placement;

(b) Forward the completed form and impression sheet to the superintendent of the bureau of criminal identification and investigation.

(4) A parent, guardian, custodian, prospective custodian, or prospective placement who is given a form and fingerprint impression sheet under division ~~(K) (3) (a)~~ (L) (3) (a) of this section and who fails to complete the form or provide fingerprint impressions may be held in contempt of court.

Sec. 2151.421. (A) (1) (a) No person described in division (A) (1) (b) of this section who is acting in an official or professional capacity and knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under eighteen years of age, or a person under twenty-one years of age with a developmental disability or physical impairment, has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child shall fail to immediately report that knowledge or reasonable cause to suspect to the entity or persons specified in this division. Except as otherwise provided in this division or section 5120.173 of the Revised Code, the person making the report shall make it to the public children services agency or a peace officer in the county in which the child resides or in which the abuse or neglect is

occurring or has occurred. If the person making the report is a 317
peace officer, the officer shall make it to the public children 318
services agency in the county in which the child resides or in 319
which the abuse or neglect is occurring or has occurred. In the 320
circumstances described in section 5120.173 of the Revised Code, 321
the person making the report shall make it to the entity 322
specified in that section. 323

(b) Division (A)(1)(a) of this section applies to any 324
person who is an attorney; health care professional; 325
practitioner of a limited branch of medicine as specified in 326
section 4731.15 of the Revised Code; licensed school 327
psychologist; independent marriage and family therapist or 328
marriage and family therapist; coroner; administrator or 329
employee of a child care center; administrator or employee of a 330
residential camp, child day camp, or private, nonprofit 331
therapeutic wilderness camp; administrator or employee of a 332
certified child care agency or other public or private children 333
services agency; school teacher; school employee; school 334
authority; peace officer; humane society agent; dog warden, 335
deputy dog warden, or other person appointed to act as an animal 336
control officer for a municipal corporation or township in 337
accordance with state law, an ordinance, or a resolution; 338
person, other than a cleric, rendering spiritual treatment 339
through prayer in accordance with the tenets of a well- 340
recognized religion; employee of a county department of job and 341
family services who is a professional and who works with 342
children and families; employee of an entity that provides home 343
visiting services under the help me grow program established by 344
the department of children and youth pursuant to section 5180.21 345
of the Revised Code; superintendent or regional administrator 346
employed by the department of youth services; superintendent, 347

board member, or employee of a county board of developmental 348
disabilities; investigative agent contracted with by a county 349
board of developmental disabilities; employee of the department 350
of developmental disabilities; employee of a facility or home 351
that provides respite care in accordance with section 5123.171 352
of the Revised Code; employee of an entity that provides 353
homemaker services; employee of a qualified organization as 354
defined in section 2151.90 of the Revised Code; a host family as 355
defined in section 2151.90 of the Revised Code; foster 356
caregiver; a person performing the duties of an assessor 357
pursuant to Chapter 3107. or 5103. of the Revised Code; third 358
party employed by a public children services agency to assist in 359
providing child or family related services; court appointed 360
special advocate; or guardian ad litem. 361

(c) If two or more health care professionals, after 362
providing health care services to a child, determine or suspect 363
that the child has been or is being abused or neglected, the 364
health care professionals may designate one of the health care 365
professionals to report the abuse or neglect. A single report 366
made under this division shall meet the reporting requirements 367
of division (A)(1) of this section. 368

(2) Except as provided in division (A)(3) of this section, 369
an attorney, physician, or advanced practice registered nurse is 370
not required to make a report pursuant to division (A)(1) of 371
this section concerning any communication the attorney, 372
physician, or advanced practice registered nurse receives from a 373
client or patient in an attorney-client, physician-patient, or 374
advanced practice registered nurse-patient relationship, if, in 375
accordance with division (A) or (B) of section 2317.02 of the 376
Revised Code, the attorney, physician, or advanced practice 377
registered nurse could not testify with respect to that 378

communication in a civil or criminal proceeding. 379

(3) The client or patient in an attorney-client, 380
physician-patient, or advanced practice registered nurse-patient 381
relationship described in division (A) (2) of this section is 382
deemed to have waived any testimonial privilege under division 383
(A) or (B) of section 2317.02 of the Revised Code with respect 384
to any communication the attorney, physician, or advanced 385
practice registered nurse receives from the client or patient in 386
that relationship, and the attorney, physician, or advanced 387
practice registered nurse shall make a report pursuant to 388
division (A) (1) of this section with respect to that 389
communication, if all of the following apply: 390

(a) The client or patient, at the time of the 391
communication, is a child under eighteen years of age or is a 392
person under twenty-one years of age with a developmental 393
disability or physical impairment. 394

(b) The attorney, physician, or advanced practice 395
registered nurse knows, or has reasonable cause to suspect based 396
on facts that would cause a reasonable person in similar 397
position to suspect that the client or patient has suffered or 398
faces a threat of suffering any physical or mental wound, 399
injury, disability, or condition of a nature that reasonably 400
indicates abuse or neglect of the client or patient. 401

(c) The abuse or neglect does not arise out of the 402
client's or patient's attempt to have an abortion without the 403
notification of her parents, guardian, or custodian in 404
accordance with section 2151.85 of the Revised Code. 405

(4) (a) No cleric and no person, other than a volunteer, 406
designated by any church, religious society, or faith acting as 407

a leader, official, or delegate on behalf of the church, 408
religious society, or faith who is acting in an official or 409
professional capacity, who knows, or has reasonable cause to 410
believe based on facts that would cause a reasonable person in a 411
similar position to believe, that a child under eighteen years 412
of age, or a person under twenty-one years of age with a 413
developmental disability or physical impairment, has suffered or 414
faces a threat of suffering any physical or mental wound, 415
injury, disability, or condition of a nature that reasonably 416
indicates abuse or neglect of the child, and who knows, or has 417
reasonable cause to believe based on facts that would cause a 418
reasonable person in a similar position to believe, that another 419
cleric or another person, other than a volunteer, designated by 420
a church, religious society, or faith acting as a leader, 421
official, or delegate on behalf of the church, religious 422
society, or faith caused, or poses the threat of causing, the 423
wound, injury, disability, or condition that reasonably 424
indicates abuse or neglect shall fail to immediately report that 425
knowledge or reasonable cause to believe to the entity or 426
persons specified in this division. Except as provided in 427
section 5120.173 of the Revised Code, the person making the 428
report shall make it to the public children services agency or a 429
peace officer in the county in which the child resides or in 430
which the abuse or neglect is occurring or has occurred. In the 431
circumstances described in section 5120.173 of the Revised Code, 432
the person making the report shall make it to the entity 433
specified in that section. 434

(b) Except as provided in division (A) (4) (c) of this 435
section, a cleric is not required to make a report pursuant to 436
division (A) (4) (a) of this section concerning any communication 437
the cleric receives from a penitent in a cleric-penitent 438

relationship, if, in accordance with division (C) of section 439
2317.02 of the Revised Code, the cleric could not testify with 440
respect to that communication in a civil or criminal proceeding. 441

(c) The penitent in a cleric-penitent relationship 442
described in division (A) (4) (b) of this section is deemed to 443
have waived any testimonial privilege under division (C) of 444
section 2317.02 of the Revised Code with respect to any 445
communication the cleric receives from the penitent in that 446
cleric-penitent relationship, and the cleric shall make a report 447
pursuant to division (A) (4) (a) of this section with respect to 448
that communication, if all of the following apply: 449

(i) The penitent, at the time of the communication, is a 450
child under eighteen years of age or is a person under twenty- 451
one years of age with a developmental disability or physical 452
impairment. 453

(ii) The cleric knows, or has reasonable cause to believe 454
based on facts that would cause a reasonable person in a similar 455
position to believe, as a result of the communication or any 456
observations made during that communication, the penitent has 457
suffered or faces a threat of suffering any physical or mental 458
wound, injury, disability, or condition of a nature that 459
reasonably indicates abuse or neglect of the penitent. 460

(iii) The abuse or neglect does not arise out of the 461
penitent's attempt to have an abortion performed upon a child 462
under eighteen years of age or upon a person under twenty-one 463
years of age with a developmental disability or physical 464
impairment without the notification of her parents, guardian, or 465
custodian in accordance with section 2151.85 of the Revised 466
Code. 467

(d) Divisions (A)(4)(a) and (c) of this section do not 468
apply in a cleric-penitent relationship when the disclosure of 469
any communication the cleric receives from the penitent is in 470
violation of the sacred trust. 471

(e) As used in divisions (A)(1) and (4) of this section, 472
"cleric" and "sacred trust" have the same meanings as in section 473
2317.02 of the Revised Code. 474

(B) Anyone who knows, or has reasonable cause to suspect 475
based on facts that would cause a reasonable person in similar 476
circumstances to suspect, that a child under eighteen years of 477
age, or a person under twenty-one years of age with a 478
developmental disability or physical impairment, has suffered or 479
faces a threat of suffering any physical or mental wound, 480
injury, disability, or other condition of a nature that 481
reasonably indicates abuse or neglect of the child may report or 482
cause reports to be made of that knowledge or reasonable cause 483
to suspect to the entity or persons specified in this division. 484
Except as provided in section 5120.173 of the Revised Code, a 485
person making a report or causing a report to be made under this 486
division shall make it or cause it to be made to the public 487
children services agency or to a peace officer. In the 488
circumstances described in section 5120.173 of the Revised Code, 489
a person making a report or causing a report to be made under 490
this division shall make it or cause it to be made to the entity 491
specified in that section. 492

(C) Any report made pursuant to division (A) or (B) of 493
this section shall be made forthwith either by telephone, in 494
person, or electronically and shall be followed by a written 495
report, if requested by the receiving agency or officer. The 496
written report shall contain: 497

(1) The names and addresses of the child and the child's 498
parents or the person or persons having custody of the child, if 499
known; 500

(2) The child's age and the nature and extent of the 501
child's injuries, abuse, or neglect that is known or reasonably 502
suspected or believed, as applicable, to have occurred or of the 503
threat of injury, abuse, or neglect that is known or reasonably 504
suspected or believed, as applicable, to exist, including any 505
evidence of previous injuries, abuse, or neglect; 506

(3) Any other information, including, but not limited to, 507
results and reports of any medical examinations, tests, or 508
procedures performed under division (D) of this section, that 509
might be helpful in establishing the cause of the injury, abuse, 510
or neglect that is known or reasonably suspected or believed, as 511
applicable, to have occurred or of the threat of injury, abuse, 512
or neglect that is known or reasonably suspected or believed, as 513
applicable, to exist. 514

(D) (1) Any person, who is required by division (A) of this 515
section to report child abuse or child neglect that is known or 516
reasonably suspected or believed to have occurred, may take or 517
cause to be taken color photographs of areas of trauma visible 518
on a child and, if medically necessary for the purpose of 519
diagnosing or treating injuries that are suspected to have 520
occurred as a result of child abuse or child neglect, perform or 521
cause to be performed radiological examinations and any other 522
medical examinations of, and tests or procedures on, the child. 523

(2) The results and any available reports of examinations, 524
tests, or procedures made under division (D) (1) of this section 525
shall be included in a report made pursuant to division (A) of 526
this section. Any additional reports of examinations, tests, or 527

procedures that become available shall be provided to the public 528
children services agency, upon request. 529

(3) If a health care professional provides health care 530
services in a hospital, children's advocacy center, or emergency 531
medical facility to a child about whom a report has been made 532
under division (A) of this section, the health care professional 533
may take any steps that are reasonably necessary for the release 534
or discharge of the child to an appropriate environment. Before 535
the child's release or discharge, the health care professional 536
may obtain information, or consider information obtained, from 537
other entities or individuals that have knowledge about the 538
child. Nothing in division (D) (3) of this section shall be 539
construed to alter the responsibilities of any person under 540
sections 2151.27 and 2151.31 of the Revised Code. 541

(4) A health care professional may conduct medical 542
examinations, tests, or procedures on the siblings of a child 543
about whom a report has been made under division (A) of this 544
section and on other children who reside in the same home as the 545
child, if the professional determines that the examinations, 546
tests, or procedures are medically necessary to diagnose or 547
treat the siblings or other children in order to determine 548
whether reports under division (A) of this section are warranted 549
with respect to such siblings or other children. The results of 550
the examinations, tests, or procedures on the siblings and other 551
children may be included in a report made pursuant to division 552
(A) of this section. 553

(5) Medical examinations, tests, or procedures conducted 554
under divisions (D) (1) and (4) of this section and decisions 555
regarding the release or discharge of a child under division (D) 556
(3) of this section do not constitute a law enforcement 557

investigation or activity. 558

(E) (1) When a peace officer receives a report made 559
pursuant to division (A) or (B) of this section, upon receipt of 560
the report, the peace officer who receives the report shall 561
refer the report to the appropriate public children services 562
agency, in accordance with requirements specified under division 563
(B) (6) of section 2151.4221 of the Revised Code, unless an 564
arrest is made at the time of the report that results in the 565
appropriate public children services agency being contacted 566
concerning the possible abuse or neglect of a child or the 567
possible threat of abuse or neglect of a child. 568

(2) When a public children services agency receives a 569
report pursuant to this division or division (A) or (B) of this 570
section, upon receipt of the report, the public children 571
services agency shall do all of the following: 572

(a) Comply with section 2151.422 of the Revised Code; 573

(b) If the county served by the agency is also served by a 574
children's advocacy center and the report alleges sexual abuse 575
of a child or another type of abuse of a child that is specified 576
in the memorandum of understanding that creates the center as 577
being within the center's jurisdiction, comply regarding the 578
report with the protocol and procedures for referrals and 579
investigations, with the coordinating activities, and with the 580
authority or responsibility for performing or providing 581
functions, activities, and services stipulated in the 582
interagency agreement entered into under section 2151.428 of the 583
Revised Code relative to that center; 584

(c) Unless an arrest is made at the time of the report 585
that results in the appropriate law enforcement agency being 586

contacted concerning the possible abuse or neglect of a child or 587
the possible threat of abuse or neglect of a child, and in 588
accordance with requirements specified under division (B) (6) of 589
section 2151.4221 of the Revised Code, notify the appropriate 590
law enforcement agency of the report, if the public children 591
services agency received either of the following: 592

(i) A report of abuse of a child; 593

(ii) A report of neglect of a child that alleges a type of 594
neglect identified by the department of children and youth in 595
rules adopted under division (L) (2) of this section; 596

(d) If the child who is the subject of the report resides 597
in a county other than the county served by the agency that 598
receives the report or has a residence or legal settlement in 599
both the county served by the agency that receives the report 600
and another county, immediately notify the agency served by the 601
other county in which the child resides. 602

(3) If the child who is the subject of the report resides 603
in a county other than the county served by the agency that 604
receives the report or has a residence or legal settlement in 605
both the county served by the agency that receives the report 606
and another county, the agencies shall jointly determine which 607
agency shall serve as the lead agency. The agencies shall make 608
this determination before a case is filed in court. 609

(4) (a) All of the following entities shall provide 610
relevant information to a public children services agency or 611
peace officer concerning a report of child abuse or neglect 612
without a subpoena upon the request of a public children 613
services agency or peace officer or when disclosure is necessary 614
to ensure a child's safety: 615

(i) Another public children services agency; 616

(ii) Another peace officer or law enforcement agency; 617

(iii) A health care professional or health care facility; 618

(iv) Notwithstanding section 3319.321 of the Revised Code 619
and to the extent permissible under the federal "Family 620
Educational Rights and Privacy Act of 1974," 20 U.S.C. 1232g, a 621
school district. 622

(b) The disclosure of protected health information by a 623
covered entity pursuant to division (E) (4) (a) of this section is 624
deemed permissible under the HIPAA Privacy Rule and Chapter 625
3798. of the Revised Code, as each of those terms are defined in 626
section 3798.01 of the Revised Code. 627

(F) No peace officer shall remove a child about whom a 628
report is made pursuant to this section from the child's 629
parents, stepparents, or guardian or any other persons having 630
custody of the child without consultation with the public 631
children services agency, unless, in the judgment of the 632
officer, and, if the report was made by a physician or advanced 633
practice registered nurse, the physician or nurse, immediate 634
removal is considered essential to protect the child from 635
further abuse or neglect. The agency that must be consulted 636
shall be the agency conducting the investigation of the report 637
as determined pursuant to section 2151.422 of the Revised Code. 638

(G) (1) Except as provided in section 2151.422 of the 639
Revised Code or in an interagency agreement entered into under 640
section 2151.428 of the Revised Code that applies to the 641
particular report, the public children services agency shall 642
investigate, within twenty-four hours, each report of child 643
abuse or child neglect that is known or reasonably suspected or 644

believed to have occurred and of a threat of child abuse or 645
child neglect that is known or reasonably suspected or believed 646
to exist that is referred to it under this section to determine 647
the circumstances surrounding the injuries, abuse, or neglect or 648
the threat of injury, abuse, or neglect, the cause of the 649
injuries, abuse, neglect, or threat, and the person or persons 650
responsible. The investigation shall be made in cooperation with 651
the law enforcement agency and in accordance with the memorandum 652
of understanding prepared under sections 2151.4220 to 2151.4234 653
of the Revised Code. A representative of the public children 654
services agency shall, at the time of initial contact with the 655
person subject to the investigation, inform the person of the 656
specific complaints or allegations made against the person. The 657
information shall be given in a manner that is consistent with 658
division (I)(1) of this section and protects the rights of the 659
person making the report under this section. 660

A failure to make the investigation in accordance with the 661
memorandum is not grounds for, and shall not result in, the 662
dismissal of any charges or complaint arising from the report or 663
the suppression of any evidence obtained as a result of the 664
report and does not give, and shall not be construed as giving, 665
any rights or any grounds for appeal or post-conviction relief 666
to any person. The public children services agency shall report 667
each case to the uniform statewide automated child welfare 668
information system that the department of children and youth 669
shall maintain in accordance with section 5180.40 of the Revised 670
Code. The public children services agency shall submit a report 671
of its investigation, in writing, to the law enforcement agency. 672

(2) If the child who is the subject of a report resides in 673
a county other than the county served by the agency that 674
receives the report or has a residence or legal settlement in 675

both the county served by the agency that receives the report 676
and another county, the agencies shall jointly investigate the 677
report until the agencies jointly determine which agency shall 678
serve as the lead agency in accordance with division (E) (3) of 679
this section. 680

(3) The public children services agency shall make any 681
recommendations to the county prosecuting attorney or city 682
director of law that it considers necessary to protect any 683
children that are brought to its attention. 684

(H) (1) (a) Except as provided in divisions (H) (1) (b) and 685
(I) (3) of this section, any person, health care professional, 686
hospital, institution, school, health department, or agency 687
shall be immune from any civil or criminal liability for injury, 688
death, or loss to person or property that otherwise might be 689
incurred or imposed as a result of any of the following: 690

(i) Participating in the making of reports pursuant to 691
division (A) of this section or in the making of reports in good 692
faith, pursuant to division (B) of this section; 693

(ii) Participating in medical examinations, tests, or 694
procedures under division (D) of this section; 695

(iii) Providing information used in a report made pursuant 696
to division (A) of this section or providing information in good 697
faith used in a report made pursuant to division (B) of this 698
section; 699

(iv) Participating in a judicial proceeding resulting from 700
a report made pursuant to division (A) of this section or 701
participating in good faith in a proceeding resulting from a 702
report made pursuant to division (B) of this section. 703

(b) Immunity under division (H) (1) (a) (ii) of this section 704

shall not apply when a health care provider has deviated from 705
the standard of care applicable to the provider's profession. 706

(c) Notwithstanding section 4731.22 of the Revised Code, 707
the physician-patient privilege shall not be a ground for 708
excluding evidence regarding a child's injuries, abuse, or 709
neglect, or the cause of the injuries, abuse, or neglect in any 710
judicial proceeding resulting from a report submitted pursuant 711
to this section. 712

(2) In any civil or criminal action or proceeding in which 713
it is alleged and proved that participation in the making of a 714
report under this section was not in good faith or participation 715
in a judicial proceeding resulting from a report made under this 716
section was not in good faith, the court shall award the 717
prevailing party reasonable attorney's fees and costs and, if a 718
civil action or proceeding is voluntarily dismissed, may award 719
reasonable attorney's fees and costs to the party against whom 720
the civil action or proceeding is brought. 721

(I) (1) Except as provided in divisions (I) (4) and (N) of 722
this section and sections 2151.423 and 2151.4210 of the Revised 723
Code, a report made under this section is confidential. The 724
information provided in a report made pursuant to this section 725
and the name of the person who made the report shall not be 726
released for use, and shall not be used, as evidence in any 727
civil action or proceeding brought against the person who made 728
the report. Nothing in this division shall preclude the use of 729
reports of other incidents of known or suspected abuse or 730
neglect in a civil action or proceeding brought pursuant to 731
division (M) of this section against a person who is alleged to 732
have violated division (A) (1) of this section, provided that any 733
information in a report that would identify the child who is the 734

subject of the report or the maker of the report, if the maker 735
of the report is not the defendant or an agent or employee of 736
the defendant, has been redacted. In a criminal proceeding, the 737
report is admissible in evidence in accordance with the Rules of 738
Evidence and is subject to discovery in accordance with the 739
Rules of Criminal Procedure. 740

(2) (a) Except as provided in division (I) (2) (b) of this 741
section, no person shall permit or encourage the unauthorized 742
dissemination of the contents of any report made under this 743
section. 744

(b) A health care professional that obtains the same 745
information contained in a report made under this section from a 746
source other than the report may disseminate the information, if 747
its dissemination is otherwise permitted by law. 748

(3) A person who knowingly makes or causes another person 749
to make a false report under division (B) of this section that 750
alleges that any person has committed an act or omission that 751
resulted in a child being an abused child or a neglected child 752
is guilty of a violation of section 2921.14 of the Revised Code. 753

(4) If a report is made pursuant to division (A) or (B) of 754
this section and the child who is the subject of the report dies 755
for any reason at any time after the report is made, but before 756
the child attains eighteen years of age, the public children 757
services agency or peace officer to which the report was made or 758
referred, on the request of the child fatality review board, the 759
suicide fatality review committee, or the director of health 760
pursuant to guidelines established under section 3701.70 of the 761
Revised Code, shall submit a summary sheet of information 762
providing a summary of the report to the review board or review 763
committee of the county in which the deceased child resided at 764

the time of death or to the director. On the request of the 765
review board, review committee, or director, the agency or peace 766
officer may, at its discretion, make the report available to the 767
review board, review committee, or director. If the county 768
served by the public children services agency is also served by 769
a children's advocacy center and the report of alleged sexual 770
abuse of a child or another type of abuse of a child is 771
specified in the memorandum of understanding that creates the 772
center as being within the center's jurisdiction, the agency or 773
center shall perform the duties and functions specified in this 774
division in accordance with the interagency agreement entered 775
into under section 2151.428 of the Revised Code relative to that 776
advocacy center. 777

(5) Not later than five business days after the 778
determination of a disposition, a public children services 779
agency shall advise a person alleged to have inflicted abuse or 780
neglect on a child who is the subject of a report made pursuant 781
to this section, including a report alleging sexual abuse of a 782
child or another type of abuse of a child referred to a 783
children's advocacy center pursuant to an interagency agreement 784
entered into under section 2151.428 of the Revised Code, in 785
writing of the disposition of the investigation. The agency 786
shall not provide to the person any information that identifies 787
the person who made the report, statements of witnesses, or 788
police or other investigative reports. The written notice of 789
disposition shall be made in a form designated by the department 790
of children and youth and shall inform the person of the right 791
to appeal the disposition. 792

(J) Any report that is required by this section, other 793
than a report that is made to the state highway patrol as 794
described in section 5120.173 of the Revised Code, shall result 795

in protective services and emergency supportive services being 796
made available by the public children services agency on behalf 797
of the children about whom the report is made. The agency 798
required to provide the services shall be the agency conducting 799
the investigation of the report pursuant to section 2151.422 of 800
the Revised Code. If a family is determined to benefit from 801
prevention services, the agency also may make efforts to prevent 802
neglect or abuse, to enhance a child's welfare, and to preserve 803
the family unit intact by referring a report for assessment and 804
provision of services to an agency providing prevention 805
services, if appropriate prevention services are available from 806
a local provider or other reasonable source. 807

(K) (1) Except as provided in division (K) (4) or (5) of 808
this section, a person who is required to make a report under 809
division (A) of this section may make a reasonable number of 810
requests of the public children services agency that receives or 811
is referred the report, or of the children's advocacy center 812
that is referred the report if the report is referred to a 813
children's advocacy center pursuant to an interagency agreement 814
entered into under section 2151.428 of the Revised Code, to be 815
provided with the following information: 816

(a) Whether the agency or center has initiated an 817
investigation of the report; 818

(b) Whether the agency or center is continuing to 819
investigate the report; 820

(c) Whether the agency or center is otherwise involved 821
with the child who is the subject of the report; 822

(d) The general status of the health and safety of the 823
child who is the subject of the report; 824

(e) Whether the report has resulted in the filing of a 825
complaint in juvenile court or of criminal charges in another 826
court. 827

(2) (a) A person may request the information specified in 828
division (K) (1) of this section only if, at the time the report 829
is made, the person's name, address, and telephone number are 830
provided to the person who receives the report. 831

(b) When a peace officer or employee of a public children 832
services agency receives a report pursuant to division (A) or 833
(B) of this section the recipient of the report shall inform the 834
person of the right to request the information described in 835
division (K) (1) of this section. The recipient of the report 836
shall include in the initial child abuse or child neglect report 837
that the person making the report was so informed and, if 838
provided at the time of the making of the report, shall include 839
the person's name, address, and telephone number in the report. 840

(c) If the person making the report provides the person's 841
name and contact information on making the report, the public 842
children services agency that received or was referred the 843
report shall send a written notice via United States mail or 844
electronic mail, in accordance with the person's preference, to 845
the person not later than seven calendar days after receipt of 846
the report. The notice shall provide the status of the agency's 847
investigation into the report made, who the person may contact 848
at the agency for further information, and a description of the 849
person's rights under division (K) (1) of this section. 850

(d) Each request is subject to verification of the 851
identity of the person making the report. If that person's 852
identity is verified, the agency shall provide the person with 853
the information described in division (K) (1) of this section a 854

reasonable number of times, except that the agency shall not 855
disclose any confidential information regarding the child who is 856
the subject of the report other than the information described 857
in those divisions. 858

(3) A request made pursuant to division (K) (1) of this 859
section is not a substitute for any report required to be made 860
pursuant to division (A) of this section. 861

(4) If an agency other than the agency that received or 862
was referred the report is conducting the investigation of the 863
report pursuant to section 2151.422 of the Revised Code, the 864
agency conducting the investigation shall comply with the 865
requirements of division (K) of this section. 866

(5) A health care professional who made a report under 867
division (A) of this section, or on whose behalf such a report 868
was made as provided in division (A) (1) (c) of this section, may 869
authorize a person to obtain the information described in 870
division (K) (1) of this section if the person requesting the 871
information is associated with or acting on behalf of the health 872
care professional who provided health care services to the child 873
about whom the report was made. 874

(6) If the person making the report provides the person's 875
name and contact information on making the report, the public 876
children services agency that received or was referred the 877
report shall send a written notice via United States mail or 878
electronic mail, in accordance with the person's preference, to 879
the person not later than seven calendar days after the agency 880
closes the investigation into the case reported by the person. 881
The notice shall notify the person that the agency has closed 882
the investigation. 883

(L) (1) The director of children and youth shall adopt 884
rules in accordance with Chapter 119. of the Revised Code to 885
implement this section. The department of children and youth may 886
enter into a plan of cooperation with any other governmental 887
entity to aid in ensuring that children are protected from abuse 888
and neglect. The department shall make recommendations to the 889
attorney general that the department determines are necessary to 890
protect children from child abuse and child neglect. 891

(2) The director of children and youth shall adopt rules 892
in accordance with Chapter 119. of the Revised Code to identify 893
the types of neglect of a child that a public children services 894
agency shall be required to notify law enforcement of pursuant 895
to division (E) (2) (c) (ii) of this section. 896

(M) Whoever violates division (A) of this section is 897
liable for compensatory and exemplary damages to the child who 898
would have been the subject of the report that was not made. A 899
person who brings a civil action or proceeding pursuant to this 900
division against a person who is alleged to have violated 901
division (A) (1) of this section may use in the action or 902
proceeding reports of other incidents of known or suspected 903
abuse or neglect, provided that any information in a report that 904
would identify the child who is the subject of the report or the 905
maker of the report, if the maker is not the defendant or an 906
agent or employee of the defendant, has been redacted. 907

(N) (1) As used in this division: 908

(a) "Out-of-home care" includes a nonchartered nonpublic 909
school if the alleged child abuse or child neglect, or alleged 910
threat of child abuse or child neglect, described in a report 911
received by a public children services agency allegedly occurred 912
in or involved the nonchartered nonpublic school and the alleged 913

perpetrator named in the report holds a certificate, permit, or 914
license issued by the state board of education under section 915
3301.071 or Chapter 3319. of the Revised Code. 916

(b) "Administrator, director, or other chief 917
administrative officer" means the superintendent of the school 918
district if the out-of-home care entity subject to a report made 919
pursuant to this section is a school operated by the district. 920

(2) No later than the end of the day following the day on 921
which a public children services agency receives a report of 922
alleged child abuse or child neglect, or a report of an alleged 923
threat of child abuse or child neglect, that allegedly occurred 924
in or involved an out-of-home care entity, the agency shall 925
provide written notice of the allegations contained in and the 926
person named as the alleged perpetrator in the report to the 927
administrator, director, or other chief administrative officer 928
of the out-of-home care entity that is the subject of the report 929
unless the administrator, director, or other chief 930
administrative officer is named as an alleged perpetrator in the 931
report. If the administrator, director, or other chief 932
administrative officer of an out-of-home care entity is named as 933
an alleged perpetrator in a report of alleged child abuse or 934
child neglect, or a report of an alleged threat of child abuse 935
or child neglect, that allegedly occurred in or involved the 936
out-of-home care entity, the agency shall provide the written 937
notice to the owner or governing board of the out-of-home care 938
entity that is the subject of the report. The agency shall not 939
provide witness statements or police or other investigative 940
reports. 941

(3) No later than three days after the day on which a 942
public children services agency that conducted the investigation 943

as determined pursuant to section 2151.422 of the Revised Code 944
makes a disposition of an investigation involving a report of 945
alleged child abuse or child neglect, or a report of an alleged 946
threat of child abuse or child neglect, that allegedly occurred 947
in or involved an out-of-home care entity, the agency shall send 948
written notice of the disposition of the investigation to the 949
administrator, director, or other chief administrative officer 950
and the owner or governing board of the out-of-home care entity. 951
The agency shall not provide witness statements or police or 952
other investigative reports. 953

(0) As used in this section: 954

(1) "Children's advocacy center" and "sexual abuse of a 955
child" have the same meanings as in section 2151.425 of the 956
Revised Code. 957

(2) "Health care professional" means an individual who 958
provides health-related services. "Health care professional" 959
includes all of the following: a physician, including a hospital 960
intern or resident; a dentist; a podiatrist; a registered nurse, 961
including such a nurse who is an advanced practice registered 962
nurse; a licensed practical nurse; a home care nurse; a licensed 963
psychologist; a speech-language pathologist; an audiologist; a 964
person engaged in social work or the practice of professional 965
counseling; and an employee of a home health agency. "Health 966
care professional" does not include a practitioner of a limited 967
branch of medicine as specified in section 4731.15 of the 968
Revised Code, licensed school psychologist, independent marriage 969
and family therapist or marriage and family therapist, or 970
coroner. 971

(3) "Investigation" means the public children services 972
agency's response to an accepted report of child abuse or 973

neglect through either an alternative response or a traditional response. 974
975

(4) "Peace officer" means a sheriff, deputy sheriff, 976
constable, police officer of a township or joint police 977
district, marshal, deputy marshal, municipal police officer, or 978
a state highway patrol trooper. 979

Sec. 2151.423. A public children services agency shall 980
disclose confidential information discovered during an 981
investigation conducted pursuant to section 2151.421 or 2151.422 982
of the Revised Code to any federal, state, or local government 983
entity, including any appropriate military authority ~~or~~, any 984
prevention services provider to the family, or another public 985
children services agency, that needs the information to carry 986
out its responsibilities to protect children from abuse or 987
neglect. 988

Information disclosed pursuant to this section is 989
confidential and is not subject to disclosure pursuant to 990
section 149.43 or 1347.08 of the Revised Code by the agency to 991
whom the information was disclosed. The agency receiving the 992
information shall maintain the confidentiality of information 993
disclosed pursuant to this section. 994

Sec. 2151.429. (A) The differential response approach, as 995
defined in section 2151.011 of the Revised Code, pursued by a 996
public children services agency shall include two response 997
pathways, the traditional response pathway and the alternative 998
response pathway. The director of children and youth shall adopt 999
rules pursuant to Chapter 119. of the Revised Code setting forth 1000
the procedures and criteria for public children services 1001
agencies to assign and reassign response pathways. 1002

(B) The agency shall use the traditional response for the 1003
following types of accepted reports: 1004

(1) Physical abuse ~~resulting in serious injury or that~~ 1005
~~creates a serious and immediate risk to a child's health and~~ 1006
~~safety.~~ 1007

(2) Sexual abuse. 1008

(3) Child fatality. 1009

(4) Reports requiring a specialized assessment as 1010
identified by rule adopted by the department. 1011

(5) Reports requiring a third party investigative 1012
procedure as identified by rule adopted by the department. 1013

(C) For all other child abuse and neglect reports, an 1014
alternative response shall be the preferred response, whenever 1015
appropriate and in accordance with rules adopted by the 1016
department. 1017

Sec. 2151.4211. (A) A public children services agency that 1018
jointly investigates a report of child abuse or neglect with 1019
another public children services agency in accordance with 1020
division (G) (2) of section 2151.421 of the Revised Code shall 1021
share case information with the other agency as needed or 1022
requested, regardless of whether the agencies have determined 1023
which agency shall serve as the lead agency under division (E) 1024
(3) of section 2151.421 of the Revised Code. 1025

(B) If custody or supervision of a child transfers from a 1026
public children services agency of one county to a public 1027
children services agency of another county, the agency that 1028
previously had custody or supervision of the child shall 1029
transfer all information regarding the child, including any case 1030

plan, to the other agency and share all information that is 1031
necessary to serve the well-being of the child. 1032

(C) Nothing in Chapter 2151. of the Revised Code prevents 1033
a public children services agency from cooperating or sharing 1034
case management duties or other responsibilities with another 1035
public children services agency as necessary. 1036

Sec. 2151.4235. (A) A law enforcement agency shall submit 1037
to the public children services agency all alleged incidents of 1038
the offense of domestic violence when law enforcement has reason 1039
to believe that a child resides in the home, and the address 1040
where the alleged offense occurred that the law enforcement 1041
agency responded to in the preceding week. 1042

(B) A public children services agency shall enter in the 1043
uniform statewide automated child welfare information system 1044
established under section 5180.40 of the Revised Code all 1045
incidents reported under division (A) of this section. 1046

(C) A public children services agency that is 1047
investigating a report of child abuse or neglect under section 1048
2151.421 of the Revised Code or has filed a complaint pursuant 1049
to section 2151.27 of the Revised Code shall make an examination 1050
of the statewide automated child welfare information system to 1051
determine if any alleged offense documented in division (A) of 1052
this section involves the child who is the subject of an 1053
investigation or complaint. 1054

Sec. 2151.467. (A) A public children services agency or 1055
private child placing agency with custody of a child who is 1056
under the care and supervision of a residential facility shall 1057
conduct a ~~monthly~~ weekly in-person ~~visit~~ visits to the 1058
residential facility to determine the well-being of the child. 1059

The agency shall maintain documentation of each visit and report each visit as well as concerns about the child to the department of children and youth in accordance with rules adopted under division ~~(B)~~(C) of this section.

~~(B)~~(B) (1) The department shall monitor whether an agency is in compliance with division (A) of this section. With regard to each residential facility in this state, the department shall submit on a quarterly basis a compliance report to the county commissioners of the county in which the residential facility is located.

(2) If an agency is in compliance with division (A) of this section, the county in which the agency is located shall receive access to funding that is appropriated from the general revenue fund to incentivize best practices. If an agency is not in compliance with division (A) of this section, the county in which the agency is located shall not receive access to such funding.

(C) Not later than ninety days after ~~the effective date of this section~~April 3, 2025, the director of children and youth shall adopt rules in accordance with Chapter 119. of the Revised Code to establish both of the following:

(1) Criteria for determining whether an agency shall report a concern to the department;

(2) Criteria for determining whether an agency shall conduct a mandatory review of the placement of the child pursuant to section 2151.468 of the Revised Code.

Sec. 2151.468. (A) A public children services agency or private child placing agency with custody of a child who is under the care and supervision of a residential facility shall

review the placement of the child if any of the following occur: 1089

(1) The child presents to an emergency department or is 1090
admitted to a hospital for an injury or mental health crisis. 1091

(2) A police report is generated with regard to the child. 1092

(3) During a ~~monthly~~ weekly visit, the agency has 1093
determined that a review is necessary pursuant to rules adopted 1094
under section 2151.467 of the Revised Code. 1095

(B) A review of the placement of a child under division 1096
(A) of this section shall include a determination of whether the 1097
residential facility is an appropriate setting and is providing 1098
a satisfactory level of care for the child. 1099

(C) The public children services agency or private child 1100
placing agency shall notify the operator of the residential 1101
facility of the results of a review under division (A) of this 1102
section and any action that the agency plans to take with regard 1103
to the child as a result of the review. 1104

(D) Not later than ninety days after ~~the effective date of~~ 1105
~~this section~~ April 3, 2025, the department of children and youth 1106
shall adopt rules in accordance with Chapter 119. of the Revised 1107
Code to establish guidelines for reviewing the placement of a 1108
child under this section, including review criteria, 1109
circumstances that would require a change in the placement of 1110
the child, and a timeline for conducting review and taking 1111
appropriate action. 1112

Sec. 2151.89. (A) As used in this section: 1113

(1) "Employee" means any person who performs a service for 1114
wages or other remuneration for an employer. 1115

(2) "Employer" means any governmental entity that employs 1116

one or more employees, including the state or any agency or 1117
instrumentality of the state, and any municipal corporation, 1118
county, township, school district, or any agency or 1119
instrumentality thereof. 1120

(B) (1) No employer shall take any disciplinary or 1121
retaliatory action against an employee who shares information 1122
with a federal, state, or local government entity regarding a 1123
child in accordance with state or federal law in order to 1124
protect the child's welfare. For purposes of this division, 1125
disciplinary or retaliatory action by the employer includes 1126
doing any of the following: 1127

(a) Removing or suspending the person from employment; 1128

(b) Withholding from the person salary increases or 1129
employee benefits to which the person is otherwise entitled; 1130

(c) Transferring or reassigning the person; 1131

(d) Denying the person a promotion that the person 1132
otherwise would have received; 1133

(e) Reducing the person in pay or position. 1134

(2) If an employer takes any disciplinary or retaliatory 1135
action against a person who shares information as described in 1136
division (B) (1) of this section, the person may bring a civil 1137
action for appropriate injunctive relief in a court of common 1138
pleas in accordance with the Rules of Civil Procedure. The 1139
court, in rendering a judgment for the person in an action 1140
brought pursuant to this division, may order, as it determines 1141
appropriate, reinstatement of the person to the same position 1142
that the person held at the time of the disciplinary or 1143
retaliatory action, the payment of back wages, full 1144
reinstatement of fringe benefits and seniority rights, or any 1145

combination of these remedies. The court also may award the 1146
prevailing party all or a portion of the costs of litigation. If 1147
the person who brought the action prevails in the action, the 1148
court may award the prevailing person reasonable attorney's 1149
fees, witness fees, and fees for experts who testify at trial, 1150
in an amount the court determines appropriate. 1151

Sec. 2903.01. (A) No person shall purposely, and with 1152
prior calculation and design, cause the death of another or the 1153
unlawful termination of another's pregnancy. 1154

(B) No person shall purposely cause the death of another 1155
or the unlawful termination of another's pregnancy while 1156
committing or attempting to commit, or while fleeing immediately 1157
after committing or attempting to commit, kidnapping, rape, 1158
aggravated arson, arson, aggravated robbery, robbery, aggravated 1159
burglary, burglary, trespass in a habitation when a person is 1160
present or likely to be present, terrorism, or escape. 1161

(C) No person shall purposely cause the death of another 1162
who is under ~~thirteen~~eighteen years of age at the time of the 1163
commission of the offense. 1164

(D) No person who is under detention as a result of having 1165
been found guilty of or having pleaded guilty to a felony or who 1166
breaks that detention shall purposely cause the death of 1167
another. 1168

(E) No person shall purposely cause the death of a law 1169
enforcement officer whom the offender knows or has reasonable 1170
cause to know is a law enforcement officer when either of the 1171
following applies: 1172

(1) The victim, at the time of the commission of the 1173
offense, is engaged in the victim's duties. 1174

(2) It is the offender's specific purpose to kill a law enforcement officer. 1175
1176

(F) No person shall purposely cause the death of a first responder or military member whom the offender knows or has reasonable cause to know is a first responder or military member when it is the offender's specific purpose to kill a first responder or military member. 1177
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(G) Whoever violates this section is guilty of aggravated murder, and shall be punished as provided in section 2929.02 of the Revised Code. 1182
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(H) As used in this section: 1185

(1) "Detention" has the same meaning as in section 2921.01 of the Revised Code. 1186
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(2) "Law enforcement officer" has the same meaning as in section 2911.01 of the Revised Code and also includes any federal law enforcement officer as defined in section 2921.51 of the Revised Code and anyone who has previously served as a law enforcement officer or federal law enforcement officer. 1188
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(3) "First responder" means an emergency medical service provider, a firefighter, or any other emergency response personnel, or anyone who has previously served as a first responder. 1193
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(4) "Military member" means a member of the armed forces of the United States, reserves, or Ohio national guard, a participant in ROTC, JROTC, or any similar military training program, or anyone who has previously served in the military. 1197
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Sec. 2903.11. (A) No person shall knowingly do either of the following: 1201
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(1) Cause serious physical harm to another or to another's unborn; 1203
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(2) Cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance. 1205
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(B) No person, with knowledge that the person has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome, shall knowingly do any of the following: 1208
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(1) Engage in sexual conduct with another person without disclosing that knowledge to the other person prior to engaging in the sexual conduct; 1212
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1214

(2) Engage in sexual conduct with a person whom the offender knows or has reasonable cause to believe lacks the mental capacity to appreciate the significance of the knowledge that the offender has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome; 1215
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(3) Engage in sexual conduct with a person under eighteen years of age who is not the spouse of the offender. 1220
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(C) The prosecution of a person under this section does not preclude prosecution of that person under section 2907.02 of the Revised Code. 1222
1223
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(D) (1) (a) Whoever violates this section is guilty of felonious assault. Except as otherwise provided in this division or division (D) (1) (b) of this section, felonious assault is a felony of the second degree. If the victim of a violation of division (A) of this section is a peace officer or an investigator of the bureau of criminal identification and investigation, felonious assault is a felony of the first 1225
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degree. 1232

(b) Regardless of whether the felonious assault is a 1233
felony of the first or second degree under division (D) (1) (a) of 1234
this section, if the offender also is convicted of or pleads 1235
guilty to a specification as described in section 2941.1423 of 1236
the Revised Code that was included in the indictment, count in 1237
the indictment, or information charging the offense, except as 1238
otherwise provided in this division or unless a longer prison 1239
term is required under any other provision of law, the court 1240
shall sentence the offender to a mandatory prison term as 1241
provided in division (B) (8) of section 2929.14 of the Revised 1242
Code. If the victim of the offense is a peace officer or an 1243
investigator of the bureau of criminal identification and 1244
investigation, and if the victim suffered serious physical harm 1245
as a result of the commission of the offense, felonious assault 1246
is a felony of the first degree, and the court, pursuant to 1247
division (F) of section 2929.13 of the Revised Code, shall 1248
impose as a mandatory prison term one of the definite prison 1249
terms prescribed for a felony of the first degree in division 1250
(A) (1) (b) of section 2929.14 of the Revised Code, except that if 1251
the violation is committed on or after ~~the effective date of~~ 1252
~~this amendment~~ March 22, 2019, the court shall impose as the 1253
minimum prison term for the offense a mandatory prison term that 1254
is one of the minimum terms prescribed for a felony of the first 1255
degree in division (A) (1) (a) of section 2929.14 of the Revised 1256
Code. 1257

(2) In addition to any other sanctions imposed pursuant to 1258
division (D) (1) of this section for felonious assault committed 1259
in violation of division (A) (1) or (2) of this section, if the 1260
offender also is convicted of or pleads guilty to a 1261
specification of the type described in section 2941.1425 of the 1262

Revised Code that was included in the indictment, count in the 1263
indictment, or information charging the offense, the court shall 1264
sentence the offender to a mandatory prison term under division 1265
(B) (9) of section 2929.14 of the Revised Code. 1266

(3) If the victim of a felonious assault committed in 1267
violation of division (A) of this section is a child under ~~ten-~~ 1268
eighteen years of age or is a person over sixty-five years of 1269
age, and if the offender also is convicted of or pleads guilty 1270
to a specification of the type described in section 2941.1426 of 1271
the Revised Code that was included in the indictment, count in 1272
the indictment, or information charging the offense, in addition 1273
to any other sanctions imposed pursuant to division (D) (1) of 1274
this section, the court shall sentence the offender to a 1275
mandatory prison term pursuant to division (B) (10) of section 1276
2929.14 of the Revised Code. 1277

(4) In addition to any other sanctions imposed pursuant to 1278
division (D) (1) of this section for felonious assault committed 1279
in violation of division (A) (2) of this section, if the deadly 1280
weapon used in the commission of the violation is a motor 1281
vehicle, the court shall impose upon the offender a class two 1282
suspension of the offender's driver's license, commercial 1283
driver's license, temporary instruction permit, probationary 1284
license, or nonresident operating privilege as specified in 1285
division (A) (2) of section 4510.02 of the Revised Code. 1286

(E) As used in this section: 1287

(1) "Deadly weapon" and "dangerous ordnance" have the same 1288
meanings as in section 2923.11 of the Revised Code. 1289

(2) "Motor vehicle" has the same meaning as in section 1290
4501.01 of the Revised Code. 1291

(3) "Peace officer" has the same meaning as in section 1292
2935.01 of the Revised Code. 1293

(4) "Sexual conduct" has the same meaning as in section 1294
2907.01 of the Revised Code, except that, as used in this 1295
section, it does not include the insertion of an instrument, 1296
apparatus, or other object that is not a part of the body into 1297
the vaginal or anal opening of another, unless the offender knew 1298
at the time of the insertion that the instrument, apparatus, or 1299
other object carried the offender's bodily fluid. 1300

(5) "Investigator of the bureau of criminal identification 1301
and investigation" means an investigator of the bureau of 1302
criminal identification and investigation who is commissioned by 1303
the superintendent of the bureau as a special agent for the 1304
purpose of assisting law enforcement officers or providing 1305
emergency assistance to peace officers pursuant to authority 1306
granted under section 109.541 of the Revised Code. 1307

(6) "Investigator" has the same meaning as in section 1308
109.541 of the Revised Code. 1309

(F) The provisions of division (D) (2) of this section and 1310
of division (F) (20) of section 2929.13, divisions (B) (9) and (C) 1311
(6) of section 2929.14, and section 2941.1425 of the Revised 1312
Code shall be known as "Judy's Law." 1313

Sec. 2919.22. (A) (1) No person, who is the parent, 1314
guardian, custodian, person having custody or control, or person 1315
in loco parentis of a child under eighteen years of age or a 1316
child with a mental or physical disability under twenty-one 1317
years of age, shall create a substantial risk to the health or 1318
safety of the child, by violating a duty of care, protection, or 1319
support. It is not a violation of a duty of care, protection, or 1320

support under this division when the parent, guardian, 1321
custodian, or person having custody or control of a child treats 1322
the physical or mental illness or disability of the child by 1323
spiritual means through prayer alone, in accordance with the 1324
tenets of a recognized religious body. 1325

(2) No person who has been granted temporary care or 1326
supervision of a child by the child's parent, guardian, or 1327
custodian shall, without the express consent of the child's 1328
parent, guardian, or custodian, negligently leave the child in 1329
the care, custody, or control of another individual who has 1330
previously been convicted of or pleaded guilty to a violation of 1331
this section. 1332

(B) No person shall do any of the following to a child 1333
under eighteen years of age or a child with a mental or physical 1334
disability under twenty-one years of age: 1335

(1) Abuse the child; 1336

(2) Torture or cruelly abuse the child; 1337

(3) Administer corporal punishment or other physical 1338
disciplinary measure, or physically restrain the child in a 1339
cruel manner or for a prolonged period, which punishment, 1340
discipline, or restraint is excessive under the circumstances 1341
and creates a substantial risk of serious physical harm to the 1342
child; 1343

(4) Repeatedly administer unwarranted disciplinary 1344
measures to the child, when there is a substantial risk that 1345
such conduct, if continued, will seriously impair or retard the 1346
child's mental health or development; 1347

(5) Entice, coerce, permit, encourage, compel, hire, 1348
employ, use, or allow the child to act, model, or in any other 1349

way participate in, or be photographed for, the production, 1350
presentation, dissemination, or advertisement of any material or 1351
performance that the offender knows or reasonably should know is 1352
obscene, is sexually oriented matter, or is nudity-oriented 1353
matter; 1354

(6) Allow the child to be on the same parcel of real 1355
property and within one hundred feet of, or, in the case of more 1356
than one housing unit on the same parcel of real property, in 1357
the same housing unit and within one hundred feet of, any act in 1358
violation of section 2925.04 or 2925.041 of the Revised Code 1359
when the person knows that the act is occurring, whether or not 1360
any person is prosecuted for or convicted of the violation of 1361
section 2925.04 or 2925.041 of the Revised Code that is the 1362
basis of the violation of this division. 1363

(C) (1) No person shall operate a vehicle, streetcar, or 1364
trackless trolley within this state in violation of division (A) 1365
of section 4511.19 of the Revised Code when one or more children 1366
under eighteen years of age are in the vehicle, streetcar, or 1367
trackless trolley. Notwithstanding any other provision of law, a 1368
person may be convicted at the same trial or proceeding of a 1369
violation of this division and a violation of division (A) of 1370
section 4511.19 of the Revised Code that constitutes the basis 1371
of the charge of the violation of this division. For purposes of 1372
sections 4511.191 to 4511.197 of the Revised Code and all 1373
related provisions of law, a person arrested for a violation of 1374
this division shall be considered to be under arrest for 1375
operating a vehicle while under the influence of alcohol, a drug 1376
of abuse, or a combination of them or for operating a vehicle 1377
with a prohibited concentration of alcohol, a controlled 1378
substance, or a metabolite of a controlled substance in the 1379
whole blood, blood serum or plasma, breath, or urine. 1380

(2) As used in division (C) (1) of this section:	1381
(a) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.	1382 1383
(b) "Vehicle," "streetcar," and "trackless trolley" have the same meanings as in section 4511.01 of the Revised Code.	1384 1385
(D) (1) Division (B) (5) of this section does not apply to any material or performance that is produced, presented, or disseminated for a bona fide medical, scientific, educational, religious, governmental, judicial, or other proper purpose, by or to a physician, psychologist, sociologist, scientist, teacher, person pursuing bona fide studies or research, librarian, member of the clergy, prosecutor, judge, or other person having a proper interest in the material or performance.	1386 1387 1388 1389 1390 1391 1392 1393
(2) Mistake of age is not a defense to a charge under division (B) (5) of this section.	1394 1395
(3) In a prosecution under division (B) (5) of this section, the trier of fact may infer that an actor, model, or participant in the material or performance involved is a juvenile if the material or performance, through its title, text, visual representation, or otherwise, represents or depicts the actor, model, or participant as a juvenile.	1396 1397 1398 1399 1400 1401
(4) As used in this division and division (B) (5) of this section:	1402 1403
(a) "Material," "performance," "obscene," and "sexual activity" have the same meanings as in section 2907.01 of the Revised Code.	1404 1405 1406
(b) "Nudity-oriented matter" means any material or performance that shows a minor in a state of nudity and that,	1407 1408

taken as a whole by the average person applying contemporary 1409
community standards, appeals to prurient interest. 1410

(c) "Sexually oriented matter" means any material or 1411
performance that shows a minor participating or engaging in 1412
sexual activity, masturbation, or bestiality. 1413

(E) (1) Whoever violates this section is guilty of 1414
endangering children. 1415

(2) If the offender violates division ~~(A)~~(A) (1) or (B) (1) 1416
of this section, endangering children is one of the following, 1417
and, in the circumstances described in division (E) (2) (e) of 1418
this section, that division applies: 1419

(a) Except as otherwise provided in division (E) (2) (b), 1420
(c), or (d) of this section, a misdemeanor of the first degree; 1421

(b) If the offender previously has been convicted of an 1422
offense under this section or of any offense involving neglect, 1423
abandonment, contributing to the delinquency of, or physical 1424
abuse of a child, except as otherwise provided in division (E) 1425
(2) (c) or (d) of this section, a felony of the fourth degree; 1426

(c) If the violation is a violation of division ~~(A)~~(A) (1) 1427
of this section and results in serious physical harm to the 1428
child involved, a felony of the third degree; 1429

(d) If the violation is a violation of division (B) (1) of 1430
this section and results in serious physical harm to the child 1431
involved, a felony of the second degree. 1432

(e) If the violation is a felony violation of division (B) 1433
(1) of this section and the offender also is convicted of or 1434
pleads guilty to a specification as described in section 1435
2941.1422 of the Revised Code that was included in the 1436

indictment, count in the indictment, or information charging the offense, the court shall sentence the offender to a mandatory prison term as provided in division (B) (7) of section 2929.14 of the Revised Code and shall order the offender to make restitution as provided in division (B) (8) of section 2929.18 of the Revised Code.

(3) If the offender violates division (A) (2) of this section, endangering children is a misdemeanor of the first degree.

(4) If the offender violates division (B) (2), (3), (4), or (6) of this section, except as otherwise provided in this division, endangering children is a felony of the third degree. If the violation results in serious physical harm to the child involved, or if the offender previously has been convicted of an offense under this section or of any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, endangering children is a felony of the second degree. If the offender violates division (B) (2), (3), or (4) of this section and the offender also is convicted of or pleads guilty to a specification as described in section 2941.1422 of the Revised Code that was included in the indictment, count in the indictment, or information charging the offense, the court shall sentence the offender to a mandatory prison term as provided in division (B) (7) of section 2929.14 of the Revised Code and shall order the offender to make restitution as provided in division (B) (8) of section 2929.18 of the Revised Code. If the offender violates division (B) (6) of this section and the drug involved is methamphetamine, the court shall impose a mandatory prison term on the offender as follows:

(a) If the violation is a violation of division (B) (6) of

this section that is a felony of the third degree under division 1467
~~(E) (3)~~ (E) (4) of this section and the drug involved is 1468
methamphetamine, except as otherwise provided in this division, 1469
the court shall impose as a mandatory prison term one of the 1470
prison terms prescribed for a felony of the third degree that is 1471
not less than two years. If the violation is a violation of 1472
division (B) (6) of this section that is a felony of the third 1473
degree under division ~~(E) (3)~~ (E) (4) of this section, if the drug 1474
involved is methamphetamine, and if the offender previously has 1475
been convicted of or pleaded guilty to a violation of division 1476
(B) (6) of this section, a violation of division (A) of section 1477
2925.04 of the Revised Code, or a violation of division (A) of 1478
section 2925.041 of the Revised Code, the court shall impose as 1479
a mandatory prison term one of the prison terms prescribed for a 1480
felony of the third degree that is not less than five years. 1481

(b) If the violation is a violation of division (B) (6) of 1482
this section that is a felony of the second degree under 1483
division ~~(E) (3)~~ (E) (4) of this section and the drug involved is 1484
methamphetamine, except as otherwise provided in this division, 1485
the court shall impose as a mandatory prison term one of the 1486
definite prison terms prescribed for a felony of the second 1487
degree in division (A) (2) (b) of section 2929.14 of the Revised 1488
Code that is not less than three years, except that if the 1489
violation is committed on or after ~~the effective date of this~~ 1490
~~amendment~~ March 22, 2019, the court shall impose as the minimum 1491
prison term for the offense a mandatory prison term that is one 1492
of the minimum terms prescribed for a felony of the second 1493
degree in division (A) (2) (a) of that section that is not less 1494
than three years. If the violation is a violation of division 1495
(B) (6) of this section that is a felony of the second degree 1496
under division ~~(E) (3)~~ (E) (4) of this section, if the drug 1497

involved is methamphetamine, and if the offender previously has 1498
been convicted of or pleaded guilty to a violation of division 1499
(B) (6) of this section, a violation of division (A) of section 1500
2925.04 of the Revised Code, or a violation of division (A) of 1501
section 2925.041 of the Revised Code, the court shall impose as 1502
a mandatory prison term one of the definite prison terms 1503
prescribed for a felony of the second degree in division (A) (2) 1504
(b) of section 2929.14 of the Revised Code that is not less than 1505
five years, except that if the violation is committed on or 1506
after March 22, 2019, the court shall impose as the minimum 1507
prison term for the offense a mandatory prison term that is one 1508
of the terms prescribed for a felony of the second degree in 1509
division (A) (2) (a) of that section that is not less than five 1510
years. 1511

~~(4)~~(5) If the offender violates division (B) (5) of this 1512
section, endangering children is a felony of the second degree. 1513
If the offender also is convicted of or pleads guilty to a 1514
specification as described in section 2941.1422 of the Revised 1515
Code that was included in the indictment, count in the 1516
indictment, or information charging the offense, the court shall 1517
sentence the offender to a mandatory prison term as provided in 1518
division (B) (7) of section 2929.14 of the Revised Code and shall 1519
order the offender to make restitution as provided in division 1520
(B) (8) of section 2929.18 of the Revised Code. 1521

~~(5)~~(6) If the offender violates division (C) of this 1522
section, the offender shall be punished as follows: 1523

(a) Except as otherwise provided in division ~~(E) (5) (b)~~ (E) 1524
(6) (b) or (c) of this section, endangering children in violation 1525
of division (C) of this section is a misdemeanor of the first 1526
degree. 1527

(b) If the violation results in serious physical harm to 1528
the child involved or the offender previously has been convicted 1529
of an offense under this section or any offense involving 1530
neglect, abandonment, contributing to the delinquency of, or 1531
physical abuse of a child, except as otherwise provided in 1532
division ~~(E) (5) (e)~~ (E) (6) (c) of this section, endangering 1533
children in violation of division (C) of this section is a 1534
felony of the fifth degree. 1535

(c) If the violation results in serious physical harm to 1536
the child involved and if the offender previously has been 1537
convicted of a violation of division (C) of this section, 1538
section 2903.06 or 2903.08 of the Revised Code, section 2903.07 1539
of the Revised Code as it existed prior to March 23, 2000, or 1540
section 2903.04 of the Revised Code in a case in which the 1541
offender was subject to the sanctions described in division (D) 1542
of that section, endangering children in violation of division 1543
(C) of this section is a felony of the fourth degree. 1544

(d) In addition to any term of imprisonment, fine, or 1545
other sentence, penalty, or sanction it imposes upon the 1546
offender pursuant to division ~~(E) (5) (a)~~ (E) (6) (a), (b), or (c) of 1547
this section or pursuant to any other provision of law and in 1548
addition to any suspension of the offender's driver's or 1549
commercial driver's license or permit or nonresident operating 1550
privilege under Chapter 4506., 4509., 4510., or 4511. of the 1551
Revised Code or under any other provision of law, the court also 1552
may impose upon the offender a class seven suspension of the 1553
offender's driver's or commercial driver's license or permit or 1554
nonresident operating privilege from the range specified in 1555
division (A) (7) of section 4510.02 of the Revised Code. 1556

(e) In addition to any term of imprisonment, fine, or 1557

other sentence, penalty, or sanction imposed upon the offender 1558
pursuant to division ~~(E) (5) (a)~~ (E) (6) (a), (b), (c), or (d) of 1559
this section or pursuant to any other provision of law for the 1560
violation of division (C) of this section, if as part of the 1561
same trial or proceeding the offender also is convicted of or 1562
pleads guilty to a separate charge charging the violation of 1563
division (A) of section 4511.19 of the Revised Code that was the 1564
basis of the charge of the violation of division (C) of this 1565
section, the offender also shall be sentenced in accordance with 1566
section 4511.19 of the Revised Code for that violation of 1567
division (A) of section 4511.19 of the Revised Code. 1568

(F) (1) (a) A court may require an offender to perform not 1569
more than two hundred hours of supervised community service work 1570
under the authority of an agency, subdivision, or charitable 1571
organization. The requirement shall be part of the community 1572
control sanction or sentence of the offender, and the court 1573
shall impose the community service in accordance with and 1574
subject to divisions (F) (1) (a) and (b) of this section. The 1575
court may require an offender whom it requires to perform 1576
supervised community service work as part of the offender's 1577
community control sanction or sentence to pay the court a 1578
reasonable fee to cover the costs of the offender's 1579
participation in the work, including, but not limited to, the 1580
costs of procuring a policy or policies of liability insurance 1581
to cover the period during which the offender will perform the 1582
work. If the court requires the offender to perform supervised 1583
community service work as part of the offender's community 1584
control sanction or sentence, the court shall do so in 1585
accordance with the following limitations and criteria: 1586

(i) The court shall require that the community service 1587
work be performed after completion of the term of imprisonment 1588

or jail term imposed upon the offender for the violation of 1589
division (C) of this section, if applicable. 1590

(ii) The supervised community service work shall be 1591
subject to the limitations set forth in divisions (B) (1), (2), 1592
and (3) of section 2951.02 of the Revised Code. 1593

(iii) The community service work shall be supervised in 1594
the manner described in division (B) (4) of section 2951.02 of 1595
the Revised Code by an official or person with the 1596
qualifications described in that division. The official or 1597
person periodically shall report in writing to the court 1598
concerning the conduct of the offender in performing the work. 1599

(iv) The court shall inform the offender in writing that 1600
if the offender does not adequately perform, as determined by 1601
the court, all of the required community service work, the court 1602
may order that the offender be committed to a jail or workhouse 1603
for a period of time that does not exceed the term of 1604
imprisonment that the court could have imposed upon the offender 1605
for the violation of division (C) of this section, reduced by 1606
the total amount of time that the offender actually was 1607
imprisoned under the sentence or term that was imposed upon the 1608
offender for that violation and by the total amount of time that 1609
the offender was confined for any reason arising out of the 1610
offense for which the offender was convicted and sentenced as 1611
described in sections 2949.08 and 2967.191 of the Revised Code, 1612
and that, if the court orders that the offender be so committed, 1613
the court is authorized, but not required, to grant the offender 1614
credit upon the period of the commitment for the community 1615
service work that the offender adequately performed. 1616

(b) If a court, pursuant to division (F) (1) (a) of this 1617
section, orders an offender to perform community service work as 1618

part of the offender's community control sanction or sentence 1619
and if the offender does not adequately perform all of the 1620
required community service work, as determined by the court, the 1621
court may order that the offender be committed to a jail or 1622
workhouse for a period of time that does not exceed the term of 1623
imprisonment that the court could have imposed upon the offender 1624
for the violation of division (C) of this section, reduced by 1625
the total amount of time that the offender actually was 1626
imprisoned under the sentence or term that was imposed upon the 1627
offender for that violation and by the total amount of time that 1628
the offender was confined for any reason arising out of the 1629
offense for which the offender was convicted and sentenced as 1630
described in sections 2949.08 and 2967.191 of the Revised Code. 1631
The court may order that a person committed pursuant to this 1632
division shall receive hour-for-hour credit upon the period of 1633
the commitment for the community service work that the offender 1634
adequately performed. No commitment pursuant to this division 1635
shall exceed the period of the term of imprisonment that the 1636
sentencing court could have imposed upon the offender for the 1637
violation of division (C) of this section, reduced by the total 1638
amount of time that the offender actually was imprisoned under 1639
that sentence or term and by the total amount of time that the 1640
offender was confined for any reason arising out of the offense 1641
for which the offender was convicted and sentenced as described 1642
in sections 2949.08 and 2967.191 of the Revised Code. 1643

(2) Division (F)(1) of this section does not limit or 1644
affect the authority of the court to suspend the sentence 1645
imposed upon a misdemeanor offender and place the offender under 1646
a community control sanction pursuant to section 2929.25 of the 1647
Revised Code, to require a misdemeanor or felony offender to 1648
perform supervised community service work in accordance with 1649

division (B) of section 2951.02 of the Revised Code, or to place a felony offender under a community control sanction.

(G) (1) If a court suspends an offender's driver's or commercial driver's license or permit or nonresident operating privilege under division ~~(E) (5) (d)~~ (E) (6) (d) of this section, the period of the suspension shall be consecutive to, and commence after, the period of suspension of the offender's driver's or commercial driver's license or permit or nonresident operating privilege that is imposed under Chapter 4506., 4509., 4510., or 4511. of the Revised Code or under any other provision of law in relation to the violation of division (C) of this section that is the basis of the suspension under division ~~(E) (5) (d)~~ (E) (6) (d) of this section or in relation to the violation of division (A) of section 4511.19 of the Revised Code that is the basis for that violation of division (C) of this section.

(2) An offender is not entitled to request, and the court shall not grant to the offender, limited driving privileges if the offender's license, permit, or privilege has been suspended under division ~~(E) (5) (d)~~ (E) (6) (d) of this section and the offender, within the preceding six years, has been convicted of or pleaded guilty to three or more violations of one or more of the following:

(a) Division (C) of this section;

(b) Any equivalent offense, as defined in section 4511.181 of the Revised Code.

(H) (1) If a person violates division (C) of this section and if, at the time of the violation, there were two or more children under eighteen years of age in the motor vehicle involved in the violation, the offender may be convicted of a

violation of division (C) of this section for each of the 1679
children, but the court may sentence the offender for only one 1680
of the violations. 1681

(2) (a) If a person is convicted of or pleads guilty to a 1682
violation of division (C) of this section but the person is not 1683
also convicted of and does not also plead guilty to a separate 1684
charge charging the violation of division (A) of section 4511.19 1685
of the Revised Code that was the basis of the charge of the 1686
violation of division (C) of this section, both of the following 1687
apply: 1688

(i) For purposes of the provisions of section 4511.19 of 1689
the Revised Code that set forth the penalties and sanctions for 1690
a violation of division (A) of section 4511.19 of the Revised 1691
Code, the conviction of or plea of guilty to the violation of 1692
division (C) of this section shall not constitute a violation of 1693
division (A) of section 4511.19 of the Revised Code; 1694

(ii) For purposes of any provision of law that refers to a 1695
conviction of or plea of guilty to a violation of division (A) 1696
of section 4511.19 of the Revised Code and that is not described 1697
in division (H) (2) (a) (i) of this section, the conviction of or 1698
plea of guilty to the violation of division (C) of this section 1699
shall constitute a conviction of or plea of guilty to a 1700
violation of division (A) of section 4511.19 of the Revised 1701
Code. 1702

(b) If a person is convicted of or pleads guilty to a 1703
violation of division (C) of this section and the person also is 1704
convicted of or pleads guilty to a separate charge charging the 1705
violation of division (A) of section 4511.19 of the Revised Code 1706
that was the basis of the charge of the violation of division 1707
(C) of this section, the conviction of or plea of guilty to the 1708

violation of division (C) of this section shall not constitute, 1709
for purposes of any provision of law that refers to a conviction 1710
of or plea of guilty to a violation of division (A) of section 1711
4511.19 of the Revised Code, a conviction of or plea of guilty 1712
to a violation of division (A) of section 4511.19 of the Revised 1713
Code. 1714

(I) As used in this section: 1715

(1) "Community control sanction" has the same meaning as 1716
in section 2929.01 of the Revised Code; 1717

(2) "Limited driving privileges" has the same meaning as 1718
in section 4501.01 of the Revised Code; 1719

(3) "Methamphetamine" has the same meaning as in section 1720
2925.01 of the Revised Code. 1721

Sec. 2929.13. (A) Except as provided in division (E), (F), 1722
or (G) of this section and unless a specific sanction is 1723
required to be imposed or is precluded from being imposed 1724
pursuant to law, a court that imposes a sentence upon an 1725
offender for a felony may impose any sanction or combination of 1726
sanctions on the offender that are provided in sections 2929.14 1727
to 2929.18 of the Revised Code. 1728

If the offender is eligible to be sentenced to community 1729
control sanctions, the court shall consider the appropriateness 1730
of imposing a financial sanction pursuant to section 2929.18 of 1731
the Revised Code or a sanction of community service pursuant to 1732
section 2929.17 of the Revised Code as the sole sanction for the 1733
offense. Except as otherwise provided in this division, if the 1734
court is required to impose a mandatory prison term for the 1735
offense for which sentence is being imposed, the court also 1736
shall impose any financial sanction pursuant to section 2929.18 1737

of the Revised Code that is required for the offense and may 1738
impose any other financial sanction pursuant to that section but 1739
may not impose any additional sanction or combination of 1740
sanctions under section 2929.16 or 2929.17 of the Revised Code. 1741

If the offender is being sentenced for a fourth degree 1742
felony OVI offense or for a third degree felony OVI offense, in 1743
addition to the mandatory term of local incarceration or the 1744
mandatory prison term required for the offense by division (G) 1745
(1) or (2) of this section, the court shall impose upon the 1746
offender a mandatory fine in accordance with division (B) (3) of 1747
section 2929.18 of the Revised Code and may impose whichever of 1748
the following is applicable: 1749

(1) For a fourth degree felony OVI offense for which 1750
sentence is imposed under division (G) (1) of this section, an 1751
additional community control sanction or combination of 1752
community control sanctions under section 2929.16 or 2929.17 of 1753
the Revised Code. If the court imposes upon the offender a 1754
community control sanction and the offender violates any 1755
condition of the community control sanction, the court may take 1756
any action prescribed in division (B) of section 2929.15 of the 1757
Revised Code relative to the offender, including imposing a 1758
prison term on the offender pursuant to that division. 1759

(2) For a third or fourth degree felony OVI offense for 1760
which sentence is imposed under division (G) (2) of this section, 1761
an additional prison term as described in division (B) (4) of 1762
section 2929.14 of the Revised Code or a community control 1763
sanction as described in division (G) (2) of this section. 1764

(B) (1) (a) Except as provided in division (B) (1) (b) of this 1765
section, if an offender is convicted of or pleads guilty to a 1766
felony of the fourth or fifth degree that is not an offense of 1767

violence or that is a qualifying assault offense, the court 1768
shall sentence the offender to a community control sanction or 1769
combination of community control sanctions if all of the 1770
following apply: 1771

(i) The offender previously has not been convicted of or 1772
pleaded guilty to a felony offense. 1773

(ii) The most serious charge against the offender at the 1774
time of sentencing is a felony of the fourth or fifth degree. 1775

(iii) The offender previously has not been convicted of or 1776
pleaded guilty to a misdemeanor offense of violence that the 1777
offender committed within two years prior to the offense for 1778
which sentence is being imposed. 1779

(b) The court has discretion to impose a prison term upon 1780
an offender who is convicted of or pleads guilty to a felony of 1781
the fourth or fifth degree that is not an offense of violence or 1782
that is a qualifying assault offense if any of the following 1783
apply: 1784

(i) The offender committed the offense while having a 1785
firearm on or about the offender's person or under the 1786
offender's control. 1787

(ii) If the offense is a qualifying assault offense, the 1788
offender caused serious physical harm to another person while 1789
committing the offense, and, if the offense is not a qualifying 1790
assault offense, the offender caused physical harm to another 1791
person while committing the offense. 1792

(iii) The offender violated a term of the conditions of 1793
bond as set by the court. 1794

(iv) The offense is a sex offense that is a fourth or 1795

fifth degree felony violation of any provision of Chapter 2907. 1796
of the Revised Code. 1797

(v) In committing the offense, the offender attempted to 1798
cause or made an actual threat of physical harm to a person with 1799
a deadly weapon. 1800

(vi) In committing the offense, the offender attempted to 1801
cause or made an actual threat of physical harm to a person, and 1802
the offender previously was convicted of an offense that caused 1803
physical harm to a person. 1804

(vii) The offender held a public office or position of 1805
trust, and the offense related to that office or position; the 1806
offender's position obliged the offender to prevent the offense 1807
or to bring those committing it to justice; or the offender's 1808
professional reputation or position facilitated the offense or 1809
was likely to influence the future conduct of others. 1810

(viii) The offender committed the offense for hire or as 1811
part of an organized criminal activity. 1812

(ix) The offender at the time of the offense was serving, 1813
or the offender previously had served, a prison term. 1814

(x) The offender committed the offense while under a 1815
community control sanction, while on probation, or while 1816
released from custody on a bond or personal recognizance. 1817

(c) A sentencing court may impose an additional penalty 1818
under division (B) of section 2929.15 of the Revised Code upon 1819
an offender sentenced to a community control sanction under 1820
division (B) (1) (a) of this section if the offender violates the 1821
conditions of the community control sanction, violates a law, or 1822
leaves the state without the permission of the court or the 1823
offender's probation officer. 1824

(2) If division (B) (1) of this section does not apply, 1825
except as provided in division (E), (F), or (G) of this section, 1826
in determining whether to impose a prison term as a sanction for 1827
a felony of the fourth or fifth degree, the sentencing court 1828
shall comply with the purposes and principles of sentencing 1829
under section 2929.11 of the Revised Code and with section 1830
2929.12 of the Revised Code. 1831

(C) Except as provided in division (D), (E), (F), or (G) 1832
of this section, in determining whether to impose a prison term 1833
as a sanction for a felony of the third degree or a felony drug 1834
offense that is a violation of a provision of Chapter 2925. of 1835
the Revised Code and that is specified as being subject to this 1836
division for purposes of sentencing, the sentencing court shall 1837
comply with the purposes and principles of sentencing under 1838
section 2929.11 of the Revised Code and with section 2929.12 of 1839
the Revised Code. 1840

(D) (1) Except as provided in division (E) or (F) of this 1841
section, for a felony of the first or second degree, for a 1842
felony drug offense that is a violation of any provision of 1843
Chapter 2925., 3719., or 4729. of the Revised Code for which a 1844
presumption in favor of a prison term is specified as being 1845
applicable, and for a violation of division (A) (4) or (B) of 1846
section 2907.05 of the Revised Code for which a presumption in 1847
favor of a prison term is specified as being applicable, it is 1848
presumed that a prison term is necessary in order to comply with 1849
the purposes and principles of sentencing under section 2929.11 1850
of the Revised Code. Division (D) (2) of this section does not 1851
apply to a presumption established under this division for a 1852
violation of division (A) (4) of section 2907.05 of the Revised 1853
Code. 1854

(2) Notwithstanding the presumption established under 1855
division (D)(1) of this section for the offenses listed in that 1856
division other than a violation of division (A)(4) or (B) of 1857
section 2907.05 of the Revised Code, the sentencing court may 1858
impose a community control sanction or a combination of 1859
community control sanctions instead of a prison term on an 1860
offender for a felony of the first or second degree or for a 1861
felony drug offense that is a violation of any provision of 1862
Chapter 2925., 3719., or 4729. of the Revised Code for which a 1863
presumption in favor of a prison term is specified as being 1864
applicable if it makes both of the following findings: 1865

(a) A community control sanction or a combination of 1866
community control sanctions would adequately punish the offender 1867
and protect the public from future crime, because the applicable 1868
factors under section 2929.12 of the Revised Code indicating a 1869
lesser likelihood of recidivism outweigh the applicable factors 1870
under that section indicating a greater likelihood of 1871
recidivism. 1872

(b) A community control sanction or a combination of 1873
community control sanctions would not demean the seriousness of 1874
the offense, because one or more factors under section 2929.12 1875
of the Revised Code that indicate that the offender's conduct 1876
was less serious than conduct normally constituting the offense 1877
are applicable, and they outweigh the applicable factors under 1878
that section that indicate that the offender's conduct was more 1879
serious than conduct normally constituting the offense. 1880

(E)(1) Except as provided in division (F) of this section, 1881
for any drug offense that is a violation of any provision of 1882
Chapter 2925. of the Revised Code and that is a felony of the 1883
third, fourth, or fifth degree, the applicability of a 1884

presumption under division (D) of this section in favor of a 1885
prison term or of division (B) or (C) of this section in 1886
determining whether to impose a prison term for the offense 1887
shall be determined as specified in section 2925.02, 2925.03, 1888
2925.04, 2925.05, 2925.06, 2925.11, 2925.13, 2925.22, 2925.23, 1889
2925.36, or 2925.37 of the Revised Code, whichever is applicable 1890
regarding the violation. 1891

(2) If an offender who was convicted of or pleaded guilty 1892
to a felony violates the conditions of a community control 1893
sanction imposed for the offense solely by reason of producing 1894
positive results on a drug test, the court, as punishment for 1895
the violation of the sanction, shall not order that the offender 1896
be imprisoned unless the court determines on the record either 1897
of the following: 1898

(a) The offender had been ordered as a sanction for the 1899
felony to participate in a drug treatment program, in a drug 1900
education program, or in narcotics anonymous or a similar 1901
program, and the offender continued to use illegal drugs after a 1902
reasonable period of participation in the program. 1903

(b) The imprisonment of the offender for the violation is 1904
consistent with the purposes and principles of sentencing set 1905
forth in section 2929.11 of the Revised Code. 1906

(3) A court that sentences an offender for a drug abuse 1907
offense that is a felony of the third, fourth, or fifth degree 1908
may require that the offender be assessed by a properly 1909
credentialed professional within a specified period of time. The 1910
court shall require the professional to file a written 1911
assessment of the offender with the court. If the offender is 1912
eligible for a community control sanction and after considering 1913
the written assessment, the court may impose a community control 1914

sanction that includes addiction services and recovery supports 1915
included in a community-based continuum of care established 1916
under section 340.032 of the Revised Code. If the court imposes 1917
addiction services and recovery supports as a community control 1918
sanction, the court shall direct the level and type of addiction 1919
services and recovery supports after considering the assessment 1920
and recommendation of community addiction services providers. 1921

(F) Notwithstanding divisions (A) to (E) of this section, 1922
the court shall impose a prison term or terms under sections 1923
2929.02 to 2929.06, section 2929.14, section 2929.142, or 1924
section 2971.03 of the Revised Code and except as specifically 1925
provided in section 2929.20, or section 2967.191 of the Revised 1926
Code or when parole is authorized for the offense under section 1927
2967.13 of the Revised Code shall not reduce the term or terms 1928
pursuant to section 2929.20, division (A) (2) or (3) of section 1929
2967.193 or 2967.194, or any other provision of Chapter 2967. or 1930
Chapter 5120. of the Revised Code for any of the following 1931
offenses: 1932

(1) Aggravated murder when death is not imposed or murder; 1933

(2) Any rape, regardless of whether force was involved and 1934
regardless of the age of the victim, or an attempt to commit 1935
rape if, had the offender completed the rape that was attempted, 1936
the offender would have been guilty of a violation of division 1937
(A) (1) (b) of section 2907.02 of the Revised Code and would be 1938
sentenced under section 2971.03 of the Revised Code; 1939

(3) Gross sexual imposition or sexual battery, if the 1940
victim is less than thirteen years of age and if any of the 1941
following applies: 1942

(a) Regarding gross sexual imposition, the offender 1943

previously was convicted of or pleaded guilty to rape, the 1944
former offense of felonious sexual penetration, gross sexual 1945
imposition, or sexual battery, and the victim of the previous 1946
offense was less than thirteen years of age; 1947

(b) Regarding gross sexual imposition, the offense was 1948
committed on or after August 3, 2006, and evidence other than 1949
the testimony of the victim was admitted in the case 1950
corroborating the violation. 1951

(c) Regarding sexual battery, either of the following 1952
applies: 1953

(i) The offense was committed prior to August 3, 2006, the 1954
offender previously was convicted of or pleaded guilty to rape, 1955
the former offense of felonious sexual penetration, or sexual 1956
battery, and the victim of the previous offense was less than 1957
thirteen years of age. 1958

(ii) The offense was committed on or after August 3, 2006. 1959

(4) A felony violation of section 2903.04, 2903.06, 1960
2903.08, 2903.11, 2903.12, 2903.13, 2905.32, 2907.07, 2921.321, 1961
or 2923.132 of the Revised Code if the section requires the 1962
imposition of a prison term; 1963

(5) A first, second, or third degree felony drug offense 1964
for which section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 1965
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, 2925.37, 3719.99, 1966
or 4729.99 of the Revised Code, whichever is applicable 1967
regarding the violation, requires the imposition of a mandatory 1968
prison term; 1969

(6) Any offense that is a first or second degree felony 1970
and that is not set forth in division (F)(1), (2), (3), or (4) 1971
of this section, if the offender previously was convicted of or 1972

pleaded guilty to aggravated murder, murder, any first or second 1973
degree felony, or an offense under an existing or former law of 1974
this state, another state, or the United States that is or was 1975
substantially equivalent to one of those offenses; 1976

(7) Any offense that is a third degree felony and either 1977
is a violation of section 2903.04 of the Revised Code or an 1978
attempt to commit a felony of the second degree that is an 1979
offense of violence and involved an attempt to cause serious 1980
physical harm to a person or that resulted in serious physical 1981
harm to a person if the offender previously was convicted of or 1982
pleaded guilty to any of the following offenses: 1983

(a) Aggravated murder, murder, involuntary manslaughter, 1984
rape, felonious sexual penetration as it existed under section 1985
2907.12 of the Revised Code prior to September 3, 1996, a felony 1986
of the first or second degree that resulted in the death of a 1987
person or in physical harm to a person, or complicity in or an 1988
attempt to commit any of those offenses; 1989

(b) An offense under an existing or former law of this 1990
state, another state, or the United States that is or was 1991
substantially equivalent to an offense listed in division (F) (7) 1992
(a) of this section that resulted in the death of a person or in 1993
physical harm to a person. 1994

(8) Any offense, other than a violation of section 2923.12 1995
of the Revised Code, that is a felony, if the offender had a 1996
firearm on or about the offender's person or under the 1997
offender's control while committing the felony, with respect to 1998
a portion of the sentence imposed pursuant to division (B) (1) (a) 1999
of section 2929.14 of the Revised Code for having the firearm; 2000

(9) Any offense of violence that is a felony, if the 2001

offender wore or carried body armor while committing the felony 2002
offense of violence, with respect to the portion of the sentence 2003
imposed pursuant to division (B) (1) (d) of section 2929.14 of the 2004
Revised Code for wearing or carrying the body armor; 2005

(10) Corrupt activity in violation of section 2923.32 of 2006
the Revised Code when the most serious offense in the pattern of 2007
corrupt activity that is the basis of the offense is a felony of 2008
the first degree; 2009

(11) Any violent sex offense or designated homicide, 2010
assault, or kidnapping offense if, in relation to that offense, 2011
the offender is adjudicated a sexually violent predator; 2012

(12) A violation of division (A) (1) or (2) of section 2013
2921.36 of the Revised Code, or a violation of division (C) of 2014
that section involving an item listed in division (A) (1) or (2) 2015
of that section, if the offender is an officer or employee of 2016
the department of rehabilitation and correction; 2017

(13) A violation of division (A) (1) or (2) of section 2018
2903.06 of the Revised Code if the victim of the offense is a 2019
peace officer, as defined in section 2935.01 of the Revised 2020
Code, or an investigator of the bureau of criminal 2021
identification and investigation, as defined in section 2903.11 2022
of the Revised Code, with respect to the portion of the sentence 2023
imposed pursuant to division (B) (5) of section 2929.14 of the 2024
Revised Code; 2025

(14) A violation of division (A) (1) or (2) of section 2026
2903.06 of the Revised Code if the offender has been convicted 2027
of or pleaded guilty to three or more violations of division (A) 2028
of section 4511.19 of the Revised Code or an equivalent offense, 2029
as defined in section 2941.1415 of the Revised Code, or three or 2030

more violations of any combination of those offenses, with 2031
respect to the portion of the sentence imposed pursuant to 2032
division (B) (6) of section 2929.14 of the Revised Code; 2033

(15) Kidnapping, in the circumstances specified in section 2034
2971.03 of the Revised Code and when no other provision of 2035
division (F) of this section applies; 2036

(16) Kidnapping, abduction, compelling prostitution, 2037
promoting prostitution, engaging in a pattern of corrupt 2038
activity, a violation of division (A) (1) or (2) of section 2039
2907.323 of the Revised Code that involves a minor, or 2040
endangering children in violation of division (B) (1), (2), (3), 2041
(4), or (5) of section 2919.22 of the Revised Code, if the 2042
offender is convicted of or pleads guilty to a specification as 2043
described in section 2941.1422 of the Revised Code that was 2044
included in the indictment, count in the indictment, or 2045
information charging the offense; 2046

(17) A felony violation of division (A) or (B) of section 2047
2919.25 of the Revised Code if division (D) (3), (4), or (5) of 2048
that section, and division (D) (6) of that section, require the 2049
imposition of a prison term; 2050

(18) A felony violation of section 2903.11, 2903.12, or 2051
2903.13 of the Revised Code, if the victim of the offense was a 2052
woman that the offender knew was pregnant at the time of the 2053
violation, with respect to a portion of the sentence imposed 2054
pursuant to division (B) (8) of section 2929.14 of the Revised 2055
Code; 2056

(19) (a) Any violent felony offense if the offender is a 2057
violent career criminal and had a firearm on or about the 2058
offender's person or under the offender's control during the 2059

commission of the violent felony offense and displayed or 2060
brandished the firearm, indicated that the offender possessed a 2061
firearm, or used the firearm to facilitate the offense, with 2062
respect to the portion of the sentence imposed under division 2063
(K) of section 2929.14 of the Revised Code. 2064

(b) As used in division (F)(19)(a) of this section, 2065
"violent career criminal" and "violent felony offense" have the 2066
same meanings as in section 2923.132 of the Revised Code. 2067

(20) Any violation of division (A)(1) of section 2903.11 2068
of the Revised Code if the offender used an accelerant in 2069
committing the violation and the serious physical harm to 2070
another or another's unborn caused by the violation resulted in 2071
a permanent, serious disfigurement or permanent, substantial 2072
incapacity or any violation of division (A)(2) of that section 2073
if the offender used an accelerant in committing the violation, 2074
the violation caused physical harm to another or another's 2075
unborn, and the physical harm resulted in a permanent, serious 2076
disfigurement or permanent, substantial incapacity, with respect 2077
to a portion of the sentence imposed pursuant to division (B)(9) 2078
of section 2929.14 of the Revised Code. The provisions of this 2079
division and of division (D)(2) of section 2903.11, divisions 2080
(B)(9) and (C)(6) of section 2929.14, and section 2941.1425 of 2081
the Revised Code shall be known as "Judy's Law." 2082

(21) Any violation of division (A) of section 2903.11 of 2083
the Revised Code if the victim of the offense suffered permanent 2084
disabling harm as a result of the offense and the victim was 2085
under ~~ten~~eighteen years of age or over sixty-five years of age 2086
at the time of the offense, with respect to a portion of the 2087
sentence imposed pursuant to division (B)(10) of section 2929.14 2088
of the Revised Code. 2089

(22) A felony violation of section 2925.03, 2925.05, or 2925.11 of the Revised Code, 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 the offender 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 was included in the indictment, count in the indictment, or information charging the offense, with respect to the portion of the sentence imposed under division (B) (11) of section 2929.14 of the Revised Code.

(G) Notwithstanding divisions (A) to (E) of this section, if an offender is being sentenced for a fourth degree felony OVI offense or for a third degree felony OVI offense, the court shall impose upon the offender a mandatory term of local incarceration or a mandatory prison term in accordance with the following:

(1) If the offender is being sentenced for a fourth degree felony OVI offense and if the offender has not been convicted of and has not pleaded guilty to a specification of the type described in section 2941.1413 of the Revised Code, the court may impose upon the offender a mandatory term of local incarceration of sixty days or one hundred twenty days as specified in division (G) (1) (d) of section 4511.19 of the Revised Code. The court shall not reduce the term pursuant to section 2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, or any other provision of the Revised Code. The court that imposes a mandatory term of local incarceration under this division shall specify whether the term is to be served in a jail, a community-based correctional facility, a halfway house, or an alternative residential facility, and the offender shall serve the term in the type of facility specified by the court. A

mandatory term of local incarceration imposed under division (G) 2121
(1) of this section is not subject to any other Revised Code 2122
provision that pertains to a prison term except as provided in 2123
division (A) (1) of this section. 2124

(2) If the offender is being sentenced for a third degree 2125
felony OVI offense, or if the offender is being sentenced for a 2126
fourth degree felony OVI offense and the court does not impose a 2127
mandatory term of local incarceration under division (G) (1) of 2128
this section, the court shall impose upon the offender a 2129
mandatory prison term of one, two, three, four, or five years if 2130
the offender also is convicted of or also pleads guilty to a 2131
specification of the type described in section 2941.1413 of the 2132
Revised Code or shall impose upon the offender a mandatory 2133
prison term of sixty days or one hundred twenty days as 2134
specified in division (G) (1) (d) or (e) of section 4511.19 of the 2135
Revised Code if the offender has not been convicted of and has 2136
not pleaded guilty to a specification of that type. The court 2137
shall not reduce the term pursuant to section 2929.20, division 2138
(A) (2) or (3) of section 2967.193 or 2967.194, or any other 2139
provision of the Revised Code. The offender shall serve the 2140
one-, two-, three-, four-, or five-year mandatory prison term 2141
consecutively to and prior to the prison term imposed for the 2142
underlying offense and consecutively to any other mandatory 2143
prison term imposed in relation to the offense. In no case shall 2144
an offender who once has been sentenced to a mandatory term of 2145
local incarceration pursuant to division (G) (1) of this section 2146
for a fourth degree felony OVI offense be sentenced to another 2147
mandatory term of local incarceration under that division for 2148
any violation of division (A) of section 4511.19 of the Revised 2149
Code. In addition to the mandatory prison term described in 2150
division (G) (2) of this section, the court may sentence the 2151

offender to a community control sanction under section 2929.16 2152
or 2929.17 of the Revised Code, but the offender shall serve the 2153
prison term prior to serving the community control sanction. The 2154
department of rehabilitation and correction may place an 2155
offender sentenced to a mandatory prison term under this 2156
division in an intensive program prison established pursuant to 2157
section 5120.033 of the Revised Code if the department gave the 2158
sentencing judge prior notice of its intent to place the 2159
offender in an intensive program prison established under that 2160
section and if the judge did not notify the department that the 2161
judge disapproved the placement. Upon the establishment of the 2162
initial intensive program prison pursuant to section 5120.033 of 2163
the Revised Code that is privately operated and managed by a 2164
contractor pursuant to a contract entered into under section 2165
9.06 of the Revised Code, both of the following apply: 2166

(a) The department of rehabilitation and correction shall 2167
make a reasonable effort to ensure that a sufficient number of 2168
offenders sentenced to a mandatory prison term under this 2169
division are placed in the privately operated and managed prison 2170
so that the privately operated and managed prison has full 2171
occupancy. 2172

(b) Unless the privately operated and managed prison has 2173
full occupancy, the department of rehabilitation and correction 2174
shall not place any offender sentenced to a mandatory prison 2175
term under this division in any intensive program prison 2176
established pursuant to section 5120.033 of the Revised Code 2177
other than the privately operated and managed prison. 2178

(H) If an offender is being sentenced for a sexually 2179
oriented offense or child-victim oriented offense that is a 2180
felony committed on or after January 1, 1997, the judge shall 2181

require the offender to submit to a DNA specimen collection 2182
procedure pursuant to section 2901.07 of the Revised Code. 2183

(I) If an offender is being sentenced for a sexually 2184
oriented offense or a child-victim oriented offense committed on 2185
or after January 1, 1997, the judge shall include in the 2186
sentence a summary of the offender's duties imposed under 2187
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 2188
Code and the duration of the duties. The judge shall inform the 2189
offender, at the time of sentencing, of those duties and of 2190
their duration. If required under division (A) (2) of section 2191
2950.03 of the Revised Code, the judge shall perform the duties 2192
specified in that section, or, if required under division (A) (6) 2193
of section 2950.03 of the Revised Code, the judge shall perform 2194
the duties specified in that division. 2195

(J) (1) Except as provided in division (J) (2) of this 2196
section, when considering sentencing factors under this section 2197
in relation to an offender who is convicted of or pleads guilty 2198
to an attempt to commit an offense in violation of section 2199
2923.02 of the Revised Code, the sentencing court shall consider 2200
the factors applicable to the felony category of the violation 2201
of section 2923.02 of the Revised Code instead of the factors 2202
applicable to the felony category of the offense attempted. 2203

(2) When considering sentencing factors under this section 2204
in relation to an offender who is convicted of or pleads guilty 2205
to an attempt to commit a drug abuse offense for which the 2206
penalty is determined by the amount or number of unit doses of 2207
the controlled substance involved in the drug abuse offense, the 2208
sentencing court shall consider the factors applicable to the 2209
felony category that the drug abuse offense attempted would be 2210
if that drug abuse offense had been committed and had involved 2211

an amount or number of unit doses of the controlled substance 2212
that is within the next lower range of controlled substance 2213
amounts than was involved in the attempt. 2214

(K) As used in this section: 2215

(1) "Community addiction services provider" has the same 2216
meaning as in section 5119.01 of the Revised Code. 2217

(2) "Drug abuse offense" has the same meaning as in 2218
section 2925.01 of the Revised Code. 2219

(3) "Minor drug possession offense" has the same meaning 2220
as in section 2925.11 of the Revised Code. 2221

(4) "Qualifying assault offense" means a violation of 2222
section 2903.13 of the Revised Code for which the penalty 2223
provision in division (C) (8) (b) or (C) (9) (b) of that section 2224
applies. 2225

(L) At the time of sentencing an offender for any sexually 2226
oriented offense, if the offender is a tier III sex 2227
offender/child-victim offender relative to that offense and the 2228
offender does not serve a prison term or jail term, the court 2229
may require that the offender be monitored by means of a global 2230
positioning device. If the court requires such monitoring, the 2231
cost of monitoring shall be borne by the offender. If the 2232
offender is indigent, the cost of compliance shall be paid by 2233
the crime victims reparations fund. 2234

Sec. 2929.14. (A) Except as provided in division (B) (1), 2235
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 2236
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 2237
in division (D) (6) of section 2919.25 of the Revised Code and 2238
except in relation to an offense for which a sentence of death 2239
or life imprisonment is to be imposed, if the court imposing a 2240

sentence upon an offender for a felony elects or is required to 2241
impose a prison term on the offender pursuant to this chapter, 2242
the court shall impose a prison term that shall be one of the 2243
following: 2244

(1) (a) For a felony of the first degree committed on or 2245
after March 22, 2019, the prison term shall be an indefinite 2246
prison term with a stated minimum term selected by the court of 2247
three, four, five, six, seven, eight, nine, ten, or eleven years 2248
and a maximum term that is determined pursuant to section 2249
2929.144 of the Revised Code, except that if the section that 2250
criminalizes the conduct constituting the felony specifies a 2251
different minimum term or penalty for the offense, the specific 2252
language of that section shall control in determining the 2253
minimum term or otherwise sentencing the offender but the 2254
minimum term or sentence imposed under that specific language 2255
shall be considered for purposes of the Revised Code as if it 2256
had been imposed under this division. 2257

(b) For a felony of the first degree committed prior to 2258
March 22, 2019, the prison term shall be a definite prison term 2259
of three, four, five, six, seven, eight, nine, ten, or eleven 2260
years. 2261

(2) (a) For a felony of the second degree committed on or 2262
after March 22, 2019, the prison term shall be an indefinite 2263
prison term with a stated minimum term selected by the court of 2264
two, three, four, five, six, seven, or eight years and a maximum 2265
term that is determined pursuant to section 2929.144 of the 2266
Revised Code, except that if the section that criminalizes the 2267
conduct constituting the felony specifies a different minimum 2268
term or penalty for the offense, the specific language of that 2269
section shall control in determining the minimum term or 2270

otherwise sentencing the offender but the minimum term or 2271
sentence imposed under that specific language shall be 2272
considered for purposes of the Revised Code as if it had been 2273
imposed under this division. 2274

(b) For a felony of the second degree committed prior to 2275
March 22, 2019, the prison term shall be a definite term of two, 2276
three, four, five, six, seven, or eight years. 2277

(3) (a) For a felony of the third degree that is a 2278
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 2279
2907.05, 2907.321, 2907.322, 2907.323, 2919.25, or 3795.04 of 2280
the Revised Code, that is a violation of division (A) of section 2281
4511.19 of the Revised Code if the offender previously has been 2282
convicted of or pleaded guilty to a violation of division (A) of 2283
that section that was a felony, that is a violation of section 2284
2911.02 or 2911.12 of the Revised Code if the offender 2285
previously has been convicted of or pleaded guilty in two or 2286
more separate proceedings to two or more violations of section 2287
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, or 2288
that is a violation of division (B) of section 2921.331 of the 2289
Revised Code if division (C) (5) of that section applies, the 2290
prison term shall be a definite term of twelve, eighteen, 2291
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 2292
four, or sixty months. 2293

(b) For a felony of the third degree that is not an 2294
offense for which division (A) (3) (a) of this section applies, 2295
the prison term shall be a definite term of nine, twelve, 2296
eighteen, twenty-four, thirty, or thirty-six months. 2297

(4) For a felony of the fourth degree, the prison term 2298
shall be a definite term of six, seven, eight, nine, ten, 2299
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 2300

or eighteen months. 2301

(5) For a felony of the fifth degree, the prison term 2302
shall be a definite term of six, seven, eight, nine, ten, 2303
eleven, or twelve months. 2304

(B) (1) (a) Except as provided in division (B) (1) (e) of this 2305
section, if an offender who is convicted of or pleads guilty to 2306
a felony also is convicted of or pleads guilty to a 2307
specification of the type described in section 2941.141, 2308
2941.144, or 2941.145 of the Revised Code, the court shall 2309
impose on the offender one of the following prison terms: 2310

(i) A prison term of six years if the specification is of 2311
the type described in division (A) of section 2941.144 of the 2312
Revised Code that charges the offender with having a firearm 2313
that is an automatic firearm or that was equipped with a firearm 2314
muffler or suppressor on or about the offender's person or under 2315
the offender's control while committing the offense; 2316

(ii) A prison term of three years if the specification is 2317
of the type described in division (A) of section 2941.145 of the 2318
Revised Code that charges the offender with having a firearm on 2319
or about the offender's person or under the offender's control 2320
while committing the offense and displaying the firearm, 2321
brandishing the firearm, indicating that the offender possessed 2322
the firearm, or using it to facilitate the offense; 2323

(iii) A prison term of one year if the specification is of 2324
the type described in division (A) of section 2941.141 of the 2325
Revised Code that charges the offender with having a firearm on 2326
or about the offender's person or under the offender's control 2327
while committing the offense; 2328

(iv) A prison term of nine years if the specification is 2329

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

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

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

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

reduced pursuant to section 2929.20, division (A)(2) or (3) of 2360
section 2967.193 or 2967.194, or any other provision of Chapter 2361
2967. or Chapter 5120. of the Revised Code. Except as provided 2362
in division (B)(1)(g) of this section, a court shall not impose 2363
more than one prison term on an offender under division (B)(1) 2364
(a) of this section for felonies committed as part of the same 2365
act or transaction. 2366

(c)(i) Except as provided in division (B)(1)(e) of this 2367
section, if an offender who is convicted of or pleads guilty to 2368
a violation of section 2923.161 of the Revised Code or to a 2369
felony that includes, as an essential element, purposely or 2370
knowingly causing or attempting to cause the death of or 2371
physical harm to another, also is convicted of or pleads guilty 2372
to a specification of the type described in division (A) of 2373
section 2941.146 of the Revised Code that charges the offender 2374
with committing the offense by discharging a firearm from a 2375
motor vehicle other than a manufactured home, the court, after 2376
imposing a prison term on the offender for the violation of 2377
section 2923.161 of the Revised Code or for the other felony 2378
offense under division (A), (B)(2), or (B)(3) of this section, 2379
shall impose an additional prison term of five years upon the 2380
offender that shall not be reduced pursuant to section 2929.20, 2381
division (A)(2) or (3) of section 2967.193 or 2967.194, or any 2382
other provision of Chapter 2967. or Chapter 5120. of the Revised 2383
Code. 2384

(ii) Except as provided in division (B)(1)(e) of this 2385
section, if an offender who is convicted of or pleads guilty to 2386
a violation of section 2923.161 of the Revised Code or to a 2387
felony that includes, as an essential element, purposely or 2388
knowingly causing or attempting to cause the death of or 2389
physical harm to another, also is convicted of or pleads guilty 2390

to a specification of the type described in division (C) of 2391
section 2941.146 of the Revised Code that charges the offender 2392
with committing the offense by discharging a firearm from a 2393
motor vehicle other than a manufactured home and that the 2394
offender previously has been convicted of or pleaded guilty to a 2395
specification of the type described in section 2941.141, 2396
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 2397
the court, after imposing a prison term on the offender for the 2398
violation of section 2923.161 of the Revised Code or for the 2399
other felony offense under division (A), (B) (2), or (3) of this 2400
section, shall impose an additional prison term of ninety months 2401
upon the offender that shall not be reduced pursuant to section 2402
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 2403
or any other provision of Chapter 2967. or Chapter 5120. of the 2404
Revised Code. 2405

(iii) A court shall not impose more than one additional 2406
prison term on an offender under division (B) (1) (c) of this 2407
section for felonies committed as part of the same act or 2408
transaction. If a court imposes an additional prison term on an 2409
offender under division (B) (1) (c) of this section relative to an 2410
offense, the court also shall impose a prison term under 2411
division (B) (1) (a) of this section relative to the same offense, 2412
provided the criteria specified in that division for imposing an 2413
additional prison term are satisfied relative to the offender 2414
and the offense. 2415

(d) If an offender who is convicted of or pleads guilty to 2416
an offense of violence that is a felony also is convicted of or 2417
pleads guilty to a specification of the type described in 2418
section 2941.1411 of the Revised Code that charges the offender 2419
with wearing or carrying body armor while committing the felony 2420
offense of violence, the court shall impose on the offender an 2421

additional prison term of two years. The prison term so imposed 2422
shall not be reduced pursuant to section 2929.20, division (A) 2423
(2) or (3) of section 2967.193 or 2967.194, or any other 2424
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 2425
A court shall not impose more than one prison term on an 2426
offender under division (B)(1)(d) of this section for felonies 2427
committed as part of the same act or transaction. If a court 2428
imposes an additional prison term under division (B)(1)(a) or 2429
(c) of this section, the court is not precluded from imposing an 2430
additional prison term under division (B)(1)(d) of this section. 2431

(e) The court shall not impose any of the prison terms 2432
described in division (B)(1)(a) of this section or any of the 2433
additional prison terms described in division (B)(1)(c) of this 2434
section upon an offender for a violation of section 2923.12 or 2435
2923.123 of the Revised Code. The court shall not impose any of 2436
the prison terms described in division (B)(1)(a) or (b) of this 2437
section upon an offender for a violation of section 2923.122 2438
that involves a deadly weapon that is a firearm other than a 2439
dangerous ordnance, section 2923.16, or section 2923.121 of the 2440
Revised Code. The court shall not impose any of the prison terms 2441
described in division (B)(1)(a) of this section or any of the 2442
additional prison terms described in division (B)(1)(c) of this 2443
section upon an offender for a violation of section 2923.13 of 2444
the Revised Code unless all of the following apply: 2445

(i) The offender previously has been convicted of 2446
aggravated murder, murder, or any felony of the first or second 2447
degree. 2448

(ii) Less than five years have passed since the offender 2449
was released from prison or post-release control, whichever is 2450
later, for the prior offense. 2451

(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 offense under division (A), (B) (2), or (B) (3) of this section, shall impose an additional prison term of seven years upon the offender that 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.

(ii) 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 (B) 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, 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, the court, after imposing a prison term on the offender for the felony offense under division (A), (B) (2), or (3) of this section, shall impose an additional prison term of

one hundred twenty-six months upon the offender that shall not 2483
be reduced pursuant to section 2929.20, division (A) (2) or (3) 2484
of section 2967.193 or 2967.194, or any other provision of 2485
Chapter 2967. or 5120. of the Revised Code. 2486

(iii) If an offender is convicted of or pleads guilty to 2487
two or more felonies that include, as an essential element, 2488
causing or attempting to cause the death or physical harm to 2489
another and also is convicted of or pleads guilty to a 2490
specification of the type described under division (B) (1) (f) of 2491
this section in connection with two or more of the felonies of 2492
which the offender is convicted or to which the offender pleads 2493
guilty, the sentencing court shall impose on the offender the 2494
prison term specified under division (B) (1) (f) of this section 2495
for each of two of the specifications of which the offender is 2496
convicted or to which the offender pleads guilty and, in its 2497
discretion, also may impose on the offender the prison term 2498
specified under that division for any or all of the remaining 2499
specifications. If a court imposes an additional prison term on 2500
an offender under division (B) (1) (f) of this section relative to 2501
an offense, the court shall not impose a prison term under 2502
division (B) (1) (a) or (c) of this section relative to the same 2503
offense. 2504

(g) If an offender is convicted of or pleads guilty to two 2505
or more felonies, if one or more of those felonies are 2506
aggravated murder, murder, attempted aggravated murder, 2507
attempted murder, aggravated robbery, felonious assault, or 2508
rape, and if the offender is convicted of or pleads guilty to a 2509
specification of the type described under division (B) (1) (a) of 2510
this section in connection with two or more of the felonies, the 2511
sentencing court shall impose on the offender the prison term 2512
specified under division (B) (1) (a) of this section for each of 2513

the two most serious specifications of which the offender is 2514
convicted or to which the offender pleads guilty and, in its 2515
discretion, also may impose on the offender the prison term 2516
specified under that division for any or all of the remaining 2517
specifications. 2518

(2) (a) If division (B) (2) (b) of this section does not 2519
apply, the court may impose on an offender, in addition to the 2520
longest prison term authorized or required for the offense or, 2521
for offenses for which division (A) (1) (a) or (2) (a) of this 2522
section applies, in addition to the longest minimum prison term 2523
authorized or required for the offense, an additional definite 2524
prison term of one, two, three, four, five, six, seven, eight, 2525
nine, or ten years if all of the following criteria are met: 2526

(i) The offender is convicted of or pleads guilty to a 2527
specification of the type described in section 2941.149 of the 2528
Revised Code that the offender is a repeat violent offender. 2529

(ii) The offense of which the offender currently is 2530
convicted or to which the offender currently pleads guilty is 2531
aggravated murder and the court does not impose a sentence of 2532
death or life imprisonment without parole, murder, terrorism and 2533
the court does not impose a sentence of life imprisonment 2534
without parole, any felony of the first degree that is an 2535
offense of violence and the court does not impose a sentence of 2536
life imprisonment without parole, or any felony of the second 2537
degree that is an offense of violence and the trier of fact 2538
finds that the offense involved an attempt to cause or a threat 2539
to cause serious physical harm to a person or resulted in 2540
serious physical harm to a person. 2541

(iii) The court imposes the longest prison term for the 2542
offense or the longest minimum prison term for the offense, 2543

whichever is applicable, that is not life imprisonment without 2544
parole. 2545

(iv) The court finds that the prison terms imposed 2546
pursuant to division (B)(2)(a)(iii) of this section and, if 2547
applicable, division (B)(1) or (3) of this section are 2548
inadequate to punish the offender and protect the public from 2549
future crime, because the applicable factors under section 2550
2929.12 of the Revised Code indicating a greater likelihood of 2551
recidivism outweigh the applicable factors under that section 2552
indicating a lesser likelihood of recidivism. 2553

(v) The court finds that the prison terms imposed pursuant 2554
to division (B)(2)(a)(iii) of this section and, if applicable, 2555
division (B)(1) or (3) of this section are demeaning to the 2556
seriousness of the offense, because one or more of the factors 2557
under section 2929.12 of the Revised Code indicating that the 2558
offender's conduct is more serious than conduct normally 2559
constituting the offense are present, and they outweigh the 2560
applicable factors under that section indicating that the 2561
offender's conduct is less serious than conduct normally 2562
constituting the offense. 2563

(b) The court shall impose on an offender the longest 2564
prison term authorized or required for the offense or, for 2565
offenses for which division (A)(1)(a) or (2)(a) of this section 2566
applies, the longest minimum prison term authorized or required 2567
for the offense, and shall impose on the offender an additional 2568
definite prison term of one, two, three, four, five, six, seven, 2569
eight, nine, or ten years if all of the following criteria are 2570
met: 2571

(i) The offender is convicted of or pleads guilty to a 2572
specification of the type described in section 2941.149 of the 2573

Revised Code that the offender is a repeat violent offender. 2574

(ii) The offender within the preceding twenty years has 2575
been convicted of or pleaded guilty to three or more offenses 2576
described in division (CC)(1) of section 2929.01 of the Revised 2577
Code, including all offenses described in that division of which 2578
the offender is convicted or to which the offender pleads guilty 2579
in the current prosecution and all offenses described in that 2580
division of which the offender previously has been convicted or 2581
to which the offender previously pleaded guilty, whether 2582
prosecuted together or separately. 2583

(iii) The offense or offenses of which the offender 2584
currently is convicted or to which the offender currently pleads 2585
guilty is aggravated murder and the court does not impose a 2586
sentence of death or life imprisonment without parole, murder, 2587
terrorism and the court does not impose a sentence of life 2588
imprisonment without parole, any felony of the first degree that 2589
is an offense of violence and the court does not impose a 2590
sentence of life imprisonment without parole, or any felony of 2591
the second degree that is an offense of violence and the trier 2592
of fact finds that the offense involved an attempt to cause or a 2593
threat to cause serious physical harm to a person or resulted in 2594
serious physical harm to a person. 2595

(c) For purposes of division (B)(2)(b) of this section, 2596
two or more offenses committed at the same time or as part of 2597
the same act or event shall be considered one offense, and that 2598
one offense shall be the offense with the greatest penalty. 2599

(d) A sentence imposed under division (B)(2)(a) or (b) of 2600
this section shall not be reduced pursuant to section 2929.20, 2601
division (A)(2) or (3) of section 2967.193 or 2967.194, or any 2602
other provision of Chapter 2967. or Chapter 5120. of the Revised 2603

Code. The offender shall serve an additional prison term imposed 2604
under division (B) (2) (a) or (b) of this section consecutively to 2605
and prior to the prison term imposed for the underlying offense. 2606

(e) When imposing a sentence pursuant to division (B) (2) 2607
(a) or (b) of this section, the court shall state its findings 2608
explaining the imposed sentence. 2609

(3) Except when an offender commits a violation of section 2610
2903.01 or 2907.02 of the Revised Code and the penalty imposed 2611
for the violation is life imprisonment or commits a violation of 2612
section 2903.02 of the Revised Code, if the offender commits a 2613
violation of section 2925.03 or 2925.11 of the Revised Code and 2614
that section classifies the offender as a major drug offender, 2615
if the offender commits a violation of section 2925.05 of the 2616
Revised Code and division (E) (1) of that section classifies the 2617
offender as a major drug offender, if the offender commits a 2618
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 2619
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 2620
division (C) or (D) of section 3719.172, division (E) of section 2621
4729.51, or division (J) of section 4729.54 of the Revised Code 2622
that includes the sale, offer to sell, or possession of a 2623
schedule I or II controlled substance, with the exception of 2624
marihuana, and the court imposing sentence upon the offender 2625
finds that the offender is guilty of a specification of the type 2626
described in division (A) of section 2941.1410 of the Revised 2627
Code charging that the offender is a major drug offender, if the 2628
court imposing sentence upon an offender for a felony finds that 2629
the offender is guilty of corrupt activity with the most serious 2630
offense in the pattern of corrupt activity being a felony of the 2631
first degree, or if the offender is guilty of an attempted 2632
violation of section 2907.02 of the Revised Code and, had the 2633
offender completed the violation of section 2907.02 of the 2634

Revised Code that was attempted, the offender would have been 2635
subject to a sentence of life imprisonment or life imprisonment 2636
without parole for the violation of section 2907.02 of the 2637
Revised Code, the court shall impose upon the offender for the 2638
felony violation a mandatory prison term determined as described 2639
in this division that cannot be reduced pursuant to section 2640
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 2641
or any other provision of Chapter 2967. or 5120. of the Revised 2642
Code. The mandatory prison term shall be the maximum definite 2643
prison term prescribed in division (A) (1) (b) of this section for 2644
a felony of the first degree, except that for offenses for which 2645
division (A) (1) (a) of this section applies, the mandatory prison 2646
term shall be the longest minimum prison term prescribed in that 2647
division for the offense. 2648

(4) If the offender is being sentenced for a third or 2649
fourth degree felony OVI offense under division (G) (2) of 2650
section 2929.13 of the Revised Code, the sentencing court shall 2651
impose upon the offender a mandatory prison term in accordance 2652
with that division. In addition to the mandatory prison term, if 2653
the offender is being sentenced for a fourth degree felony OVI 2654
offense, the court, notwithstanding division (A) (4) of this 2655
section, may sentence the offender to a definite prison term of 2656
not less than six months and not more than thirty months, and if 2657
the offender is being sentenced for a third degree felony OVI 2658
offense, the sentencing court may sentence the offender to an 2659
additional prison term of any duration specified in division (A) 2660
(3) of this section. In either case, the additional prison term 2661
imposed shall be reduced by the sixty or one hundred twenty days 2662
imposed upon the offender as the mandatory prison term. The 2663
total of the additional prison term imposed under division (B) 2664
(4) of this section plus the sixty or one hundred twenty days 2665

imposed as the mandatory prison term shall equal a definite term 2666
in the range of six months to thirty months for a fourth degree 2667
felony OVI offense and shall equal one of the authorized prison 2668
terms specified in division (A) (3) of this section for a third 2669
degree felony OVI offense. If the court imposes an additional 2670
prison term under division (B) (4) of this section, the offender 2671
shall serve the additional prison term after the offender has 2672
served the mandatory prison term required for the offense. In 2673
addition to the mandatory prison term or mandatory and 2674
additional prison term imposed as described in division (B) (4) 2675
of this section, the court also may sentence the offender to a 2676
community control sanction under section 2929.16 or 2929.17 of 2677
the Revised Code, but the offender shall serve all of the prison 2678
terms so imposed prior to serving the community control 2679
sanction. 2680

If the offender is being sentenced for a fourth degree 2681
felony OVI offense under division (G) (1) of section 2929.13 of 2682
the Revised Code and the court imposes a mandatory term of local 2683
incarceration, the court may impose a prison term as described 2684
in division (A) (1) of that section. 2685

(5) If an offender is convicted of or pleads guilty to a 2686
violation of division (A) (1) or (2) of section 2903.06 of the 2687
Revised Code and also is convicted of or pleads guilty to a 2688
specification of the type described in section 2941.1414 of the 2689
Revised Code that charges that the victim of the offense is a 2690
peace officer, as defined in section 2935.01 of the Revised 2691
Code, an investigator of the bureau of criminal identification 2692
and investigation, as defined in section 2903.11 of the Revised 2693
Code, or a firefighter or emergency medical worker, both as 2694
defined in section 2941.1414 of the Revised Code, the court 2695
shall impose on the offender a prison term of five years. If a 2696

court imposes a prison term on an offender under division (B) (5) 2697
of this section, the prison term shall not be reduced pursuant 2698
to section 2929.20, division (A) (2) or (3) of section 2967.193 2699
or 2967.194, or any other provision of Chapter 2967. or Chapter 2700
5120. of the Revised Code. A court shall not impose more than 2701
one prison term on an offender under division (B) (5) of this 2702
section for felonies committed as part of the same act. 2703

(6) If an offender is convicted of or pleads guilty to a 2704
violation of division (A) (1) or (2) of section 2903.06 of the 2705
Revised Code and also is convicted of or pleads guilty to a 2706
specification of the type described in section 2941.1415 of the 2707
Revised Code that charges that the offender previously has been 2708
convicted of or pleaded guilty to three or more violations of 2709
division (A) of section 4511.19 of the Revised Code or an 2710
equivalent offense, as defined in section 2941.1415 of the 2711
Revised Code, or three or more violations of any combination of 2712
those offenses, the court shall impose on the offender a prison 2713
term of three years. If a court imposes a prison term on an 2714
offender under division (B) (6) of this section, the prison term 2715
shall not be reduced pursuant to section 2929.20, division (A) 2716
(2) or (3) of section 2967.193 or 2967.194, or any other 2717
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 2718
A court shall not impose more than one prison term on an 2719
offender under division (B) (6) of this section for felonies 2720
committed as part of the same act. 2721

(7) (a) If an offender is convicted of or pleads guilty to 2722
a felony violation of section 2905.01, 2905.02, 2907.21, 2723
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 2724
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 2725
section 2919.22 of the Revised Code and also is convicted of or 2726
pleads guilty to a specification of the type described in 2727

section 2941.1422 of the Revised Code that charges that the 2728
offender knowingly committed the offense in furtherance of human 2729
trafficking, the court shall impose on the offender a mandatory 2730
prison term that is one of the following: 2731

(i) If the offense is a felony of the first degree, a 2732
definite prison term of not less than five years and not greater 2733
than eleven years, except that if the offense is a felony of the 2734
first degree committed on or after March 22, 2019, the court 2735
shall impose as the minimum prison term a mandatory term of not 2736
less than five years and not greater than eleven years; 2737

(ii) If the offense is a felony of the second or third 2738
degree, a definite prison term of not less than three years and 2739
not greater than the maximum prison term allowed for the offense 2740
by division (A) (2) (b) or (3) of this section, except that if the 2741
offense is a felony of the second degree committed on or after 2742
March 22, 2019, the court shall impose as the minimum prison 2743
term a mandatory term of not less than three years and not 2744
greater than eight years; 2745

(iii) If the offense is a felony of the fourth or fifth 2746
degree, a definite prison term that is the maximum prison term 2747
allowed for the offense by division (A) of section 2929.14 of 2748
the Revised Code. 2749

(b) The prison term imposed under division (B) (7) (a) of 2750
this section shall not be reduced pursuant to section 2929.20, 2751
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 2752
other provision of Chapter 2967. of the Revised Code. A court 2753
shall not impose more than one prison term on an offender under 2754
division (B) (7) (a) of this section for felonies committed as 2755
part of the same act, scheme, or plan. 2756

(8) If an offender is convicted of or pleads guilty to a 2757
felony violation of section 2903.11, 2903.12, or 2903.13 of the 2758
Revised Code and also is convicted of or pleads guilty to a 2759
specification of the type described in section 2941.1423 of the 2760
Revised Code that charges that the victim of the violation was a 2761
woman whom the offender knew was pregnant at the time of the 2762
violation, notwithstanding the range prescribed in division (A) 2763
of this section as the definite prison term or minimum prison 2764
term for felonies of the same degree as the violation, the court 2765
shall impose on the offender a mandatory prison term that is 2766
either a definite prison term of six months or one of the prison 2767
terms prescribed in division (A) of this section for felonies of 2768
the same degree as the violation, except that if the violation 2769
is a felony of the first or second degree committed on or after 2770
March 22, 2019, the court shall impose as the minimum prison 2771
term under division (A) (1) (a) or (2) (a) of this section a 2772
mandatory term that is one of the terms prescribed in that 2773
division, whichever is applicable, for the offense. 2774

(9) (a) If an offender is convicted of or pleads guilty to 2775
a violation of division (A) (1) or (2) of section 2903.11 of the 2776
Revised Code and also is convicted of or pleads guilty to a 2777
specification of the type described in section 2941.1425 of the 2778
Revised Code, the court shall impose on the offender a mandatory 2779
prison term of six years if either of the following applies: 2780

(i) The violation is a violation of division (A) (1) of 2781
section 2903.11 of the Revised Code and the specification 2782
charges that the offender used an accelerant in committing the 2783
violation and the serious physical harm to another or to 2784
another's unborn caused by the violation resulted in a 2785
permanent, serious disfigurement or permanent, substantial 2786
incapacity; 2787

(ii) The violation is a violation of division (A) (2) of 2788
section 2903.11 of the Revised Code and the specification 2789
charges that the offender used an accelerant in committing the 2790
violation, that the violation caused physical harm to another or 2791
to another's unborn, and that the physical harm resulted in a 2792
permanent, serious disfigurement or permanent, substantial 2793
incapacity. 2794

(b) If a court imposes a prison term on an offender under 2795
division (B) (9) (a) of this section, the prison term shall not be 2796
reduced pursuant to section 2929.20, division (A) (2) or (3) of 2797
section 2967.193 or 2967.194, or any other provision of Chapter 2798
2967. or Chapter 5120. of the Revised Code. A court shall not 2799
impose more than one prison term on an offender under division 2800
(B) (9) of this section for felonies committed as part of the 2801
same act. 2802

(c) The provisions of divisions (B) (9) and (C) (6) of this 2803
section and of division (D) (2) of section 2903.11, division (F) 2804
(20) of section 2929.13, and section 2941.1425 of the Revised 2805
Code shall be known as "Judy's Law." 2806

(10) If an offender is convicted of or pleads guilty to a 2807
violation of division (A) of section 2903.11 of the Revised Code 2808
and also is convicted of or pleads guilty to a specification of 2809
the type described in section 2941.1426 of the Revised Code that 2810
charges that the victim of the offense suffered permanent 2811
disabling harm as a result of the offense and that the victim 2812
was under ~~ten~~ eighteen years of age or over sixty-five years of 2813
age at the time of the offense, regardless of whether the 2814
offender knew the age of the victim, the court shall impose upon 2815
the offender an additional definite prison term of ~~six~~ ten 2816
years. A prison term imposed on an offender under division (B) 2817

(10) of this section shall not be reduced pursuant to section 2818
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 2819
or any other provision of Chapter 2967. or Chapter 5120. of the 2820
Revised Code. If a court imposes an additional prison term on an 2821
offender under this division relative to a violation of division 2822
(A) of section 2903.11 of the Revised Code, the court shall not 2823
impose any other additional prison term on the offender relative 2824
to the same offense. 2825

(11) If an offender is convicted of or pleads guilty to a 2826
felony violation of section 2925.03 or 2925.05 of the Revised 2827
Code or a felony violation of section 2925.11 of the Revised 2828
Code for which division (C) (11) of that section applies in 2829
determining the sentence for the violation, if the drug involved 2830
in the violation is a fentanyl-related compound or a compound, 2831
mixture, preparation, or substance containing a fentanyl-related 2832
compound, and if the offender also is convicted of or pleads 2833
guilty to a specification of the type described in division (B) 2834
of section 2941.1410 of the Revised Code that charges that the 2835
offender is a major drug offender, in addition to any other 2836
penalty imposed for the violation, the court shall impose on the 2837
offender a mandatory prison term of three, four, five, six, 2838
seven, or eight years. If a court imposes a prison term on an 2839
offender under division (B) (11) of this section, the prison term 2840
shall not be reduced pursuant to section 2929.20, division (A) 2841
(2) or (3) of section 2967.193 or 2967.194, or any other 2842
provision of Chapter 2967. or 5120. of the Revised Code. A court 2843
shall not impose more than one prison term on an offender under 2844
division (B) (11) of this section for felonies committed as part 2845
of the same act. 2846

(C) (1) (a) Subject to division (C) (1) (b) of this section, 2847
if a mandatory prison term is imposed upon an offender pursuant 2848

to division (B) (1) (a) of this section for having a firearm on or 2849
about the offender's person or under the offender's control 2850
while committing a felony, if a mandatory prison term is imposed 2851
upon an offender pursuant to division (B) (1) (c) of this section 2852
for committing a felony specified in that division by 2853
discharging a firearm from a motor vehicle, or if both types of 2854
mandatory prison terms are imposed, the offender shall serve any 2855
mandatory prison term imposed under either division 2856
consecutively to any other mandatory prison term imposed under 2857
either division or under division (B) (1) (d) of this section, 2858
consecutively to and prior to any prison term imposed for the 2859
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 2860
this section or any other section of the Revised Code, and 2861
consecutively to any other prison term or mandatory prison term 2862
previously or subsequently imposed upon the offender. 2863

(b) If a mandatory prison term is imposed upon an offender 2864
pursuant to division (B) (1) (d) of this section for wearing or 2865
carrying body armor while committing an offense of violence that 2866
is a felony, the offender shall serve the mandatory term so 2867
imposed consecutively to any other mandatory prison term imposed 2868
under that division or under division (B) (1) (a) or (c) of this 2869
section, consecutively to and prior to any prison term imposed 2870
for the underlying felony under division (A), (B) (2), or (B) (3) 2871
of this section or any other section of the Revised Code, and 2872
consecutively to any other prison term or mandatory prison term 2873
previously or subsequently imposed upon the offender. 2874

(c) If a mandatory prison term is imposed upon an offender 2875
pursuant to division (B) (1) (f) of this section, the offender 2876
shall serve the mandatory prison term so imposed consecutively 2877
to and prior to any prison term imposed for the underlying 2878
felony under division (A), (B) (2), or (B) (3) of this section or 2879

any other section of the Revised Code, and consecutively to any 2880
other prison term or mandatory prison term previously or 2881
subsequently imposed upon the offender. 2882

(d) If a mandatory prison term is imposed upon an offender 2883
pursuant to division (B) (7) or (8) of this section, the offender 2884
shall serve the mandatory prison term so imposed consecutively 2885
to any other mandatory prison term imposed under that division 2886
or under any other provision of law and consecutively to any 2887
other prison term or mandatory prison term previously or 2888
subsequently imposed upon the offender. 2889

(e) If a mandatory prison term is imposed upon an offender 2890
pursuant to division (B) (11) of this section, the offender shall 2891
serve the mandatory prison term consecutively to any other 2892
mandatory prison term imposed under that division, consecutively 2893
to and prior to any prison term imposed for the underlying 2894
felony, and consecutively to any other prison term or mandatory 2895
prison term previously or subsequently imposed upon the 2896
offender. 2897

(2) If an offender who is an inmate in a jail, prison, or 2898
other residential detention facility violates section 2917.02, 2899
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 2900
(2) of section 2921.34 of the Revised Code, if an offender who 2901
is under detention at a detention facility commits a felony 2902
violation of section 2923.131 of the Revised Code, or if an 2903
offender who is an inmate in a jail, prison, or other 2904
residential detention facility or is under detention at a 2905
detention facility commits another felony while the offender is 2906
an escapee in violation of division (A) (1) or (2) of section 2907
2921.34 of the Revised Code, any prison term imposed upon the 2908
offender for one of those violations shall be served by the 2909

offender consecutively to the prison term or term of 2910
imprisonment the offender was serving when the offender 2911
committed that offense and to any other prison term previously 2912
or subsequently imposed upon the offender. 2913

(3) If a prison term is imposed for a violation of 2914
division (B) of section 2911.01 of the Revised Code, a violation 2915
of division (A) of section 2913.02 of the Revised Code in which 2916
the stolen property is a firearm or dangerous ordnance, or a 2917
felony violation of division (B) of section 2921.331 of the 2918
Revised Code, the offender shall serve that prison term 2919
consecutively to any other prison term or mandatory prison term 2920
previously or subsequently imposed upon the offender. 2921

(4) If multiple prison terms are imposed on an offender 2922
for convictions of multiple offenses, the court may require the 2923
offender to serve the prison terms consecutively if the court 2924
finds that the consecutive service is necessary to protect the 2925
public from future crime or to punish the offender and that 2926
consecutive sentences are not disproportionate to the 2927
seriousness of the offender's conduct and to the danger the 2928
offender poses to the public, and if the court also finds any of 2929
the following: 2930

(a) The offender committed one or more of the multiple 2931
offenses while the offender was awaiting trial or sentencing, 2932
was under a sanction imposed pursuant to section 2929.16, 2933
2929.17, or 2929.18 of the Revised Code, or was under post- 2934
release control for a prior offense. 2935

(b) At least two of the multiple offenses were committed 2936
as part of one or more courses of conduct, and the harm caused 2937
by two or more of the multiple offenses so committed was so 2938
great or unusual that no single prison term for any of the 2939

offenses committed as part of any of the courses of conduct 2940
adequately reflects the seriousness of the offender's conduct. 2941

(c) The offender's history of criminal conduct 2942
demonstrates that consecutive sentences are necessary to protect 2943
the public from future crime by the offender. 2944

(5) If a mandatory prison term is imposed upon an offender 2945
pursuant to division (B) (5) or (6) of this section, the offender 2946
shall serve the mandatory prison term consecutively to and prior 2947
to any prison term imposed for the underlying violation of 2948
division (A) (1) or (2) of section 2903.06 of the Revised Code 2949
pursuant to division (A) of this section or section 2929.142 of 2950
the Revised Code. If a mandatory prison term is imposed upon an 2951
offender pursuant to division (B) (5) of this section, and if a 2952
mandatory prison term also is imposed upon the offender pursuant 2953
to division (B) (6) of this section in relation to the same 2954
violation, the offender shall serve the mandatory prison term 2955
imposed pursuant to division (B) (5) of this section 2956
consecutively to and prior to the mandatory prison term imposed 2957
pursuant to division (B) (6) of this section and consecutively to 2958
and prior to any prison term imposed for the underlying 2959
violation of division (A) (1) or (2) of section 2903.06 of the 2960
Revised Code pursuant to division (A) of this section or section 2961
2929.142 of the Revised Code. 2962

(6) If a mandatory prison term is imposed on an offender 2963
pursuant to division (B) (9) of this section, the offender shall 2964
serve the mandatory prison term consecutively to and prior to 2965
any prison term imposed for the underlying violation of division 2966
(A) (1) or (2) of section 2903.11 of the Revised Code and 2967
consecutively to and prior to any other prison term or mandatory 2968
prison term previously or subsequently imposed on the offender. 2969

(7) If a mandatory prison term is imposed on an offender 2970
pursuant to division (B)(10) of this section, the offender shall 2971
serve that mandatory prison term consecutively to and prior to 2972
any prison term imposed for the underlying felonious assault. 2973
Except as otherwise provided in division (C) of this section, 2974
any other prison term or mandatory prison term previously or 2975
subsequently imposed upon the offender may be served 2976
concurrently with, or consecutively to, the prison term imposed 2977
pursuant to division (B)(10) of this section. 2978

(8) Any prison term imposed for a violation of section 2979
2903.04 of the Revised Code that is based on a violation of 2980
section 2925.03 or 2925.11 of the Revised Code or on a violation 2981
of section 2925.05 of the Revised Code that is not funding of 2982
marihuana trafficking shall run consecutively to any prison term 2983
imposed for the violation of section 2925.03 or 2925.11 of the 2984
Revised Code or for the violation of section 2925.05 of the 2985
Revised Code that is not funding of marihuana trafficking. 2986

(9) When consecutive prison terms are imposed pursuant to 2987
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 2988
division (H)(1) or (2) of this section, subject to division (C) 2989
(10) of this section, the term to be served is the aggregate of 2990
all of the terms so imposed. 2991

(10) When a court sentences an offender to a non-life 2992
felony indefinite prison term, any definite prison term or 2993
mandatory definite prison term previously or subsequently 2994
imposed on the offender in addition to that indefinite sentence 2995
that is required to be served consecutively to that indefinite 2996
sentence shall be served prior to the indefinite sentence. 2997

(11) If a court is sentencing an offender for a felony of 2998
the first or second degree, if division (A)(1)(a) or (2)(a) of 2999

this section applies with respect to the sentencing for the 3000
offense, and if the court is required under the Revised Code 3001
section that sets forth the offense or any other Revised Code 3002
provision to impose a mandatory prison term for the offense, the 3003
court shall impose the required mandatory prison term as the 3004
minimum term imposed under division (A)(1)(a) or (2)(a) of this 3005
section, whichever is applicable. 3006

(D)(1) If a court imposes a prison term, other than a term 3007
of life imprisonment, for a felony of the first degree, for a 3008
felony of the second degree, for a felony sex offense, or for a 3009
felony of the third degree that is an offense of violence and 3010
that is not a felony sex offense, it shall include in the 3011
sentence a requirement that the offender be subject to a period 3012
of post-release control after the offender's release from 3013
imprisonment, in accordance with section 2967.28 of the Revised 3014
Code. If a court imposes a sentence including a prison term of a 3015
type described in this division on or after July 11, 2006, the 3016
failure of a court to include a post-release control requirement 3017
in the sentence pursuant to this division does not negate, 3018
limit, or otherwise affect the mandatory period of post-release 3019
control that is required for the offender under division (B) of 3020
section 2967.28 of the Revised Code. Section 2929.191 of the 3021
Revised Code applies if, prior to July 11, 2006, a court imposed 3022
a sentence including a prison term of a type described in this 3023
division and failed to include in the sentence pursuant to this 3024
division a statement regarding post-release control. 3025

(2) If a court imposes a prison term for a felony of the 3026
third, fourth, or fifth degree that is not subject to division 3027
(D)(1) of this section, it shall include in the sentence a 3028
requirement that the offender be subject to a period of post- 3029
release control after the offender's release from imprisonment, 3030

in accordance with that division, if the parole board determines 3031
that a period of post-release control is necessary. Section 3032
2929.191 of the Revised Code applies if, prior to July 11, 2006, 3033
a court imposed a sentence including a prison term of a type 3034
described in this division and failed to include in the sentence 3035
pursuant to this division a statement regarding post-release 3036
control. 3037

(E) The court shall impose sentence upon the offender in 3038
accordance with section 2971.03 of the Revised Code, and Chapter 3039
2971. of the Revised Code applies regarding the prison term or 3040
term of life imprisonment without parole imposed upon the 3041
offender and the service of that term of imprisonment if any of 3042
the following apply: 3043

(1) A person is convicted of or pleads guilty to a violent 3044
sex offense or a designated homicide, assault, or kidnapping 3045
offense, and, in relation to that offense, the offender is 3046
adjudicated a sexually violent predator. 3047

(2) A person is convicted of or pleads guilty to a 3048
violation of division (A) (1) (b) of section 2907.02 of the 3049
Revised Code committed on or after January 2, 2007, and either 3050
the court does not impose a sentence of life without parole when 3051
authorized pursuant to division (B) of section 2907.02 of the 3052
Revised Code, or division (B) of section 2907.02 of the Revised 3053
Code provides that the court shall not sentence the offender 3054
pursuant to section 2971.03 of the Revised Code. 3055

(3) A person is convicted of or pleads guilty to attempted 3056
rape committed on or after January 2, 2007, and a specification 3057
of the type described in section 2941.1418, 2941.1419, or 3058
2941.1420 of the Revised Code. 3059

(4) A person is convicted of or pleads guilty to a 3060
violation of section 2905.01 of the Revised Code committed on or 3061
after January 1, 2008, and that section requires the court to 3062
sentence the offender pursuant to section 2971.03 of the Revised 3063
Code. 3064

(5) A person is convicted of or pleads guilty to 3065
aggravated murder committed on or after January 1, 2008, and 3066
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 3067
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 3068
(a) (iv) of section 2929.03, or division (A) or (B) of section 3069
2929.06 of the Revised Code requires the court to sentence the 3070
offender pursuant to division (B) (3) of section 2971.03 of the 3071
Revised Code. 3072

(6) A person is convicted of or pleads guilty to murder 3073
committed on or after January 1, 2008, and division (B) (2) of 3074
section 2929.02 of the Revised Code requires the court to 3075
sentence the offender pursuant to section 2971.03 of the Revised 3076
Code. 3077

(F) If a person who has been convicted of or pleaded 3078
guilty to a felony is sentenced to a prison term or term of 3079
imprisonment under this section, sections 2929.02 to 2929.06 of 3080
the Revised Code, section 2929.142 of the Revised Code, section 3081
2971.03 of the Revised Code, or any other provision of law, 3082
section 5120.163 of the Revised Code applies regarding the 3083
person while the person is confined in a state correctional 3084
institution. 3085

(G) If an offender who is convicted of or pleads guilty to 3086
a felony that is an offense of violence also is convicted of or 3087
pleads guilty to a specification of the type described in 3088
section 2941.142 of the Revised Code that charges the offender 3089

with having committed the felony while participating in a 3090
criminal gang, the court shall impose upon the offender an 3091
additional prison term of one, two, or three years. 3092

(H) (1) If an offender who is convicted of or pleads guilty 3093
to aggravated murder, murder, or a felony of the first, second, 3094
or third degree that is an offense of violence also is convicted 3095
of or pleads guilty to a specification of the type described in 3096
section 2941.143 of the Revised Code that charges the offender 3097
with having committed the offense in a school safety zone or 3098
towards a person in a school safety zone, the court shall impose 3099
upon the offender an additional prison term of two years. The 3100
offender shall serve the additional two years consecutively to 3101
and prior to the prison term imposed for the underlying offense. 3102

(2) (a) If an offender is convicted of or pleads guilty to 3103
a felony violation of section 2907.22, 2907.24, 2907.241, or 3104
2907.25 of the Revised Code and to a specification of the type 3105
described in section 2941.1421 of the Revised Code and if the 3106
court imposes a prison term on the offender for the felony 3107
violation, the court may impose upon the offender an additional 3108
prison term as follows: 3109

(i) Subject to division (H) (2) (a) (ii) of this section, an 3110
additional prison term of one, two, three, four, five, or six 3111
months; 3112

(ii) If the offender previously has been convicted of or 3113
pleaded guilty to one or more felony or misdemeanor violations 3114
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 3115
the Revised Code and also was convicted of or pleaded guilty to 3116
a specification of the type described in section 2941.1421 of 3117
the Revised Code regarding one or more of those violations, an 3118
additional prison term of one, two, three, four, five, six, 3119

seven, eight, nine, ten, eleven, or twelve months. 3120

(b) In lieu of imposing an additional prison term under 3121
division (H)(2)(a) of this section, the court may directly 3122
impose on the offender a sanction that requires the offender to 3123
wear a real-time processing, continual tracking electronic 3124
monitoring device during the period of time specified by the 3125
court. The period of time specified by the court shall equal the 3126
duration of an additional prison term that the court could have 3127
imposed upon the offender under division (H)(2)(a) of this 3128
section. A sanction imposed under this division shall commence 3129
on the date specified by the court, provided that the sanction 3130
shall not commence until after the offender has served the 3131
prison term imposed for the felony violation of section 2907.22, 3132
2907.24, 2907.241, or 2907.25 of the Revised Code and any 3133
residential sanction imposed for the violation under section 3134
2929.16 of the Revised Code. A sanction imposed under this 3135
division shall be considered to be a community control sanction 3136
for purposes of section 2929.15 of the Revised Code, and all 3137
provisions of the Revised Code that pertain to community control 3138
sanctions shall apply to a sanction imposed under this division, 3139
except to the extent that they would by their nature be clearly 3140
inapplicable. The offender shall pay all costs associated with a 3141
sanction imposed under this division, including the cost of the 3142
use of the monitoring device. 3143

(I) At the time of sentencing, the court may recommend the 3144
offender for placement in a program of shock incarceration under 3145
section 5120.031 of the Revised Code or for placement in an 3146
intensive program prison under section 5120.032 of the Revised 3147
Code, disapprove placement of the offender in a program of shock 3148
incarceration or an intensive program prison of that nature, or 3149
make no recommendation on placement of the offender. In no case 3150

shall the department of rehabilitation and correction place the 3151
offender in a program or prison of that nature unless the 3152
department determines as specified in section 5120.031 or 3153
5120.032 of the Revised Code, whichever is applicable, that the 3154
offender is eligible for the placement. 3155

If the court disapproves placement of the offender in a 3156
program or prison of that nature, the department of 3157
rehabilitation and correction shall not place the offender in 3158
any program of shock incarceration or intensive program prison. 3159

If the court recommends placement of the offender in a 3160
program of shock incarceration or in an intensive program 3161
prison, and if the offender is subsequently placed in the 3162
recommended program or prison, the department shall notify the 3163
court of the placement and shall include with the notice a brief 3164
description of the placement. 3165

If the court recommends placement of the offender in a 3166
program of shock incarceration or in an intensive program prison 3167
and the department does not subsequently place the offender in 3168
the recommended program or prison, the department shall send a 3169
notice to the court indicating why the offender was not placed 3170
in the recommended program or prison. 3171

If the court does not make a recommendation under this 3172
division with respect to an offender and if the department 3173
determines as specified in section 5120.031 or 5120.032 of the 3174
Revised Code, whichever is applicable, that the offender is 3175
eligible for placement in a program or prison of that nature, 3176
the department shall screen the offender and determine if there 3177
is an available program of shock incarceration or an intensive 3178
program prison for which the offender is suited. If there is an 3179
available program of shock incarceration or an intensive program 3180

prison for which the offender is suited, the department shall 3181
notify the court of the proposed placement of the offender as 3182
specified in section 5120.031 or 5120.032 of the Revised Code 3183
and shall include with the notice a brief description of the 3184
placement. The court shall have ten days from receipt of the 3185
notice to disapprove the placement. 3186

(J) If a person is convicted of or pleads guilty to 3187
aggravated vehicular homicide in violation of division (A) (1) of 3188
section 2903.06 of the Revised Code and division (B) (2) (c) or 3189
(d) of that section applies, the person shall be sentenced 3190
pursuant to section 2929.142 of the Revised Code. 3191

(K) (1) The court shall impose an additional mandatory 3192
prison term of two, three, four, five, six, seven, eight, nine, 3193
ten, or eleven years on an offender who is convicted of or 3194
pleads guilty to a violent felony offense if the offender also 3195
is convicted of or pleads guilty to a specification of the type 3196
described in section 2941.1424 of the Revised Code that charges 3197
that the offender is a violent career criminal and had a firearm 3198
on or about the offender's person or under the offender's 3199
control while committing the presently charged violent felony 3200
offense and displayed or brandished the firearm, indicated that 3201
the offender possessed a firearm, or used the firearm to 3202
facilitate the offense. The offender shall serve the prison term 3203
imposed under this division consecutively to and prior to the 3204
prison term imposed for the underlying offense. The prison term 3205
shall not be reduced pursuant to section 2929.20, division (A) 3206
(2) or (3) of section 2967.193 or 2967.194, or any other 3207
provision of Chapter 2967. or 5120. of the Revised Code. A court 3208
may not impose more than one sentence under division (B) (2) (a) 3209
of this section and this division for acts committed as part of 3210
the same act or transaction. 3211

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

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

Sec. 2941.1426. (A) Imposition of a mandatory prison term
of ~~six~~ten years upon an offender under division (B) (10) of
section 2929.14 of the Revised Code is precluded unless the
offender is convicted of or pleads guilty to a violation of
division (A) of section 2903.11 of the Revised Code and unless
the indictment, count, or information charging the offense
specifies that the victim of the offense suffered permanent
disabling harm as a result of the offense and that the victim
was under ~~ten~~eighteen years of age or over sixty-five years of
age at the time of the offense, regardless of whether the
offender knew the age of the victim. The specification shall be
stated at the end of the body of the indictment, count, or
information and shall be stated in substantially the following
form:

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The
Grand Jurors (or insert the person's or the prosecuting
attorney's name when appropriate) further find and specify that
(set forth that the victim of the offense suffered permanent
disabling harm as a result of the offense and that the victim
was under ~~ten~~eighteen years of age or over sixty-five years of

age at the time of the offense, regardless of whether the 3242
offender knew the age of the victim)." 3243

(B) Imposition of a mandatory prison term of ~~six~~ten years 3244
upon an offender under division (B)(10) of section 2929.14 of 3245
the Revised Code is precluded if a court imposes any other 3246
additional prison term on the offender relative to the same 3247
offense. 3248

(C) As used in this section, "permanent disabling harm" 3249
has the same meaning as in section 2929.01 of the Revised Code. 3250

Sec. 5153.122. Each PCSA caseworker hired after January 1, 3251
2007, shall complete in-service training during the first year 3252
of the caseworker's continuous employment as a PCSA caseworker, 3253
except that the executive director of the public children 3254
services agency may waive the training requirement for a school 3255
of social work graduate who participated in the university 3256
partnership program described in division (E) of section 5180.42 3257
of the Revised Code and as provided in section 5153.124 of the 3258
Revised Code. The training shall consist of courses in all of 3259
the following: 3260

(A) Recognizing, accepting reports of, and preventing 3261
child abuse, neglect, and dependency; 3262

(B) Assessing child safety; 3263

(C) Assessing risks; 3264

(D) Disability assessment; 3265

(E) Interviewing persons and analytical skills to improve 3266
interviewing skills; 3267

~~(E)~~ (F) Investigating cases; 3268

(F) <u>(G)</u> Intervening;	3269
(G) <u>(H)</u> Providing services to children and their families;	3270
(H) <u>(I)</u> The importance of and need for accurate data;	3271
(I) <u>(J)</u> Preparation for court;	3272
(J) <u>(K)</u> Maintenance of case record information;	3273
(K) <u>(L)</u> The legal duties of PCSA caseworkers to protect the constitutional and statutory rights of children and families from the initial time of contact during investigation through treatment, including instruction regarding parents' rights and the limitations that the Fourth Amendment to the United States Constitution places upon caseworkers and their investigations;	3274 3275 3276 3277 3278 3279
(L) <u>(M)</u> Content on other topics relevant to child abuse, neglect, and dependency, including permanency strategies, concurrent planning, and adoption as an option for unintended pregnancies.	3280 3281 3282 3283
After a PCSA caseworker's first year of continuous employment as a PCSA caseworker, the caseworker annually shall complete thirty-six hours of training in areas relevant to the caseworker's assigned duties.	3284 3285 3286 3287
During the first two years of continuous employment as a PCSA caseworker, each PCSA caseworker shall complete training in recognizing the signs of domestic violence and its relationship to child abuse as established in rules the director of children and youth shall adopt pursuant to Chapter 119. of the Revised Code.	3288 3289 3290 3291 3292 3293
Sec. 5153.16. (A) Except as provided in section 2151.422 of the Revised Code, in accordance with rules adopted under section 5153.166 of the Revised Code, and on behalf of children	3294 3295 3296

in the county whom the public children services agency considers 3297
to be in need of public care or protective services, the public 3298
children services agency shall do all of the following: 3299

(1) Make an investigation concerning any child alleged to 3300
be an abused, neglected, or dependent child; 3301

(2) Enter into agreements with the parent, guardian, or 3302
other person having legal custody of any child, or with the 3303
department of children and youth, department of ~~mental~~ 3304
behavioral health and addiction services, department of 3305
developmental disabilities, other department, any certified 3306
organization within or outside the county, or any agency or 3307
institution outside the state, having legal custody of any 3308
child, with respect to the custody, care, or placement of any 3309
child, or with respect to any matter, in the interests of the 3310
child, provided the permanent custody of a child shall not be 3311
transferred by a parent to the public children services agency 3312
without the consent of the juvenile court; 3313

(3) Enter into a contract with an agency providing 3314
prevention services in an effort to prevent neglect or abuse, to 3315
enhance a child's welfare, and to preserve the family unit 3316
intact when referring a family for prevention services under 3317
division (J) of section 2151.421 of the Revised Code. 3318

(4) Accept custody of children committed to the public 3319
children services agency by a court exercising juvenile 3320
jurisdiction; 3321

(5) Provide such care as the public children services 3322
agency considers to be in the best interests of any child 3323
adjudicated to be an abused, neglected, or dependent child the 3324
agency finds to be in need of public care or service; 3325

- (6) Provide social services to any unmarried girl 3326
adjudicated to be an abused, neglected, or dependent child who 3327
is pregnant with or has been delivered of a child; 3328
- (7) Make available to the children with medical handicaps 3329
program of the department of health at its request any 3330
information concerning a child with a disability found to be in 3331
need of treatment under sections 3701.021 to 3701.028 of the 3332
Revised Code who is receiving services from the public children 3333
services agency; 3334
- (8) Provide temporary emergency care for any child 3335
considered by the public children services agency to be in need 3336
of such care, without agreement or commitment; 3337
- (9) Find certified foster homes, within or outside the 3338
county, for the care of children, including children with 3339
disabilities from other counties attending special schools in 3340
the county; 3341
- (10) Subject to the approval of the board of county 3342
commissioners and the department of children and youth, 3343
establish and operate a training school or enter into an 3344
agreement with any municipal corporation or other political 3345
subdivision of the county respecting the operation, acquisition, 3346
or maintenance of any children's home, training school, or other 3347
institution for the care of children maintained by such 3348
municipal corporation or political subdivision; 3349
- (11) Acquire and operate a county children's home, 3350
establish, maintain, and operate a receiving home for the 3351
temporary care of children, or procure certified foster homes 3352
for this purpose; 3353
- (12) Enter into an agreement with the trustees of any 3354

district children's home, respecting the operation of the 3355
district children's home in cooperation with the other county 3356
boards in the district; 3357

(13) Cooperate with, make its services available to, and 3358
act as the agent of persons, courts, the department of children 3359
and youth, the department of health, and other organizations 3360
within and outside the state, in matters relating to the welfare 3361
of children, except that the public children services agency 3362
shall not be required to provide supervision of or other 3363
services related to the exercise of parenting time rights 3364
granted pursuant to section 3109.051 or 3109.12 of the Revised 3365
Code or companionship or visitation rights granted pursuant to 3366
section 3109.051, 3109.11, or 3109.12 of the Revised Code unless 3367
a juvenile court, pursuant to Chapter 2151. of the Revised Code, 3368
or a common pleas court, pursuant to division (E) (6) of section 3369
3113.31 of the Revised Code, requires the provision of 3370
supervision or other services related to the exercise of the 3371
parenting time rights or companionship or visitation rights; 3372

(14) Make investigations at the request of any 3373
superintendent of schools in the county or the principal of any 3374
school concerning the application of any child adjudicated to be 3375
an abused, neglected, or dependent child for release from 3376
school, where such service is not provided through a school 3377
attendance department; 3378

(15) Administer funds provided under Title IV-E of the 3379
"Social Security Act," 94 Stat. 501 (1980), 42 U.S.C.A. 671, as 3380
amended, in accordance with rules adopted under section 5180.42 3381
of the Revised Code; 3382

(16) In addition to administering Title IV-E adoption 3383
assistance funds, enter into agreements to make adoption 3384

assistance payments under section 5153.163 of the Revised Code; 3385

(17) Implement a system of safety and risk assessment, in 3386
accordance with rules adopted by the director of children and 3387
youth, to assist the public children services agency in 3388
determining the risk of abuse or neglect to a child; 3389

(18) Enter into a plan of cooperation with the board of 3390
county commissioners under section 307.983 of the Revised Code 3391
and comply with each fiscal agreement the board enters into 3392
under section 307.98 of the Revised Code that include family 3393
services duties of public children services agencies and 3394
contracts the board enters into under sections 307.981 and 3395
307.982 of the Revised Code that affect the public children 3396
services agency; 3397

(19) Make reasonable efforts to prevent the removal of an 3398
alleged or adjudicated abused, neglected, or dependent child 3399
from the child's home, eliminate the continued removal of the 3400
child from the child's home, or make it possible for the child 3401
to return home safely, except that reasonable efforts of that 3402
nature are not required when a court has made a determination 3403
under division (A) (2) of section 2151.419 of the Revised Code; 3404

(20) Make reasonable efforts to place the child in a 3405
timely manner in accordance with the permanency plan approved 3406
under division (E) of section 2151.417 of the Revised Code and 3407
to complete whatever steps are necessary to finalize the 3408
permanent placement of the child; 3409

(21) Administer a Title IV-A program identified under 3410
division (A) (4) (c) or (h) of section 5101.80 of the Revised Code 3411
that the department of children and youth provides for the 3412
public children services agency to administer under the 3413

department's supervision pursuant to section 5101.801 of the Revised Code; 3414
3415

(22) Administer the kinship permanency incentive program created under section 5180.52 of the Revised Code under the supervision of the director of children and youth; 3416
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(23) Provide independent living services pursuant to sections 2151.81 to 2151.84 of the Revised Code; 3419
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(24) File a missing child report with a local law enforcement agency upon becoming aware that a child in the custody of the public children services agency is or may be missing. 3421
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(25) Conduct weekly in-person visits with a child who is in the custody of the public children services agency if the child is under the age of five years old or is a child with a developmental disability, as defined in section 5123.01 of the Revised Code, to determine the well-being of the child. 3425
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(B) The public children services agency shall use the system implemented pursuant to division (A)(17) of this section in connection with an investigation undertaken pursuant to division (G)(1) of section 2151.421 of the Revised Code to assess both of the following: 3430
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(1) The ongoing safety of the child; 3435

(2) The appropriateness of the intensity and duration of the services provided to meet child and family needs throughout the duration of a case. 3436
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3438

(C) Except as provided in section 2151.422 of the Revised Code, in accordance with rules of the director of children and youth, and on behalf of children in the county whom the public 3439
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3441

children services agency considers to be in need of public care 3442
or protective services, the public children services agency may 3443
do the following: 3444

(1) Provide or find, with other child serving systems, 3445
specialized foster care for the care of children in a 3446
specialized foster home, as defined in section 5103.02 of the 3447
Revised Code, certified under section 5103.03 of the Revised 3448
Code; 3449

(2) (a) Except as limited by divisions (C) (2) (b) and (c) of 3450
this section, contract with the following for the purpose of 3451
assisting the agency with its duties: 3452

(i) County departments of job and family services; 3453

(ii) Boards of alcohol, drug addiction, and mental health 3454
services; 3455

(iii) County boards of developmental disabilities; 3456

(iv) Regional councils of political subdivisions 3457
established under Chapter 167. of the Revised Code; 3458

(v) Private and government providers of services; 3459

(vi) Managed care organizations and prepaid health plans. 3460

(b) A public children services agency contract under 3461
division (C) (2) (a) of this section regarding the agency's duties 3462
under section 2151.421 of the Revised Code may not provide for 3463
the entity under contract with the agency to perform any service 3464
not authorized by the department's rules. 3465

(c) Only a county children services board appointed under 3466
section 5153.03 of the Revised Code that is a public children 3467
services agency may contract under division (C) (2) (a) of this 3468

section. If an entity specified in division (B) or (C) of 3469
section 5153.02 of the Revised Code is the public children 3470
services agency for a county, the board of county commissioners 3471
may enter into contracts pursuant to section 307.982 of the 3472
Revised Code regarding the agency's duties. 3473

Sec. 5180.09. (A) Except as provided in division (B) of 3474
this section, the department of children and youth shall develop 3475
a public electronic dashboard to publish, by county, on a 3476
monthly basis the following data reported to the department: 3477

(1) The number of children residing in the county; 3478

(2) The number of children in the custody of a public 3479
children services agency or private child placing agency; 3480

(3) The number of children in each placement type, 3481
including children who are placed in another state; 3482

(4) The average length of stay for a child in each 3483
placement type. 3484

(B) The department shall not publish data, including data 3485
in the aggregate, if the number of children in division (A) (1), 3486
(2), or (3) of this section is fewer than ten children. 3487

(C) The department shall post the data publicly and submit 3488
a copy of the data to each board of county commissioners 3489
monthly. 3490

Section 2. That existing sections 2151.412, 2151.421, 3491
2151.423, 2151.429, 2151.467, 2151.468, 2903.01, 2903.11, 3492
2919.22, 2929.13, 2929.14, 2941.1426, 5153.122, and 5153.16 of 3493
the Revised Code are hereby repealed. 3494

Section 3. This act shall be known as the Child Protection 3495
Reform Act. 3496

Section 4. The General Assembly, applying the principle 3497
stated in division (B) of section 1.52 of the Revised Code that 3498
amendments are to be harmonized if reasonably capable of 3499
simultaneous operation, finds that the following sections, 3500
presented in this act as composites of the sections as amended 3501
by the acts indicated, are the resulting versions of the 3502
sections in effect prior to the effective date of the sections 3503
as presented in this act: 3504

Section 2903.11 of the Revised Code as amended by both 3505
S.B. 20 and S.B. 201 of the 132nd General Assembly. 3506

Section 2929.14 of the Revised Code as amended by H.B. 37, 3507
H.B. 56, H.B. 111, and S.B. 106, all of the 135th General 3508
Assembly. 3509