

As Passed by the House

136th General Assembly

Regular Session

2025-2026

Sub. H. B. No. 667

Representative Abrams

Cosponsors: Representatives Johnson, Robb Blasdel, Hall, T., John, White, A., Ray, Miller, K., Bird, Schmidt, Sigrist, Ghanbari, Thomas, C., Willis, Brennan, Creech, Daniels, Fischer, LaRe, Lorenz, Manning, Mathews, A., Odioso, Richardson, Stephens, Williams, Young

To amend sections 2929.141, 2929.34, 2935.10, 1
2935.11, 5120.021, 5120.038, 5589.21, and 2
5589.211 of the Revised Code to enact the Reagan 3
Tokes and Patrick Heringer Act to require 4
certain warrants to be entered into LEADS, to 5
require GPS monitoring of offenders released 6
from prison, and to modify T-CAP requirements. 7

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

Section 1. That sections 2929.141, 2929.34, 2935.10, 8
2935.11, 5120.021, 5120.038, 5589.21, and 5589.211 of the 9
Revised Code be amended to read as follows: 10

Sec. 2929.141. (A) Upon the conviction of or plea of 11
guilty to a felony by a person on post-release control at the 12
time of the commission of the felony, the court may terminate 13
the term of post-release control, and the court may do either of 14
the following regardless of whether the sentencing court or 15
another court of this state imposed the original prison term for 16
which the person is on post-release control: 17

(1) In addition to any prison term for the new felony, 18
impose a prison term for the post-release control violation. The 19
maximum prison term for the violation shall be the greater of 20
twelve months or the period of post-release control for the 21
earlier felony ~~minus any time~~ that remains on the date that the 22
person has spent under post-release control for the earlier- 23
committed the new felony. In all cases, any prison term imposed 24
for the violation shall be reduced by any prison term that is 25
administratively imposed by the parole board as a post-release 26
control sanction. A prison term imposed for the violation shall 27
be served consecutively to any prison term imposed for the new 28
felony. The imposition of a prison term for the post-release 29
control violation shall terminate the period of post-release 30
control for the earlier felony. 31

(2) Impose a sanction under sections 2929.15 to 2929.18 of 32
the Revised Code for the violation that shall be served 33
concurrently or consecutively, as specified by the court, with 34
any community control sanctions for the new felony. 35

(B) If a person on post-release control was acting 36
pursuant to division (B) (2) (b) of section 2925.11 or a related 37
provision under section 2925.12, 2925.14, or 2925.141 of the 38
Revised Code and in so doing violated the conditions of a post- 39
release control sanction based on a minor drug possession 40
offense, as defined in section 2925.11 of the Revised Code, or 41
violated section 2925.12, division (C) (1) of section 2925.14, or 42
section 2925.141 of the Revised Code, the court shall not impose 43
any of the penalties described in division (A) of this section 44
based on the violation. 45

(C) Upon the conviction of or plea of guilty to a felony 46
by a person on transitional control under section 2967.26 of the 47

Revised Code at the time of the commission of the felony, the 48
court may, in addition to any prison term for the new felony, 49
impose a prison term not exceeding twelve months for having 50
committed the felony while on transitional control. An 51
additional prison term imposed pursuant to this section shall be 52
served consecutively to any prison term imposed for the new 53
felony. The sentencing court may impose the additional prison 54
term authorized by this section regardless of whether the 55
sentencing court or another court of this state imposed the 56
original prison term for which the person is on transitional 57
control. 58

Sec. 2929.34. (A) A person who is convicted of or pleads 59
guilty to aggravated murder, murder, or an offense punishable by 60
life imprisonment and who is sentenced to a term of life 61
imprisonment or a prison term pursuant to that conviction shall 62
serve that term in an institution under the control of the 63
department of rehabilitation and correction. 64

(B) (1) A person who is convicted of or pleads guilty to a 65
felony other than aggravated murder, murder, or an offense 66
punishable by life imprisonment and who is sentenced to a term 67
of imprisonment or a prison term pursuant to that conviction 68
shall serve that term as follows: 69

(a) Subject to divisions (B) (1) (b), (B) (2), and (B) (3) of 70
this section, in an institution under the control of the 71
department of rehabilitation and correction if the term is a 72
prison term or as otherwise determined by the sentencing court 73
pursuant to section 2929.16 of the Revised Code if the term is 74
not a prison term; 75

(b) In a facility of a type described in division (G) (1) 76
of section 2929.13 of the Revised Code, if the offender is 77

sentenced pursuant to that division. 78

(2) If the term is a prison term, the person may be 79
imprisoned in a jail that is not a minimum security jail 80
pursuant to agreement under section 5120.161 of the Revised Code 81
between the department of rehabilitation and correction and the 82
local authority that operates the jail. 83

(3) (a) As used in divisions (B) (3) (a) to (d) of this 84
section, "voluntary county" means any county in which the board 85
of county commissioners of the county and the administrative 86
judge of the general division of the court of common pleas of 87
the county enter into an agreement of the type described in 88
division (B) (3) (b) of this section and in which the agreement 89
has not been terminated as described in that division. 90

(b) (i) In any voluntary county, the board of county 91
commissioners of the county and the administrative judge of the 92
general division of the court of common pleas of the county may 93
agree to having the county participate in the targeted community 94
alternatives to prison (T-CAP) program for prisoners who serve a 95
term in a facility pursuant to division (B) (3) (c) of this 96
section by submitting a memorandum of understanding, either as a 97
single county or jointly with other counties, to the department 98
of rehabilitation and correction for approval, pursuant to 99
section 5149.38 of the Revised Code. A board of county 100
commissioners and an administrative judge of a court of common 101
pleas that enter into an agreement of the type described in this 102
division may terminate the agreement, but a termination under 103
this division shall take effect only at the end of the state 104
fiscal biennium in which the termination decision is made. 105

(ii) The department of rehabilitation and correction shall 106
establish deadlines for a voluntary county to indicate the 107

voluntary county's participation in the targeted community 108
alternatives to prison (T-CAP) program before each state fiscal 109
biennium. 110

(iii) In reviewing a submitted memorandum of understanding 111
for approval, the department of rehabilitation and correction 112
shall prioritize a voluntary county that has previously been a 113
voluntary county. The department of rehabilitation and 114
correction may review a memorandum of understanding for a new 115
voluntary county if the general assembly has appropriated 116
sufficient funds for that purpose. 117

(c) Except as provided in division (B) (3) (d) of this 118
section, in any voluntary county, either division (B) (3) (c) (i) 119
or divisions (B) (3) (c) (i) and (ii) of this section shall apply: 120

(i) On and after July 1, 2018, no person sentenced by the 121
court of common pleas of a voluntary county to a prison term for 122
a felony of the fifth degree shall serve the term in an 123
institution under the control of the department of 124
rehabilitation and correction. The person shall instead serve 125
the sentence as a term of confinement in a facility of a type 126
described in division (C) or (D) of this section. 127

(ii) On and after September 1, 2022, no person sentenced 128
by the court of common pleas of a voluntary county to a prison 129
term for a felony of the fourth degree shall serve the term in 130
an institution under the control of the department of 131
rehabilitation and correction. The person shall instead serve 132
the sentence as a term of confinement in a facility of a type 133
described in division (C) or (D) of this section. 134

Nothing in this division relieves the state of its 135
obligation to pay for the cost of confinement of the person in a 136

community-based correctional facility under division (D) of this section.	137 138
(d) Division (B) (3) (c) of this section does not apply to any person to whom any of the following apply:	139 140
(i) The felony of the fourth or fifth degree was an offense of violence, as defined in section 2901.01 of the Revised Code, a sex offense under Chapter 2907. of the Revised Code, a violation of section 2925.03 of the Revised Code, or any offense for which a mandatory prison term is required.	141 142 143 144 145
(ii) The person previously has been convicted of or pleaded guilty to any felony offense of violence, as defined in section 2901.01 of the Revised Code, unless the felony of the fifth degree for which the person is being sentenced is a violation of division (I) (1) of section 2903.43 of the Revised Code.	146 147 148 149 150 151
(iii) The person previously has been convicted of or pleaded guilty to any felony sex offense under Chapter 2907. of the Revised Code.	152 153 154
(iv) <u>The person previously has been convicted of or pleaded guilty to two or more felony offenses that were not felony offenses of violence.</u>	155 156 157
(v) <u>The person previously was under a community control sanction for a felony offense that was not a felony offense of violence, and the person's period of community control was terminated because of the revocation of community control or unsuccessful completion of the period of community control.</u>	158 159 160 161 162
(vi) <u>The person was under post-release control at the time the person committed the felony of the fourth or fifth degree.</u>	163 164

(vii) The person's sentence is required to be served 165
concurrently to any other sentence imposed upon the person for a 166
felony that is required to be served in an institution under the 167
control of the department of rehabilitation and correction. 168

(C) A person who is convicted of or pleads guilty to one 169
or more misdemeanors and who is sentenced to a jail term or term 170
of imprisonment pursuant to the conviction or convictions shall 171
serve that term in a county, multicounty, municipal, municipal- 172
county, or multicounty-municipal jail or workhouse; in a 173
community alternative sentencing center or district community 174
alternative sentencing center when authorized by section 307.932 175
of the Revised Code; or, if the misdemeanor or misdemeanors are 176
not offenses of violence, in a minimum security jail. 177

(D) Nothing in this section prohibits the commitment, 178
referral, or sentencing of a person who is convicted of or 179
pleads guilty to a felony to a community-based correctional 180
facility. 181

Sec. 2935.10. (A) As used in this section: 182

(1) "Detention" has the same meaning as in section 2921.01 183
of the Revised Code. 184

(2) "Public safety answering point" has the same meaning 185
as in section 128.01 of the Revised Code. 186

(3) "Targeted violent offender" means an offender to whom 187
both of the following apply: 188

(a) The offender is subject to the supervision of the 189
adult parole authority. 190

(b) The offender has been determined to have a higher risk 191
of reoffending and a higher risk of committing a violent offense 192

upon reoffending based on the adult parole authority's use of 193
the Ohio risk assessment system, the state correctional 194
institutional classification tool, the violence predictor risk 195
assessment, or another tool that assesses the offender's risk of 196
reoffending or committing a violent offense upon reoffending. 197

(B) Upon the filing of an affidavit or complaint as 198
provided by section 2935.09 of the Revised Code, if it charges 199
the commission of a felony, such judge, clerk, or magistrate, 200
unless the judge, clerk, or magistrate has reason to believe 201
that it was not filed in good faith, or the claim is not 202
meritorious, shall forthwith issue a warrant for the arrest of 203
the person charged in the affidavit, and directed to a peace 204
officer; otherwise the judge, clerk, or magistrate shall 205
forthwith refer the matter to the prosecuting attorney or other 206
attorney charged by law with prosecution for investigation prior 207
to the issuance of warrant. 208

~~(B)~~ (C) If the offense charged is a misdemeanor or 209
violation of a municipal ordinance, such judge, clerk, or 210
magistrate may: 211

(1) Issue a warrant for the arrest of such person, 212
directed to any officer named in section 2935.03 of the Revised 213
Code but in cases of ordinance violation only to a police 214
officer or marshal or deputy marshal of the municipal 215
corporation; 216

(2) Issue summons, to be served by a peace officer, 217
bailiff, or court constable, commanding the person against whom 218
the affidavit or complaint was filed to appear forthwith, or at 219
a fixed time in the future, before such court or magistrate. 220
Such summons shall be served in the same manner as in civil 221
cases. 222

~~(C)~~(D) If the affidavit is filed by, or the complaint is 223
filed pursuant to an affidavit executed by, a peace officer who 224
has, at the officer's discretion, at the time of commission of 225
the alleged offense, notified the person to appear before the 226
court or magistrate at a specific time set by such officer, no 227
process need be issued unless the defendant fails to appear at 228
the scheduled time. 229

~~(D)~~(E) Any person charged with a misdemeanor or violation 230
of a municipal ordinance may give bail as provided in sections 231
2937.22 to 2937.46 of the Revised Code, for the person's 232
appearance, regardless of whether a warrant, summons, or notice 233
to appear has been issued. 234

~~(E)~~(F) Any warrant, summons, or any notice issued by the 235
peace officer shall state the substance of the charge against 236
the person arrested or directed to appear. 237

~~(F)~~(G) When the offense charged is a misdemeanor, and the 238
warrant or summons issued pursuant to this section is not served 239
within two years of the date of issue, a judge or magistrate may 240
order such warrant or summons withdrawn and the case closed, 241
when it does not appear that the ends of justice require keeping 242
the case open. 243

~~(G)~~~~(1)~~(H) (1) Any warrant issued for ~~a tier one offense~~ any 244
of the following shall be entered, by the law enforcement agency 245
requesting the warrant and within forty-eight hours of receipt 246
of the warrant, into the law enforcement automated data system 247
created by section 5503.10 of the Revised Code, and known as 248
LEADS, and the appropriate database of the national crime 249
information center (NCIC) maintained by the federal bureau of 250
investigation: 251

<u>(a) A tier one offense;</u>	252
<u>(b) A person who is under detention and breaks detention</u>	253
<u>or fails to return to detention and who is under a community</u>	254
<u>control sanction or a residential sanction for committing a tier</u>	255
<u>one offense;</u>	256
<u>(c) A person who is under detention and breaks detention</u>	257
<u>or fails to return to detention, who is under a community</u>	258
<u>control sanction or a residential sanction, and who is a</u>	259
<u>targeted violent offender.</u>	260
<u>(2) All warrants issued for tier one offenses under</u>	261
<u>division (H) (1) of this section shall be entered, by the law</u>	262
<u>enforcement agency that receives the warrant with a nationwide</u>	263
<u>extradition radius, into the law enforcement automated data</u>	264
<u>system created by section 5503.10 of the Revised Code, and known</u>	265
<u>as LEADS.</u>	266
<u>(3) If a warrant is issued under division (H) (1) (b) or (c)</u>	267
<u>of this section, the law enforcement agency requesting the</u>	268
<u>warrant, within forty-eight hours of receipt of the warrant,</u>	269
<u>shall notify the public safety answering point of the warrant.</u>	270
<u>(4) If a law enforcement agency discovers that a warrant</u>	271
<u>entered pursuant to section (G) (1) (H) (1) of this section into</u>	272
<u>the law enforcement automated data system and the appropriate</u>	273
<u>database of the national crime information center (NCIC)</u>	274
<u>maintained by the federal bureau of investigation was entered in</u>	275
<u>error, the law enforcement agency shall remove the warrant from</u>	276
<u>the law enforcement automated data system and the appropriate</u>	277
<u>database of the national crime information center (NCIC)</u>	278
<u>maintained by the federal bureau of investigation within forty-</u>	279
<u>eight hours following the discovery of the error.</u>	280

~~(4)~~(5) If a warrant is entered pursuant to division ~~(G)~~(1) 281
(H) (1) of this section into the law enforcement automated data 282
system and the national crime information center (NCIC) 283
maintained by the federal bureau of investigation, a law 284
enforcement agency shall remove the warrant from the system and 285
center within forty-eight hours of warrant service or dismissal 286
or recall by the issuing court. 287

Sec. 2935.11. If the person summoned to appear as provided 288
in division ~~(B)~~(C) of section 2935.10 of the Revised Code fails 289
to appear without just cause and personal service of the summons 290
was had upon ~~him~~the person, ~~he~~the person may be found guilty of 291
contempt of court, and may be fined not to exceed twenty dollars 292
for such contempt. Upon failure to appear the court or 293
magistrate may forthwith issue a warrant for ~~his~~the person's 294
arrest. 295

Sec. 5120.021. (A) The provisions of Chapter 5120. of the 296
Revised Code, as they existed prior to July 1, 1996, and that 297
address the duration or potential duration of incarceration or 298
parole or other forms of supervised release, apply to all 299
persons upon whom a court imposed a term of imprisonment prior 300
to July 1, 1996, and all persons upon whom a court, on or after 301
July 1, 1996, and in accordance with law existing prior to July 302
1, 1996, imposed a term of imprisonment for an offense that was 303
committed prior to July 1, 1996. 304

(B) (1) The provisions of Chapter 5120. of the Revised 305
Code, as they exist on or after July 1, 1996, and that address 306
the duration or potential duration of incarceration or 307
supervised release, apply to all persons upon whom a court 308
imposed a stated prison term for an offense committed on or 309
after July 1, 1996. 310

(2) The provisions of Chapter 5120. of the Revised Code, 311
as they exist on or after ~~the effective date of this amendment~~ 312
March 22, 2019, and prior to the effective date of this 313
amendment, apply to an offender who is released from confinement 314
in a state correctional institution on or after ~~that date~~ March 315
22, 2019, and prior to the effective date of this amendment. 316

(3) The provisions of Chapter 5120. of the Revised Code, 317
as they exist on or after the effective date of this amendment, 318
apply to an offender who is released from confinement in a state 319
correctional institution on or after that date. 320

(C) Nothing in this section limits or affects the 321
applicability of any provision in Chapter 5120. of the Revised 322
Code, as amended or enacted on or after July 1, 1996, that 323
pertains to an issue other than the duration or potential 324
duration of incarceration or supervised release, to persons in 325
custody or under the supervision of the department of 326
rehabilitation and correction. 327

Sec. 5120.038. (A) As used in this section, "GPS-monitored 328
offender" means an offender who, on or after the effective date 329
of divisions (B) to (D) of this section, is released from 330
confinement in a state correctional institution under a 331
conditional pardon, parole, other form of authorized release, or 332
transitional control that includes global positioning system 333
monitoring as a condition of the person's release, or who, on or 334
after that date, is placed under post-release control that 335
includes global positioning system monitoring as a condition 336
under the post-release control. 337

~~(B) Not later than June 30, 2019, the department of~~ 338
~~rehabilitation and correction shall study the feasibility of~~ 339
~~contracting with a third-party contract administrator for global~~ 340

~~position system monitoring that would include a crime scene- 341
correlation program that could interface by link with a 342
statewide database for GPS-monitored offenders. The study also 343
shall analyze the use of GPS monitoring as a supervision tool. 344
In conducting the study, the department shall consider all of 345
the following factors: 346~~

~~(1) The ability of the department or another state entity- 347
to establish and operate a statewide internet database of GPS- 348
monitored offenders and the specific information that such a 349
database could include. 350~~

~~(2) The capability for a GPS monitoring system run by a 351
third-party contract administrator to include a crime scene- 352
correlation program that interfaces by link with a statewide- 353
database of GPS-monitored offenders. 354~~

~~(3) The ability of local law enforcement representatives- 355
to remotely search a statewide internet database of GPS- 356
monitored offenders that is linked with a crime scene- 357
correlation program. 358~~

~~(4) The capability for a GPS monitoring system with crime- 359
scene correlation features to allow local law enforcement- 360
representatives without a subpoena or warrant to access- 361
information contained in the crime scene correlation program- 362
about a GPS-monitored offender, including the offender's current 363
location, the offender's location at previous points in time,- 364
the location of recent criminal activity in or near the 365
offender's inclusionary or exclusionary zones included as 366
restrictions under the offender's supervision, and any possible 367
connection between the offender's location and that recent 368
criminal activity. 369~~

~~(5) The ability of law enforcement representatives to obtain, without a warrant or subpoena, information about a GPS-monitored offender from either an employee of the department or a third-party contract administrator who is monitoring the offender, including information of the types listed in division (B) (4) of this section.~~ 370-375

~~(6) The types of offenders for whom GPS monitoring would be beneficial, the appropriate length for monitoring, and the costs related to GPS monitoring.~~ 376-378

~~(C) Upon completion of the study specified in division (B) of this section, the department shall submit copies of the study to the president and minority leader of the senate, the speaker and minority leader of the house of representatives, and the governor.~~ 379-383

(B) (1) On and after the effective date of this amendment, each global positioning system monitor that is used to monitor a GPS-monitored offender shall specify and monitor restrictions for the offender. The restrictions shall include for the offender inclusionary zones and exclusionary zones, and may include for the offender a curfew specifying times of required presence in the inclusionary zone and any other reasonable restrictions. 384-391

(2) On or after the effective date of this amendment, the department of rehabilitation and correction shall contract with a single vendor for global positioning system monitoring of GPS-monitored offenders under this section. Any contract that the department of rehabilitation and correction enters into on or after the effective date of this amendment with a vendor for global positioning system monitoring of GPS-monitored offenders shall require all of the following: 392-399

(a) That the global positioning system used by the vendor 400
to perform the actual monitoring of the offender include a crime 401
scene correlation program; 402

(b) That the crime scene correlation program included in 403
the vendor's global positioning system to perform the actual 404
monitoring of the offender will allow local law enforcement 405
representatives or their designees to obtain, without need for a 406
subpoena or warrant, real-time access or active global 407
positioning system access to information contained in the 408
program about a GPS-monitored offender's location at that time 409
and, to the extent that it is available, at other previous 410
points in time identified by the representative or designee, 411
about the location of recent criminal activity in or near the 412
offender's inclusionary or exclusionary zones, and about any 413
possible connection between the offender's location and that 414
recent criminal activity; 415

(c) That the global positioning system used by the vendor 416
to perform the actual monitoring of the offender be monitored 417
continuously and that the access described in division (B) (2) (b) 418
of this section be afforded twenty-four hours a day and seven 419
days a week. 420

(C) (1) On and after the effective date of this amendment, 421
the vendor used for global positioning system monitoring of a 422
GPS-monitored offender shall comply in the monitoring of the 423
offender with system requirements of the department of 424
rehabilitation and correction that exist on that date for global 425
positioning system monitoring of such offenders. 426

(2) If, on the effective date of this amendment, the 427
department of rehabilitation and correction has not established 428
system requirements of the type described in division (C) (1) of 429

this section, within a reasonable period of time after that 430
effective date, the department shall establish system 431
requirements for global positioning system monitoring of GPS- 432
monitored offenders. After establishment of the requirements, 433
the department and the vendor used for global positioning system 434
monitoring shall comply with the established system requirements 435
in the monitoring of a GPS-monitored offender. 436

(D) The department of rehabilitation and correction may, 437
in accordance with Chapter 119. of the Revised Code, adopt rules 438
prescribing procedures for implementing the global positioning 439
system monitoring of a GPS-monitored offender under this 440
section. 441

Sec. 5589.21. (A) No railroad company shall obstruct, or 442
permit or cause to be obstructed a public street, road, or 443
highway, by permitting a railroad car, locomotive, or other 444
obstruction to remain upon or across it for longer than five 445
minutes, to the hindrance or inconvenience of travelers or a 446
person passing along or upon such street, road, or highway. 447

(B) At the end of each five minute period of obstruction 448
of a public street, road, or highway, each railroad company 449
shall cause such railroad car, locomotive, or other obstruction 450
to be removed for sufficient time, not less than three minutes, 451
to allow the passage of persons and vehicles waiting to cross. 452

(C) This section does not apply to obstruction of a public 453
street, road, or highway by a continuously moving through train 454
or caused by circumstances wholly beyond the control of the 455
railroad company, but does apply to other obstructions, 456
including without limitation those caused by stopped trains and 457
trains engaged in switching, loading, or unloading operations. 458

(D) If a railroad car, locomotive, or other obstruction is obstructing a public street, road, or highway in violation of division (A) of this section and the violation occurs in the unincorporated area of one or more counties, or in one or more municipal corporations, the officers and employees of each affected county or municipal corporation may charge the railroad company with only one violation of the law arising from the same facts and circumstances and the same act.

(E) Upon the filing of an affidavit or complaint for violation of division (A) of this section, summons shall be issued to the railroad company pursuant to division ~~(B)~~(C) of section 2935.10 of the Revised Code, which summons shall be served on the regular ticket or freight agent of the company in the county where the offense occurred.

Sec. 5589.211. No railroad company shall obstruct, or permit or cause to be obstructed, a public street, road, or highway, by permitting any part of a train whose crew has abandoned the locomotive to remain across it for longer than five minutes to the hindrance or inconvenience of travelers or a person passing along or upon the street, road, or highway, unless the safety of the train crew requires them to abandon the locomotive.

Upon the filing of an affidavit or complaint for violation of this section, summons shall be issued to the railroad company pursuant to division ~~(B)~~(C) of section 2935.10 of the Revised Code, which summons shall be served on the regular ticket or freight agent of the company in the county where the offense occurred.

Section 2. That existing sections 2929.141, 2929.34, 2935.10, 2935.11, 5120.021, 5120.038, 5589.21, and 5589.211 of

the Revised Code are hereby repealed. 489

Section 3. This act shall be known as the Reagan Tokes and 490
Patrick Heringer Act. 491