

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 635**

**Representatives Plummer, Young**

**Cosponsors: Representatives White, A., Workman, Johnson**

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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

(2) The agency has temporary or permanent custody of the 19

child; 20

(3) The child is living at home subject to an order for 21  
protective supervision; 22

(4) The child is in a planned permanent living 23  
arrangement. 24

Except as provided by division (A) (2) of section 5103.153 25  
of the Revised Code, a private child placing agency providing 26  
services to a child who is the subject of a voluntary permanent 27  
custody surrender agreement entered into under division (B) (4) 28  
of section 5103.15 of the Revised Code is not required to 29  
prepare and maintain a case plan for that child. 30

(B) Each public children services agency shall prepare and 31  
maintain a case plan for any child for whom the agency is 32  
providing in-home services pursuant to an alternative response. 33

(C) (1) The director of children and youth shall adopt 34  
rules pursuant to Chapter 119. of the Revised Code setting forth 35  
the content and format of case plans required by division (A) of 36  
this section and establishing procedures for developing, 37  
implementing, and changing the case plans. The rules shall at a 38  
minimum comply with the requirements of Title IV-E of the 39  
"Social Security Act," 42 U.S.C. 670, et seq. (1980). 40

(2) The director of children and youth shall adopt rules 41  
pursuant to Chapter 119. of the Revised Code requiring public 42  
children services agencies and private child placing agencies to 43  
maintain case plans for children and their families who are 44  
receiving services in their homes from the agencies and for whom 45  
case plans are not required by division (A) of this section. The 46  
rules for public children services agencies shall include the 47  
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 199

family; 200

(3) If a child described in division ~~(H) (2)~~ (I) (2) of this 201  
section has no suitable member of the child's extended family to 202  
accept legal custody, the child should be placed in the legal 203  
custody of a suitable nonrelative who shall be made a party to 204  
the proceedings after being given legal custody of the child; 205

(4) If the child has no suitable member of the child's 206  
extended family to accept legal custody of the child and no 207  
suitable nonrelative is available to accept legal custody of the 208  
child and, if the child temporarily cannot or should not be 209  
placed with the child's parents, guardian, or custodian, the 210  
child should be placed in the temporary custody of a public 211  
children services agency or a private child placing agency; 212

(5) If the child cannot be placed with either of the 213  
child's parents within a reasonable period of time or should not 214  
be placed with either, if no suitable member of the child's 215  
extended family or suitable nonrelative is available to accept 216  
legal custody of the child, and if the agency has a reasonable 217  
expectation of placing the child for adoption, the child should 218  
be committed to the permanent custody of the public children 219  
services agency or private child placing agency; 220

(6) If the child is to be placed for adoption or foster 221  
care, the placement shall not be delayed or denied on the basis 222  
of the child's or adoptive or foster family's race, color, or 223  
national origin. 224

~~(I)~~ (J) The case plan for a child in temporary custody 225  
shall include at a minimum the following requirements if the 226  
child is or has been the victim of abuse or neglect or if the 227  
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 287

Revised Code and a standard fingerprint impression sheet 288  
prescribed pursuant to division (C) (2) of that section and 289  
obtain the completed form and impression sheet from the parent, 290  
guardian, custodian, prospective custodian, or prospective 291  
placement; 292

(b) Forward the completed form and impression sheet to the 293  
superintendent of the bureau of criminal identification and 294  
investigation. 295

(4) A parent, guardian, custodian, prospective custodian, 296  
or prospective placement who is given a form and fingerprint 297  
impression sheet under division ~~(K) (3) (a)~~ (L) (3) (a) of this 298  
section and who fails to complete the form or provide 299  
fingerprint impressions may be held in contempt of court. 300

**Sec. 2151.421.** (A) (1) (a) No person described in division 301  
(A) (1) (b) of this section who is acting in an official or 302  
professional capacity and knows, or has reasonable cause to 303  
suspect based on facts that would cause a reasonable person in a 304  
similar position to suspect, that a child under eighteen years 305  
of age, or a person under twenty-one years of age with a 306  
developmental disability or physical impairment, has suffered or 307  
faces a threat of suffering any physical or mental wound, 308  
injury, disability, or condition of a nature that reasonably 309  
indicates abuse or neglect of the child shall fail to 310  
immediately report that knowledge or reasonable cause to suspect 311  
to the entity or persons specified in this division. Except as 312  
otherwise provided in this division or section 5120.173 of the 313  
Revised Code, the person making the report shall make it to the 314  
public children services agency or a peace officer in the county 315  
in which the child resides or in which the abuse or neglect is 316  
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  
a school district. 620

(b) The disclosure of protected health information by a 621  
covered entity pursuant to division (E)(4)(a) of this section is 622  
deemed permissible under the HIPAA Privacy Rule and Chapter 623  
3798. of the Revised Code, as each of those terms are defined in 624  
section 3798.01 of the Revised Code. 625

(F) No peace officer shall remove a child about whom a 626  
report is made pursuant to this section from the child's 627  
parents, stepparents, or guardian or any other persons having 628  
custody of the child without consultation with the public 629  
children services agency, unless, in the judgment of the 630  
officer, and, if the report was made by a physician or advanced 631  
practice registered nurse, the physician or nurse, immediate 632  
removal is considered essential to protect the child from 633  
further abuse or neglect. The agency that must be consulted 634  
shall be the agency conducting the investigation of the report 635  
as determined pursuant to section 2151.422 of the Revised Code. 636

(G) (1) Except as provided in section 2151.422 of the 637  
Revised Code or in an interagency agreement entered into under 638  
section 2151.428 of the Revised Code that applies to the 639  
particular report, the public children services agency shall 640  
investigate, within twenty-four hours, each report of child 641  
abuse or child neglect that is known or reasonably suspected or 642  
believed to have occurred and of a threat of child abuse or 643  
child neglect that is known or reasonably suspected or believed 644  
to exist that is referred to it under this section to determine 645  
the circumstances surrounding the injuries, abuse, or neglect or 646  
the threat of injury, abuse, or neglect, the cause of the 647

injuries, abuse, neglect, or threat, and the person or persons 648  
responsible. The investigation shall be made in cooperation with 649  
the law enforcement agency and in accordance with the memorandum 650  
of understanding prepared under sections 2151.4220 to 2151.4234 651  
of the Revised Code. A representative of the public children 652  
services agency shall, at the time of initial contact with the 653  
person subject to the investigation, inform the person of the 654  
specific complaints or allegations made against the person. The 655  
information shall be given in a manner that is consistent with 656  
division (I)(1) of this section and protects the rights of the 657  
person making the report under this section. 658

A failure to make the investigation in accordance with the 659  
memorandum is not grounds for, and shall not result in, the 660  
dismissal of any charges or complaint arising from the report or 661  
the suppression of any evidence obtained as a result of the 662  
report and does not give, and shall not be construed as giving, 663  
any rights or any grounds for appeal or post-conviction relief 664  
to any person. The public children services agency shall report 665  
each case to the uniform statewide automated child welfare 666  
information system that the department of children and youth 667  
shall maintain in accordance with section 5180.40 of the Revised 668  
Code. The public children services agency shall submit a report 669  
of its investigation, in writing, to the law enforcement agency. 670

(2) If the child who is the subject of a report resides in 671  
a county other than the county served by the agency that 672  
receives the report or has a residence or legal settlement in 673  
both the county served by the agency that receives the report 674  
and another county, the agencies shall jointly investigate the 675  
report until the agencies jointly determine which agency shall 676  
serve as the lead agency in accordance with division (E)(3) of 677  
this section. 678

(3) The public children services agency shall make any 679  
recommendations to the county prosecuting attorney or city 680  
director of law that it considers necessary to protect any 681  
children that are brought to its attention. 682

(H) (1) (a) Except as provided in divisions (H) (1) (b) and 683  
(I) (3) of this section, any person, health care professional, 684  
hospital, institution, school, health department, or agency 685  
shall be immune from any civil or criminal liability for injury, 686  
death, or loss to person or property that otherwise might be 687  
incurred or imposed as a result of any of the following: 688

(i) Participating in the making of reports pursuant to 689  
division (A) of this section or in the making of reports in good 690  
faith, pursuant to division (B) of this section; 691

(ii) Participating in medical examinations, tests, or 692  
procedures under division (D) of this section; 693

(iii) Providing information used in a report made pursuant 694  
to division (A) of this section or providing information in good 695  
faith used in a report made pursuant to division (B) of this 696  
section; 697

(iv) Participating in a judicial proceeding resulting from 698  
a report made pursuant to division (A) of this section or 699  
participating in good faith in a proceeding resulting from a 700  
report made pursuant to division (B) of this section. 701

(b) Immunity under division (H) (1) (a) (ii) of this section 702  
shall not apply when a health care provider has deviated from 703  
the standard of care applicable to the provider's profession. 704

(c) Notwithstanding section 4731.22 of the Revised Code, 705  
the physician-patient privilege shall not be a ground for 706  
excluding evidence regarding a child's injuries, abuse, or 707



neglect, or the cause of the injuries, abuse, or neglect in any 708  
judicial proceeding resulting from a report submitted pursuant 709  
to this section. 710

(2) In any civil or criminal action or proceeding in which 711  
it is alleged and proved that participation in the making of a 712  
report under this section was not in good faith or participation 713  
in a judicial proceeding resulting from a report made under this 714  
section was not in good faith, the court shall award the 715  
prevailing party reasonable attorney's fees and costs and, if a 716  
civil action or proceeding is voluntarily dismissed, may award 717  
reasonable attorney's fees and costs to the party against whom 718  
the civil action or proceeding is brought. 719

(I) (1) Except as provided in divisions (I) (4) and (N) of 720  
this section and sections 2151.423 and 2151.4210 of the Revised 721  
Code, a report made under this section is confidential. The 722  
information provided in a report made pursuant to this section 723  
and the name of the person who made the report shall not be 724  
released for use, and shall not be used, as evidence in any 725  
civil action or proceeding brought against the person who made 726  
the report. Nothing in this division shall preclude the use of 727  
reports of other incidents of known or suspected abuse or 728  
neglect in a civil action or proceeding brought pursuant to 729  
division (M) of this section against a person who is alleged to 730  
have violated division (A) (1) of this section, provided that any 731  
information in a report that would identify the child who is the 732  
subject of the report or the maker of the report, if the maker 733  
of the report is not the defendant or an agent or employee of 734  
the defendant, has been redacted. In a criminal proceeding, the 735  
report is admissible in evidence in accordance with the Rules of 736  
Evidence and is subject to discovery in accordance with the 737  
Rules of Criminal Procedure. 738

(2) (a) Except as provided in division (I) (2) (b) of this 739  
section, no person shall permit or encourage the unauthorized 740  
dissemination of the contents of any report made under this 741  
section. 742

(b) A health care professional that obtains the same 743  
information contained in a report made under this section from a 744  
source other than the report may disseminate the information, if 745  
its dissemination is otherwise permitted by law. 746

(3) A person who knowingly makes or causes another person 747  
to make a false report under division (B) of this section that 748  
alleges that any person has committed an act or omission that 749  
resulted in a child being an abused child or a neglected child 750  
is guilty of a violation of section 2921.14 of the Revised Code. 751

(4) If a report is made pursuant to division (A) or (B) of 752  
this section and the child who is the subject of the report dies 753  
for any reason at any time after the report is made, but before 754  
the child attains eighteen years of age, the public children 755  
services agency or peace officer to which the report was made or 756  
referred, on the request of the child fatality review board, the 757  
suicide fatality review committee, or the director of health 758  
pursuant to guidelines established under section 3701.70 of the 759  
Revised Code, shall submit a summary sheet of information 760  
providing a summary of the report to the review board or review 761  
committee of the county in which the deceased child resided at 762  
the time of death or to the director. On the request of the 763  
review board, review committee, or director, the agency or peace 764  
officer may, at its discretion, make the report available to the 765  
review board, review committee, or director. If the county 766  
served by the public children services agency is also served by 767  
a children's advocacy center and the report of alleged sexual 768

abuse of a child or another type of abuse of a child is 769  
specified in the memorandum of understanding that creates the 770  
center as being within the center's jurisdiction, the agency or 771  
center shall perform the duties and functions specified in this 772  
division in accordance with the interagency agreement entered 773  
into under section 2151.428 of the Revised Code relative to that 774  
advocacy center. 775

(5) Not later than five business days after the 776  
determination of a disposition, a public children services 777  
agency shall advise a person alleged to have inflicted abuse or 778  
neglect on a child who is the subject of a report made pursuant 779  
to this section, including a report alleging sexual abuse of a 780  
child or another type of abuse of a child referred to a 781  
children's advocacy center pursuant to an interagency agreement 782  
entered into under section 2151.428 of the Revised Code, in 783  
writing of the disposition of the investigation. The agency 784  
shall not provide to the person any information that identifies 785  
the person who made the report, statements of witnesses, or 786  
police or other investigative reports. The written notice of 787  
disposition shall be made in a form designated by the department 788  
of children and youth and shall inform the person of the right 789  
to appeal the disposition. 790

(J) Any report that is required by this section, other 791  
than a report that is made to the state highway patrol as 792  
described in section 5120.173 of the Revised Code, shall result 793  
in protective services and emergency supportive services being 794  
made available by the public children services agency on behalf 795  
of the children about whom the report is made. The agency 796  
required to provide the services shall be the agency conducting 797  
the investigation of the report pursuant to section 2151.422 of 798  
the Revised Code. If a family is determined to benefit from 799

prevention services, the agency also may make efforts to prevent 800  
neglect or abuse, to enhance a child's welfare, and to preserve 801  
the family unit intact by referring a report for assessment and 802  
provision of services to an agency providing prevention 803  
services, if appropriate prevention services are available from 804  
a local provider or other reasonable source. 805

(K) (1) Except as provided in division (K) (4) or (5) of 806  
this section, a person who is required to make a report under 807  
division (A) of this section may make a reasonable number of 808  
requests of the public children services agency that receives or 809  
is referred the report, or of the children's advocacy center 810  
that is referred the report if the report is referred to a 811  
children's advocacy center pursuant to an interagency agreement 812  
entered into under section 2151.428 of the Revised Code, to be 813  
provided with the following information: 814

(a) Whether the agency or center has initiated an 815  
investigation of the report; 816

(b) Whether the agency or center is continuing to 817  
investigate the report; 818

(c) Whether the agency or center is otherwise involved 819  
with the child who is the subject of the report; 820

(d) The general status of the health and safety of the 821  
child who is the subject of the report; 822

(e) Whether the report has resulted in the filing of a 823  
complaint in juvenile court or of criminal charges in another 824  
court. 825

(2) (a) A person may request the information specified in 826  
division (K) (1) of this section only if, at the time the report 827  
is made, the person's name, address, and telephone number are 828

provided to the person who receives the report. 829

(b) When a peace officer or employee of a public children 830  
services agency receives a report pursuant to division (A) or 831  
(B) of this section the recipient of the report shall inform the 832  
person of the right to request the information described in 833  
division (K)(1) of this section. The recipient of the report 834  
shall include in the initial child abuse or child neglect report 835  
that the person making the report was so informed and, if 836  
provided at the time of the making of the report, shall include 837  
the person's name, address, and telephone number in the report. 838

(c) If the person making the report provides the person's 839  
name and contact information on making the report, the public 840  
children services agency that received or was referred the 841  
report shall send a written notice via United States mail or 842  
electronic mail, in accordance with the person's preference, to 843  
the person not later than seven calendar days after receipt of 844  
the report. The notice shall provide the status of the agency's 845  
investigation into the report made, who the person may contact 846  
at the agency for further information, and a description of the 847  
person's rights under division (K)(1) of this section. 848

(d) Each request is subject to verification of the 849  
identity of the person making the report. If that person's 850  
identity is verified, the agency shall provide the person with 851  
the information described in division (K)(1) of this section a 852  
reasonable number of times, except that the agency shall not 853  
disclose any confidential information regarding the child who is 854  
the subject of the report other than the information described 855  
in those divisions. 856

(3) A request made pursuant to division (K)(1) of this 857  
section is not a substitute for any report required to be made 858

pursuant to division (A) of this section. 859

(4) If an agency other than the agency that received or 860  
was referred the report is conducting the investigation of the 861  
report pursuant to section 2151.422 of the Revised Code, the 862  
agency conducting the investigation shall comply with the 863  
requirements of division (K) of this section. 864

(5) A health care professional who made a report under 865  
division (A) of this section, or on whose behalf such a report 866  
was made as provided in division (A)(1)(c) of this section, may 867  
authorize a person to obtain the information described in 868  
division (K)(1) of this section if the person requesting the 869  
information is associated with or acting on behalf of the health 870  
care professional who provided health care services to the child 871  
about whom the report was made. 872

(6) If the person making the report provides the person's 873  
name and contact information on making the report, the public 874  
children services agency that received or was referred the 875  
report shall send a written notice via United States mail or 876  
electronic mail, in accordance with the person's preference, to 877  
the person not later than seven calendar days after the agency 878  
closes the investigation into the case reported by the person. 879  
The notice shall notify the person that the agency has closed 880  
the investigation. 881

(L)(1) The director of children and youth shall adopt 882  
rules in accordance with Chapter 119. of the Revised Code to 883  
implement this section. The department of children and youth may 884  
enter into a plan of cooperation with any other governmental 885  
entity to aid in ensuring that children are protected from abuse 886  
and neglect. The department shall make recommendations to the 887  
attorney general that the department determines are necessary to 888

protect children from child abuse and child neglect. 889

(2) The director of children and youth shall adopt rules 890  
in accordance with Chapter 119. of the Revised Code to identify 891  
the types of neglect of a child that a public children services 892  
agency shall be required to notify law enforcement of pursuant 893  
to division (E) (2) (c) (ii) of this section. 894

(M) Whoever violates division (A) of this section is 895  
liable for compensatory and exemplary damages to the child who 896  
would have been the subject of the report that was not made. A 897  
person who brings a civil action or proceeding pursuant to this 898  
division against a person who is alleged to have violated 899  
division (A) (1) of this section may use in the action or 900  
proceeding reports of other incidents of known or suspected 901  
abuse or neglect, provided that any information in a report that 902  
would identify the child who is the subject of the report or the 903  
maker of the report, if the maker is not the defendant or an 904  
agent or employee of the defendant, has been redacted. 905

(N) (1) As used in this division: 906

(a) "Out-of-home care" includes a nonchartered nonpublic 907  
school if the alleged child abuse or child neglect, or alleged 908  
threat of child abuse or child neglect, described in a report 909  
received by a public children services agency allegedly occurred 910  
in or involved the nonchartered nonpublic school and the alleged 911  
perpetrator named in the report holds a certificate, permit, or 912  
license issued by the state board of education under section 913  
3301.071 or Chapter 3319. of the Revised Code. 914

(b) "Administrator, director, or other chief 915  
administrative officer" means the superintendent of the school 916  
district if the out-of-home care entity subject to a report made 917

pursuant to this section is a school operated by the district. 918

(2) No later than the end of the day following the day on 919  
which a public children services agency receives a report of 920  
alleged child abuse or child neglect, or a report of an alleged 921  
threat of child abuse or child neglect, that allegedly occurred 922  
in or involved an out-of-home care entity, the agency shall 923  
provide written notice of the allegations contained in and the 924  
person named as the alleged perpetrator in the report to the 925  
administrator, director, or other chief administrative officer 926  
of the out-of-home care entity that is the subject of the report 927  
unless the administrator, director, or other chief 928  
administrative officer is named as an alleged perpetrator in the 929  
report. If the administrator, director, or other chief 930  
administrative officer of an out-of-home care entity is named as 931  
an alleged perpetrator in a report of alleged child abuse or 932  
child neglect, or a report of an alleged threat of child abuse 933  
or child neglect, that allegedly occurred in or involved the 934  
out-of-home care entity, the agency shall provide the written 935  
notice to the owner or governing board of the out-of-home care 936  
entity that is the subject of the report. The agency shall not 937  
provide witness statements or police or other investigative 938  
reports. 939

(3) No later than three days after the day on which a 940  
public children services agency that conducted the investigation 941  
as determined pursuant to section 2151.422 of the Revised Code 942  
makes a disposition of an investigation involving a report of 943  
alleged child abuse or child neglect, or a report of an alleged 944  
threat of child abuse or child neglect, that allegedly occurred 945  
in or involved an out-of-home care entity, the agency shall send 946  
written notice of the disposition of the investigation to the 947  
administrator, director, or other chief administrative officer 948



and the owner or governing board of the out-of-home care entity. 949  
The agency shall not provide witness statements or police or 950  
other investigative reports. 951

(0) As used in this section: 952

(1) "Children's advocacy center" and "sexual abuse of a 953  
child" have the same meanings as in section 2151.425 of the 954  
Revised Code. 955

(2) "Health care professional" means an individual who 956  
provides health-related services. "Health care professional" 957  
includes all of the following: a physician, including a hospital 958  
intern or resident; a dentist; a podiatrist; a registered nurse, 959  
including such a nurse who is an advanced practice registered 960  
nurse; a licensed practical nurse; a home care nurse; a licensed 961  
psychologist; a speech-language pathologist; an audiologist; a 962  
person engaged in social work or the practice of professional 963  
counseling; and an employee of a home health agency. "Health 964  
care professional" does not include a practitioner of a limited 965  
branch of medicine as specified in section 4731.15 of the 966  
Revised Code, licensed school psychologist, independent marriage 967  
and family therapist or marriage and family therapist, or 968  
coroner. 969

(3) "Investigation" means the public children services 970  
agency's response to an accepted report of child abuse or 971  
neglect through either an alternative response or a traditional 972  
response. 973

(4) "Peace officer" means a sheriff, deputy sheriff, 974  
constable, police officer of a township or joint police 975  
district, marshal, deputy marshal, municipal police officer, or 976  
a state highway patrol trooper. 977

**Sec. 2151.423.** A public children services agency shall 978  
disclose confidential information discovered during an 979  
investigation conducted pursuant to section 2151.421 or 2151.422 980  
of the Revised Code to any federal, state, or local government 981  
entity, including any appropriate military authority~~or~~, any 982  
prevention services provider to the family, or another public 983  
children services agency, that needs the information to carry 984  
out its responsibilities to protect children from abuse or 985  
neglect. 986

Information disclosed pursuant to this section is 987  
confidential and is not subject to disclosure pursuant to 988  
section 149.43 or 1347.08 of the Revised Code by the agency to 989  
whom the information was disclosed. The agency receiving the 990  
information shall maintain the confidentiality of information 991  
disclosed pursuant to this section. 992

**Sec. 2151.429.** (A) The differential response approach, as 993  
defined in section 2151.011 of the Revised Code, pursued by a 994  
public children services agency shall include two response 995  
pathways, the traditional response pathway and the alternative 996  
response pathway. The director of children and youth shall adopt 997  
rules pursuant to Chapter 119. of the Revised Code setting forth 998  
the procedures and criteria for public children services 999  
agencies to assign and reassign response pathways. 1000

(B) The agency shall use the traditional response for the 1001  
following types of accepted reports: 1002

(1) Physical abuse~~resulting in serious injury or that~~ 1003  
~~creates a serious and immediate risk to a child's health and~~ 1004  
~~safety.~~ 1005

(2) Sexual abuse. 1006

(3) Child fatality.	1007
(4) Reports requiring a specialized assessment as identified by rule adopted by the department.	1008 1009
(5) Reports requiring a third party investigative procedure as identified by rule adopted by the department.	1010 1011
(C) For all other child abuse and neglect reports, an alternative response shall be the preferred response, whenever appropriate and in accordance with rules adopted by the department.	1012 1013 1014 1015
<u>Sec. 2151.4211. (A) A public children services agency that</u> <u>jointly investigates a report of child abuse or neglect with</u> <u>another public children services agency in accordance with</u> <u>division (G) (2) of section 2151.421 of the Revised Code shall</u> <u>share case information with the other agency as needed or</u> <u>requested, regardless of whether the agencies have determined</u> <u>which agency shall serve as the lead agency under division (E)</u> <u>(3) of section 2151.421 of the Revised Code.</u>	1016 1017 1018 1019 1020 1021 1022 1023
<u>(B) If custody or supervision of a child transfers from a</u> <u>public children services agency of one county to a public</u> <u>children services agency of another county, the agency that</u> <u>previously had custody or supervision of the child shall</u> <u>transfer all information regarding the child, including any case</u> <u>plan, to the other agency and share all information that is</u> <u>necessary to serve the well-being of the child.</u>	1024 1025 1026 1027 1028 1029 1030
<u>(C) Nothing in Chapter 2151. of the Revised Code prevents</u> <u>a public children services agency from cooperating or sharing</u> <u>case management duties or other responsibilities with another</u> <u>public children services agency as necessary.</u>	1031 1032 1033 1034
<u>Sec. 2151.4235. (A) A law enforcement agency shall enter</u>	1035

in the uniform statewide automated child welfare information 1036  
system established in section 5180.40 of the Revised Code all 1037  
alleged incidents of the offense of domestic violence and the 1038  
address where the alleged offense occurred that the law 1039  
enforcement agency responded to in the preceding week. 1040

(B) A public children services agency that is 1041  
investigating a report of child abuse or neglect under section 1042  
2151.421 of the Revised Code or has filed a complaint pursuant 1043  
to section 2151.27 of the Revised Code shall make an examination 1044  
of the statewide automated child welfare information system to 1045  
determine if any alleged offense documented in division (A) of 1046  
this section involves the child who is the subject of an 1047  
investigation or complaint. 1048

**Sec. 2151.467.** (A) A public children services agency or 1049  
private child placing agency with custody of a child who is 1050  
under the care and supervision of a residential facility shall 1051  
conduct ~~a monthly~~ weekly in-person ~~visit~~ visits to the 1052  
residential facility to determine the well-being of the child. 1053

The agency shall maintain documentation of each visit and 1054  
report each visit as well as concerns about the child to the 1055  
department of children and youth in accordance with rules 1056  
adopted under division ~~(B)~~ (C) of this section. 1057

~~(B)~~ (B) (1) The department shall monitor whether an agency 1058  
is in compliance with division (A) of this section. With regard 1059  
to each residential facility in this state, the department shall 1060  
submit on a quarterly basis a compliance report to the county 1061  
commissioners of the county in which the residential facility is 1062  
located. 1063

(2) If an agency is in compliance with division (A) of 1064

this section, the county in which the agency is located shall 1065  
receive access to funding that is appropriated from the general 1066  
revenue fund to incentivize best practices. If an agency is not 1067  
in compliance with division (A) of this section, the county in 1068  
which the agency is located shall not receive access to such 1069  
funding. 1070

(C) Not later than ninety days after ~~the effective date of~~ 1071  
~~this section~~ April 3, 2025, the director of children and youth 1072  
shall adopt rules in accordance with Chapter 119. of the Revised 1073  
Code to establish both of the following: 1074

(1) Criteria for determining whether an agency shall 1075  
report a concern to the department; 1076

(2) Criteria for determining whether an agency shall 1077  
conduct a mandatory review of the placement of the child 1078  
pursuant to section 2151.468 of the Revised Code. 1079

**Sec. 2151.468.** (A) A public children services agency or 1080  
private child placing agency with custody of a child who is 1081  
under the care and supervision of a residential facility shall 1082  
review the placement of the child if any of the following occur: 1083

(1) The child presents to an emergency department or is 1084  
admitted to a hospital for an injury or mental health crisis. 1085

(2) A police report is generated with regard to the child. 1086

(3) During a ~~monthly~~ weekly visit, the agency has 1087  
determined that a review is necessary pursuant to rules adopted 1088  
under section 2151.467 of the Revised Code. 1089

(B) A review of the placement of a child under division 1090  
(A) of this section shall include a determination of whether the 1091  
residential facility is an appropriate setting and is providing 1092

a satisfactory level of care for the child. 1093

(C) The public children services agency or private child 1094  
placing agency shall notify the operator of the residential 1095  
facility of the results of a review under division (A) of this 1096  
section and any action that the agency plans to take with regard 1097  
to the child as a result of the review. 1098

(D) Not later than ninety days after ~~the effective date of~~ 1099  
~~this section~~ April 3, 2025, the department of children and youth 1100  
shall adopt rules in accordance with Chapter 119. of the Revised 1101  
Code to establish guidelines for reviewing the placement of a 1102  
child under this section, including review criteria, 1103  
circumstances that would require a change in the placement of 1104  
the child, and a timeline for conducting review and taking 1105  
appropriate action. 1106

**Sec. 2151.89.** (A) As used in this section: 1107

(1) "Employee" means any person who performs a service for 1108  
wages or other remuneration for an employer. 1109

(2) "Employer" means any governmental entity that employs 1110  
one or more employees, including the state or any agency or 1111  
instrumentality of the state, and any municipal corporation, 1112  
county, township, school district, or any agency or 1113  
instrumentality thereof. 1114

(B) (1) No employer shall take any disciplinary or 1115  
retaliatory action against an employee who shares information 1116  
with a federal, state, or local government entity regarding a 1117  
child in accordance with state or federal law in order to 1118  
protect the child's welfare. For purposes of this division, 1119  
disciplinary or retaliatory action by the employer includes 1120  
doing any of the following: 1121

(a) Removing or suspending the person from employment; 1122

(b) Withholding from the person salary increases or 1123  
employee benefits to which the person is otherwise entitled; 1124

(c) Transferring or reassigning the person; 1125

(d) Denying the person a promotion that the person 1126  
otherwise would have received; 1127

(e) Reducing the person in pay or position. 1128

(2) If an employer takes any disciplinary or retaliatory 1129  
action against a person who shares information as described in 1130  
division (B)(1) of this section, the person may bring a civil 1131  
action for appropriate injunctive relief in a court of common 1132  
pleas in accordance with the Rules of Civil Procedure. The 1133  
court, in rendering a judgment for the person in an action 1134  
brought pursuant to this division, may order, as it determines 1135  
appropriate, reinstatement of the person to the same position 1136  
that the person held at the time of the disciplinary or 1137  
retaliatory action, the payment of back wages, full 1138  
reinstatement of fringe benefits and seniority rights, or any 1139  
combination of these remedies. The court also may award the 1140  
prevailing party all or a portion of the costs of litigation. If 1141  
the person who brought the action prevails in the action, the 1142  
court may award the prevailing person reasonable attorney's 1143  
fees, witness fees, and fees for experts who testify at trial, 1144  
in an amount the court determines appropriate. 1145

**Sec. 2903.01.** (A) No person shall purposely, and with 1146  
prior calculation and design, cause the death of another or the 1147  
unlawful termination of another's pregnancy. 1148

(B) No person shall purposely cause the death of another 1149  
or the unlawful termination of another's pregnancy while 1150

committing or attempting to commit, or while fleeing immediately 1151  
after committing or attempting to commit, kidnapping, rape, 1152  
aggravated arson, arson, aggravated robbery, robbery, aggravated 1153  
burglary, burglary, trespass in a habitation when a person is 1154  
present or likely to be present, terrorism, or escape. 1155

(C) No person shall purposely cause the death of another 1156  
who is under ~~thirteen~~-eighteen years of age at the time of the 1157  
commission of the offense. 1158

(D) No person who is under detention as a result of having 1159  
been found guilty of or having pleaded guilty to a felony or who 1160  
breaks that detention shall purposely cause the death of 1161  
another. 1162

(E) No person shall purposely cause the death of a law 1163  
enforcement officer whom the offender knows or has reasonable 1164  
cause to know is a law enforcement officer when either of the 1165  
following applies: 1166

(1) The victim, at the time of the commission of the 1167  
offense, is engaged in the victim's duties. 1168

(2) It is the offender's specific purpose to kill a law 1169  
enforcement officer. 1170

(F) No person shall purposely cause the death of a first 1171  
responder or military member whom the offender knows or has 1172  
reasonable cause to know is a first responder or military member 1173  
when it is the offender's specific purpose to kill a first 1174  
responder or military member. 1175

(G) Whoever violates this section is guilty of aggravated 1176  
murder, and shall be punished as provided in section 2929.02 of 1177  
the Revised Code. 1178



(H) As used in this section:	1179
(1) "Detention" has the same meaning as in section 2921.01 of the Revised Code.	1180 1181
(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.	1182 1183 1184 1185 1186
(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.	1187 1188 1189 1190
(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.	1191 1192 1193 1194
<b>Sec. 2903.11.</b> (A) No person shall knowingly do either of the following:	1195 1196
(1) Cause serious physical harm to another or to another's unborn;	1197 1198
(2) Cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance.	1199 1200 1201
(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:	1202 1203 1204 1205
(1) Engage in sexual conduct with another person without	1206

disclosing that knowledge to the other person prior to engaging 1207  
in the sexual conduct; 1208

(2) Engage in sexual conduct with a person whom the 1209  
offender knows or has reasonable cause to believe lacks the 1210  
mental capacity to appreciate the significance of the knowledge 1211  
that the offender has tested positive as a carrier of a virus 1212  
that causes acquired immunodeficiency syndrome; 1213

(3) Engage in sexual conduct with a person under eighteen 1214  
years of age who is not the spouse of the offender. 1215

(C) The prosecution of a person under this section does 1216  
not preclude prosecution of that person under section 2907.02 of 1217  
the Revised Code. 1218

(D) (1) (a) Whoever violates this section is guilty of 1219  
felonious assault. Except as otherwise provided in this division 1220  
or division (D) (1) (b) of this section, felonious assault is a 1221  
felony of the second degree. If the victim of a violation of 1222  
division (A) of this section is a peace officer or an 1223  
investigator of the bureau of criminal identification and 1224  
investigation, felonious assault is a felony of the first 1225  
degree. 1226

(b) Regardless of whether the felonious assault is a 1227  
felony of the first or second degree under division (D) (1) (a) of 1228  
this section, if the offender also is convicted of or pleads 1229  
guilty to a specification as described in section 2941.1423 of 1230  
the Revised Code that was included in the indictment, count in 1231  
the indictment, or information charging the offense, except as 1232  
otherwise provided in this division or unless a longer prison 1233  
term is required under any other provision of law, the court 1234  
shall sentence the offender to a mandatory prison term as 1235

provided in division (B) (8) of section 2929.14 of the Revised 1236  
Code. If the victim of the offense is a peace officer or an 1237  
investigator of the bureau of criminal identification and 1238  
investigation, and if the victim suffered serious physical harm 1239  
as a result of the commission of the offense, felonious assault 1240  
is a felony of the first degree, and the court, pursuant to 1241  
division (F) of section 2929.13 of the Revised Code, shall 1242  
impose as a mandatory prison term one of the definite prison 1243  
terms prescribed for a felony of the first degree in division 1244  
(A) (1) (b) of section 2929.14 of the Revised Code, except that if 1245  
the violation is committed on or after ~~the effective date of~~ 1246  
~~this amendment~~ March 22, 2019, the court shall impose as the 1247  
minimum prison term for the offense a mandatory prison term that 1248  
is one of the minimum terms prescribed for a felony of the first 1249  
degree in division (A) (1) (a) of section 2929.14 of the Revised 1250  
Code. 1251

(2) In addition to any other sanctions imposed pursuant to 1252  
division (D) (1) of this section for felonious assault committed 1253  
in violation of division (A) (1) or (2) of this section, if the 1254  
offender also is convicted of or pleads guilty to a 1255  
specification of the type described in section 2941.1425 of the 1256  
Revised Code that was included in the indictment, count in the 1257  
indictment, or information charging the offense, the court shall 1258  
sentence the offender to a mandatory prison term under division 1259  
(B) (9) of section 2929.14 of the Revised Code. 1260

(3) If the victim of a felonious assault committed in 1261  
violation of division (A) of this section is a child under ~~ten~~ 1262  
eighteen years of age or is a person over sixty-five years of 1263  
age, and if the offender also is convicted of or pleads guilty 1264  
to a specification of the type described in section 2941.1426 of 1265  
the Revised Code that was included in the indictment, count in 1266

the indictment, or information charging the offense, in addition 1267  
to any other sanctions imposed pursuant to division (D)(1) of 1268  
this section, the court shall sentence the offender to a 1269  
mandatory prison term pursuant to division (B)(10) of section 1270  
2929.14 of the Revised Code. 1271

(4) In addition to any other sanctions imposed pursuant to 1272  
division (D)(1) of this section for felonious assault committed 1273  
in violation of division (A)(2) of this section, if the deadly 1274  
weapon used in the commission of the violation is a motor 1275  
vehicle, the court shall impose upon the offender a class two 1276  
suspension of the offender's driver's license, commercial 1277  
driver's license, temporary instruction permit, probationary 1278  
license, or nonresident operating privilege as specified in 1279  
division (A)(2) of section 4510.02 of the Revised Code. 1280

(E) As used in this section: 1281

(1) "Deadly weapon" and "dangerous ordnance" have the same 1282  
meanings as in section 2923.11 of the Revised Code. 1283

(2) "Motor vehicle" has the same meaning as in section 1284  
4501.01 of the Revised Code. 1285

(3) "Peace officer" has the same meaning as in section 1286  
2935.01 of the Revised Code. 1287

(4) "Sexual conduct" has the same meaning as in section 1288  
2907.01 of the Revised Code, except that, as used in this 1289  
section, it does not include the insertion of an instrument, 1290  
apparatus, or other object that is not a part of the body into 1291  
the vaginal or anal opening of another, unless the offender knew 1292  
at the time of the insertion that the instrument, apparatus, or 1293  
other object carried the offender's bodily fluid. 1294

(5) "Investigator of the bureau of criminal identification 1295

and investigation" means an investigator of the bureau of 1296  
criminal identification and investigation who is commissioned by 1297  
the superintendent of the bureau as a special agent for the 1298  
purpose of assisting law enforcement officers or providing 1299  
emergency assistance to peace officers pursuant to authority 1300  
granted under section 109.541 of the Revised Code. 1301

(6) "Investigator" has the same meaning as in section 1302  
109.541 of the Revised Code. 1303

(F) The provisions of division (D) (2) of this section and 1304  
of division (F) (20) of section 2929.13, divisions (B) (9) and (C) 1305  
(6) of section 2929.14, and section 2941.1425 of the Revised 1306  
Code shall be known as "Judy's Law." 1307

**Sec. 2919.22.** (A) (1) No person, who is the parent, 1308  
guardian, custodian, person having custody or control, or person 1309  
in loco parentis of a child under eighteen years of age or a 1310  
child with a mental or physical disability under twenty-one 1311  
years of age, shall create a substantial risk to the health or 1312  
safety of the child, by violating a duty of care, protection, or 1313  
support. It is not a violation of a duty of care, protection, or 1314  
support under this division when the parent, guardian, 1315  
custodian, or person having custody or control of a child treats 1316  
the physical or mental illness or disability of the child by 1317  
spiritual means through prayer alone, in accordance with the 1318  
tenets of a recognized religious body. 1319

(2) No person who has been granted temporary care or 1320  
supervision of a child by the child's parent, guardian, or 1321  
custodian shall, without the express consent of the child's 1322  
parent, guardian, or custodian, negligently leave the child in 1323  
the care, custody, or control of another individual who has 1324  
previously been convicted of or pleaded guilty to a violation of 1325

this section. 1326

(B) No person shall do any of the following to a child 1327  
under eighteen years of age or a child with a mental or physical 1328  
disability under twenty-one years of age: 1329

(1) Abuse the child; 1330

(2) Torture or cruelly abuse the child; 1331

(3) Administer corporal punishment or other physical 1332  
disciplinary measure, or physically restrain the child in a 1333  
cruel manner or for a prolonged period, which punishment, 1334  
discipline, or restraint is excessive under the circumstances 1335  
and creates a substantial risk of serious physical harm to the 1336  
child; 1337

(4) Repeatedly administer unwarranted disciplinary 1338  
measures to the child, when there is a substantial risk that 1339  
such conduct, if continued, will seriously impair or retard the 1340  
child's mental health or development; 1341

(5) Entice, coerce, permit, encourage, compel, hire, 1342  
employ, use, or allow the child to act, model, or in any other 1343  
way participate in, or be photographed for, the production, 1344  
presentation, dissemination, or advertisement of any material or 1345  
performance that the offender knows or reasonably should know is 1346  
obscene, is sexually oriented matter, or is nudity-oriented 1347  
matter; 1348

(6) Allow the child to be on the same parcel of real 1349  
property and within one hundred feet of, or, in the case of more 1350  
than one housing unit on the same parcel of real property, in 1351  
the same housing unit and within one hundred feet of, any act in 1352  
violation of section 2925.04 or 2925.041 of the Revised Code 1353  
when the person knows that the act is occurring, whether or not 1354

any person is prosecuted for or convicted of the violation of 1355  
section 2925.04 or 2925.041 of the Revised Code that is the 1356  
basis of the violation of this division. 1357

(C) (1) No person shall operate a vehicle, streetcar, or 1358  
trackless trolley within this state in violation of division (A) 1359  
of section 4511.19 of the Revised Code when one or more children 1360  
under eighteen years of age are in the vehicle, streetcar, or 1361  
trackless trolley. Notwithstanding any other provision of law, a 1362  
person may be convicted at the same trial or proceeding of a 1363  
violation of this division and a violation of division (A) of 1364  
section 4511.19 of the Revised Code that constitutes the basis 1365  
of the charge of the violation of this division. For purposes of 1366  
sections 4511.191 to 4511.197 of the Revised Code and all 1367  
related provisions of law, a person arrested for a violation of 1368  
this division shall be considered to be under arrest for 1369  
operating a vehicle while under the influence of alcohol, a drug 1370  
of abuse, or a combination of them or for operating a vehicle 1371  
with a prohibited concentration of alcohol, a controlled 1372  
substance, or a metabolite of a controlled substance in the 1373  
whole blood, blood serum or plasma, breath, or urine. 1374

(2) As used in division (C) (1) of this section: 1375

(a) "Controlled substance" has the same meaning as in 1376  
section 3719.01 of the Revised Code. 1377

(b) "Vehicle," "streetcar," and "trackless trolley" have 1378  
the same meanings as in section 4511.01 of the Revised Code. 1379

(D) (1) Division (B) (5) of this section does not apply to 1380  
any material or performance that is produced, presented, or 1381  
disseminated for a bona fide medical, scientific, educational, 1382  
religious, governmental, judicial, or other proper purpose, by 1383

or to a physician, psychologist, sociologist, scientist, 1384  
teacher, person pursuing bona fide studies or research, 1385  
librarian, member of the clergy, prosecutor, judge, or other 1386  
person having a proper interest in the material or performance. 1387

(2) Mistake of age is not a defense to a charge under 1388  
division (B) (5) of this section. 1389

(3) In a prosecution under division (B) (5) of this 1390  
section, the trier of fact may infer that an actor, model, or 1391  
participant in the material or performance involved is a 1392  
juvenile if the material or performance, through its title, 1393  
text, visual representation, or otherwise, represents or depicts 1394  
the actor, model, or participant as a juvenile. 1395

(4) As used in this division and division (B) (5) of this 1396  
section: 1397

(a) "Material," "performance," "obscene," and "sexual 1398  
activity" have the same meanings as in section 2907.01 of the 1399  
Revised Code. 1400

(b) "Nudity-oriented matter" means any material or 1401  
performance that shows a minor in a state of nudity and that, 1402  
taken as a whole by the average person applying contemporary 1403  
community standards, appeals to prurient interest. 1404

(c) "Sexually oriented matter" means any material or 1405  
performance that shows a minor participating or engaging in 1406  
sexual activity, masturbation, or bestiality. 1407

(E) (1) Whoever violates this section is guilty of 1408  
endangering children. 1409

(2) If the offender violates division ~~(A)~~ (A) (1) or (B) (1) 1410  
of this section, endangering children is one of the following, 1411



and, in the circumstances described in division (E) (2) (e) of 1412  
this section, that division applies: 1413

(a) Except as otherwise provided in division (E) (2) (b), 1414  
(c), or (d) of this section, a misdemeanor of the first degree; 1415

(b) If the offender previously has been convicted of an 1416  
offense under this section or of any offense involving neglect, 1417  
abandonment, contributing to the delinquency of, or physical 1418  
abuse of a child, except as otherwise provided in division (E) 1419  
(2) (c) or (d) of this section, a felony of the fourth degree; 1420

(c) If the violation is a violation of division ~~(A)~~ (A) (1) 1421  
of this section and results in serious physical harm to the 1422  
child involved, a felony of the third degree; 1423

(d) If the violation is a violation of division (B) (1) of 1424  
this section and results in serious physical harm to the child 1425  
involved, a felony of the second degree. 1426

(e) If the violation is a felony violation of division (B) 1427  
(1) of this section and the offender also is convicted of or 1428  
pleads guilty to a specification as described in section 1429  
2941.1422 of the Revised Code that was included in the 1430  
indictment, count in the indictment, or information charging the 1431  
offense, the court shall sentence the offender to a mandatory 1432  
prison term as provided in division (B) (7) of section 2929.14 of 1433  
the Revised Code and shall order the offender to make 1434  
restitution as provided in division (B) (8) of section 2929.18 of 1435  
the Revised Code. 1436

(3) If the offender violates division (A) (2) of this 1437  
section, endangering children is a misdemeanor of the first 1438  
degree. 1439

(4) If the offender violates division (B) (2), (3), (4), or 1440

(6) of this section, except as otherwise provided in this 1441  
division, endangering children is a felony of the third degree. 1442  
If the violation results in serious physical harm to the child 1443  
involved, or if the offender previously has been convicted of an 1444  
offense under this section or of any offense involving neglect, 1445  
abandonment, contributing to the delinquency of, or physical 1446  
abuse of a child, endangering children is a felony of the second 1447  
degree. If the offender violates division (B) (2), (3), or (4) of 1448  
this section and the offender also is convicted of or pleads 1449  
guilty to a specification as described in section 2941.1422 of 1450  
the Revised Code that was included in the indictment, count in 1451  
the indictment, or information charging the offense, the court 1452  
shall sentence the offender to a mandatory prison term as 1453  
provided in division (B) (7) of section 2929.14 of the Revised 1454  
Code and shall order the offender to make restitution as 1455  
provided in division (B) (8) of section 2929.18 of the Revised 1456  
Code. If the offender violates division (B) (6) of this section 1457  
and the drug involved is methamphetamine, the court shall impose 1458  
a mandatory prison term on the offender as follows: 1459

(a) If the violation is a violation of division (B) (6) of 1460  
this section that is a felony of the third degree under division 1461  
~~(E) (3)~~ (E) (4) of this section and the drug involved is 1462  
methamphetamine, except as otherwise provided in this division, 1463  
the court shall impose as a mandatory prison term one of the 1464  
prison terms prescribed for a felony of the third degree that is 1465  
not less than two years. If the violation is a violation of 1466  
division (B) (6) of this section that is a felony of the third 1467  
degree under division ~~(E) (3)~~ (E) (4) of this section, if the drug 1468  
involved is methamphetamine, and if the offender previously has 1469  
been convicted of or pleaded guilty to a violation of division 1470  
(B) (6) of this section, a violation of division (A) of section 1471

2925.04 of the Revised Code, or a violation of division (A) of 1472  
section 2925.041 of the Revised Code, the court shall impose as 1473  
a mandatory prison term one of the prison terms prescribed for a 1474  
felony of the third degree that is not less than five years. 1475

(b) If the violation is a violation of division (B) (6) of 1476  
this section that is a felony of the second degree under 1477  
division ~~(E) (3)~~ (E) (4) of this section and the drug involved is 1478  
methamphetamine, except as otherwise provided in this division, 1479  
the court shall impose as a mandatory prison term one of the 1480  
definite prison terms prescribed for a felony of the second 1481  
degree in division (A) (2) (b) of section 2929.14 of the Revised 1482  
Code that is not less than three years, except that if the 1483  
violation is committed on or after ~~the effective date of this~~ 1484  
~~amendment~~ March 22, 2019, the court shall impose as the minimum 1485  
prison term for the offense a mandatory prison term that is one 1486  
of the minimum terms prescribed for a felony of the second 1487  
degree in division (A) (2) (a) of that section that is not less 1488  
than three years. If the violation is a violation of division 1489  
(B) (6) of this section that is a felony of the second degree 1490  
under division ~~(E) (3)~~ (E) (4) of this section, if the drug 1491  
involved is methamphetamine, and if the offender previously has 1492  
been convicted of or pleaded guilty to a violation of division 1493  
(B) (6) of this section, a violation of division (A) of section 1494  
2925.04 of the Revised Code, or a violation of division (A) of 1495  
section 2925.041 of the Revised Code, the court shall impose as 1496  
a mandatory prison term one of the definite prison terms 1497  
prescribed for a felony of the second degree in division (A) (2) 1498  
(b) of section 2929.14 of the Revised Code that is not less than 1499  
five years, except that if the violation is committed on or 1500  
after March 22, 2019, the court shall impose as the minimum 1501  
prison term for the offense a mandatory prison term that is one 1502

of the terms prescribed for a felony of the second degree in 1503  
division (A) (2) (a) of that section that is not less than five 1504  
years. 1505

~~(4)~~(5) If the offender violates division (B) (5) of this 1506  
section, endangering children is a felony of the second degree. 1507  
If the offender also is convicted of or pleads guilty to a 1508  
specification as described in section 2941.1422 of the Revised 1509  
Code that was included in the indictment, count in the 1510  
indictment, or information charging the offense, the court shall 1511  
sentence the offender to a mandatory prison term as provided in 1512  
division (B) (7) of section 2929.14 of the Revised Code and shall 1513  
order the offender to make restitution as provided in division 1514  
(B) (8) of section 2929.18 of the Revised Code. 1515

~~(5)~~(6) If the offender violates division (C) of this 1516  
section, the offender shall be punished as follows: 1517

(a) Except as otherwise provided in division ~~(E) (5) (b)~~ (E) 1518  
(6) (b) or (c) of this section, endangering children in violation 1519  
of division (C) of this section is a misdemeanor of the first 1520  
degree. 1521

(b) If the violation results in serious physical harm to 1522  
the child involved or the offender previously has been convicted 1523  
of an offense under this section or any offense involving 1524  
neglect, abandonment, contributing to the delinquency of, or 1525  
physical abuse of a child, except as otherwise provided in 1526  
division ~~(E) (5) (c)~~ (E) (6) (c) of this section, endangering 1527  
children in violation of division (C) of this section is a 1528  
felony of the fifth degree. 1529

(c) If the violation results in serious physical harm to 1530  
the child involved and if the offender previously has been 1531

convicted of a violation of division (C) of this section, 1532  
section 2903.06 or 2903.08 of the Revised Code, section 2903.07 1533  
of the Revised Code as it existed prior to March 23, 2000, or 1534  
section 2903.04 of the Revised Code in a case in which the 1535  
offender was subject to the sanctions described in division (D) 1536  
of that section, endangering children in violation of division 1537  
(C) of this section is a felony of the fourth degree. 1538

(d) In addition to any term of imprisonment, fine, or 1539  
other sentence, penalty, or sanction it imposes upon the 1540  
offender pursuant to division ~~(E) (5) (a)~~ (E) (6) (a), (b), or (c) of 1541  
this section or pursuant to any other provision of law and in 1542  
addition to any suspension of the offender's driver's or 1543  
commercial driver's license or permit or nonresident operating 1544  
privilege under Chapter 4506., 4509., 4510., or 4511. of the 1545  
Revised Code or under any other provision of law, the court also 1546  
may impose upon the offender a class seven suspension of the 1547  
offender's driver's or commercial driver's license or permit or 1548  
nonresident operating privilege from the range specified in 1549  
division (A) (7) of section 4510.02 of the Revised Code. 1550

(e) In addition to any term of imprisonment, fine, or 1551  
other sentence, penalty, or sanction imposed upon the offender 1552  
pursuant to division ~~(E) (5) (a)~~ (E) (6) (a), (b), (c), or (d) of 1553  
this section or pursuant to any other provision of law for the 1554  
violation of division (C) of this section, if as part of the 1555  
same trial or proceeding the offender also is convicted of or 1556  
pleads guilty to a separate charge charging the violation of 1557  
division (A) of section 4511.19 of the Revised Code that was the 1558  
basis of the charge of the violation of division (C) of this 1559  
section, the offender also shall be sentenced in accordance with 1560  
section 4511.19 of the Revised Code for that violation of 1561  
division (A) of section 4511.19 of the Revised Code. 1562

(F) (1) (a) A court may require an offender to perform not 1563  
more than two hundred hours of supervised community service work 1564  
under the authority of an agency, subdivision, or charitable 1565  
organization. The requirement shall be part of the community 1566  
control sanction or sentence of the offender, and the court 1567  
shall impose the community service in accordance with and 1568  
subject to divisions (F) (1) (a) and (b) of this section. The 1569  
court may require an offender whom it requires to perform 1570  
supervised community service work as part of the offender's 1571  
community control sanction or sentence to pay the court a 1572  
reasonable fee to cover the costs of the offender's 1573  
participation in the work, including, but not limited to, the 1574  
costs of procuring a policy or policies of liability insurance 1575  
to cover the period during which the offender will perform the 1576  
work. If the court requires the offender to perform supervised 1577  
community service work as part of the offender's community 1578  
control sanction or sentence, the court shall do so in 1579  
accordance with the following limitations and criteria: 1580

(i) The court shall require that the community service 1581  
work be performed after completion of the term of imprisonment 1582  
or jail term imposed upon the offender for the violation of 1583  
division (C) of this section, if applicable. 1584

(ii) The supervised community service work shall be 1585  
subject to the limitations set forth in divisions (B) (1), (2), 1586  
and (3) of section 2951.02 of the Revised Code. 1587

(iii) The community service work shall be supervised in 1588  
the manner described in division (B) (4) of section 2951.02 of 1589  
the Revised Code by an official or person with the 1590  
qualifications described in that division. The official or 1591  
person periodically shall report in writing to the court 1592

concerning the conduct of the offender in performing the work. 1593

(iv) The court shall inform the offender in writing that 1594  
if the offender does not adequately perform, as determined by 1595  
the court, all of the required community service work, the court 1596  
may order that the offender be committed to a jail or workhouse 1597  
for a period of time that does not exceed the term of 1598  
imprisonment that the court could have imposed upon the offender 1599  
for the violation of division (C) of this section, reduced by 1600  
the total amount of time that the offender actually was 1601  
imprisoned under the sentence or term that was imposed upon the 1602  
offender for that violation and by the total amount of time that 1603  
the offender was confined for any reason arising out of the 1604  
offense for which the offender was convicted and sentenced as 1605  
described in sections 2949.08 and 2967.191 of the Revised Code, 1606  
and that, if the court orders that the offender be so committed, 1607  
the court is authorized, but not required, to grant the offender 1608  
credit upon the period of the commitment for the community 1609  
service work that the offender adequately performed. 1610

(b) If a court, pursuant to division (F)(1)(a) of this 1611  
section, orders an offender to perform community service work as 1612  
part of the offender's community control sanction or sentence 1613  
and if the offender does not adequately perform all of the 1614  
required community service work, as determined by the court, the 1615  
court may order that the offender be committed to a jail or 1616  
workhouse for a period of time that does not exceed the term of 1617  
imprisonment that the court could have imposed upon the offender 1618  
for the violation of division (C) of this section, reduced by 1619  
the total amount of time that the offender actually was 1620  
imprisoned under the sentence or term that was imposed upon the 1621  
offender for that violation and by the total amount of time that 1622  
the offender was confined for any reason arising out of the 1623

offense for which the offender was convicted and sentenced as 1624  
described in sections 2949.08 and 2967.191 of the Revised Code. 1625  
The court may order that a person committed pursuant to this 1626  
division shall receive hour-for-hour credit upon the period of 1627  
the commitment for the community service work that the offender 1628  
adequately performed. No commitment pursuant to this division 1629  
shall exceed the period of the term of imprisonment that the 1630  
sentencing court could have imposed upon the offender for the 1631  
violation of division (C) of this section, reduced by the total 1632  
amount of time that the offender actually was imprisoned under 1633  
that sentence or term and by the total amount of time that the 1634  
offender was confined for any reason arising out of the offense 1635  
for which the offender was convicted and sentenced as described 1636  
in sections 2949.08 and 2967.191 of the Revised Code. 1637

(2) Division (F)(1) of this section does not limit or 1638  
affect the authority of the court to suspend the sentence 1639  
imposed upon a misdemeanor offender and place the offender under 1640  
a community control sanction pursuant to section 2929.25 of the 1641  
Revised Code, to require a misdemeanor or felony offender to 1642  
perform supervised community service work in accordance with 1643  
division (B) of section 2951.02 of the Revised Code, or to place 1644  
a felony offender under a community control sanction. 1645

(G)(1) If a court suspends an offender's driver's or 1646  
commercial driver's license or permit or nonresident operating 1647  
privilege under division ~~(E)(5)(d)~~ (E)(6)(d) of this section, the 1648  
period of the suspension shall be consecutive to, and commence 1649  
after, the period of suspension of the offender's driver's or 1650  
commercial driver's license or permit or nonresident operating 1651  
privilege that is imposed under Chapter 4506., 4509., 4510., or 1652  
4511. of the Revised Code or under any other provision of law in 1653  
relation to the violation of division (C) of this section that 1654



is the basis of the suspension under division ~~(E) (5) (d)~~ (E) (6) (d) 1655  
of this section or in relation to the violation of division (A) 1656  
of section 4511.19 of the Revised Code that is the basis for 1657  
that violation of division (C) of this section. 1658

(2) An offender is not entitled to request, and the court 1659  
shall not grant to the offender, limited driving privileges if 1660  
the offender's license, permit, or privilege has been suspended 1661  
under division ~~(E) (5) (d)~~ (E) (6) (d) of this section and the 1662  
offender, within the preceding six years, has been convicted of 1663  
or pleaded guilty to three or more violations of one or more of 1664  
the following: 1665

(a) Division (C) of this section; 1666

(b) Any equivalent offense, as defined in section 4511.181 1667  
of the Revised Code. 1668

(H) (1) If a person violates division (C) of this section 1669  
and if, at the time of the violation, there were two or more 1670  
children under eighteen years of age in the motor vehicle 1671  
involved in the violation, the offender may be convicted of a 1672  
violation of division (C) of this section for each of the 1673  
children, but the court may sentence the offender for only one 1674  
of the violations. 1675

(2) (a) If a person is convicted of or pleads guilty to a 1676  
violation of division (C) of this section but the person is not 1677  
also convicted of and does not also plead guilty to a separate 1678  
charge charging the violation of division (A) of section 4511.19 1679  
of the Revised Code that was the basis of the charge of the 1680  
violation of division (C) of this section, both of the following 1681  
apply: 1682

(i) For purposes of the provisions of section 4511.19 of 1683

the Revised Code that set forth the penalties and sanctions for 1684  
a violation of division (A) of section 4511.19 of the Revised 1685  
Code, the conviction of or plea of guilty to the violation of 1686  
division (C) of this section shall not constitute a violation of 1687  
division (A) of section 4511.19 of the Revised Code; 1688

(ii) For purposes of any provision of law that refers to a 1689  
conviction of or plea of guilty to a violation of division (A) 1690  
of section 4511.19 of the Revised Code and that is not described 1691  
in division (H) (2) (a) (i) of this section, the conviction of or 1692  
plea of guilty to the violation of division (C) of this section 1693  
shall constitute a conviction of or plea of guilty to a 1694  
violation of division (A) of section 4511.19 of the Revised 1695  
Code. 1696

(b) If a person is convicted of or pleads guilty to a 1697  
violation of division (C) of this section and the person also is 1698  
convicted of or pleads guilty to a separate charge charging the 1699  
violation of division (A) of section 4511.19 of the Revised Code 1700  
that was the basis of the charge of the violation of division 1701  
(C) of this section, the conviction of or plea of guilty to the 1702  
violation of division (C) of this section shall not constitute, 1703  
for purposes of any provision of law that refers to a conviction 1704  
of or plea of guilty to a violation of division (A) of section 1705  
4511.19 of the Revised Code, a conviction of or plea of guilty 1706  
to a violation of division (A) of section 4511.19 of the Revised 1707  
Code. 1708

(I) As used in this section: 1709

(1) "Community control sanction" has the same meaning as 1710  
in section 2929.01 of the Revised Code; 1711

(2) "Limited driving privileges" has the same meaning as 1712

in section 4501.01 of the Revised Code; 1713

(3) "Methamphetamine" has the same meaning as in section 1714  
2925.01 of the Revised Code. 1715

**Sec. 2929.13.** (A) Except as provided in division (E), (F), 1716  
or (G) of this section and unless a specific sanction is 1717  
required to be imposed or is precluded from being imposed 1718  
pursuant to law, a court that imposes a sentence upon an 1719  
offender for a felony may impose any sanction or combination of 1720  
sanctions on the offender that are provided in sections 2929.14 1721  
to 2929.18 of the Revised Code. 1722

If the offender is eligible to be sentenced to community 1723  
control sanctions, the court shall consider the appropriateness 1724  
of imposing a financial sanction pursuant to section 2929.18 of 1725  
the Revised Code or a sanction of community service pursuant to 1726  
section 2929.17 of the Revised Code as the sole sanction for the 1727  
offense. Except as otherwise provided in this division, if the 1728  
court is required to impose a mandatory prison term for the 1729  
offense for which sentence is being imposed, the court also 1730  
shall impose any financial sanction pursuant to section 2929.18 1731  
of the Revised Code that is required for the offense and may 1732  
impose any other financial sanction pursuant to that section but 1733  
may not impose any additional sanction or combination of 1734  
sanctions under section 2929.16 or 2929.17 of the Revised Code. 1735

If the offender is being sentenced for a fourth degree 1736  
felony OVI offense or for a third degree felony OVI offense, in 1737  
addition to the mandatory term of local incarceration or the 1738  
mandatory prison term required for the offense by division (G) 1739  
(1) or (2) of this section, the court shall impose upon the 1740  
offender a mandatory fine in accordance with division (B)(3) of 1741  
section 2929.18 of the Revised Code and may impose whichever of 1742

the following is applicable: 1743

(1) For a fourth degree felony OVI offense for which 1744  
sentence is imposed under division (G) (1) of this section, an 1745  
additional community control sanction or combination of 1746  
community control sanctions under section 2929.16 or 2929.17 of 1747  
the Revised Code. If the court imposes upon the offender a 1748  
community control sanction and the offender violates any 1749  
condition of the community control sanction, the court may take 1750  
any action prescribed in division (B) of section 2929.15 of the 1751  
Revised Code relative to the offender, including imposing a 1752  
prison term on the offender pursuant to that division. 1753

(2) For a third or fourth degree felony OVI offense for 1754  
which sentence is imposed under division (G) (2) of this section, 1755  
an additional prison term as described in division (B) (4) of 1756  
section 2929.14 of the Revised Code or a community control 1757  
sanction as described in division (G) (2) of this section. 1758

(B) (1) (a) Except as provided in division (B) (1) (b) of this 1759  
section, if an offender is convicted of or pleads guilty to a 1760  
felony of the fourth or fifth degree that is not an offense of 1761  
violence or that is a qualifying assault offense, the court 1762  
shall sentence the offender to a community control sanction or 1763  
combination of community control sanctions if all of the 1764  
following apply: 1765

(i) The offender previously has not been convicted of or 1766  
pleaded guilty to a felony offense. 1767

(ii) The most serious charge against the offender at the 1768  
time of sentencing is a felony of the fourth or fifth degree. 1769

(iii) The offender previously has not been convicted of or 1770  
pleaded guilty to a misdemeanor offense of violence that the 1771

offender committed within two years prior to the offense for 1772  
which sentence is being imposed. 1773

(b) The court has discretion to impose a prison term upon 1774  
an offender who is convicted of or pleads guilty to a felony of 1775  
the fourth or fifth degree that is not an offense of violence or 1776  
that is a qualifying assault offense if any of the following 1777  
apply: 1778

(i) The offender committed the offense while having a 1779  
firearm on or about the offender's person or under the 1780  
offender's control. 1781

(ii) If the offense is a qualifying assault offense, the 1782  
offender caused serious physical harm to another person while 1783  
committing the offense, and, if the offense is not a qualifying 1784  
assault offense, the offender caused physical harm to another 1785  
person while committing the offense. 1786

(iii) The offender violated a term of the conditions of 1787  
bond as set by the court. 1788

(iv) The offense is a sex offense that is a fourth or 1789  
fifth degree felony violation of any provision of Chapter 2907. 1790  
of the Revised Code. 1791

(v) In committing the offense, the offender attempted to 1792  
cause or made an actual threat of physical harm to a person with 1793  
a deadly weapon. 1794

(vi) In committing the offense, the offender attempted to 1795  
cause or made an actual threat of physical harm to a person, and 1796  
the offender previously was convicted of an offense that caused 1797  
physical harm to a person. 1798

(vii) The offender held a public office or position of 1799

trust, and the offense related to that office or position; the 1800  
offender's position obliged the offender to prevent the offense 1801  
or to bring those committing it to justice; or the offender's 1802  
professional reputation or position facilitated the offense or 1803  
was likely to influence the future conduct of others. 1804

(viii) The offender committed the offense for hire or as 1805  
part of an organized criminal activity. 1806

(ix) The offender at the time of the offense was serving, 1807  
or the offender previously had served, a prison term. 1808

(x) The offender committed the offense while under a 1809  
community control sanction, while on probation, or while 1810  
released from custody on a bond or personal recognizance. 1811

(c) A sentencing court may impose an additional penalty 1812  
under division (B) of section 2929.15 of the Revised Code upon 1813  
an offender sentenced to a community control sanction under 1814  
division (B)(1)(a) of this section if the offender violates the 1815  
conditions of the community control sanction, violates a law, or 1816  
leaves the state without the permission of the court or the 1817  
offender's probation officer. 1818

(2) If division (B)(1) of this section does not apply, 1819  
except as provided in division (E), (F), or (G) of this section, 1820  
in determining whether to impose a prison term as a sanction for 1821  
a felony of the fourth or fifth degree, the sentencing court 1822  
shall comply with the purposes and principles of sentencing 1823  
under section 2929.11 of the Revised Code and with section 1824  
2929.12 of the Revised Code. 1825

(C) Except as provided in division (D), (E), (F), or (G) 1826  
of this section, in determining whether to impose a prison term 1827  
as a sanction for a felony of the third degree or a felony drug 1828

offense that is a violation of a provision of Chapter 2925. of 1829  
the Revised Code and that is specified as being subject to this 1830  
division for purposes of sentencing, the sentencing court shall 1831  
comply with the purposes and principles of sentencing under 1832  
section 2929.11 of the Revised Code and with section 2929.12 of 1833  
the Revised Code. 1834

(D) (1) Except as provided in division (E) or (F) of this 1835  
section, for a felony of the first or second degree, for a 1836  
felony drug offense that is a violation of any provision of 1837  
Chapter 2925., 3719., or 4729. of the Revised Code for which a 1838  
presumption in favor of a prison term is specified as being 1839  
applicable, and for a violation of division (A) (4) or (B) of 1840  
section 2907.05 of the Revised Code for which a presumption in 1841  
favor of a prison term is specified as being applicable, it is 1842  
presumed that a prison term is necessary in order to comply with 1843  
the purposes and principles of sentencing under section 2929.11 1844  
of the Revised Code. Division (D) (2) of this section does not 1845  
apply to a presumption established under this division for a 1846  
violation of division (A) (4) of section 2907.05 of the Revised 1847  
Code. 1848

(2) Notwithstanding the presumption established under 1849  
division (D) (1) of this section for the offenses listed in that 1850  
division other than a violation of division (A) (4) or (B) of 1851  
section 2907.05 of the Revised Code, the sentencing court may 1852  
impose a community control sanction or a combination of 1853  
community control sanctions instead of a prison term on an 1854  
offender for a felony of the first or second degree or for a 1855  
felony drug offense that is a violation of any provision of 1856  
Chapter 2925., 3719., or 4729. of the Revised Code for which a 1857  
presumption in favor of a prison term is specified as being 1858  
applicable if it makes both of the following findings: 1859

(a) A community control sanction or a combination of 1860  
community control sanctions would adequately punish the offender 1861  
and protect the public from future crime, because the applicable 1862  
factors under section 2929.12 of the Revised Code indicating a 1863  
lesser likelihood of recidivism outweigh the applicable factors 1864  
under that section indicating a greater likelihood of 1865  
recidivism. 1866

(b) A community control sanction or a combination of 1867  
community control sanctions would not demean the seriousness of 1868  
the offense, because one or more factors under section 2929.12 1869  
of the Revised Code that indicate that the offender's conduct 1870  
was less serious than conduct normally constituting the offense 1871  
are applicable, and they outweigh the applicable factors under 1872  
that section that indicate that the offender's conduct was more 1873  
serious than conduct normally constituting the offense. 1874

(E) (1) Except as provided in division (F) of this section, 1875  
for any drug offense that is a violation of any provision of 1876  
Chapter 2925. of the Revised Code and that is a felony of the 1877  
third, fourth, or fifth degree, the applicability of a 1878  
presumption under division (D) of this section in favor of a 1879  
prison term or of division (B) or (C) of this section in 1880  
determining whether to impose a prison term for the offense 1881  
shall be determined as specified in section 2925.02, 2925.03, 1882  
2925.04, 2925.05, 2925.06, 2925.11, 2925.13, 2925.22, 2925.23, 1883  
2925.36, or 2925.37 of the Revised Code, whichever is applicable 1884  
regarding the violation. 1885

(2) If an offender who was convicted of or pleaded guilty 1886  
to a felony violates the conditions of a community control 1887  
sanction imposed for the offense solely by reason of producing 1888  
positive results on a drug test, the court, as punishment for 1889



the violation of the sanction, shall not order that the offender 1890  
be imprisoned unless the court determines on the record either 1891  
of the following: 1892

(a) The offender had been ordered as a sanction for the 1893  
felony to participate in a drug treatment program, in a drug 1894  
education program, or in narcotics anonymous or a similar 1895  
program, and the offender continued to use illegal drugs after a 1896  
reasonable period of participation in the program. 1897

(b) The imprisonment of the offender for the violation is 1898  
consistent with the purposes and principles of sentencing set 1899  
forth in section 2929.11 of the Revised Code. 1900

(3) A court that sentences an offender for a drug abuse 1901  
offense that is a felony of the third, fourth, or fifth degree 1902  
may require that the offender be assessed by a properly 1903  
credentialed professional within a specified period of time. The 1904  
court shall require the professional to file a written 1905  
assessment of the offender with the court. If the offender is 1906  
eligible for a community control sanction and after considering 1907  
the written assessment, the court may impose a community control 1908  
sanction that includes addiction services and recovery supports 1909  
included in a community-based continuum of care established 1910  
under section 340.032 of the Revised Code. If the court imposes 1911  
addiction services and recovery supports as a community control 1912  
sanction, the court shall direct the level and type of addiction 1913  
services and recovery supports after considering the assessment 1914  
and recommendation of community addiction services providers. 1915

(F) Notwithstanding divisions (A) to (E) of this section, 1916  
the court shall impose a prison term or terms under sections 1917  
2929.02 to 2929.06, section 2929.14, section 2929.142, or 1918  
section 2971.03 of the Revised Code and except as specifically 1919

provided in section 2929.20, or section 2967.191 of the Revised 1920  
Code or when parole is authorized for the offense under section 1921  
2967.13 of the Revised Code shall not reduce the term or terms 1922  
pursuant to section 2929.20, division (A) (2) or (3) of section 1923  
2967.193 or 2967.194, or any other provision of Chapter 2967. or 1924  
Chapter 5120. of the Revised Code for any of the following 1925  
offenses: 1926

(1) Aggravated murder when death is not imposed or murder; 1927

(2) Any rape, regardless of whether force was involved and 1928  
regardless of the age of the victim, or an attempt to commit 1929  
rape if, had the offender completed the rape that was attempted, 1930  
the offender would have been guilty of a violation of division 1931  
(A) (1) (b) of section 2907.02 of the Revised Code and would be 1932  
sentenced under section 2971.03 of the Revised Code; 1933

(3) Gross sexual imposition or sexual battery, if the 1934  
victim is less than thirteen years of age and if any of the 1935  
following applies: 1936

(a) Regarding gross sexual imposition, the offender 1937  
previously was convicted of or pleaded guilty to rape, the 1938  
former offense of felonious sexual penetration, gross sexual 1939  
imposition, or sexual battery, and the victim of the previous 1940  
offense was less than thirteen years of age; 1941

(b) Regarding gross sexual imposition, the offense was 1942  
committed on or after August 3, 2006, and evidence other than 1943  
the testimony of the victim was admitted in the case 1944  
corroborating the violation. 1945

(c) Regarding sexual battery, either of the following 1946  
applies: 1947

(i) The offense was committed prior to August 3, 2006, the 1948

offender previously was convicted of or pleaded guilty to rape, 1949  
the former offense of felonious sexual penetration, or sexual 1950  
battery, and the victim of the previous offense was less than 1951  
thirteen years of age. 1952

(ii) The offense was committed on or after August 3, 2006. 1953

(4) A felony violation of section 2903.04, 2903.06, 1954  
2903.08, 2903.11, 2903.12, 2903.13, 2905.32, 2907.07, 2921.321, 1955  
or 2923.132 of the Revised Code if the section requires the 1956  
imposition of a prison term; 1957

(5) A first, second, or third degree felony drug offense 1958  
for which section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 1959  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, 2925.37, 3719.99, 1960  
or 4729.99 of the Revised Code, whichever is applicable 1961  
regarding the violation, requires the imposition of a mandatory 1962  
prison term; 1963

(6) Any offense that is a first or second degree felony 1964  
and that is not set forth in division (F)(1), (2), (3), or (4) 1965  
of this section, if the offender previously was convicted of or 1966  
pleaded guilty to aggravated murder, murder, any first or second 1967  
degree felony, or an offense under an existing or former law of 1968  
this state, another state, or the United States that is or was 1969  
substantially equivalent to one of those offenses; 1970

(7) Any offense that is a third degree felony and either 1971  
is a violation of section 2903.04 of the Revised Code or an 1972  
attempt to commit a felony of the second degree that is an 1973  
offense of violence and involved an attempt to cause serious 1974  
physical harm to a person or that resulted in serious physical 1975  
harm to a person if the offender previously was convicted of or 1976  
pleaded guilty to any of the following offenses: 1977

(a) Aggravated murder, murder, involuntary manslaughter, 1978  
rape, felonious sexual penetration as it existed under section 1979  
2907.12 of the Revised Code prior to September 3, 1996, a felony 1980  
of the first or second degree that resulted in the death of a 1981  
person or in physical harm to a person, or complicity in or an 1982  
attempt to commit any of those offenses; 1983

(b) An offense under an existing or former law of this 1984  
state, another state, or the United States that is or was 1985  
substantially equivalent to an offense listed in division (F) (7) 1986  
(a) of this section that resulted in the death of a person or in 1987  
physical harm to a person. 1988

(8) Any offense, other than a violation of section 2923.12 1989  
of the Revised Code, that is a felony, if the offender had a 1990  
firearm on or about the offender's person or under the 1991  
offender's control while committing the felony, with respect to 1992  
a portion of the sentence imposed pursuant to division (B) (1) (a) 1993  
of section 2929.14 of the Revised Code for having the firearm; 1994

(9) Any offense of violence that is a felony, if the 1995  
offender wore or carried body armor while committing the felony 1996  
offense of violence, with respect to the portion of the sentence 1997  
imposed pursuant to division (B) (1) (d) of section 2929.14 of the 1998  
Revised Code for wearing or carrying the body armor; 1999

(10) Corrupt activity in violation of section 2923.32 of 2000  
the Revised Code when the most serious offense in the pattern of 2001  
corrupt activity that is the basis of the offense is a felony of 2002  
the first degree; 2003

(11) Any violent sex offense or designated homicide, 2004  
assault, or kidnapping offense if, in relation to that offense, 2005  
the offender is adjudicated a sexually violent predator; 2006

(12) A violation of division (A) (1) or (2) of section 2007  
2921.36 of the Revised Code, or a violation of division (C) of 2008  
that section involving an item listed in division (A) (1) or (2) 2009  
of that section, if the offender is an officer or employee of 2010  
the department of rehabilitation and correction; 2011

(13) A violation of division (A) (1) or (2) of section 2012  
2903.06 of the Revised Code if the victim of the offense is a 2013  
peace officer, as defined in section 2935.01 of the Revised 2014  
Code, or an investigator of the bureau of criminal 2015  
identification and investigation, as defined in section 2903.11 2016  
of the Revised Code, with respect to the portion of the sentence 2017  
imposed pursuant to division (B) (5) of section 2929.14 of the 2018  
Revised Code; 2019

(14) A violation of division (A) (1) or (2) of section 2020  
2903.06 of the Revised Code if the offender has been convicted 2021  
of or pleaded guilty to three or more violations of division (A) 2022  
of section 4511.19 of the Revised Code or an equivalent offense, 2023  
as defined in section 2941.1415 of the Revised Code, or three or 2024  
more violations of any combination of those offenses, with 2025  
respect to the portion of the sentence imposed pursuant to 2026  
division (B) (6) of section 2929.14 of the Revised Code; 2027

(15) Kidnapping, in the circumstances specified in section 2028  
2971.03 of the Revised Code and when no other provision of 2029  
division (F) of this section applies; 2030

(16) Kidnapping, abduction, compelling prostitution, 2031  
promoting prostitution, engaging in a pattern of corrupt 2032  
activity, a violation of division (A) (1) or (2) of section 2033  
2907.323 of the Revised Code that involves a minor, or 2034  
endangering children in violation of division (B) (1), (2), (3), 2035  
(4), or (5) of section 2919.22 of the Revised Code, if the 2036

offender is convicted of or pleads guilty to a specification as 2037  
described in section 2941.1422 of the Revised Code that was 2038  
included in the indictment, count in the indictment, or 2039  
information charging the offense; 2040

(17) A felony violation of division (A) or (B) of section 2041  
2919.25 of the Revised Code if division (D) (3), (4), or (5) of 2042  
that section, and division (D) (6) of that section, require the 2043  
imposition of a prison term; 2044

(18) A felony violation of section 2903.11, 2903.12, or 2045  
2903.13 of the Revised Code, if the victim of the offense was a 2046  
woman that the offender knew was pregnant at the time of the 2047  
violation, with respect to a portion of the sentence imposed 2048  
pursuant to division (B) (8) of section 2929.14 of the Revised 2049  
Code; 2050

(19) (a) Any violent felony offense if the offender is a 2051  
violent career criminal and had a firearm on or about the 2052  
offender's person or under the offender's control during the 2053  
commission of the violent felony offense and displayed or 2054  
brandished the firearm, indicated that the offender possessed a 2055  
firearm, or used the firearm to facilitate the offense, with 2056  
respect to the portion of the sentence imposed under division 2057  
(K) of section 2929.14 of the Revised Code. 2058

(b) As used in division (F) (19) (a) of this section, 2059  
"violent career criminal" and "violent felony offense" have the 2060  
same meanings as in section 2923.132 of the Revised Code. 2061

(20) Any violation of division (A) (1) of section 2903.11 2062  
of the Revised Code if the offender used an accelerant in 2063  
committing the violation and the serious physical harm to 2064  
another or another's unborn caused by the violation resulted in 2065

a permanent, serious disfigurement or permanent, substantial 2066  
incapacity or any violation of division (A) (2) of that section 2067  
if the offender used an accelerant in committing the violation, 2068  
the violation caused physical harm to another or another's 2069  
unborn, and the physical harm resulted in a permanent, serious 2070  
disfigurement or permanent, substantial incapacity, with respect 2071  
to a portion of the sentence imposed pursuant to division (B) (9) 2072  
of section 2929.14 of the Revised Code. The provisions of this 2073  
division and of division (D) (2) of section 2903.11, divisions 2074  
(B) (9) and (C) (6) of section 2929.14, and section 2941.1425 of 2075  
the Revised Code shall be known as "Judy's Law." 2076

(21) Any violation of division (A) of section 2903.11 of 2077  
the Revised Code if the victim of the offense suffered permanent 2078  
disabling harm as a result of the offense and the victim was 2079  
under ~~ten~~eighteen years of age or over sixty-five years of age 2080  
at the time of the offense, with respect to a portion of the 2081  
sentence imposed pursuant to division (B) (10) of section 2929.14 2082  
of the Revised Code. 2083

(22) A felony violation of section 2925.03, 2925.05, or 2084  
2925.11 of the Revised Code, if the drug involved in the 2085  
violation is a fentanyl-related compound or a compound, mixture, 2086  
preparation, or substance containing a fentanyl-related compound 2087  
and the offender is convicted of or pleads guilty to a 2088  
specification of the type described in division (B) of section 2089  
2941.1410 of the Revised Code that was included in the 2090  
indictment, count in the indictment, or information charging the 2091  
offense, with respect to the portion of the sentence imposed 2092  
under division (B) (11) of section 2929.14 of the Revised Code. 2093

(G) Notwithstanding divisions (A) to (E) of this section, 2094  
if an offender is being sentenced for a fourth degree felony OVI 2095

offense or for a third degree felony OVI offense, the court 2096  
shall impose upon the offender a mandatory term of local 2097  
incarceration or a mandatory prison term in accordance with the 2098  
following: 2099

(1) If the offender is being sentenced for a fourth degree 2100  
felony OVI offense and if the offender has not been convicted of 2101  
and has not pleaded guilty to a specification of the type 2102  
described in section 2941.1413 of the Revised Code, the court 2103  
may impose upon the offender a mandatory term of local 2104  
incarceration of sixty days or one hundred twenty days as 2105  
specified in division (G) (1) (d) of section 4511.19 of the 2106  
Revised Code. The court shall not reduce the term pursuant to 2107  
section 2929.20, division (A) (2) or (3) of section 2967.193 or 2108  
2967.194, or any other provision of the Revised Code. The court 2109  
that imposes a mandatory term of local incarceration under this 2110  
division shall specify whether the term is to be served in a 2111  
jail, a community-based correctional facility, a halfway house, 2112  
or an alternative residential facility, and the offender shall 2113  
serve the term in the type of facility specified by the court. A 2114  
mandatory term of local incarceration imposed under division (G) 2115  
(1) of this section is not subject to any other Revised Code 2116  
provision that pertains to a prison term except as provided in 2117  
division (A) (1) of this section. 2118

(2) If the offender is being sentenced for a third degree 2119  
felony OVI offense, or if the offender is being sentenced for a 2120  
fourth degree felony OVI offense and the court does not impose a 2121  
mandatory term of local incarceration under division (G) (1) of 2122  
this section, the court shall impose upon the offender a 2123  
mandatory prison term of one, two, three, four, or five years if 2124  
the offender also is convicted of or also pleads guilty to a 2125  
specification of the type described in section 2941.1413 of the 2126



Revised Code or shall impose upon the offender a mandatory 2127  
prison term of sixty days or one hundred twenty days as 2128  
specified in division (G)(1)(d) or (e) of section 4511.19 of the 2129  
Revised Code if the offender has not been convicted of and has 2130  
not pleaded guilty to a specification of that type. The court 2131  
shall not reduce the term pursuant to section 2929.20, division 2132  
(A)(2) or (3) of section 2967.193 or 2967.194, or any other 2133  
provision of the Revised Code. The offender shall serve the 2134  
one-, two-, three-, four-, or five-year mandatory prison term 2135  
consecutively to and prior to the prison term imposed for the 2136  
underlying offense and consecutively to any other mandatory 2137  
prison term imposed in relation to the offense. In no case shall 2138  
an offender who once has been sentenced to a mandatory term of 2139  
local incarceration pursuant to division (G)(1) of this section 2140  
for a fourth degree felony OVI offense be sentenced to another 2141  
mandatory term of local incarceration under that division for 2142  
any violation of division (A) of section 4511.19 of the Revised 2143  
Code. In addition to the mandatory prison term described in 2144  
division (G)(2) of this section, the court may sentence the 2145  
offender to a community control sanction under section 2929.16 2146  
or 2929.17 of the Revised Code, but the offender shall serve the 2147  
prison term prior to serving the community control sanction. The 2148  
department of rehabilitation and correction may place an 2149  
offender sentenced to a mandatory prison term under this 2150  
division in an intensive program prison established pursuant to 2151  
section 5120.033 of the Revised Code if the department gave the 2152  
sentencing judge prior notice of its intent to place the 2153  
offender in an intensive program prison established under that 2154  
section and if the judge did not notify the department that the 2155  
judge disapproved the placement. Upon the establishment of the 2156  
initial intensive program prison pursuant to section 5120.033 of 2157  
the Revised Code that is privately operated and managed by a 2158

contractor pursuant to a contract entered into under section 2159  
9.06 of the Revised Code, both of the following apply: 2160

(a) The department of rehabilitation and correction shall 2161  
make a reasonable effort to ensure that a sufficient number of 2162  
offenders sentenced to a mandatory prison term under this 2163  
division are placed in the privately operated and managed prison 2164  
so that the privately operated and managed prison has full 2165  
occupancy. 2166

(b) Unless the privately operated and managed prison has 2167  
full occupancy, the department of rehabilitation and correction 2168  
shall not place any offender sentenced to a mandatory prison 2169  
term under this division in any intensive program prison 2170  
established pursuant to section 5120.033 of the Revised Code 2171  
other than the privately operated and managed prison. 2172

(H) If an offender is being sentenced for a sexually 2173  
oriented offense or child-victim oriented offense that is a 2174  
felony committed on or after January 1, 1997, the judge shall 2175  
require the offender to submit to a DNA specimen collection 2176  
procedure pursuant to section 2901.07 of the Revised Code. 2177

(I) If an offender is being sentenced for a sexually 2178  
oriented offense or a child-victim oriented offense committed on 2179  
or after January 1, 1997, the judge shall include in the 2180  
sentence a summary of the offender's duties imposed under 2181  
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 2182  
Code and the duration of the duties. The judge shall inform the 2183  
offender, at the time of sentencing, of those duties and of 2184  
their duration. If required under division (A) (2) of section 2185  
2950.03 of the Revised Code, the judge shall perform the duties 2186  
specified in that section, or, if required under division (A) (6) 2187  
of section 2950.03 of the Revised Code, the judge shall perform 2188

the duties specified in that division. 2189

(J) (1) Except as provided in division (J) (2) of this 2190  
section, when considering sentencing factors under this section 2191  
in relation to an offender who is convicted of or pleads guilty 2192  
to an attempt to commit an offense in violation of section 2193  
2923.02 of the Revised Code, the sentencing court shall consider 2194  
the factors applicable to the felony category of the violation 2195  
of section 2923.02 of the Revised Code instead of the factors 2196  
applicable to the felony category of the offense attempted. 2197

(2) When considering sentencing factors under this section 2198  
in relation to an offender who is convicted of or pleads guilty 2199  
to an attempt to commit a drug abuse offense for which the 2200  
penalty is determined by the amount or number of unit doses of 2201  
the controlled substance involved in the drug abuse offense, the 2202  
sentencing court shall consider the factors applicable to the 2203  
felony category that the drug abuse offense attempted would be 2204  
if that drug abuse offense had been committed and had involved 2205  
an amount or number of unit doses of the controlled substance 2206  
that is within the next lower range of controlled substance 2207  
amounts than was involved in the attempt. 2208

(K) As used in this section: 2209

(1) "Community addiction services provider" has the same 2210  
meaning as in section 5119.01 of the Revised Code. 2211

(2) "Drug abuse offense" has the same meaning as in 2212  
section 2925.01 of the Revised Code. 2213

(3) "Minor drug possession offense" has the same meaning 2214  
as in section 2925.11 of the Revised Code. 2215

(4) "Qualifying assault offense" means a violation of 2216  
section 2903.13 of the Revised Code for which the penalty 2217

provision in division (C) (8) (b) or (C) (9) (b) of that section 2218  
applies. 2219

(L) At the time of sentencing an offender for any sexually 2220  
oriented offense, if the offender is a tier III sex 2221  
offender/child-victim offender relative to that offense and the 2222  
offender does not serve a prison term or jail term, the court 2223  
may require that the offender be monitored by means of a global 2224  
positioning device. If the court requires such monitoring, the 2225  
cost of monitoring shall be borne by the offender. If the 2226  
offender is indigent, the cost of compliance shall be paid by 2227  
the crime victims reparations fund. 2228

**Sec. 2929.14.** (A) Except as provided in division (B) (1), 2229  
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 2230  
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 2231  
in division (D) (6) of section 2919.25 of the Revised Code and 2232  
except in relation to an offense for which a sentence of death 2233  
or life imprisonment is to be imposed, if the court imposing a 2234  
sentence upon an offender for a felony elects or is required to 2235  
impose a prison term on the offender pursuant to this chapter, 2236  
the court shall impose a prison term that shall be one of the 2237  
following: 2238

(1) (a) For a felony of the first degree committed on or 2239  
after March 22, 2019, the prison term shall be an indefinite 2240  
prison term with a stated minimum term selected by the court of 2241  
three, four, five, six, seven, eight, nine, ten, or eleven years 2242  
and a maximum term that is determined pursuant to section 2243  
2929.144 of the Revised Code, except that if the section that 2244  
criminalizes the conduct constituting the felony specifies a 2245  
different minimum term or penalty for the offense, the specific 2246  
language of that section shall control in determining the 2247

minimum term or otherwise sentencing the offender but the 2248  
minimum term or sentence imposed under that specific language 2249  
shall be considered for purposes of the Revised Code as if it 2250  
had been imposed under this division. 2251

(b) For a felony of the first degree committed prior to 2252  
March 22, 2019, the prison term shall be a definite prison term 2253  
of three, four, five, six, seven, eight, nine, ten, or eleven 2254  
years. 2255

(2) (a) For a felony of the second degree committed on or 2256  
after March 22, 2019, the prison term shall be an indefinite 2257  
prison term with a stated minimum term selected by the court of 2258  
two, three, four, five, six, seven, or eight years and a maximum 2259  
term that is determined pursuant to section 2929.144 of the 2260  
Revised Code, except that if the section that criminalizes the 2261  
conduct constituting the felony specifies a different minimum 2262  
term or penalty for the offense, the specific language of that 2263  
section shall control in determining the minimum term or 2264  
otherwise sentencing the offender but the minimum term or 2265  
sentence imposed under that specific language shall be 2266  
considered for purposes of the Revised Code as if it had been 2267  
imposed under this division. 2268

(b) For a felony of the second degree committed prior to 2269  
March 22, 2019, the prison term shall be a definite term of two, 2270  
three, four, five, six, seven, or eight years. 2271

(3) (a) For a felony of the third degree that is a 2272  
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 2273  
2907.05, 2907.321, 2907.322, 2907.323, 2919.25, or 3795.04 of 2274  
the Revised Code, that is a violation of division (A) of section 2275  
4511.19 of the Revised Code if the offender previously has been 2276  
convicted of or pleaded guilty to a violation of division (A) of 2277

that section that was a felony, that is a violation of section 2278  
2911.02 or 2911.12 of the Revised Code if the offender 2279  
previously has been convicted of or pleaded guilty in two or 2280  
more separate proceedings to two or more violations of section 2281  
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, or 2282  
that is a violation of division (B) of section 2921.331 of the 2283  
Revised Code if division (C) (5) of that section applies, the 2284  
prison term shall be a definite term of twelve, eighteen, 2285  
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 2286  
four, or sixty months. 2287

(b) For a felony of the third degree that is not an 2288  
offense for which division (A) (3) (a) of this section applies, 2289  
the prison term shall be a definite term of nine, twelve, 2290  
eighteen, twenty-four, thirty, or thirty-six months. 2291

(4) For a felony of the fourth degree, the prison term 2292  
shall be a definite term of six, seven, eight, nine, ten, 2293  
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 2294  
or eighteen months. 2295

(5) For a felony of the fifth degree, the prison term 2296  
shall be a definite term of six, seven, eight, nine, ten, 2297  
eleven, or twelve months. 2298

(B) (1) (a) Except as provided in division (B) (1) (e) of this 2299  
section, if an offender who is convicted of or pleads guilty to 2300  
a felony also is convicted of or pleads guilty to a 2301  
specification of the type described in section 2941.141, 2302  
2941.144, or 2941.145 of the Revised Code, the court shall 2303  
impose on the offender one of the following prison terms: 2304

(i) A prison term of six years if the specification is of 2305  
the type described in division (A) of section 2941.144 of the 2306

Revised Code that charges the offender with having a firearm 2307  
that is an automatic firearm or that was equipped with a firearm 2308  
muffler or suppressor on or about the offender's person or under 2309  
the offender's control while committing the offense; 2310

(ii) A prison term of three years if the specification is 2311  
of the type described in division (A) of section 2941.145 of the 2312  
Revised Code that charges the offender with having a firearm on 2313  
or about the offender's person or under the offender's control 2314  
while committing the offense and displaying the firearm, 2315  
brandishing the firearm, indicating that the offender possessed 2316  
the firearm, or using it to facilitate the offense; 2317

(iii) A prison term of one year if the specification is of 2318  
the type described in division (A) of section 2941.141 of the 2319  
Revised Code that charges the offender with having a firearm on 2320  
or about the offender's person or under the offender's control 2321  
while committing the offense; 2322

(iv) A prison term of nine years if the specification is 2323  
of the type described in division (D) of section 2941.144 of the 2324  
Revised Code that charges the offender with having a firearm 2325  
that is an automatic firearm or that was equipped with a firearm 2326  
muffler or suppressor on or about the offender's person or under 2327  
the offender's control while committing the offense and 2328  
specifies that the offender previously has been convicted of or 2329  
pleaded guilty to a specification of the type described in 2330  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 2331  
the Revised Code; 2332

(v) A prison term of fifty-four months if the 2333  
specification is of the type described in division (D) of 2334  
section 2941.145 of the Revised Code that charges the offender 2335  
with having a firearm on or about the offender's person or under 2336

the offender's control while committing the offense and 2337  
displaying the firearm, brandishing the firearm, indicating that 2338  
the offender possessed the firearm, or using the firearm to 2339  
facilitate the offense and that the offender previously has been 2340  
convicted of or pleaded guilty to a specification of the type 2341  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2342  
2941.1412 of the Revised Code; 2343

(vi) A prison term of eighteen months if the specification 2344  
is of the type described in division (D) of section 2941.141 of 2345  
the Revised Code that charges the offender with having a firearm 2346  
on or about the offender's person or under the offender's 2347  
control while committing the offense and that the offender 2348  
previously has been convicted of or pleaded guilty to a 2349  
specification of the type described in section 2941.141, 2350  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 2351

(b) If a court imposes a prison term on an offender under 2352  
division (B)(1)(a) of this section, the prison term shall not be 2353  
reduced pursuant to section 2929.20, division (A)(2) or (3) of 2354  
section 2967.193 or 2967.194, or any other provision of Chapter 2355  
2967. or Chapter 5120. of the Revised Code. Except as provided 2356  
in division (B)(1)(g) of this section, a court shall not impose 2357  
more than one prison term on an offender under division (B)(1) 2358  
(a) of this section for felonies committed as part of the same 2359  
act or transaction. 2360

(c) (i) Except as provided in division (B)(1)(e) of this 2361  
section, if an offender who is convicted of or pleads guilty to 2362  
a violation of section 2923.161 of the Revised Code or to a 2363  
felony that includes, as an essential element, purposely or 2364  
knowingly causing or attempting to cause the death of or 2365  
physical harm to another, also is convicted of or pleads guilty 2366



to a specification of the type described in division (A) of 2367  
section 2941.146 of the Revised Code that charges the offender 2368  
with committing the offense by discharging a firearm from a 2369  
motor vehicle other than a manufactured home, the court, after 2370  
imposing a prison term on the offender for the violation of 2371  
section 2923.161 of the Revised Code or for the other felony 2372  
offense under division (A), (B) (2), or (B) (3) of this section, 2373  
shall impose an additional prison term of five years upon the 2374  
offender that shall not be reduced pursuant to section 2929.20, 2375  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 2376  
other provision of Chapter 2967. or Chapter 5120. of the Revised 2377  
Code. 2378

(ii) Except as provided in division (B) (1) (e) of this 2379  
section, if an offender who is convicted of or pleads guilty to 2380  
a violation of section 2923.161 of the Revised Code or to a 2381  
felony that includes, as an essential element, purposely or 2382  
knowingly causing or attempting to cause the death of or 2383  
physical harm to another, also is convicted of or pleads guilty 2384  
to a specification of the type described in division (C) of 2385  
section 2941.146 of the Revised Code that charges the offender 2386  
with committing the offense by discharging a firearm from a 2387  
motor vehicle other than a manufactured home and that the 2388  
offender previously has been convicted of or pleaded guilty to a 2389  
specification of the type described in section 2941.141, 2390  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 2391  
the court, after imposing a prison term on the offender for the 2392  
violation of section 2923.161 of the Revised Code or for the 2393  
other felony offense under division (A), (B) (2), or (3) of this 2394  
section, shall impose an additional prison term of ninety months 2395  
upon the offender that shall not be reduced pursuant to section 2396  
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 2397

or any other provision of Chapter 2967. or Chapter 5120. of the 2398  
Revised Code. 2399

(iii) A court shall not impose more than one additional 2400  
prison term on an offender under division (B) (1) (c) of this 2401  
section for felonies committed as part of the same act or 2402  
transaction. If a court imposes an additional prison term on an 2403  
offender under division (B) (1) (c) of this section relative to an 2404  
offense, the court also shall impose a prison term under 2405  
division (B) (1) (a) of this section relative to the same offense, 2406  
provided the criteria specified in that division for imposing an 2407  
additional prison term are satisfied relative to the offender 2408  
and the offense. 2409

(d) If an offender who is convicted of or pleads guilty to 2410  
an offense of violence that is a felony also is convicted of or 2411  
pleads guilty to a specification of the type described in 2412  
section 2941.1411 of the Revised Code that charges the offender 2413  
with wearing or carrying body armor while committing the felony 2414  
offense of violence, the court shall impose on the offender an 2415  
additional prison term of two years. The prison term so imposed 2416  
shall not be reduced pursuant to section 2929.20, division (A) 2417  
(2) or (3) of section 2967.193 or 2967.194, or any other 2418  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 2419  
A court shall not impose more than one prison term on an 2420  
offender under division (B) (1) (d) of this section for felonies 2421  
committed as part of the same act or transaction. If a court 2422  
imposes an additional prison term under division (B) (1) (a) or 2423  
(c) of this section, the court is not precluded from imposing an 2424  
additional prison term under division (B) (1) (d) of this section. 2425

(e) The court shall not impose any of the prison terms 2426  
described in division (B) (1) (a) of this section or any of the 2427

additional prison terms described in division (B)(1)(c) of this 2428  
section upon an offender for a violation of section 2923.12 or 2429  
2923.123 of the Revised Code. The court shall not impose any of 2430  
the prison terms described in division (B)(1)(a) or (b) of this 2431  
section upon an offender for a violation of section 2923.122 2432  
that involves a deadly weapon that is a firearm other than a 2433  
dangerous ordnance, section 2923.16, or section 2923.121 of the 2434  
Revised Code. The court shall not impose any of the prison terms 2435  
described in division (B)(1)(a) of this section or any of the 2436  
additional prison terms described in division (B)(1)(c) of this 2437  
section upon an offender for a violation of section 2923.13 of 2438  
the Revised Code unless all of the following apply: 2439

(i) The offender previously has been convicted of 2440  
aggravated murder, murder, or any felony of the first or second 2441  
degree. 2442

(ii) Less than five years have passed since the offender 2443  
was released from prison or post-release control, whichever is 2444  
later, for the prior offense. 2445

(f)(i) If an offender is convicted of or pleads guilty to 2446  
a felony that includes, as an essential element, causing or 2447  
attempting to cause the death of or physical harm to another and 2448  
also is convicted of or pleads guilty to a specification of the 2449  
type described in division (A) of section 2941.1412 of the 2450  
Revised Code that charges the offender with committing the 2451  
offense by discharging a firearm at a peace officer as defined 2452  
in section 2935.01 of the Revised Code or a corrections officer, 2453  
as defined in section 2941.1412 of the Revised Code, the court, 2454  
after imposing a prison term on the offender for the felony 2455  
offense under division (A), (B)(2), or (B)(3) of this section, 2456  
shall impose an additional prison term of seven years upon the 2457

offender that shall not be reduced pursuant to section 2929.20, 2458  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 2459  
other provision of Chapter 2967. or Chapter 5120. of the Revised 2460  
Code. 2461

(ii) If an offender is convicted of or pleads guilty to a 2462  
felony that includes, as an essential element, causing or 2463  
attempting to cause the death of or physical harm to another and 2464  
also is convicted of or pleads guilty to a specification of the 2465  
type described in division (B) of section 2941.1412 of the 2466  
Revised Code that charges the offender with committing the 2467  
offense by discharging a firearm at a peace officer, as defined 2468  
in section 2935.01 of the Revised Code, or a corrections 2469  
officer, as defined in section 2941.1412 of the Revised Code, 2470  
and that the offender previously has been convicted of or 2471  
pleaded guilty to a specification of the type described in 2472  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 2473  
the Revised Code, the court, after imposing a prison term on the 2474  
offender for the felony offense under division (A), (B) (2), or 2475  
(3) of this section, shall impose an additional prison term of 2476  
one hundred twenty-six months upon the offender that shall not 2477  
be reduced pursuant to section 2929.20, division (A) (2) or (3) 2478  
of section 2967.193 or 2967.194, or any other provision of 2479  
Chapter 2967. or 5120. of the Revised Code. 2480

(iii) If an offender is convicted of or pleads guilty to 2481  
two or more felonies that include, as an essential element, 2482  
causing or attempting to cause the death or physical harm to 2483  
another and also is convicted of or pleads guilty to a 2484  
specification of the type described under division (B) (1) (f) of 2485  
this section in connection with two or more of the felonies of 2486  
which the offender is convicted or to which the offender pleads 2487  
guilty, the sentencing court shall impose on the offender the 2488

prison term specified under division (B) (1) (f) of this section 2489  
for each of two of the specifications of which the offender is 2490  
convicted or to which the offender pleads guilty and, in its 2491  
discretion, also may impose on the offender the prison term 2492  
specified under that division for any or all of the remaining 2493  
specifications. If a court imposes an additional prison term on 2494  
an offender under division (B) (1) (f) of this section relative to 2495  
an offense, the court shall not impose a prison term under 2496  
division (B) (1) (a) or (c) of this section relative to the same 2497  
offense. 2498

(g) If an offender is convicted of or pleads guilty to two 2499  
or more felonies, if one or more of those felonies are 2500  
aggravated murder, murder, attempted aggravated murder, 2501  
attempted murder, aggravated robbery, felonious assault, or 2502  
rape, and if the offender is convicted of or pleads guilty to a 2503  
specification of the type described under division (B) (1) (a) of 2504  
this section in connection with two or more of the felonies, the 2505  
sentencing court shall impose on the offender the prison term 2506  
specified under division (B) (1) (a) of this section for each of 2507  
the two most serious specifications of which the offender is 2508  
convicted or to which the offender pleads guilty and, in its 2509  
discretion, also may impose on the offender the prison term 2510  
specified under that division for any or all of the remaining 2511  
specifications. 2512

(2) (a) If division (B) (2) (b) of this section does not 2513  
apply, the court may impose on an offender, in addition to the 2514  
longest prison term authorized or required for the offense or, 2515  
for offenses for which division (A) (1) (a) or (2) (a) of this 2516  
section applies, in addition to the longest minimum prison term 2517  
authorized or required for the offense, an additional definite 2518  
prison term of one, two, three, four, five, six, seven, eight, 2519

nine, or ten years if all of the following criteria are met: 2520

(i) The offender is convicted of or pleads guilty to a 2521  
specification of the type described in section 2941.149 of the 2522  
Revised Code that the offender is a repeat violent offender. 2523

(ii) The offense of which the offender currently is 2524  
convicted or to which the offender currently pleads guilty is 2525  
aggravated murder and the court does not impose a sentence of 2526  
death or life imprisonment without parole, murder, terrorism and 2527  
the court does not impose a sentence of life imprisonment 2528  
without parole, any felony of the first degree that is an 2529  
offense of violence and the court does not impose a sentence of 2530  
life imprisonment without parole, or any felony of the second 2531  
degree that is an offense of violence and the trier of fact 2532  
finds that the offense involved an attempt to cause or a threat 2533  
to cause serious physical harm to a person or resulted in 2534  
serious physical harm to a person. 2535

(iii) The court imposes the longest prison term for the 2536  
offense or the longest minimum prison term for the offense, 2537  
whichever is applicable, that is not life imprisonment without 2538  
parole. 2539

(iv) The court finds that the prison terms imposed 2540  
pursuant to division (B)(2)(a)(iii) of this section and, if 2541  
applicable, division (B)(1) or (3) of this section are 2542  
inadequate to punish the offender and protect the public from 2543  
future crime, because the applicable factors under section 2544  
2929.12 of the Revised Code indicating a greater likelihood of 2545  
recidivism outweigh the applicable factors under that section 2546  
indicating a lesser likelihood of recidivism. 2547

(v) The court finds that the prison terms imposed pursuant 2548

to division (B) (2) (a) (iii) of this section and, if applicable, 2549  
division (B) (1) or (3) of this section are demeaning to the 2550  
seriousness of the offense, because one or more of the factors 2551  
under section 2929.12 of the Revised Code indicating that the 2552  
offender's conduct is more serious than conduct normally 2553  
constituting the offense are present, and they outweigh the 2554  
applicable factors under that section indicating that the 2555  
offender's conduct is less serious than conduct normally 2556  
constituting the offense. 2557

(b) The court shall impose on an offender the longest 2558  
prison term authorized or required for the offense or, for 2559  
offenses for which division (A) (1) (a) or (2) (a) of this section 2560  
applies, the longest minimum prison term authorized or required 2561  
for the offense, and shall impose on the offender an additional 2562  
definite prison term of one, two, three, four, five, six, seven, 2563  
eight, nine, or ten years if all of the following criteria are 2564  
met: 2565

(i) The offender is convicted of or pleads guilty to a 2566  
specification of the type described in section 2941.149 of the 2567  
Revised Code that the offender is a repeat violent offender. 2568

(ii) The offender within the preceding twenty years has 2569  
been convicted of or pleaded guilty to three or more offenses 2570  
described in division (CC) (1) of section 2929.01 of the Revised 2571  
Code, including all offenses described in that division of which 2572  
the offender is convicted or to which the offender pleads guilty 2573  
in the current prosecution and all offenses described in that 2574  
division of which the offender previously has been convicted or 2575  
to which the offender previously pleaded guilty, whether 2576  
prosecuted together or separately. 2577

(iii) The offense or offenses of which the offender 2578

currently is convicted or to which the offender currently pleads 2579  
guilty is aggravated murder and the court does not impose a 2580  
sentence of death or life imprisonment without parole, murder, 2581  
terrorism and the court does not impose a sentence of life 2582  
imprisonment without parole, any felony of the first degree that 2583  
is an offense of violence and the court does not impose a 2584  
sentence of life imprisonment without parole, or any felony of 2585  
the second degree that is an offense of violence and the trier 2586  
of fact finds that the offense involved an attempt to cause or a 2587  
threat to cause serious physical harm to a person or resulted in 2588  
serious physical harm to a person. 2589

(c) For purposes of division (B)(2)(b) of this section, 2590  
two or more offenses committed at the same time or as part of 2591  
the same act or event shall be considered one offense, and that 2592  
one offense shall be the offense with the greatest penalty. 2593

(d) A sentence imposed under division (B)(2)(a) or (b) of 2594  
this section shall not be reduced pursuant to section 2929.20, 2595  
division (A)(2) or (3) of section 2967.193 or 2967.194, or any 2596  
other provision of Chapter 2967. or Chapter 5120. of the Revised 2597  
Code. The offender shall serve an additional prison term imposed 2598  
under division (B)(2)(a) or (b) of this section consecutively to 2599  
and prior to the prison term imposed for the underlying offense. 2600

(e) When imposing a sentence pursuant to division (B)(2) 2601  
(a) or (b) of this section, the court shall state its findings 2602  
explaining the imposed sentence. 2603

(3) Except when an offender commits a violation of section 2604  
2903.01 or 2907.02 of the Revised Code and the penalty imposed 2605  
for the violation is life imprisonment or commits a violation of 2606  
section 2903.02 of the Revised Code, if the offender commits a 2607  
violation of section 2925.03 or 2925.11 of the Revised Code and 2608



that section classifies the offender as a major drug offender, 2609  
if the offender commits a violation of section 2925.05 of the 2610  
Revised Code and division (E)(1) of that section classifies the 2611  
offender as a major drug offender, if the offender commits a 2612  
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 2613  
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 2614  
division (C) or (D) of section 3719.172, division (E) of section 2615  
4729.51, or division (J) of section 4729.54 of the Revised Code 2616  
that includes the sale, offer to sell, or possession of a 2617  
schedule I or II controlled substance, with the exception of 2618  
marihuana, and the court imposing sentence upon the offender 2619  
finds that the offender is guilty of a specification of the type 2620  
described in division (A) of section 2941.1410 of the Revised 2621  
Code charging that the offender is a major drug offender, if the 2622  
court imposing sentence upon an offender for a felony finds that 2623  
the offender is guilty of corrupt activity with the most serious 2624  
offense in the pattern of corrupt activity being a felony of the 2625  
first degree, or if the offender is guilty of an attempted 2626  
violation of section 2907.02 of the Revised Code and, had the 2627  
offender completed the violation of section 2907.02 of the 2628  
Revised Code that was attempted, the offender would have been 2629  
subject to a sentence of life imprisonment or life imprisonment 2630  
without parole for the violation of section 2907.02 of the 2631  
Revised Code, the court shall impose upon the offender for the 2632  
felony violation a mandatory prison term determined as described 2633  
in this division that cannot be reduced pursuant to section 2634  
2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, 2635  
or any other provision of Chapter 2967. or 5120. of the Revised 2636  
Code. The mandatory prison term shall be the maximum definite 2637  
prison term prescribed in division (A)(1)(b) of this section for 2638  
a felony of the first degree, except that for offenses for which 2639  
division (A)(1)(a) of this section applies, the mandatory prison 2640

term shall be the longest minimum prison term prescribed in that 2641  
division for the offense. 2642

(4) If the offender is being sentenced for a third or 2643  
fourth degree felony OVI offense under division (G) (2) of 2644  
section 2929.13 of the Revised Code, the sentencing court shall 2645  
impose upon the offender a mandatory prison term in accordance 2646  
with that division. In addition to the mandatory prison term, if 2647  
the offender is being sentenced for a fourth degree felony OVI 2648  
offense, the court, notwithstanding division (A) (4) of this 2649  
section, may sentence the offender to a definite prison term of 2650  
not less than six months and not more than thirty months, and if 2651  
the offender is being sentenced for a third degree felony OVI 2652  
offense, the sentencing court may sentence the offender to an 2653  
additional prison term of any duration specified in division (A) 2654  
(3) of this section. In either case, the additional prison term 2655  
imposed shall be reduced by the sixty or one hundred twenty days 2656  
imposed upon the offender as the mandatory prison term. The 2657  
total of the additional prison term imposed under division (B) 2658  
(4) of this section plus the sixty or one hundred twenty days 2659  
imposed as the mandatory prison term shall equal a definite term 2660  
in the range of six months to thirty months for a fourth degree 2661  
felony OVI offense and shall equal one of the authorized prison 2662  
terms specified in division (A) (3) of this section for a third 2663  
degree felony OVI offense. If the court imposes an additional 2664  
prison term under division (B) (4) of this section, the offender 2665  
shall serve the additional prison term after the offender has 2666  
served the mandatory prison term required for the offense. In 2667  
addition to the mandatory prison term or mandatory and 2668  
additional prison term imposed as described in division (B) (4) 2669  
of this section, the court also may sentence the offender to a 2670  
community control sanction under section 2929.16 or 2929.17 of 2671

the Revised Code, but the offender shall serve all of the prison 2672  
terms so imposed prior to serving the community control 2673  
sanction. 2674

If the offender is being sentenced for a fourth degree 2675  
felony OVI offense under division (G) (1) of section 2929.13 of 2676  
the Revised Code and the court imposes a mandatory term of local 2677  
incarceration, the court may impose a prison term as described 2678  
in division (A) (1) of that section. 2679

(5) If an offender is convicted of or pleads guilty to a 2680  
violation of division (A) (1) or (2) of section 2903.06 of the 2681  
Revised Code and also is convicted of or pleads guilty to a 2682  
specification of the type described in section 2941.1414 of the 2683  
Revised Code that charges that the victim of the offense is a 2684  
peace officer, as defined in section 2935.01 of the Revised 2685  
Code, an investigator of the bureau of criminal identification 2686  
and investigation, as defined in section 2903.11 of the Revised 2687  
Code, or a firefighter or emergency medical worker, both as 2688  
defined in section 2941.1414 of the Revised Code, the court 2689  
shall impose on the offender a prison term of five years. If a 2690  
court imposes a prison term on an offender under division (B) (5) 2691  
of this section, the prison term shall not be reduced pursuant 2692  
to section 2929.20, division (A) (2) or (3) of section 2967.193 2693  
or 2967.194, or any other provision of Chapter 2967. or Chapter 2694  
5120. of the Revised Code. A court shall not impose more than 2695  
one prison term on an offender under division (B) (5) of this 2696  
section for felonies committed as part of the same act. 2697

(6) If an offender is convicted of or pleads guilty to a 2698  
violation of division (A) (1) or (2) of section 2903.06 of the 2699  
Revised Code and also is convicted of or pleads guilty to a 2700  
specification of the type described in section 2941.1415 of the 2701

Revised Code that charges that the offender previously has been 2702  
convicted of or pleaded guilty to three or more violations of 2703  
division (A) of section 4511.19 of the Revised Code or an 2704  
equivalent offense, as defined in section 2941.1415 of the 2705  
Revised Code, or three or more violations of any combination of 2706  
those offenses, the court shall impose on the offender a prison 2707  
term of three years. If a court imposes a prison term on an 2708  
offender under division (B)(6) of this section, the prison term 2709  
shall not be reduced pursuant to section 2929.20, division (A) 2710  
(2) or (3) of section 2967.193 or 2967.194, or any other 2711  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 2712  
A court shall not impose more than one prison term on an 2713  
offender under division (B)(6) of this section for felonies 2714  
committed as part of the same act. 2715

(7)(a) If an offender is convicted of or pleads guilty to 2716  
a felony violation of section 2905.01, 2905.02, 2907.21, 2717  
2907.22, or 2923.32, division (A)(1) or (2) of section 2907.323 2718  
involving a minor, or division (B)(1), (2), (3), (4), or (5) of 2719  
section 2919.22 of the Revised Code and also is convicted of or 2720  
pleads guilty to a specification of the type described in 2721  
section 2941.1422 of the Revised Code that charges that the 2722  
offender knowingly committed the offense in furtherance of human 2723  
trafficking, the court shall impose on the offender a mandatory 2724  
prison term that is one of the following: 2725

(i) If the offense is a felony of the first degree, a 2726  
definite prison term of not less than five years and not greater 2727  
than eleven years, except that if the offense is a felony of the 2728  
first degree committed on or after March 22, 2019, the court 2729  
shall impose as the minimum prison term a mandatory term of not 2730  
less than five years and not greater than eleven years; 2731

(ii) If the offense is a felony of the second or third 2732  
degree, a definite prison term of not less than three years and 2733  
not greater than the maximum prison term allowed for the offense 2734  
by division (A) (2) (b) or (3) of this section, except that if the 2735  
offense is a felony of the second degree committed on or after 2736  
March 22, 2019, the court shall impose as the minimum prison 2737  
term a mandatory term of not less than three years and not 2738  
greater than eight years; 2739

(iii) If the offense is a felony of the fourth or fifth 2740  
degree, a definite prison term that is the maximum prison term 2741  
allowed for the offense by division (A) of section 2929.14 of 2742  
the Revised Code. 2743

(b) The prison term imposed under division (B) (7) (a) of 2744  
this section shall not be reduced pursuant to section 2929.20, 2745  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 2746  
other provision of Chapter 2967. of the Revised Code. A court 2747  
shall not impose more than one prison term on an offender under 2748  
division (B) (7) (a) of this section for felonies committed as 2749  
part of the same act, scheme, or plan. 2750

(8) If an offender is convicted of or pleads guilty to a 2751  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 2752  
Revised Code and also is convicted of or pleads guilty to a 2753  
specification of the type described in section 2941.1423 of the 2754  
Revised Code that charges that the victim of the violation was a 2755  
woman whom the offender knew was pregnant at the time of the 2756  
violation, notwithstanding the range prescribed in division (A) 2757  
of this section as the definite prison term or minimum prison 2758  
term for felonies of the same degree as the violation, the court 2759  
shall impose on the offender a mandatory prison term that is 2760  
either a definite prison term of six months or one of the prison 2761

terms prescribed in division (A) of this section for felonies of 2762  
the same degree as the violation, except that if the violation 2763  
is a felony of the first or second degree committed on or after 2764  
March 22, 2019, the court shall impose as the minimum prison 2765  
term under division (A)(1)(a) or (2)(a) of this section a 2766  
mandatory term that is one of the terms prescribed in that 2767  
division, whichever is applicable, for the offense. 2768

(9)(a) If an offender is convicted of or pleads guilty to 2769  
a violation of division (A)(1) or (2) of section 2903.11 of the 2770  
Revised Code and also is convicted of or pleads guilty to a 2771  
specification of the type described in section 2941.1425 of the 2772  
Revised Code, the court shall impose on the offender a mandatory 2773  
prison term of six years if either of the following applies: 2774

(i) The violation is a violation of division (A)(1) of 2775  
section 2903.11 of the Revised Code and the specification 2776  
charges that the offender used an accelerant in committing the 2777  
violation and the serious physical harm to another or to 2778  
another's unborn caused by the violation resulted in a 2779  
permanent, serious disfigurement or permanent, substantial 2780  
incapacity; 2781

(ii) The violation is a violation of division (A)(2) of 2782  
section 2903.11 of the Revised Code and the specification 2783  
charges that the offender used an accelerant in committing the 2784  
violation, that the violation caused physical harm to another or 2785  
to another's unborn, and that the physical harm resulted in a 2786  
permanent, serious disfigurement or permanent, substantial 2787  
incapacity. 2788

(b) If a court imposes a prison term on an offender under 2789  
division (B)(9)(a) of this section, the prison term shall not be 2790  
reduced pursuant to section 2929.20, division (A)(2) or (3) of 2791

section 2967.193 or 2967.194, or any other provision of Chapter 2792  
2967. or Chapter 5120. of the Revised Code. A court shall not 2793  
impose more than one prison term on an offender under division 2794  
(B) (9) of this section for felonies committed as part of the 2795  
same act. 2796

(c) The provisions of divisions (B) (9) and (C) (6) of this 2797  
section and of division (D) (2) of section 2903.11, division (F) 2798  
(20) of section 2929.13, and section 2941.1425 of the Revised 2799  
Code shall be known as "Judy's Law." 2800

(10) If an offender is convicted of or pleads guilty to a 2801  
violation of division (A) of section 2903.11 of the Revised Code 2802  
and also is convicted of or pleads guilty to a specification of 2803  
the type described in section 2941.1426 of the Revised Code that 2804  
charges that the victim of the offense suffered permanent 2805  
disabling harm as a result of the offense and that the victim 2806  
was under ~~ten~~ eighteen years of age or over sixty-five years of 2807  
age at the time of the offense, regardless of whether the 2808  
offender knew the age of the victim, the court shall impose upon 2809  
the offender an additional definite prison term of ~~six~~ ten 2810  
years. A prison term imposed on an offender under division (B) 2811  
(10) of this section shall not be reduced pursuant to section 2812  
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 2813  
or any other provision of Chapter 2967. or Chapter 5120. of the 2814  
Revised Code. If a court imposes an additional prison term on an 2815  
offender under this division relative to a violation of division 2816  
(A) of section 2903.11 of the Revised Code, the court shall not 2817  
impose any other additional prison term on the offender relative 2818  
to the same offense. 2819

(11) If an offender is convicted of or pleads guilty to a 2820  
felony violation of section 2925.03 or 2925.05 of the Revised 2821

Code or a felony violation of section 2925.11 of the Revised 2822  
Code for which division (C) (11) of that section applies in 2823  
determining the sentence for the violation, if the drug involved 2824  
in the violation is a fentanyl-related compound or a compound, 2825  
mixture, preparation, or substance containing a fentanyl-related 2826  
compound, and if the offender also is convicted of or pleads 2827  
guilty to a specification of the type described in division (B) 2828  
of section 2941.1410 of the Revised Code that charges that the 2829  
offender is a major drug offender, in addition to any other 2830  
penalty imposed for the violation, the court shall impose on the 2831  
offender a mandatory prison term of three, four, five, six, 2832  
seven, or eight years. If a court imposes a prison term on an 2833  
offender under division (B) (11) of this section, the prison term 2834  
shall not be reduced pursuant to section 2929.20, division (A) 2835  
(2) or (3) of section 2967.193 or 2967.194, or any other 2836  
provision of Chapter 2967. or 5120. of the Revised Code. A court 2837  
shall not impose more than one prison term on an offender under 2838  
division (B) (11) of this section for felonies committed as part 2839  
of the same act. 2840

(C) (1) (a) Subject to division (C) (1) (b) of this section, 2841  
if a mandatory prison term is imposed upon an offender pursuant 2842  
to division (B) (1) (a) of this section for having a firearm on or 2843  
about the offender's person or under the offender's control 2844  
while committing a felony, if a mandatory prison term is imposed 2845  
upon an offender pursuant to division (B) (1) (c) of this section 2846  
for committing a felony specified in that division by 2847  
discharging a firearm from a motor vehicle, or if both types of 2848  
mandatory prison terms are imposed, the offender shall serve any 2849  
mandatory prison term imposed under either division 2850  
consecutively to any other mandatory prison term imposed under 2851  
either division or under division (B) (1) (d) of this section, 2852



consecutively to and prior to any prison term imposed for the 2853  
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 2854  
this section or any other section of the Revised Code, and 2855  
consecutively to any other prison term or mandatory prison term 2856  
previously or subsequently imposed upon the offender. 2857

(b) If a mandatory prison term is imposed upon an offender 2858  
pursuant to division (B) (1) (d) of this section for wearing or 2859  
carrying body armor while committing an offense of violence that 2860  
is a felony, the offender shall serve the mandatory term so 2861  
imposed consecutively to any other mandatory prison term imposed 2862  
under that division or under division (B) (1) (a) or (c) of this 2863  
section, consecutively to and prior to any prison term imposed 2864  
for the underlying felony under division (A), (B) (2), or (B) (3) 2865  
of this section or any other section of the Revised Code, and 2866  
consecutively to any other prison term or mandatory prison term 2867  
previously or subsequently imposed upon the offender. 2868

(c) If a mandatory prison term is imposed upon an offender 2869  
pursuant to division (B) (1) (f) of this section, the offender 2870  
shall serve the mandatory prison term so imposed consecutively 2871  
to and prior to any prison term imposed for the underlying 2872  
felony under division (A), (B) (2), or (B) (3) of this section or 2873  
any other section of the Revised Code, and consecutively to any 2874  
other prison term or mandatory prison term previously or 2875  
subsequently imposed upon the offender. 2876

(d) If a mandatory prison term is imposed upon an offender 2877  
pursuant to division (B) (7) or (8) of this section, the offender 2878  
shall serve the mandatory prison term so imposed consecutively 2879  
to any other mandatory prison term imposed under that division 2880  
or under any other provision of law and consecutively to any 2881  
other prison term or mandatory prison term previously or 2882

subsequently imposed upon the offender. 2883

(e) If a mandatory prison term is imposed upon an offender 2884  
pursuant to division (B)(11) of this section, the offender shall 2885  
serve the mandatory prison term consecutively to any other 2886  
mandatory prison term imposed under that division, consecutively 2887  
to and prior to any prison term imposed for the underlying 2888  
felony, and consecutively to any other prison term or mandatory 2889  
prison term previously or subsequently imposed upon the 2890  
offender. 2891

(2) If an offender who is an inmate in a jail, prison, or 2892  
other residential detention facility violates section 2917.02, 2893  
2917.03, or 2921.35 of the Revised Code or division (A)(1) or 2894  
(2) of section 2921.34 of the Revised Code, if an offender who 2895  
is under detention at a detention facility commits a felony 2896  
violation of section 2923.131 of the Revised Code, or if an 2897  
offender who is an inmate in a jail, prison, or other 2898  
residential detention facility or is under detention at a 2899  
detention facility commits another felony while the offender is 2900  
an escapee in violation of division (A)(1) or (2) of section 2901  
2921.34 of the Revised Code, any prison term imposed upon the 2902  
offender for one of those violations shall be served by the 2903  
offender consecutively to the prison term or term of 2904  
imprisonment the offender was serving when the offender 2905  
committed that offense and to any other prison term previously 2906  
or subsequently imposed upon the offender. 2907

(3) If a prison term is imposed for a violation of 2908  
division (B) of section 2911.01 of the Revised Code, a violation 2909  
of division (A) of section 2913.02 of the Revised Code in which 2910  
the stolen property is a firearm or dangerous ordnance, or a 2911  
felony violation of division (B) of section 2921.331 of the 2912

Revised Code, the offender shall serve that prison term 2913  
consecutively to any other prison term or mandatory prison term 2914  
previously or subsequently imposed upon the offender. 2915

(4) If multiple prison terms are imposed on an offender 2916  
for convictions of multiple offenses, the court may require the 2917  
offender to serve the prison terms consecutively if the court 2918  
finds that the consecutive service is necessary to protect the 2919  
public from future crime or to punish the offender and that 2920  
consecutive sentences are not disproportionate to the 2921  
seriousness of the offender's conduct and to the danger the 2922  
offender poses to the public, and if the court also finds any of 2923  
the following: 2924

(a) The offender committed one or more of the multiple 2925  
offenses while the offender was awaiting trial or sentencing, 2926  
was under a sanction imposed pursuant to section 2929.16, 2927  
2929.17, or 2929.18 of the Revised Code, or was under post- 2928  
release control for a prior offense. 2929

(b) At least two of the multiple offenses were committed 2930  
as part of one or more courses of conduct, and the harm caused 2931  
by two or more of the multiple offenses so committed was so 2932  
great or unusual that no single prison term for any of the 2933  
offenses committed as part of any of the courses of conduct 2934  
adequately reflects the seriousness of the offender's conduct. 2935

(c) The offender's history of criminal conduct 2936  
demonstrates that consecutive sentences are necessary to protect 2937  
the public from future crime by the offender. 2938

(5) If a mandatory prison term is imposed upon an offender 2939  
pursuant to division (B) (5) or (6) of this section, the offender 2940  
shall serve the mandatory prison term consecutively to and prior 2941

to any prison term imposed for the underlying violation of 2942  
division (A) (1) or (2) of section 2903.06 of the Revised Code 2943  
pursuant to division (A) of this section or section 2929.142 of 2944  
the Revised Code. If a mandatory prison term is imposed upon an 2945  
offender pursuant to division (B) (5) of this section, and if a 2946  
mandatory prison term also is imposed upon the offender pursuant 2947  
to division (B) (6) of this section in relation to the same 2948  
violation, the offender shall serve the mandatory prison term 2949  
imposed pursuant to division (B) (5) of this section 2950  
consecutively to and prior to the mandatory prison term imposed 2951  
pursuant to division (B) (6) of this section and consecutively to 2952  
and prior to any prison term imposed for the underlying 2953  
violation of division (A) (1) or (2) of section 2903.06 of the 2954  
Revised Code pursuant to division (A) of this section or section 2955  
2929.142 of the Revised Code. 2956

(6) If a mandatory prison term is imposed on an offender 2957  
pursuant to division (B) (9) of this section, the offender shall 2958  
serve the mandatory prison term consecutively to and prior to 2959  
any prison term imposed for the underlying violation of division 2960  
(A) (1) or (2) of section 2903.11 of the Revised Code and 2961  
consecutively to and prior to any other prison term or mandatory 2962  
prison term previously or subsequently imposed on the offender. 2963

(7) If a mandatory prison term is imposed on an offender 2964  
pursuant to division (B) (10) of this section, the offender shall 2965  
serve that mandatory prison term consecutively to and prior to 2966  
any prison term imposed for the underlying felonious assault. 2967  
Except as otherwise provided in division (C) of this section, 2968  
any other prison term or mandatory prison term previously or 2969  
subsequently imposed upon the offender may be served 2970  
concurrently with, or consecutively to, the prison term imposed 2971  
pursuant to division (B) (10) of this section. 2972

(8) Any prison term imposed for a violation of section 2973  
2903.04 of the Revised Code that is based on a violation of 2974  
section 2925.03 or 2925.11 of the Revised Code or on a violation 2975  
of section 2925.05 of the Revised Code that is not funding of 2976  
marihuana trafficking shall run consecutively to any prison term 2977  
imposed for the violation of section 2925.03 or 2925.11 of the 2978  
Revised Code or for the violation of section 2925.05 of the 2979  
Revised Code that is not funding of marihuana trafficking. 2980

(9) When consecutive prison terms are imposed pursuant to 2981  
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 2982  
division (H)(1) or (2) of this section, subject to division (C) 2983  
(10) of this section, the term to be served is the aggregate of 2984  
all of the terms so imposed. 2985

(10) When a court sentences an offender to a non-life 2986  
felony indefinite prison term, any definite prison term or 2987  
mandatory definite prison term previously or subsequently 2988  
imposed on the offender in addition to that indefinite sentence 2989  
that is required to be served consecutively to that indefinite 2990  
sentence shall be served prior to the indefinite sentence. 2991

(11) If a court is sentencing an offender for a felony of 2992  
the first or second degree, if division (A)(1)(a) or (2)(a) of 2993  
this section applies with respect to the sentencing for the 2994  
offense, and if the court is required under the Revised Code 2995  
section that sets forth the offense or any other Revised Code 2996  
provision to impose a mandatory prison term for the offense, the 2997  
court shall impose the required mandatory prison term as the 2998  
minimum term imposed under division (A)(1)(a) or (2)(a) of this 2999  
section, whichever is applicable. 3000

(D)(1) If a court imposes a prison term, other than a term 3001  
of life imprisonment, for a felony of the first degree, for a 3002

felony of the second degree, for a felony sex offense, or for a 3003  
felony of the third degree that is an offense of violence and 3004  
that is not a felony sex offense, it shall include in the 3005  
sentence a requirement that the offender be subject to a period 3006  
of post-release control after the offender's release from 3007  
imprisonment, in accordance with section 2967.28 of the Revised 3008  
Code. If a court imposes a sentence including a prison term of a 3009  
type described in this division on or after July 11, 2006, the 3010  
failure of a court to include a post-release control requirement 3011  
in the sentence pursuant to this division does not negate, 3012  
limit, or otherwise affect the mandatory period of post-release 3013  
control that is required for the offender under division (B) of 3014  
section 2967.28 of the Revised Code. Section 2929.191 of the 3015  
Revised Code applies if, prior to July 11, 2006, a court imposed 3016  
a sentence including a prison term of a type described in this 3017  
division and failed to include in the sentence pursuant to this 3018  
division a statement regarding post-release control. 3019

(2) If a court imposes a prison term for a felony of the 3020  
third, fourth, or fifth degree that is not subject to division 3021  
(D)(1) of this section, it shall include in the sentence a 3022  
requirement that the offender be subject to a period of post- 3023  
release control after the offender's release from imprisonment, 3024  
in accordance with that division, if the parole board determines 3025  
that a period of post-release control is necessary. Section 3026  
2929.191 of the Revised Code applies if, prior to July 11, 2006, 3027  
a court imposed a sentence including a prison term of a type 3028  
described in this division and failed to include in the sentence 3029  
pursuant to this division a statement regarding post-release 3030  
control. 3031

(E) The court shall impose sentence upon the offender in 3032  
accordance with section 2971.03 of the Revised Code, and Chapter 3033

2971. of the Revised Code applies regarding the prison term or 3034  
term of life imprisonment without parole imposed upon the 3035  
offender and the service of that term of imprisonment if any of 3036  
the following apply: 3037

(1) A person is convicted of or pleads guilty to a violent 3038  
sex offense or a designated homicide, assault, or kidnapping 3039  
offense, and, in relation to that offense, the offender is 3040  
adjudicated a sexually violent predator. 3041

(2) A person is convicted of or pleads guilty to a 3042  
violation of division (A) (1) (b) of section 2907.02 of the 3043  
Revised Code committed on or after January 2, 2007, and either 3044  
the court does not impose a sentence of life without parole when 3045  
authorized pursuant to division (B) of section 2907.02 of the 3046  
Revised Code, or division (B) of section 2907.02 of the Revised 3047  
Code provides that the court shall not sentence the offender 3048  
pursuant to section 2971.03 of the Revised Code. 3049

(3) A person is convicted of or pleads guilty to attempted 3050  
rape committed on or after January 2, 2007, and a specification 3051  
of the type described in section 2941.1418, 2941.1419, or 3052  
2941.1420 of the Revised Code. 3053

(4) A person is convicted of or pleads guilty to a 3054  
violation of section 2905.01 of the Revised Code committed on or 3055  
after January 1, 2008, and that section requires the court to 3056  
sentence the offender pursuant to section 2971.03 of the Revised 3057  
Code. 3058

(5) A person is convicted of or pleads guilty to 3059  
aggravated murder committed on or after January 1, 2008, and 3060  
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 3061  
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 3062

(a) (iv) of section 2929.03, or division (A) or (B) of section 3063  
2929.06 of the Revised Code requires the court to sentence the 3064  
offender pursuant to division (B) (3) of section 2971.03 of the 3065  
Revised Code. 3066

(6) A person is convicted of or pleads guilty to murder 3067  
committed on or after January 1, 2008, and division (B) (2) of 3068  
section 2929.02 of the Revised Code requires the court to 3069  
sentence the offender pursuant to section 2971.03 of the Revised 3070  
Code. 3071

(F) If a person who has been convicted of or pleaded 3072  
guilty to a felony is sentenced to a prison term or term of 3073  
imprisonment under this section, sections 2929.02 to 2929.06 of 3074  
the Revised Code, section 2929.142 of the Revised Code, section 3075  
2971.03 of the Revised Code, or any other provision of law, 3076  
section 5120.163 of the Revised Code applies regarding the 3077  
person while the person is confined in a state correctional 3078  
institution. 3079

(G) If an offender who is convicted of or pleads guilty to 3080  
a felony that is an offense of violence also is convicted of or 3081  
pleads guilty to a specification of the type described in 3082  
section 2941.142 of the Revised Code that charges the offender 3083  
with having committed the felony while participating in a 3084  
criminal gang, the court shall impose upon the offender an 3085  
additional prison term of one, two, or three years. 3086

(H) (1) If an offender who is convicted of or pleads guilty 3087  
to aggravated murder, murder, or a felony of the first, second, 3088  
or third degree that is an offense of violence also is convicted 3089  
of or pleads guilty to a specification of the type described in 3090  
section 2941.143 of the Revised Code that charges the offender 3091  
with having committed the offense in a school safety zone or 3092



towards a person in a school safety zone, the court shall impose 3093  
upon the offender an additional prison term of two years. The 3094  
offender shall serve the additional two years consecutively to 3095  
and prior to the prison term imposed for the underlying offense. 3096

(2) (a) If an offender is convicted of or pleads guilty to 3097  
a felony violation of section 2907.22, 2907.24, 2907.241, or 3098  
2907.25 of the Revised Code and to a specification of the type 3099  
described in section 2941.1421 of the Revised Code and if the 3100  
court imposes a prison term on the offender for the felony 3101  
violation, the court may impose upon the offender an additional 3102  
prison term as follows: 3103

(i) Subject to division (H) (2) (a) (ii) of this section, an 3104  
additional prison term of one, two, three, four, five, or six 3105  
months; 3106

(ii) If the offender previously has been convicted of or 3107  
pleaded guilty to one or more felony or misdemeanor violations 3108  
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 3109  
the Revised Code and also was convicted of or pleaded guilty to 3110  
a specification of the type described in section 2941.1421 of 3111  
the Revised Code regarding one or more of those violations, an 3112  
additional prison term of one, two, three, four, five, six, 3113  
seven, eight, nine, ten, eleven, or twelve months. 3114

(b) In lieu of imposing an additional prison term under 3115  
division (H) (2) (a) of this section, the court may directly 3116  
impose on the offender a sanction that requires the offender to 3117  
wear a real-time processing, continual tracking electronic 3118  
monitoring device during the period of time specified by the 3119  
court. The period of time specified by the court shall equal the 3120  
duration of an additional prison term that the court could have 3121  
imposed upon the offender under division (H) (2) (a) of this 3122

section. A sanction imposed under this division shall commence 3123  
on the date specified by the court, provided that the sanction 3124  
shall not commence until after the offender has served the 3125  
prison term imposed for the felony violation of section 2907.22, 3126  
2907.24, 2907.241, or 2907.25 of the Revised Code and any 3127  
residential sanction imposed for the violation under section 3128  
2929.16 of the Revised Code. A sanction imposed under this 3129  
division shall be considered to be a community control sanction 3130  
for purposes of section 2929.15 of the Revised Code, and all 3131  
provisions of the Revised Code that pertain to community control 3132  
sanctions shall apply to a sanction imposed under this division, 3133  
except to the extent that they would by their nature be clearly 3134  
inapplicable. The offender shall pay all costs associated with a 3135  
sanction imposed under this division, including the cost of the 3136  
use of the monitoring device. 3137

(I) At the time of sentencing, the court may recommend the 3138  
offender for placement in a program of shock incarceration under 3139  
section 5120.031 of the Revised Code or for placement in an 3140  
intensive program prison under section 5120.032 of the Revised 3141  
Code, disapprove placement of the offender in a program of shock 3142  
incarceration or an intensive program prison of that nature, or 3143  
make no recommendation on placement of the offender. In no case 3144  
shall the department of rehabilitation and correction place the 3145  
offender in a program or prison of that nature unless the 3146  
department determines as specified in section 5120.031 or 3147  
5120.032 of the Revised Code, whichever is applicable, that the 3148  
offender is eligible for the placement. 3149

If the court disapproves placement of the offender in a 3150  
program or prison of that nature, the department of 3151  
rehabilitation and correction shall not place the offender in 3152  
any program of shock incarceration or intensive program prison. 3153

If the court recommends placement of the offender in a 3154  
program of shock incarceration or in an intensive program 3155  
prison, and if the offender is subsequently placed in the 3156  
recommended program or prison, the department shall notify the 3157  
court of the placement and shall include with the notice a brief 3158  
description of the placement. 3159

If the court recommends placement of the offender in a 3160  
program of shock incarceration or in an intensive program prison 3161  
and the department does not subsequently place the offender in 3162  
the recommended program or prison, the department shall send a 3163  
notice to the court indicating why the offender was not placed 3164  
in the recommended program or prison. 3165

If the court does not make a recommendation under this 3166  
division with respect to an offender and if the department 3167  
determines as specified in section 5120.031 or 5120.032 of the 3168  
Revised Code, whichever is applicable, that the offender is 3169  
eligible for placement in a program or prison of that nature, 3170  
the department shall screen the offender and determine if there 3171  
is an available program of shock incarceration or an intensive 3172  
program prison for which the offender is suited. If there is an 3173  
available program of shock incarceration or an intensive program 3174  
prison for which the offender is suited, the department shall 3175  
notify the court of the proposed placement of the offender as 3176  
specified in section 5120.031 or 5120.032 of the Revised Code 3177  
and shall include with the notice a brief description of the 3178  
placement. The court shall have ten days from receipt of the 3179  
notice to disapprove the placement. 3180

(J) If a person is convicted of or pleads guilty to 3181  
aggravated vehicular homicide in violation of division (A) (1) of 3182  
section 2903.06 of the Revised Code and division (B) (2) (c) or 3183

(d) of that section applies, the person shall be sentenced 3184  
pursuant to section 2929.142 of the Revised Code. 3185

(K) (1) The court shall impose an additional mandatory 3186  
prison term of two, three, four, five, six, seven, eight, nine, 3187  
ten, or eleven years on an offender who is convicted of or 3188  
pleads guilty to a violent felony offense if the offender also 3189  
is convicted of or pleads guilty to a specification of the type 3190  
described in section 2941.1424 of the Revised Code that charges 3191  
that the offender is a violent career criminal and had a firearm 3192  
on or about the offender's person or under the offender's 3193  
control while committing the presently charged violent felony 3194  
offense and displayed or brandished the firearm, indicated that 3195  
the offender possessed a firearm, or used the firearm to 3196  
facilitate the offense. The offender shall serve the prison term 3197  
imposed under this division consecutively to and prior to the 3198  
prison term imposed for the underlying offense. The prison term 3199  
shall not be reduced pursuant to section 2929.20, division (A) 3200  
(2) or (3) of section 2967.193 or 2967.194, or any other 3201  
provision of Chapter 2967. or 5120. of the Revised Code. A court 3202  
may not impose more than one sentence under division (B) (2) (a) 3203  
of this section and this division for acts committed as part of 3204  
the same act or transaction. 3205

(2) As used in division (K) (1) of this section, "violent 3206  
career criminal" and "violent felony offense" have the same 3207  
meanings as in section 2923.132 of the Revised Code. 3208

(L) If an offender receives or received a sentence of life 3209  
imprisonment without parole, a sentence of life imprisonment, a 3210  
definite sentence, or a sentence to an indefinite prison term 3211  
under this chapter for a felony offense that was committed when 3212  
the offender was under eighteen years of age, the offender's 3213

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  
offender knew the age of the victim)."

(B) 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 if a court imposes any other  
additional prison term on the offender relative to the same  
offense.

(C) As used in this section, "permanent disabling harm"

has the same meaning as in section 2929.01 of the Revised Code. 3244

**Sec. 5153.122.** Each PCSA caseworker hired after January 1, 3245  
2007, shall complete in-service training during the first year 3246  
of the caseworker's continuous employment as a PCSA caseworker, 3247  
except that the executive director of the public children 3248  
services agency may waive the training requirement for a school 3249  
of social work graduate who participated in the university 3250  
partnership program described in division (E) of section 5180.42 3251  
of the Revised Code and as provided in section 5153.124 of the 3252  
Revised Code. The training shall consist of courses in all of 3253  
the following: 3254

(A) Recognizing, accepting reports of, and preventing 3255  
child abuse, neglect, and dependency; 3256

(B) Assessing child safety; 3257

(C) Assessing risks; 3258

(D) Disability assessment; 3259

(E) Interviewing persons and analytical skills to improve 3260  
interviewing skills; 3261

~~(E)~~ (F) Investigating cases; 3262

~~(F)~~ (G) Intervening; 3263

~~(G)~~ (H) Providing services to children and their families; 3264

~~(H)~~ (I) The importance of and need for accurate data; 3265

~~(I)~~ (J) Preparation for court; 3266

~~(J)~~ (K) Maintenance of case record information; 3267

~~(K)~~ (L) The legal duties of PCSA caseworkers to protect the 3268  
constitutional and statutory rights of children and families 3269

from the initial time of contact during investigation through 3270  
treatment, including instruction regarding parents' rights and 3271  
the limitations that the Fourth Amendment to the United States 3272  
Constitution places upon caseworkers and their investigations; 3273

~~(I)~~ (M) Content on other topics relevant to child abuse, 3274  
neglect, and dependency, including permanency strategies, 3275  
concurrent planning, and adoption as an option for unintended 3276  
pregnancies. 3277

After a PCSA caseworker's first year of continuous 3278  
employment as a PCSA caseworker, the caseworker annually shall 3279  
complete thirty-six hours of training in areas relevant to the 3280  
caseworker's assigned duties. 3281

During the first two years of continuous employment as a 3282  
PCSA caseworker, each PCSA caseworker shall complete training in 3283  
recognizing the signs of domestic violence and its relationship 3284  
to child abuse as established in rules the director of children 3285  
and youth shall adopt pursuant to Chapter 119. of the Revised 3286  
Code. 3287

**Sec. 5153.16.** (A) Except as provided in section 2151.422 3288  
of the Revised Code, in accordance with rules adopted under 3289  
section 5153.166 of the Revised Code, and on behalf of children 3290  
in the county whom the public children services agency considers 3291  
to be in need of public care or protective services, the public 3292  
children services agency shall do all of the following: 3293

(1) Make an investigation concerning any child alleged to 3294  
be an abused, neglected, or dependent child; 3295

(2) Enter into agreements with the parent, guardian, or 3296  
other person having legal custody of any child, or with the 3297  
department of children and youth, department of ~~mental~~ 3298

~~behavioral health and addiction services~~, department of 3299  
developmental disabilities, other department, any certified 3300  
organization within or outside the county, or any agency or 3301  
institution outside the state, having legal custody of any 3302  
child, with respect to the custody, care, or placement of any 3303  
child, or with respect to any matter, in the interests of the 3304  
child, provided the permanent custody of a child shall not be 3305  
transferred by a parent to the public children services agency 3306  
without the consent of the juvenile court; 3307

(3) Enter into a contract with an agency providing 3308  
prevention services in an effort to prevent neglect or abuse, to 3309  
enhance a child's welfare, and to preserve the family unit 3310  
intact when referring a family for prevention services under 3311  
division (J) of section 2151.421 of the Revised Code. 3312

(4) Accept custody of children committed to the public 3313  
children services agency by a court exercising juvenile 3314  
jurisdiction; 3315

(5) Provide such care as the public children services 3316  
agency considers to be in the best interests of any child 3317  
adjudicated to be an abused, neglected, or dependent child the 3318  
agency finds to be in need of public care or service; 3319

(6) Provide social services to any unmarried girl 3320  
adjudicated to be an abused, neglected, or dependent child who 3321  
is pregnant with or has been delivered of a child; 3322

(7) Make available to the children with medical handicaps 3323  
program of the department of health at its request any 3324  
information concerning a child with a disability found to be in 3325  
need of treatment under sections 3701.021 to 3701.028 of the 3326  
Revised Code who is receiving services from the public children 3327



services agency; 3328

(8) Provide temporary emergency care for any child 3329  
considered by the public children services agency to be in need 3330  
of such care, without agreement or commitment; 3331

(9) Find certified foster homes, within or outside the 3332  
county, for the care of children, including children with 3333  
disabilities from other counties attending special schools in 3334  
the county; 3335

(10) Subject to the approval of the board of county 3336  
commissioners and the department of children and youth, 3337  
establish and operate a training school or enter into an 3338  
agreement with any municipal corporation or other political 3339  
subdivision of the county respecting the operation, acquisition, 3340  
or maintenance of any children's home, training school, or other 3341  
institution for the care of children maintained by such 3342  
municipal corporation or political subdivision; 3343

(11) Acquire and operate a county children's home, 3344  
establish, maintain, and operate a receiving home for the 3345  
temporary care of children, or procure certified foster homes 3346  
for this purpose; 3347

(12) Enter into an agreement with the trustees of any 3348  
district children's home, respecting the operation of the 3349  
district children's home in cooperation with the other county 3350  
boards in the district; 3351

(13) Cooperate with, make its services available to, and 3352  
act as the agent of persons, courts, the department of children 3353  
and youth, the department of health, and other organizations 3354  
within and outside the state, in matters relating to the welfare 3355  
of children, except that the public children services agency 3356

shall not be required to provide supervision of or other 3357  
services related to the exercise of parenting time rights 3358  
granted pursuant to section 3109.051 or 3109.12 of the Revised 3359  
Code or companionship or visitation rights granted pursuant to 3360  
section 3109.051, 3109.11, or 3109.12 of the Revised Code unless 3361  
a juvenile court, pursuant to Chapter 2151. of the Revised Code, 3362  
or a common pleas court, pursuant to division (E)(6) of section 3363  
3113.31 of the Revised Code, requires the provision of 3364  
supervision or other services related to the exercise of the 3365  
parenting time rights or companionship or visitation rights; 3366

(14) Make investigations at the request of any 3367  
superintendent of schools in the county or the principal of any 3368  
school concerning the application of any child adjudicated to be 3369  
an abused, neglected, or dependent child for release from 3370  
school, where such service is not provided through a school 3371  
attendance department; 3372

(15) Administer funds provided under Title IV-E of the 3373  
"Social Security Act," 94 Stat. 501 (1980), 42 U.S.C.A. 671, as 3374  
amended, in accordance with rules adopted under section 5180.42 3375  
of the Revised Code; 3376

(16) In addition to administering Title IV-E adoption 3377  
assistance funds, enter into agreements to make adoption 3378  
assistance payments under section 5153.163 of the Revised Code; 3379

(17) Implement a system of safety and risk assessment, in 3380  
accordance with rules adopted by the director of children and 3381  
youth, to assist the public children services agency in 3382  
determining the risk of abuse or neglect to a child; 3383

(18) Enter into a plan of cooperation with the board of 3384  
county commissioners under section 307.983 of the Revised Code 3385

and comply with each fiscal agreement the board enters into 3386  
under section 307.98 of the Revised Code that include family 3387  
services duties of public children services agencies and 3388  
contracts the board enters into under sections 307.981 and 3389  
307.982 of the Revised Code that affect the public children 3390  
services agency; 3391

(19) Make reasonable efforts to prevent the removal of an 3392  
alleged or adjudicated abused, neglected, or dependent child 3393  
from the child's home, eliminate the continued removal of the 3394  
child from the child's home, or make it possible for the child 3395  
to return home safely, except that reasonable efforts of that 3396  
nature are not required when a court has made a determination 3397  
under division (A) (2) of section 2151.419 of the Revised Code; 3398

(20) Make reasonable efforts to place the child in a 3399  
timely manner in accordance with the permanency plan approved 3400  
under division (E) of section 2151.417 of the Revised Code and 3401  
to complete whatever steps are necessary to finalize the 3402  
permanent placement of the child; 3403

(21) Administer a Title IV-A program identified under 3404  
division (A) (4) (c) or (h) of section 5101.80 of the Revised Code 3405  
that the department of children and youth provides for the 3406  
public children services agency to administer under the 3407  
department's supervision pursuant to section 5101.801 of the 3408  
Revised Code; 3409

(22) Administer the kinship permanency incentive program 3410  
created under section 5180.52 of the Revised Code under the 3411  
supervision of the director of children and youth; 3412

(23) Provide independent living services pursuant to 3413  
sections 2151.81 to 2151.84 of the Revised Code; 3414

(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.

(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.

(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:

(1) The ongoing safety of the child;

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

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

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

(2) (a) Except as limited by divisions (C) (2) (b) and (c) of 3444  
this section, contract with the following for the purpose of 3445  
assisting the agency with its duties: 3446

(i) County departments of job and family services; 3447

(ii) Boards of alcohol, drug addiction, and mental health 3448  
services; 3449

(iii) County boards of developmental disabilities; 3450

(iv) Regional councils of political subdivisions 3451  
established under Chapter 167. of the Revised Code; 3452

(v) Private and government providers of services; 3453

(vi) Managed care organizations and prepaid health plans. 3454

(b) A public children services agency contract under 3455  
division (C) (2) (a) of this section regarding the agency's duties 3456  
under section 2151.421 of the Revised Code may not provide for 3457  
the entity under contract with the agency to perform any service 3458  
not authorized by the department's rules. 3459

(c) Only a county children services board appointed under 3460  
section 5153.03 of the Revised Code that is a public children 3461  
services agency may contract under division (C) (2) (a) of this 3462  
section. If an entity specified in division (B) or (C) of 3463  
section 5153.02 of the Revised Code is the public children 3464  
services agency for a county, the board of county commissioners 3465  
may enter into contracts pursuant to section 307.982 of the 3466  
Revised Code regarding the agency's duties. 3467

**Sec. 5180.09.** (A) The department of children and youth 3468  
shall develop a public electronic dashboard to publish, by 3469  
county, on a monthly basis the following data reported to the 3470  
department: 3471

<u>(1) The number of children residing in the county;</u>	3472
<u>(2) The number of children in the custody of a public</u>	3473
<u>children services agency or private child placing agency;</u>	3474
<u>(3) The number of children in each placement type;</u>	3475
<u>(4) The average length of stay for a child in each</u>	3476
<u>placement type.</u>	3477
<u>(B) The department shall post the data publicly and submit</u>	3478
<u>a copy of the data to each board of county commissioners</u>	3479
<u>monthly.</u>	3480
<b>Section 2.</b> That existing sections 2151.412, 2151.421,	3481
2151.423, 2151.429, 2151.467, 2151.468, 2903.01, 2903.11,	3482
2919.22, 2929.13, 2929.14, 2941.1426, 5153.122, and 5153.16 of	3483
the Revised Code are hereby repealed.	3484
<b>Section 3.</b> This act shall be known as the Child Protection	3485
Reform Act.	3486
<b>Section 4.</b> The General Assembly, applying the principle	3487
stated in division (B) of section 1.52 of the Revised Code that	3488
amendments are to be harmonized if reasonably capable of	3489
simultaneous operation, finds that the following sections,	3490
presented in this act as composites of the sections as amended	3491
by the acts indicated, are the resulting versions of the	3492
sections in effect prior to the effective date of the sections	3493
as presented in this act:	3494
Section 2903.11 of the Revised Code as amended by both	3495
S.B. 20 and S.B. 201 of the 132nd General Assembly.	3496
Section 2929.14 of the Revised Code as amended by H.B. 37,	3497
H.B. 56, H.B. 111, and S.B. 106, all of the 135th General	3498
Assembly.	3499