

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 690

Representatives Young, White, A.

Cosponsor: Representative Willis

To amend sections 2903.06, 2903.08, 2903.081, and 1
2903.13 and to enact section 4511.461 of the 2
Revised Code to establish penalties for failing 3
to obey a school crossing guard and other 4
associated offenses. 5

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

Section 1. That sections 2903.06, 2903.08, 2903.081, and 6
2903.13 be amended and section 4511.461 of the Revised Code be 7
enacted to read as follows: 8

Sec. 2903.06. (A) No person, while operating or 9
participating in the operation of a motor vehicle, motorcycle, 10
utility vehicle, mini-truck, snowmobile, locomotive, watercraft, 11
or aircraft, shall cause the death of another or the unlawful 12
termination of another's pregnancy in any of the following ways: 13

(1) As the proximate result of committing an OVI offense. 14

(2) In one of the following ways: 15

(a) Recklessly; 16

(b) As the proximate result of committing, while operating 17
or participating in the operation of a motor vehicle, utility 18

vehicle, mini-truck, or motorcycle in a construction zone, a 19
reckless operation offense, provided that this division applies 20
only if the person whose death is caused or whose pregnancy is 21
unlawfully terminated is in the construction zone at the time of 22
the offender's commission of the reckless operation offense in 23
the construction zone and does not apply as described in 24
division (F) of this section; 25

(c) As the proximate result of committing a violation of 26
division (C) of section 4511.461 of the Revised Code. 27

(3) In one of the following ways: 28

(a) Negligently; 29

(b) As the proximate result of committing, while operating 30
or participating in the operation of a motor vehicle, utility 31
vehicle, mini-truck, or motorcycle in a construction zone, a 32
speeding offense, provided that this division applies only if 33
the person whose death is caused or whose pregnancy is 34
unlawfully terminated is in the construction zone at the time of 35
the offender's commission of the speeding offense in the 36
construction zone and does not apply as described in division 37
(F) of this section. 38

(4) As the proximate result of committing a violation of 39
any provision of any section contained in Title XLV of the 40
Revised Code that is a minor misdemeanor or of a municipal 41
ordinance that, regardless of the penalty set by ordinance for 42
the violation, is substantially equivalent to any provision of 43
any section contained in Title XLV of the Revised Code that is a 44
minor misdemeanor. 45

(B) (1) Whoever violates division (A) (1) or (2) of this 46
section is guilty of aggravated vehicular homicide and shall be 47

punished as provided in divisions (B) (2) and (3) of this 48
section. 49

(2) (a) Except as otherwise provided in division (B) (2) (b), 50
(c), or (d) of this section, aggravated vehicular homicide 51
committed in violation of division (A) (1) of this section is a 52
felony of the second degree and the court shall impose a 53
mandatory prison term on the offender as described in division 54
(E) of this section. 55

(b) Except as otherwise provided in division (B) (2) (c) or 56
(d) of this section, aggravated vehicular homicide committed in 57
violation of division (A) (1) of this section is a felony of the 58
first degree, and the court shall impose a mandatory prison term 59
on the offender as described in division (E) of this section, if 60
any of the following apply: 61

(i) At the time of the offense, the offender was driving 62
under a suspension or cancellation imposed under Chapter 4510. 63
or any other provision of the Revised Code or was operating a 64
motor vehicle or motorcycle, did not have a valid driver's 65
license, commercial driver's license, temporary instruction 66
permit, probationary license, or nonresident operating 67
privilege, and was not eligible for renewal of the offender's 68
driver's license or commercial driver's license without 69
examination under section 4507.10 of the Revised Code. 70

(ii) The offender previously has been convicted of or 71
pleaded guilty to one prior OVI offense within the previous 72
twenty years. 73

(iii) The offender previously has been convicted of or 74
pleaded guilty to one prior traffic-related homicide, 75
manslaughter, or assault offense within the previous twenty 76

years. 77

(c) Except as otherwise provided in division (B) (2) (d) of 78
this section, aggravated vehicular homicide committed in 79
violation of division (A) (1) of this section is a felony of the 80
first degree, and the court shall sentence the offender to a 81
mandatory prison term as provided in section 2929.142 of the 82
Revised Code and described in division (E) of this section if 83
any of the following apply: 84

(i) The offender previously has been convicted of or 85
pleaded guilty to two prior OVI offenses within the previous 86
twenty years. 87

(ii) The offender previously has been convicted of or 88
pleaded guilty to two prior traffic-related homicide, 89
manslaughter, or assault offenses within the previous twenty 90
years. 91

(iii) The offender previously has been convicted of or 92
pleaded guilty to two prior violations of any combination of the 93
offenses listed in division (B) (2) (c) (i) and (ii) of this 94
section within the previous twenty years. 95

(d) Aggravated vehicular homicide committed in violation 96
of division (A) (1) of this section is a felony of the first 97
degree, and the court shall sentence the offender to a mandatory 98
prison term as provided in section 2929.142 of the Revised Code 99
and described in division (E) of this section if any of the 100
following apply: 101

(i) The offender previously has been convicted of or 102
pleaded guilty to three or more prior OVI offenses within the 103
previous twenty years. 104

(ii) The offender previously has been convicted of or 105

pleaded guilty to three or more prior traffic-related homicide, 106
manslaughter, or assault offenses within the previous twenty 107
years. 108

(iii) The offender previously has been convicted of or 109
pleaded guilty to three or more prior violations of any 110
combination of the offenses listed in divisions (B) (2) (d) (i) and 111
(ii) of this section within the previous twenty years. 112

(e) In addition to any other sanctions imposed pursuant to 113
division (B) (2) (a), (b), (c), or (d) of this section for 114
aggravated vehicular homicide committed in violation of division 115
(A) (1) of this section, the court shall impose upon the offender 116
a class one suspension of the offender's driver's license, 117
commercial driver's license, temporary instruction permit, 118
probationary license, or nonresident operating privilege as 119
specified in division (A) (1) of section 4510.02 of the Revised 120
Code. 121

Divisions (A) (1) to (3) of section 4510.54 of the Revised 122
Code apply to a suspension imposed under division (B) (2) (e) of 123
this section. 124

(f) Notwithstanding section 2929.18 of the Revised Code, 125
and in addition to any other sanctions imposed pursuant to 126
division (B) (2) of this section for aggravated vehicular 127
homicide committed in violation of division (A) (1) of this 128
section, the court shall impose upon the offender a fine of not 129
more than twenty-five thousand dollars. 130

(3) Except as otherwise provided in this division, 131
aggravated vehicular homicide committed in violation of division 132
(A) (2) of this section is a felony of the third degree. 133
Aggravated vehicular homicide committed in violation of division 134

(A) (2) of this section is a felony of the second degree if, at 135
the time of the offense, the offender was driving under a 136
suspension or cancellation imposed under Chapter 4510. or any 137
other provision of the Revised Code or was operating a motor 138
vehicle or motorcycle, did not have a valid driver's license, 139
commercial driver's license, temporary instruction permit, 140
probationary license, or nonresident operating privilege, and 141
was not eligible for renewal of the offender's driver's license 142
or commercial driver's license without examination under section 143
4507.10 of the Revised Code or if the offender previously has 144
been convicted of or pleaded guilty to a violation of this 145
section or any traffic-related homicide, manslaughter, or 146
assault offense. The court shall impose a mandatory prison term 147
on the offender when required by division (E) of this section. 148

In addition to any other sanctions imposed pursuant to 149
this division for a violation of division (A) (2) of this 150
section, the court shall impose upon the offender a class two 151
suspension of the offender's driver's license, commercial 152
driver's license, temporary instruction permit, probationary 153
license, or nonresident operating privilege from the range 154
specified in division (A) (2) of section 4510.02 of the Revised 155
Code or, if the offender previously has been convicted of or 156
pleaded guilty to a traffic-related murder, felonious assault, 157
or attempted murder offense, a class one suspension of the 158
offender's driver's license, commercial driver's license, 159
temporary instruction permit, probationary license, or 160
nonresident operating privilege as specified in division (A) (1) 161
of that section. 162

(C) Whoever violates division (A) (3) of this section is 163
guilty of vehicular homicide. Except as otherwise provided in 164
this division, vehicular homicide is a misdemeanor of the first 165

degree. Vehicular homicide committed in violation of division 166
(A) (3) of this section is a felony of the fourth degree if, at 167
the time of the offense, the offender was driving under a 168
suspension or cancellation imposed under Chapter 4510. or any 169
other provision of the Revised Code or was operating a motor 170
vehicle or motorcycle, did not have a valid driver's license, 171
commercial driver's license, temporary instruction permit, 172
probationary license, or nonresident operating privilege, and 173
was not eligible for renewal of the offender's driver's license 174
or commercial driver's license without examination under section 175
4507.10 of the Revised Code or if the offender previously has 176
been convicted of or pleaded guilty to a violation of this 177
section or any traffic-related homicide, manslaughter, or 178
assault offense. The court shall impose a mandatory jail term or 179
a mandatory prison term on the offender when required by 180
division (E) of this section. 181

In addition to any other sanctions imposed pursuant to 182
this division, the court shall impose upon the offender a class 183
four suspension of the offender's driver's license, commercial 184
driver's license, temporary instruction permit, probationary 185
license, or nonresident operating privilege from the range 186
specified in division (A) (4) of section 4510.02 of the Revised 187
Code, or, if the offender previously has been convicted of or 188
pleaded guilty to a violation of this section or any traffic- 189
related homicide, manslaughter, or assault offense, a class 190
three suspension of the offender's driver's license, commercial 191
driver's license, temporary instruction permit, probationary 192
license, or nonresident operating privilege from the range 193
specified in division (A) (3) of that section, or, if the 194
offender previously has been convicted of or pleaded guilty to a 195
traffic-related murder, felonious assault, or attempted murder 196

offense, a class two suspension of the offender's driver's 197
license, commercial driver's license, temporary instruction 198
permit, probationary license, or nonresident operating privilege 199
as specified in division (A) (2) of that section. 200

(D) Whoever violates division (A) (4) of this section is 201
guilty of vehicular manslaughter. Except as otherwise provided 202
in this division, vehicular manslaughter is a misdemeanor of the 203
second degree. Vehicular manslaughter is a misdemeanor of the 204
first degree if, at the time of the offense, the offender was 205
driving under a suspension or cancellation imposed under Chapter 206
4510. or any other provision of the Revised Code or was 207
operating a motor vehicle or motorcycle, did not have a valid 208
driver's license, commercial driver's license, temporary 209
instruction permit, probationary license, or nonresident 210
operating privilege, and was not eligible for renewal of the 211
offender's driver's license or commercial driver's license 212
without examination under section 4507.10 of the Revised Code or 213
if the offender previously has been convicted of or pleaded 214
guilty to a violation of this section or any traffic-related 215
homicide, manslaughter, or assault offense. 216

In addition to any other sanctions imposed pursuant to 217
this division, the court shall impose upon the offender a class 218
six suspension of the offender's driver's license, commercial 219
driver's license, temporary instruction permit, probationary 220
license, or nonresident operating privilege from the range 221
specified in division (A) (6) of section 4510.02 of the Revised 222
Code or, if the offender previously has been convicted of or 223
pleaded guilty to a violation of this section, any traffic- 224
related homicide, manslaughter, or assault offense, or a 225
traffic-related murder, felonious assault, or attempted murder 226
offense, a class four suspension of the offender's driver's 227

license, commercial driver's license, temporary instruction 228
permit, probationary license, or nonresident operating privilege 229
from the range specified in division (A) (4) of that section. 230

(E) (1) The court shall impose a mandatory prison term on 231
an offender who is convicted of or pleads guilty to a violation 232
of division (A) (1) of this section. Except as otherwise provided 233
in this division, the mandatory prison term shall be a definite 234
term from the range of prison terms provided in division (A) (1) 235
(b) of section 2929.14 of the Revised Code for a felony of the 236
first degree or from division (A) (2) (b) of that section for a 237
felony of the second degree, whichever is applicable, except 238
that if the violation is committed on or after March 22, 2019, 239
the court shall impose as the minimum prison term for the 240
offense a mandatory prison term that is one of the minimum terms 241
prescribed for a felony of the first degree in division (A) (1) 242
(a) of section 2929.14 of the Revised Code or one of the terms 243
prescribed for a felony of the second degree in division (A) (2) 244
(a) of that section, whichever is applicable. If division (B) (2) 245
(c) or (d) of this section applies to an offender who is 246
convicted of or pleads guilty to the violation of division (A) 247
(1) of this section, the court shall impose the mandatory prison 248
term pursuant to division (A) or (B) of section 2929.142 of the 249
Revised Code, as applicable. The court shall impose a mandatory 250
jail term of at least fifteen days on an offender who is 251
convicted of or pleads guilty to a misdemeanor violation of 252
division (A) (3) (b) of this section and may impose upon the 253
offender a longer jail term as authorized pursuant to section 254
2929.24 of the Revised Code. 255

(2) The court shall impose a mandatory prison term on an 256
offender who is convicted of or pleads guilty to a violation of 257
division (A) (2) or (3) (a) of this section or a felony violation 258

of division (A) (3) (b) of this section if either division (E) (2) 259
(a) or (b) of this section applies. The mandatory prison term 260
shall be a definite term from the range of prison terms provided 261
in division (A) (3) (a) of section 2929.14 of the Revised Code for 262
a felony of the third degree or from division (A) (4) of that 263
section for a felony of the fourth degree, whichever is 264
applicable. The court shall impose a mandatory prison term on an 265
offender in a category described in this division if either of 266
the following applies: 267

(a) The offender previously has been convicted of or 268
pleaded guilty to a violation of this section or section 2903.08 269
of the Revised Code. 270

(b) At the time of the offense, the offender was driving 271
under suspension or cancellation under Chapter 4510. or any 272
other provision of the Revised Code or was operating a motor 273
vehicle or motorcycle, did not have a valid driver's license, 274
commercial driver's license, temporary instruction permit, 275
probationary license, or nonresident operating privilege, and 276
was not eligible for renewal of the offender's driver's license 277
or commercial driver's license without examination under section 278
4507.10 of the Revised Code. 279

(F) Divisions (A) (2) (b) and (3) (b) of this section do not 280
apply in a particular construction zone unless signs of the type 281
described in section 2903.081 of the Revised Code are erected in 282
that construction zone in accordance with the guidelines and 283
design specifications established by the director of 284
transportation under section 5501.27 of the Revised Code. The 285
failure to erect signs of the type described in section 2903.081 286
of the Revised Code in a particular construction zone in 287
accordance with those guidelines and design specifications does 288

not limit or affect the application of division (A) (1), (A) (2) 289
(a), (A) (2) (c), (A) (3) (a), or (A) (4) of this section in that 290
construction zone or the prosecution of any person who violates 291
any of those divisions in that construction zone. 292

(G) (1) As used in this section: 293

(a) "Mandatory prison term" and "mandatory jail term" have 294
the same meanings as in section 2929.01 of the Revised Code. 295

(b) "Traffic-related homicide, manslaughter, or assault 296
offense" means a violation of section 2903.04 of the Revised 297
Code in circumstances in which division (D) of that section 298
applies, a violation of section 2903.06 or 2903.08 of the 299
Revised Code, or a violation of section 2903.06, 2903.07, or 300
2903.08 of the Revised Code as they existed prior to March 23, 301
2000. 302

(c) "Construction zone" has the same meaning as in section 303
5501.27 of the Revised Code. 304

(d) "Reckless operation offense" means a violation of 305
section 4511.20 of the Revised Code or a municipal ordinance 306
substantially equivalent to section 4511.20 of the Revised Code. 307

(e) "Speeding offense" means a violation of section 308
4511.21 of the Revised Code or a municipal ordinance pertaining 309
to speed. 310

(f) "Traffic-related murder, felonious assault, or 311
attempted murder offense" means a violation of section 2903.01 312
or 2903.02 of the Revised Code in circumstances in which the 313
offender used a motor vehicle as the means to commit the 314
violation, a violation of division (A) (2) of section 2903.11 of 315
the Revised Code in circumstances in which the deadly weapon 316
used in the commission of the violation is a motor vehicle, or 317

an attempt to commit aggravated murder or murder in violation of 318
section 2923.02 of the Revised Code in circumstances in which 319
the offender used a motor vehicle as the means to attempt to 320
commit the aggravated murder or murder. 321

(g) "Motor vehicle," "mini-truck," and "utility vehicle" 322
have the same meanings as in section 4501.01 of the Revised 323
Code. 324

(h) "OVI offense" means a violation of division (A) of 325
section 4511.19 of the Revised Code, a violation of division (A) 326
of section 1547.11 of the Revised Code, a violation of division 327
(A) (3) of section 4561.15 of the Revised Code, or a 328
substantially equivalent municipal ordinance. 329

(2) For the purposes of this section, when a penalty or 330
suspension is enhanced because of a prior or current violation 331
of a specified law or a prior or current specified offense, the 332
reference to the violation of the specified law or the specified 333
offense includes any violation of any substantially equivalent 334
municipal ordinance, former law of this state, or current or 335
former law of another state or the United States. 336

Sec. 2903.08. (A) No person, while operating or 337
participating in the operation of a motor vehicle, motorcycle, 338
utility vehicle, mini-truck, snowmobile, locomotive, watercraft, 339
or aircraft, shall cause serious physical harm to another person 340
or another's unborn in any of the following ways: 341

(1) (a) As the proximate result of committing a violation 342
of division (A) of section 4511.19 of the Revised Code or of a 343
substantially equivalent municipal ordinance; 344

(b) As the proximate result of committing a violation of 345
division (A) of section 1547.11 of the Revised Code or of a 346

substantially equivalent municipal ordinance; 347

(c) As the proximate result of committing a violation of 348
division (A) (3) of section 4561.15 of the Revised Code or of a 349
substantially equivalent municipal ordinance. 350

(2) In one of the following ways: 351

(a) As the proximate result of committing, while operating 352
or participating in the operation of a motor vehicle, utility 353
vehicle, mini-truck, or motorcycle in a construction zone, a 354
reckless operation offense, provided that this division applies 355
only if the person to whom the serious physical harm is caused 356
or to whose unborn the serious physical harm is caused is in the 357
construction zone at the time of the offender's commission of 358
the reckless operation offense in the construction zone and does 359
not apply as described in division (E) of this section; 360

(b) Recklessly; 361

(c) As the proximate result of committing a violation of 362
division (C) of section 4511.461 of the Revised Code. 363

(3) As the proximate result of committing, while operating 364
or participating in the operation of a motor vehicle, utility 365
vehicle, mini-truck, or motorcycle in a construction zone, a 366
speeding offense, provided that this division applies only if 367
the person to whom the serious physical harm is caused or to 368
whose unborn the serious physical harm is caused is in the 369
construction zone at the time of the offender's commission of 370
the speeding offense in the construction zone and does not apply 371
as described in division (E) of this section. 372

(B) (1) Whoever violates division (A) (1) of this section is 373
guilty of aggravated vehicular assault. Except as otherwise 374
provided in this division, aggravated vehicular assault is a 375

felony of the third degree. Aggravated vehicular assault is a 376
felony of the second degree if any of the following apply: 377

(a) At the time of the offense, the offender was driving 378
under a suspension imposed under Chapter 4510. or any other 379
provision of the Revised Code. 380

(b) The offender previously has been convicted of or 381
pleaded guilty to a violation of this section. 382

(c) The offender previously has been convicted of or 383
pleaded guilty to any traffic-related homicide, manslaughter, or 384
assault offense. 385

(d) The offender previously has been convicted of or 386
pleaded guilty to three or more prior violations of division (A) 387
of section 4511.19 of the Revised Code or a substantially 388
equivalent municipal ordinance within the previous ten years. 389

(e) The offender previously has been convicted of or 390
pleaded guilty to three or more prior violations of division (A) 391
of section 1547.11 of the Revised Code or of a substantially 392
equivalent municipal ordinance within the previous ten years. 393

(f) The offender previously has been convicted of or 394
pleaded guilty to three or more prior violations of division (A) 395
(3) of section 4561.15 of the Revised Code or of a substantially 396
equivalent municipal ordinance within the previous ten years. 397

(g) The offender previously has been convicted of or 398
pleaded guilty to three or more prior violations of any 399
combination of the offenses listed in division (B) (1) (d), (e), 400
or (f) of this section. 401

(h) The offender previously has been convicted of or 402
pleaded guilty to a second or subsequent felony violation of 403

division (A) of section 4511.19 of the Revised Code. 404

(2) In addition to any other sanctions imposed pursuant to 405
division (B)(1) of this section, except as otherwise provided in 406
this division, the court shall impose upon the offender a class 407
three suspension of the offender's driver's license, commercial 408
driver's license, temporary instruction permit, probationary 409
license, or nonresident operating privilege from the range 410
specified in division (A)(3) of section 4510.02 of the Revised 411
Code. If the offender previously has been convicted of or 412
pleaded guilty to a violation of this section, any traffic- 413
related homicide, manslaughter, or assault offense, or any 414
traffic-related murder, felonious assault, or attempted murder 415
offense, the court shall impose either a class two suspension of 416
the offender's driver's license, commercial driver's license, 417
temporary instruction permit, probationary license, or 418
nonresident operating privilege from the range specified in 419
division (A)(2) of that section or a class one suspension as 420
specified in division (A)(1) of that section. 421

(C)(1) Whoever violates division (A)(2) or (3) of this 422
section is guilty of vehicular assault and shall be punished as 423
provided in divisions (C)(2) and (3) of this section. 424

(2) Except as otherwise provided in this division, 425
vehicular assault committed in violation of division (A)(2) of 426
this section is a felony of the fourth degree. Vehicular assault 427
committed in violation of division (A)(2) of this section is a 428
felony of the third degree if, at the time of the offense, the 429
offender was driving under a suspension imposed under Chapter 430
4510. or any other provision of the Revised Code, if the 431
offender previously has been convicted of or pleaded guilty to a 432
violation of this section or any traffic-related homicide, 433

manslaughter, or assault offense, or if, in the same course of 434
conduct that resulted in the violation of division (A)(2) of 435
this section, the offender also violated section 4549.02, 436
4549.021, or 4549.03 of the Revised Code. 437

In addition to any other sanctions imposed, the court 438
shall impose upon the offender a class four suspension of the 439
offender's driver's license, commercial driver's license, 440
temporary instruction permit, probationary license, or 441
nonresident operating privilege from the range specified in 442
division (A)(4) of section 4510.02 of the Revised Code or, if 443
the offender previously has been convicted of or pleaded guilty 444
to a violation of this section, any traffic-related homicide, 445
manslaughter, or assault offense, or any traffic-related murder, 446
felonious assault, or attempted murder offense, a class three 447
suspension of the offender's driver's license, commercial 448
driver's license, temporary instruction permit, probationary 449
license, or nonresident operating privilege from the range 450
specified in division (A)(3) of that section. 451

(3) Except as otherwise provided in this division, 452
vehicular assault committed in violation of division (A)(3) of 453
this section is a misdemeanor of the first degree. Vehicular 454
assault committed in violation of division (A)(3) of this 455
section is a felony of the fourth degree if, at the time of the 456
offense, the offender was driving under a suspension imposed 457
under Chapter 4510. or any other provision of the Revised Code 458
or if the offender previously has been convicted of or pleaded 459
guilty to a violation of this section or any traffic-related 460
homicide, manslaughter, or assault offense. 461

In addition to any other sanctions imposed, the court 462
shall impose upon the offender a class four suspension of the 463

offender's driver's license, commercial driver's license, 464
temporary instruction permit, probationary license, or 465
nonresident operating privilege from the range specified in 466
division (A) (4) of section 4510.02 of the Revised Code or, if 467
the offender previously has been convicted of or pleaded guilty 468
to a violation of this section, any traffic-related homicide, 469
manslaughter, or assault offense, or any traffic-related murder, 470
felonious assault, or attempted murder offense, a class three 471
suspension of the offender's driver's license, commercial 472
driver's license, temporary instruction permit, probationary 473
license, or nonresident operating privilege from the range 474
specified in division (A) (3) of section 4510.02 of the Revised 475
Code. 476

(D) (1) The court shall impose a mandatory prison term, as 477
described in division (D) (4) of this section, on an offender who 478
is convicted of or pleads guilty to a violation of division (A) 479
(1) of this section. 480

(2) The court shall impose a mandatory prison term, as 481
described in division (D) (4) of this section, on an offender who 482
is convicted of or pleads guilty to a violation of division (A) 483
(2) of this section or a felony violation of division (A) (3) of 484
this section if either of the following applies: 485

(a) The offender previously has been convicted of or 486
pleaded guilty to a violation of this section or section 2903.06 487
of the Revised Code. 488

(b) At the time of the offense, the offender was driving 489
under suspension under Chapter 4510. or any other provision of 490
the Revised Code. 491

(3) The court shall impose a mandatory jail term of at 492

least seven days on an offender who is convicted of or pleads 493
guilty to a misdemeanor violation of division (A) (3) of this 494
section and may impose upon the offender a longer jail term as 495
authorized pursuant to section 2929.24 of the Revised Code. 496

(4) A mandatory prison term required under division (D) (1) 497
or (2) of this section shall be a definite term from the range 498
of prison terms provided in division (A) (2) (b) of section 499
2929.14 of the Revised Code for a felony of the second degree, 500
from division (A) (3) (a) of that section for a felony of the 501
third degree, or from division (A) (4) of that section for a 502
felony of the fourth degree, whichever is applicable, except 503
that if the violation is a felony of the second degree committed 504
on or after March 22, 2019, the court shall impose as the 505
minimum prison term for the offense a mandatory prison term that 506
is one of the minimum terms prescribed for a felony of the 507
second degree in division (A) (2) (a) of section 2929.14 of the 508
Revised Code. 509

(E) Divisions (A) (2) (a) and (3) of this section do not 510
apply in a particular construction zone unless signs of the type 511
described in section 2903.081 of the Revised Code are erected in 512
that construction zone in accordance with the guidelines and 513
design specifications established by the director of 514
transportation under section 5501.27 of the Revised Code. The 515
failure to erect signs of the type described in section 2903.081 516
of the Revised Code in a particular construction zone in 517
accordance with those guidelines and design specifications does 518
not limit or affect the application of division (A) (1) ~~or~~, (2) 519
(b), or (2) (c) of this section in that construction zone or the 520
prosecution of any person who violates either of those divisions 521
in that construction zone. 522

(F) As used in this section:	523
(1) "Mandatory prison term" and "mandatory jail term" have the same meanings as in section 2929.01 of the Revised Code.	524 525
(2) "Traffic-related homicide, manslaughter, or assault offense" and "traffic-related murder, felonious assault, or attempted murder offense" have the same meanings as in section 2903.06 of the Revised Code.	526 527 528 529
(3) "Construction zone" has the same meaning as in section 5501.27 of the Revised Code.	530 531
(4) "Reckless operation offense" and "speeding offense" have the same meanings as in section 2903.06 of the Revised Code.	532 533 534
(G) For the purposes of this section, when a penalty or suspension is enhanced because of a prior or current violation of a specified law or a prior or current specified offense, the reference to the violation of the specified law or the specified offense includes any violation of any substantially equivalent municipal ordinance, former law of this state, or current or former law of another state or the United States.	535 536 537 538 539 540 541
Sec. 2903.081. (A) As used in this section:	542
(1) "Construction zone" has the same meaning as in section 5501.27 of the Revised Code.	543 544
(2) "Reckless operation offense" and "speeding offense" have the same meanings as in section 2903.06 of the Revised Code.	545 546 547
(B) The director of transportation, board of county commissioners, or board of township trustees shall cause signs to be erected in construction zones notifying motorists of the	548 549 550

prohibitions set forth in sections 2903.06 and 2903.08 of the Revised Code regarding the death of or injury to any person in the construction zone as a proximate result of a reckless operation offense or speeding offense in the construction zone. The prohibitions set forth in divisions (A) (2) (b) and (3) (b) of section 2903.06 and divisions (A) (2) (a) and (3) of section 2903.08 of the Revised Code apply to persons who commit a reckless operation offense or speeding offense in a particular construction zone only when signs of that nature are erected in that construction zone in accordance with the guidelines and design specifications established by the director under section 5501.27 of the Revised Code. The failure to erect signs of that nature in a particular construction zone in accordance with those guidelines and design specifications does not limit or affect the application of division (A) (1), (A) (2) (a), (A) (2) (c), (A) (3) (a), or (A) (4) of section 2903.06 or division (A) (1) ~~or,~~ (2) (b), or (2) (c) of section 2903.08 of the Revised Code in that construction zone or the prosecution of any person who violates either of those divisions in that construction zone.

Sec. 2903.13. (A) No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn.

(B) No person shall recklessly cause serious physical harm to another or to another's unborn.

(C) (1) Whoever violates this section is guilty of assault, and the court shall sentence the offender as provided in this division and divisions (C) (1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) of this section. Except as otherwise provided in division (C) (2), (3), (4), (5), (6), (7), (8), or (9) of this section, assault is a misdemeanor of the first degree.

(2) Except as otherwise provided in this division, if the offense is committed by a caretaker against a person with a functional impairment under the caretaker's care, assault is a felony of the fourth degree. If the offense is committed by a caretaker against a person with a functional impairment under the caretaker's care, if the offender previously has been convicted of or pleaded guilty to a violation of this section or section 2903.11 or 2903.16 of the Revised Code, and if in relation to the previous conviction the offender was a caretaker and the victim was a person with a functional impairment under the offender's care, assault is a felony of the third degree.

(3) If the offense occurs in or on the grounds of a state correctional institution or an institution of the department of youth services, the victim of the offense is an employee of the department of rehabilitation and correction or the department of youth services, and the offense is committed by a person incarcerated in the state correctional institution or by a person institutionalized in the department of youth services institution pursuant to a commitment to the department of youth services, assault is a felony of the third degree.

(4) If the offense is committed in any of the following circumstances, assault is a felony of the fifth degree:

(a) The offense occurs in or on the grounds of a local correctional facility, the victim of the offense is an employee of the local correctional facility or a probation department or is on the premises of the facility for business purposes or as a visitor, and the offense is committed by a person who is under custody in the facility subsequent to the person's arrest for any crime or delinquent act, subsequent to the person's being charged with or convicted of any crime, or subsequent to the

person's being alleged to be or adjudicated a delinquent child. 611

(b) The offense occurs off the grounds of a state 612
correctional institution and off the grounds of an institution 613
of the department of youth services, the victim of the offense 614
is an employee of the department of rehabilitation and 615
correction, the department of youth services, or a probation 616
department, the offense occurs during the employee's official 617
work hours and while the employee is engaged in official work 618
responsibilities, and the offense is committed by a person 619
incarcerated in a state correctional institution or 620
institutionalized in the department of youth services who 621
temporarily is outside of the institution for any purpose, by a 622
parolee, by an offender under transitional control, under a 623
community control sanction, or on an escorted visit, by a person 624
under post-release control, or by an offender under any other 625
type of supervision by a government agency. 626

(c) The offense occurs off the grounds of a local 627
correctional facility, the victim of the offense is an employee 628
of the local correctional facility or a probation department, 629
the offense occurs during the employee's official work hours and 630
while the employee is engaged in official work responsibilities, 631
and the offense is committed by a person who is under custody in 632
the facility subsequent to the person's arrest for any crime or 633
delinquent act, subsequent to the person being charged with or 634
convicted of any crime, or subsequent to the person being 635
alleged to be or adjudicated a delinquent child and who 636
temporarily is outside of the facility for any purpose or by a 637
parolee, by an offender under transitional control, under a 638
community control sanction, or on an escorted visit, by a person 639
under post-release control, or by an offender under any other 640
type of supervision by a government agency. 641

(d) The victim of the offense is a school teacher or 642
administrator, school crossing guard performing official duties, 643
or a school bus operator, and the offense occurs in a school, on 644
school premises, in a school building, on a school bus, in a 645
crosswalk or sidewalk that is in or adjacent to a school zone, 646
or while the victim is outside of school premises or a school 647
bus and is engaged in duties or official responsibilities 648
associated with the victim's employment or position as a school 649
teacher or administrator or a school bus operator, including, 650
but not limited to, driving, accompanying, or chaperoning 651
students at or on class or field trips, athletic events, or 652
other school extracurricular activities or functions outside of 653
school premises. 654

(5) If the assault is committed in any of the following 655
circumstances, assault is a felony of the fourth degree: 656

(a) The victim of the offense is a peace officer or an 657
investigator of the bureau of criminal identification and 658
investigation, a firefighter, or a person performing emergency 659
medical service, while in the performance of the officer's, 660
investigator's, firefighter's, or person's official duties. 661

(b) The victim of the offense is an emergency service 662
responder, the offender knows or reasonably should know that the 663
victim is an emergency service responder, and it is the 664
offender's specific purpose to commit the offense against an 665
emergency service responder. 666

(c) The victim of the offense is a family or household 667
member or co-worker of a person who is an emergency service 668
responder, the offender knows or reasonably should know that the 669
victim is a family or household member or co-worker of an 670
emergency service responder, and it is the offender's specific 671

purpose to commit the offense against a family or household 672
member or co-worker of an emergency service responder. 673

(6) If the offense is a felony of the fourth degree under 674
division (C) (5) (a) of this section, if the victim of the offense 675
is a peace officer or an investigator of the bureau of criminal 676
identification and investigation, and if the victim suffered 677
serious physical harm as a result of the commission of the 678
offense, the court, pursuant to division (F) of section 2929.13 679
of the Revised Code, shall impose as a mandatory prison term one 680
of the prison terms prescribed for a felony of the fourth degree 681
that is at least twelve months in duration. 682

(7) If the victim of the offense is an officer or employee 683
of a public children services agency or a private child placing 684
agency and the offense relates to the officer's or employee's 685
performance or anticipated performance of official 686
responsibilities or duties, assault is either a felony of the 687
fifth degree or, if the offender previously has been convicted 688
of or pleaded guilty to an offense of violence, the victim of 689
that prior offense was an officer or employee of a public 690
children services agency or private child placing agency, and 691
that prior offense related to the officer's or employee's 692
performance or anticipated performance of official 693
responsibilities or duties, a felony of the fourth degree. 694

(8) If the victim of the offense is a health care 695
professional of a hospital, a health care worker of a hospital, 696
or a security officer of a hospital whom the offender knows or 697
has reasonable cause to know is a health care professional of a 698
hospital, a health care worker of a hospital, or a security 699
officer of a hospital, if the victim is engaged in the 700
performance of the victim's duties, and if the hospital offers 701

de-escalation or crisis intervention training for such 702
professionals, workers, or officers, assault is one of the 703
following: 704

(a) Except as otherwise provided in division (C) (8) (b) of 705
this section, assault committed in the specified circumstances 706
is a misdemeanor of the first degree. Notwithstanding the fine 707
specified in division (A) (2) (a) of section 2929.28 of the 708
Revised Code for a misdemeanor of the first degree, in 709
sentencing the offender under this division and if the court 710
decides to impose a fine, the court may impose upon the offender 711
a fine of not more than five thousand dollars. 712

(b) If the offender previously has been convicted of or 713
pleaded guilty to one or more assault or homicide offenses 714
committed against hospital personnel, assault committed in the 715
specified circumstances is a felony of the fifth degree. 716

(9) If the victim of the offense is a judge, magistrate, 717
prosecutor, or court official or employee whom the offender 718
knows or has reasonable cause to know is a judge, magistrate, 719
prosecutor, or court official or employee, and if the victim is 720
engaged in the performance of the victim's duties, assault is 721
one of the following: 722

(a) Except as otherwise provided in division (C) (9) (b) of 723
this section, assault committed in the specified circumstances 724
is a misdemeanor of the first degree. In sentencing the offender 725
under this division, if the court decides to impose a fine, 726
notwithstanding the fine specified in division (A) (2) (a) of 727
section 2929.28 of the Revised Code for a misdemeanor of the 728
first degree, the court may impose upon the offender a fine of 729
not more than five thousand dollars. 730

(b) If the offender previously has been convicted of or 731
pleaded guilty to one or more assault or homicide offenses 732
committed against justice system personnel, assault committed in 733
the specified circumstances is a felony of the fifth degree. 734

(10) If an offender who is convicted of or pleads guilty 735
to assault when it is a misdemeanor also is convicted of or 736
pleads guilty to a specification as described in section 737
2941.1423 of the Revised Code that was included in the 738
indictment, count in the indictment, or information charging the 739
offense, the court shall sentence the offender to a mandatory 740
jail term as provided in division (F) of section 2929.24 of the 741
Revised Code. 742

If an offender who is convicted of or pleads guilty to 743
assault when it is a felony also is convicted of or pleads 744
guilty to a specification as described in section 2941.1423 of 745
the Revised Code that was included in the indictment, count in 746
the indictment, or information charging the offense, except as 747
otherwise provided in division (C)(6) of this section, the court 748
shall sentence the offender to a mandatory prison term as 749
provided in division (B)(8) of section 2929.14 of the Revised 750
Code. 751

(D) A prosecution for a violation of this section does not 752
preclude a prosecution of a violation of any other section of 753
the Revised Code. One or more acts, a series of acts, or a 754
course of behavior that can be prosecuted under this section or 755
any other section of the Revised Code may be prosecuted under 756
this section, the other section of the Revised Code, or both 757
sections. However, if an offender is convicted of or pleads 758
guilty to a violation of this section and also is convicted of 759
or pleads guilty to a violation of section 2903.22 of the 760

Revised Code based on the same conduct involving the same victim 761
that was the basis of the violation of this section, the two 762
offenses are allied offenses of similar import under section 763
2941.25 of the Revised Code. 764

(E) As used in this section: 765

(1) "Peace officer" has the same meaning as in section 766
2935.01 of the Revised Code. 767

(2) "Firefighter" means any person who is a firefighter as 768
defined in section 3937.41 of the Revised Code and, for purposes 769
of division (E) (21) of this section, also includes a member of a 770
fire department as defined in section 742.01 of the Revised 771
Code. 772

(3) "Emergency medical service" has the same meaning as in 773
section 4765.01 of the Revised Code. 774

(4) "Local correctional facility" means a county, 775
multicounty, municipal, municipal-county, or multicounty- 776
municipal jail or workhouse, a minimum security jail established 777
under section 341.23 or 753.21 of the Revised Code, or another 778
county, multicounty, municipal, municipal-county, or 779
multicounty-municipal facility used for the custody of persons 780
arrested for any crime or delinquent act, persons charged with 781
or convicted of any crime, or persons alleged to be or 782
adjudicated a delinquent child. 783

(5) "Employee of a local correctional facility" means a 784
person who is an employee of the political subdivision or of one 785
or more of the affiliated political subdivisions that operates 786
the local correctional facility and who operates or assists in 787
the operation of the facility. 788

(6) "School teacher or administrator" means either of the 789

following: 790

(a) A person who is employed in the public schools of the 791
state under a contract described in section 3311.77 or 3319.08 792
of the Revised Code in a position in which the person is 793
required to have a certificate issued pursuant to sections 794
3319.22 to 3319.311 of the Revised Code. 795

(b) A person who is employed by a nonpublic school for 796
which the director of education and workforce prescribes minimum 797
standards under section 3301.07 of the Revised Code and who is 798
certificated in accordance with section 3301.071 of the Revised 799
Code. 800

(7) "Community control sanction" has the same meaning as 801
in section 2929.01 of the Revised Code. 802

(8) "Escorted visit" means an escorted visit granted under 803
section 2967.27 of the Revised Code. 804

(9) "Post-release control" and "transitional control" have 805
the same meanings as in section 2967.01 of the Revised Code. 806

(10) "Investigator of the bureau of criminal 807
identification and investigation" has the same meaning as in 808
section 2903.11 of the Revised Code. 809

(11) "Health care professional" and "health care worker" 810
have the same meanings as in section 2305.234 of the Revised 811
Code. 812

(12) "Assault or homicide offense committed against 813
hospital personnel" means a violation of this section or of 814
section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 815
2903.12, or 2903.14 of the Revised Code committed in 816
circumstances in which all of the following apply: 817

(a) The victim of the offense was a health care 818
professional of a hospital, a health care worker of a hospital, 819
or a security officer of a hospital. 820

(b) The offender knew or had reasonable cause to know that 821
the victim was a health care professional of a hospital, a 822
health care worker of a hospital, or a security officer of a 823
hospital. 824

(c) The victim was engaged in the performance of the 825
victim's duties. 826

(d) The hospital offered de-escalation or crisis 827
intervention training for such professionals, workers, or 828
officers. 829

(13) "De-escalation or crisis intervention training" means 830
de-escalation or crisis intervention training for health care 831
professionals of a hospital, health care workers of a hospital, 832
and security officers of a hospital to facilitate interaction 833
with patients, members of a patient's family, and visitors, 834
including those with mental impairments. 835

(14) "Assault or homicide offense committed against 836
justice system personnel" means a violation of this section or 837
of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 838
2903.11, 2903.12, or 2903.14 of the Revised Code committed in 839
circumstances in which the victim of the offense was a judge, 840
magistrate, prosecutor, or court official or employee whom the 841
offender knew or had reasonable cause to know was a judge, 842
magistrate, prosecutor, or court official or employee, and the 843
victim was engaged in the performance of the victim's duties. 844

(15) "Court official or employee" means any official or 845
employee of a court created under the constitution or statutes 846

of this state or of a United States court located in this state. 847

(16) "Judge" means a judge of a court created under the 848
constitution or statutes of this state or of a United States 849
court located in this state. 850

(17) "Magistrate" means an individual who is appointed by 851
a court of record of this state and who has the powers and may 852
perform the functions specified in Civil Rule 53, Criminal Rule 853
19, or Juvenile Rule 40, or an individual who is appointed by a 854
United States court located in this state who has similar powers 855
and functions. 856

(18) "Prosecutor" has the same meaning as in section 857
2935.01 of the Revised Code. 858

(19)(a) "Hospital" means, subject to division (E) (19)(b) 859
of this section, an institution classified as a hospital under 860
section 3701.01 of the Revised Code in which are provided to 861
patients diagnostic, medical, surgical, obstetrical, 862
psychiatric, or rehabilitation care or a hospital operated by a 863
health maintenance organization. 864

(b) "Hospital" does not include any of the following: 865

(i) A facility licensed under Chapter 3721. of the Revised 866
Code, a health care facility operated by the department of 867
~~mental health and addiction services~~ behavioral health or the 868
department of developmental disabilities, a health maintenance 869
organization that does not operate a hospital, or the office of 870
any private, licensed health care professional, whether 871
organized for individual or group practice; 872

(ii) An institution for the sick that is operated 873
exclusively for patients who use spiritual means for healing and 874
for whom the acceptance of medical care is inconsistent with 875

their religious beliefs, accredited by a national accrediting 876
organization, exempt from federal income taxation under section 877
501 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 878
U.S.C. 1, as amended, and providing twenty-four-hour nursing 879
care pursuant to the exemption in division (E) of section 880
4723.32 of the Revised Code from the licensing requirements of 881
Chapter 4723. of the Revised Code. 882

(20) "Health maintenance organization" has the same 883
meaning as in section 3727.01 of the Revised Code. 884

(21) "Emergency service responder" means any law 885
enforcement officer, first responder, emergency medical 886
technician-basic, emergency medical technician-intermediate, 887
emergency medical technician-paramedic, firefighter, or 888
volunteer firefighter. 889

(22) "Family or household member" means any of the 890
following: 891

(a) Any of the following who is residing or has resided 892
with a person who is employed as an emergency service responder: 893

(i) A spouse, a person living as a spouse, or a former 894
spouse of a person who is employed as an emergency service 895
responder; 896

(ii) A parent, a foster parent, or a child of a person who 897
is employed as an emergency service responder, or another person 898
related by consanguinity or affinity to a person who is employed 899
as an emergency service responder; 900

(iii) A parent or a child of a spouse, person living as a 901
spouse, or former spouse of a person who is employed as an 902
emergency service responder, or another person related by 903
consanguinity or affinity to a spouse, person living as a 904

spouse, or former spouse of a person who is employed as an 905
emergency service responder. 906

(b) The natural parent of any child of whom a person who 907
is employed as an emergency service responder is the other 908
natural parent or is the putative other natural parent. 909

(23) "First responder," "emergency medical technician- 910
basic," "emergency medical technician-intermediate," and 911
"emergency medical technician-paramedic" have the same meanings 912
as in section 4765.01 of the Revised Code. 913

(24) "Volunteer firefighter" has the same meaning as in 914
section 146.01 of the Revised Code. 915

(25) "Person living as a spouse" means a person who is 916
living or has lived with a person who is employed as an 917
emergency service responder in a common law marital 918
relationship, who otherwise is cohabiting with a person who is 919
employed as an emergency service responder, or who otherwise has 920
cohabited with a person who is employed as an emergency service 921
responder within five years prior to the date of the alleged 922
commission of the act in question. 923

(26) "Co-worker" means a person who is employed by the 924
organization or entity that is served by a person who is 925
employed as an emergency service responder. 926

(27) "School crossing guard performing official duties" 927
means a formally designated school crossing guard acting in 928
accordance with division (B) of section 4511.461 of the Revised 929
Code. 930

Sec. 4511.461. (A) As used in this section: 931

(1) "School crossing guard" means a person formally 932

designated by a school district, municipality, township, or law 933
enforcement agency to direct traffic through a crosswalk while 934
pedestrians are going to or leaving school during the opening or 935
closing hours. 936

(2) "Official duties" means the actions taken by a school 937
crossing guard while wearing or displaying high-visibility 938
apparel or using a stop paddle, a whistle, or specific hand 939
movements as a means to clearly direct traffic in or near a 940
crosswalk. 941

(3) "School zone" has the same meaning as in section 942
4511.21 of the Revised Code. 943

(4) "Lawful order" means a command given within the scope 944
of the authority granted by statute while the person giving the 945
command is performing official duties. 946

(B) A school crossing guard, while performing official 947
duties, may direct, stop, or otherwise control traffic in order 948
to ensure the safety of a pedestrian using a crosswalk. 949

(C) (1) No person shall knowingly fail to obey a lawful 950
order given by a school crossing guard while the school crossing 951
guard is performing official duties. 952

(2) No person shall knowingly harass, threaten, 953
intimidate, or interfere with a school crossing guard while the 954
school crossing guard is performing official duties. 955

(D) Whoever violates division (C) of this section is 956
guilty of a misdemeanor in the first degree. 957

(E) Notwithstanding division (D) of this section, if the 958
offender was in a school zone at the time of the violation 959
during the hours in which the school zone speed limit was in 960

effect, the court, in addition to all other penalties provided 961
by law, shall impose upon the offender a fine of two times the 962
usual amount imposed for the violation. 963

(F) In addition to all other penalties provided by law, 964
points shall be assessed for a violation of division (C) of this 965
section in accordance with section 4510.036 of the Revised Code. 966

(G) (1) Except as provided in division (G) (2) of this 967
section, a school crossing guard is immune from liability in a 968
civil action to recover damages for injury, death, or loss to 969
person or property allegedly caused by an act or omission in 970
connection with a power, duty, responsibility, or authorization 971
granted to the school crossing guard under this section. 972

(2) The immunity described in division (G) (1) of this 973
section does not apply to a school crossing guard if, in 974
relation to the act or omission in question, any of the 975
following applies: 976

(a) The act or omission was manifestly outside the scope 977
of the school crossing guard's official duties. 978

(b) The act or omission was with malicious purpose, in bad 979
faith, or in a wanton or reckless manner. 980

(c) Liability for the act or omission is expressly imposed 981
by another provision of the Revised Code. 982

Section 2. That existing sections 2903.06, 2903.08, 983
2903.081, and 2903.13 of the Revised Code are hereby repealed. 984