

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 705**

**Representative Williams**

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To amend sections 2929.12, 2929.15, and 2929.25 of  
the Revised Code to prohibit a sentencing court  
from imposing, as a condition of community  
control, a requirement that the offender admit  
guilt if the offender was found guilty after  
entering an Alford plea and to name this act the  
Alford Plea Fairness Act.

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

**Section 1.** That sections 2929.12, 2929.15, and 2929.25 of  
the Revised Code be amended to read as follows:

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**Sec. 2929.12.** (A) Unless otherwise required by section  
2929.13 or 2929.14 of the Revised Code, a court that imposes a  
sentence under this chapter upon an offender for a felony has  
discretion to determine the most effective way to comply with  
the purposes and principles of sentencing set forth in section  
2929.11 of the Revised Code. In exercising that discretion, the  
court shall consider the factors set forth in divisions (B) and  
(C) of this section relating to the seriousness of the conduct,  
the factors provided in divisions (D) and (E) of this section  
relating to the likelihood of the offender's recidivism, the  
factors set forth in division (F) of this section pertaining to  
the offender's service in the armed forces of the United States,

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and the factors set forth in division (G) of this section 22  
relating to Alford pleas and, in addition, may consider any 23  
other factors that are relevant to achieving those purposes and 24  
principles of sentencing. 25

(B) The sentencing court shall consider all of the 26  
following that apply regarding the offender, the offense, or the 27  
victim, and any other relevant factors, as indicating that the 28  
offender's conduct is more serious than conduct normally 29  
constituting the offense: 30

(1) The physical or mental injury suffered by the victim 31  
of the offense due to the conduct of the offender was 32  
exacerbated because of the physical or mental condition or age 33  
of the victim. 34

(2) The victim of the offense suffered serious physical, 35  
psychological, or economic harm, including serious physical harm 36  
the victim caused to the victim's self, as a result of the 37  
offense. 38

(3) The victim died by suicide as a result of the offense. 39

(4) The offender held a public office or position of trust 40  
in the community, and the offense related to that office or 41  
position. 42

(5) The offender's occupation, elected office, or 43  
profession obliged the offender to prevent the offense or bring 44  
others committing it to justice. 45

(6) The offender's professional reputation or occupation, 46  
elected office, or profession was used to facilitate the offense 47  
or is likely to influence the future conduct of others. 48

(7) The offender's relationship with the victim 49

facilitated the offense. 50

(8) The offender committed the offense for hire or as a 51  
part of an organized criminal activity. 52

(9) In committing the offense, the offender was motivated 53  
by prejudice based on race, ethnic background, gender, sexual 54  
orientation, or religion. 55

(10) If the offense is a violation of section 2919.25 or a 56  
violation of section 2903.11, 2903.12, or 2903.13 of the Revised 57  
Code involving a person who was a family or household member at 58  
the time of the violation, the offender committed the offense in 59  
the vicinity of one or more children who are not victims of the 60  
offense, and the offender or the victim of the offense is a 61  
parent, guardian, custodian, or person in loco parentis of one 62  
or more of those children. 63

(C) The sentencing court shall consider all of the 64  
following that apply regarding the offender, the offense, or the 65  
victim, and any other relevant factors, as indicating that the 66  
offender's conduct is less serious than conduct normally 67  
constituting the offense: 68

(1) The victim induced or facilitated the offense. 69

(2) In committing the offense, the offender acted under 70  
strong provocation. 71

(3) In committing the offense, the offender did not cause 72  
or expect to cause physical harm to any person or property. 73

(4) There are substantial grounds to mitigate the 74  
offender's conduct, although the grounds are not enough to 75  
constitute a defense. 76

(D) The sentencing court shall consider all of the 77

following that apply regarding the offender, and any other 78  
relevant factors, as factors indicating that the offender is 79  
likely to commit future crimes: 80

(1) At the time of committing the offense, the offender 81  
was under release from confinement before trial or sentencing; 82  
was under a sanction imposed pursuant to section 2929.16, 83  
2929.17, or 2929.18 of the Revised Code; was under post-release 84  
control pursuant to section 2967.28 or any other provision of 85  
the Revised Code for an earlier offense or had been unfavorably 86  
terminated from post-release control for a prior offense 87  
pursuant to division (B) of section 2967.16 or section 2929.141 88  
of the Revised Code; was under transitional control in 89  
connection with a prior offense; or had absconded from the 90  
offender's approved community placement resulting in the 91  
offender's removal from the transitional control program under 92  
section 2967.26 of the Revised Code. 93

(2) The offender previously was adjudicated a delinquent 94  
child pursuant to Chapter 2151. of the Revised Code prior to 95  
January 1, 2002, or pursuant to Chapter 2152. of the Revised 96  
Code, or the offender has a history of criminal convictions. 97

(3) The offender has not been rehabilitated to a 98  
satisfactory degree after previously being adjudicated a 99  
delinquent child pursuant to Chapter 2151. of the Revised Code 100  
prior to January 1, 2002, or pursuant to Chapter 2152. of the 101  
Revised Code, or the offender has not responded favorably to 102  
sanctions previously imposed for criminal convictions. 103

(4) The offender has demonstrated a pattern of drug or 104  
alcohol abuse that is related to the offense, and the offender 105  
refuses to acknowledge that the offender has demonstrated that 106  
pattern, or the offender refuses treatment for the drug or 107

alcohol abuse. 108

(5) The offender shows no genuine remorse for the offense. 109

(E) The sentencing court shall consider all of the 110  
following that apply regarding the offender, and any other 111  
relevant factors, as factors indicating that the offender is not 112  
likely to commit future crimes: 113

(1) Prior to committing the offense, the offender had not 114  
been adjudicated a delinquent child. 115

(2) Prior to committing the offense, the offender had not 116  
been convicted of or pleaded guilty to a criminal offense. 117

(3) Prior to committing the offense, the offender had led 118  
a law-abiding life for a significant number of years. 119

(4) The offense was committed under circumstances not 120  
likely to recur. 121

(5) Except as provided in division (G) of this section, 122  
the offender shows genuine remorse for the offense. 123

(F) The sentencing court shall consider the offender's 124  
military service record and whether the offender has an 125  
emotional, mental, or physical condition that is traceable to 126  
the offender's service in the armed forces of the United States 127  
and that was a contributing factor in the offender's commission 128  
of the offense or offenses. 129

(G) If the offender enters an Alford plea, the sentencing 130  
court shall not consider whether the offender showed genuine 131  
remorse for the offense and shall not impose as any condition of 132  
the sentence a requirement that the offender admit guilt. 133

**Sec. 2929.15.** (A) (1) If in sentencing an offender for a 134

felony the court is not required to impose a prison term, a 135  
mandatory prison term, or a term of life imprisonment upon the 136  
offender, the court may directly impose a sentence that consists 137  
of one or more community control sanctions authorized pursuant 138  
to section 2929.16, 2929.17, or 2929.18 of the Revised Code. If 139  
the court is sentencing an offender for a fourth degree felony 140  
OVI offense under division (G) (1) of section 2929.13 of the 141  
Revised Code, in addition to the mandatory term of local 142  
incarceration imposed under that division and the mandatory fine 143  
required by division (B) (3) of section 2929.18 of the Revised 144  
Code, the court may impose upon the offender a community control 145  
sanction or combination of community control sanctions in 146  
accordance with sections 2929.16 and 2929.17 of the Revised 147  
Code. If the court is sentencing an offender for a third or 148  
fourth degree felony OVI offense under division (G) (2) of 149  
section 2929.13 of the Revised Code, in addition to the 150  
mandatory prison term or mandatory prison term and additional 151  
prison term imposed under that division, the court also may 152  
impose upon the offender a community control sanction or 153  
combination of community control sanctions under section 2929.16 154  
or 2929.17 of the Revised Code, but the offender shall serve all 155  
of the prison terms so imposed prior to serving the community 156  
control sanction. 157

The duration of all community control sanctions imposed on 158  
an offender under this division shall not exceed five years. If 159  
the offender absconds or otherwise leaves the jurisdiction of 160  
the court in which the offender resides without obtaining 161  
permission from the court or the offender's probation officer to 162  
leave the jurisdiction of the court, or if the offender is 163  
confined in any institution for the commission of any offense 164  
while under a community control sanction, the period of the 165

community control sanction ceases to run until the offender is 166  
brought before the court for its further action. If the court 167  
sentences the offender to one or more nonresidential sanctions 168  
under section 2929.17 of the Revised Code, the court shall 169  
impose as a condition of the nonresidential sanctions that, 170  
during the period of the sanctions, the offender must abide by 171  
the law and must not leave the state without the permission of 172  
the court or the offender's probation officer. The court may 173  
impose any other conditions of release under a community control 174  
sanction that the court considers appropriate, including, but 175  
not limited to, requiring that the offender not ingest or be 176  
injected with a drug of abuse and submit to random drug testing 177  
as provided in division (D) of this section to determine whether 178  
the offender ingested or was injected with a drug of abuse and 179  
requiring that the results of the drug test indicate that the 180  
offender did not ingest or was not injected with a drug of 181  
abuse. 182

(2) (a) If a court sentences an offender to any community 183  
control sanction or combination of community control sanctions 184  
authorized pursuant to section 2929.16, 2929.17, or 2929.18 of 185  
the Revised Code, the court shall place the offender under the 186  
general control and supervision of a department of probation in 187  
the county that serves the court for purposes of reporting to 188  
the court a violation of any condition of the sanctions, any 189  
condition of release under a community control sanction imposed 190  
by the court, a violation of law, or the departure of the 191  
offender from this state without the permission of the court or 192  
the offender's probation officer. Alternatively, if the offender 193  
resides in another county and a county department of probation 194  
has been established in that county or that county is served by 195  
a multicounty probation department established under section 196

2301.27 of the Revised Code, the court may request the court of 197  
common pleas of that county to receive the offender into the 198  
general control and supervision of that county or multicounty 199  
department of probation for purposes of reporting to the court a 200  
violation of any condition of the sanctions, any condition of 201  
release under a community control sanction imposed by the court, 202  
a violation of law, or the departure of the offender from this 203  
state without the permission of the court or the offender's 204  
probation officer, subject to the jurisdiction of the trial 205  
judge over and with respect to the person of the offender, and 206  
to the rules governing that department of probation. 207

If there is no department of probation in the county that 208  
serves the court, the court shall place the offender, regardless 209  
of the offender's county of residence, under the general control 210  
and supervision of the adult parole authority, unless the court 211  
has entered into an agreement with the authority as described in 212  
division (B) or (C) of section 2301.32 of the Revised Code, or 213  
under an entity authorized under division (B) of section 2301.27 214  
of the Revised Code to provide probation and supervisory 215  
services to counties for purposes of reporting to the court a 216  
violation of any of the sanctions, any condition of release 217  
under a community control sanction imposed by the court, a 218  
violation of law, or the departure of the offender from this 219  
state without the permission of the court or the offender's 220  
probation officer. 221

(b) If the court imposing sentence on an offender 222  
sentences the offender to any community control sanction or 223  
combination of community control sanctions authorized pursuant 224  
to section 2929.16, 2929.17, or 2929.18 of the Revised Code, and 225  
if the offender violates any condition of the sanctions, 226  
violates any condition of release under a community control 227



sanction imposed by the court, violates any law, or departs the 228  
state without the permission of the court or the offender's 229  
probation officer, the public or private person or entity that 230  
operates or administers the sanction or the program or activity 231  
that comprises the sanction shall report the violation or 232  
departure directly to the sentencing court, or shall report the 233  
violation or departure to the county or multicounty department 234  
of probation with general control and supervision over the 235  
offender under division (A) (2) (a) of this section or the officer 236  
of that department who supervises the offender, or, if there is 237  
no such department with general control and supervision over the 238  
offender under that division, to the adult parole authority 239  
unless the court has entered into an agreement with the 240  
authority as described in division (B) or (C) of section 2301.32 241  
of the Revised Code, or to an entity authorized under division 242  
(B) of section 2301.27 of the Revised Code to provide probation 243  
and supervisory services to the county. If the public or private 244  
person or entity that operates or administers the sanction or 245  
the program or activity that comprises the sanction reports the 246  
violation or departure to the county or multicounty department 247  
of probation, the adult parole authority, or any other entity 248  
providing probation and supervisory services to the county, the 249  
department's, authority's, or other entity's officers may treat 250  
the offender as if the offender were on probation and in 251  
violation of the probation, and shall report the violation of 252  
the condition of the sanction, any condition of release under a 253  
community control sanction imposed by the court, the violation 254  
of law, or the departure from the state without the required 255  
permission to the sentencing court. 256

(3) If an offender who is eligible for community control 257  
sanctions under this section admits to having a drug addiction 258

or the court has reason to believe that the offender has a drug 259  
addiction, and if the offense for which the offender is being 260  
sentenced was related to the addiction, the court may require 261  
that the offender be assessed by a properly credentialed 262  
professional within a specified period of time and shall require 263  
the professional to file a written assessment of the offender 264  
with the court. If a court imposes treatment and recovery 265  
support services as a community control sanction, the court 266  
shall direct the level and type of treatment and recovery 267  
support services after consideration of the written assessment, 268  
if available at the time of sentencing, and recommendations of 269  
the professional and other treatment and recovery support 270  
services providers. 271

(4) If an assessment completed pursuant to division (A) (3) 272  
of this section indicates that the offender has an addiction to 273  
drugs or alcohol, the court may include in any community control 274  
sanction imposed for a violation of section 2925.02, 2925.03, 275  
2925.04, 2925.05, 2925.06, 2925.11, 2925.13, 2925.22, 2925.23, 276  
2925.36, or 2925.37 of the Revised Code a requirement that the 277  
offender participate in alcohol and drug addiction services and 278  
recovery supports certified under section 5119.36 of the Revised 279  
Code or offered by a properly credentialed community addiction 280  
services provider. 281

(B) (1) Except as provided in division (B) (2) of this 282  
section, if the conditions of a community control sanction 283  
imposed for a felony are violated or if the offender violates a 284  
law or leaves the state without the permission of the court or 285  
the offender's probation officer, the sentencing court may 286  
impose on the violator one or more of the following penalties: 287

(a) A longer time under the same sanction if the total 288

time under the sanctions does not exceed the five-year limit 289  
specified in division (A) of this section; 290

(b) A more restrictive sanction under section 2929.16, 291  
2929.17, or 2929.18 of the Revised Code, including but not 292  
limited to, a new term in a community-based correctional 293  
facility, halfway house, or jail pursuant to division (A)(6) of 294  
section 2929.16 of the Revised Code; 295

(c) A prison term on the offender pursuant to section 296  
2929.14 of the Revised Code and division (B)(3) of this section, 297  
provided that a prison term imposed under this division is 298  
subject to the following limitations and rules, as applicable: 299

(i) If the prison term is imposed for any technical 300  
violation of the conditions of a community control sanction 301  
imposed for a felony of the fifth degree, the prison term shall 302  
not exceed ninety days, provided that if the remaining period of 303  
community control at the time of the violation or the remaining 304  
period of the reserved prison sentence at that time is less than 305  
ninety days, the prison term shall not exceed the length of the 306  
remaining period of community control or the remaining period of 307  
the reserved prison sentence. If the court imposes a prison term 308  
as described in this division, division (B)(2)(b) of this 309  
section applies. 310

(ii) If the prison term is imposed for any technical 311  
violation of the conditions of a community control sanction 312  
imposed for a felony of the fourth degree that is not an offense 313  
of violence and is not a sexually oriented offense, the prison 314  
term shall not exceed one hundred eighty days, provided that if 315  
the remaining period of the community control at the time of the 316  
violation or the remaining period of the reserved prison 317  
sentence at that time is less than one hundred eighty days, the 318

prison term shall not exceed the length of the remaining period 319  
of community control or the remaining period of the reserved 320  
prison sentence. If the court imposes a prison term as described 321  
in this division, division (B) (2) (b) of this section applies. 322

(iii) A court is not limited in the number of times it may 323  
sentence an offender to a prison term under division (B) (1) (c) 324  
of this section for a violation of the conditions of a community 325  
control sanction or for a violation of a law or leaving the 326  
state without the permission of the court or the offender's 327  
probation officer. If an offender who is under a community 328  
control sanction violates the conditions of the sanction or 329  
violates a law or leaves the state without the permission of the 330  
court or the offender's probation officer, is sentenced to a 331  
prison term for the violation or conduct, is released from the 332  
term after serving it, and subsequently violates the conditions 333  
of the sanction or violates a law or leaves the state without 334  
the permission of the court or the offender's probation officer, 335  
the court may impose a new prison term sanction on the offender 336  
under division (B) (1) (c) of this section for the subsequent 337  
violation or conduct. 338

(2) (a) If an offender was acting pursuant to division (B) 339  
(2) (b) of section 2925.11 or a related provision of section 340  
2925.12, 2925.14, or 2925.141 of the Revised Code and in so 341  
doing violated the conditions of a community control sanction 342  
based on a minor drug possession offense, as defined in section 343  
2925.11 of the Revised Code, or violated section 2925.12, 344  
division (C) (1) of section 2925.14, or section 2925.141 of the 345  
Revised Code, the sentencing court shall not impose any of the 346  
penalties described in division (B) (1) of this section based on 347  
the violation. 348

(b) If a court imposes a prison term on an offender under 349  
division (B) (1) (c) (i) or (ii) of this section for a technical 350  
violation of the conditions of a community control sanction, one 351  
of the following is applicable with respect to the time that the 352  
offender spends in prison under the term: 353

(i) Subject to division (B) (2) (b) (ii) of this section, it 354  
shall be credited against the offender's community control 355  
sanction that was being served at the time of the violation, and 356  
the remaining time under that community control sanction shall 357  
be reduced by the time that the offender spends in prison under 358  
the prison term. By determination of the court, the offender 359  
upon release from the prison term either shall continue serving 360  
the remaining time under the community control sanction, as 361  
reduced under this division, or shall have the community control 362  
sanction terminated. 363

(ii) If, at the time a prison term is imposed for a 364  
technical violation, the offender was serving a residential 365  
community control sanction imposed under section 2929.16 of the 366  
Revised Code, the time spent serving the residential community 367  
control sanction shall be credited against the offender's 368  
reserved prison sentence, and the remaining time under that 369  
residential community control sanction and under the reserved 370  
prison sentence shall be reduced by the time that the offender 371  
spends in prison under the prison term. By determination of the 372  
court, the offender upon release from the prison term either 373  
shall continue serving the remaining time under the residential 374  
community control sanction, as reduced under this division, or 375  
shall have the residential community control sanction 376  
terminated. 377

(3) The prison term, if any, imposed on a violator 378

pursuant to this division and division (B) (1) of this section 379  
shall be within the range of prison terms described in this 380  
division and shall not exceed a prison term from the range of 381  
terms specified in the notice provided to the offender at the 382  
sentencing hearing pursuant to division (B) (4) of section 383  
2929.19 of the Revised Code. The court may reduce the longer 384  
period of time that the offender is required to spend under the 385  
longer sanction, the more restrictive sanction, or a prison term 386  
imposed pursuant to division (B) (1) of this section by the time 387  
the offender successfully spent under the sanction that was 388  
initially imposed. Except as otherwise specified in this 389  
division, the prison term imposed under this division and 390  
division (B) (1) of this section shall be within the range of 391  
prison terms available as a definite term for the offense for 392  
which the sanction that was violated was imposed. If the offense 393  
for which the sanction that was violated was imposed is a felony 394  
of the first or second degree committed on or after March 22, 395  
2019, the prison term so imposed under this division shall be 396  
within the range of prison terms available as a minimum term for 397  
the offense under division (A) (1) (a) or (2) (a) of section 398  
2929.14 of the Revised Code. 399

(C) If an offender, for a significant period of time, 400  
fulfills the conditions of a sanction imposed pursuant to 401  
section 2929.16, 2929.17, or 2929.18 of the Revised Code in an 402  
exemplary manner, the court may reduce the period of time under 403  
the sanction or impose a less restrictive sanction, but the 404  
court shall not permit the offender to violate any law or permit 405  
the offender to leave the state without the permission of the 406  
court or the offender's probation officer. 407

(D) (1) If a court under division (A) (1) of this section 408  
imposes a condition of release under a community control 409

sanction that requires the offender to submit to random drug 410  
testing, the department of probation, the adult parole 411  
authority, or any other entity that has general control and 412  
supervision of the offender under division (A) (2) (a) of this 413  
section may cause the offender to submit to random drug testing 414  
performed by a laboratory or entity that has entered into a 415  
contract with any of the governmental entities or officers 416  
authorized to enter into a contract with that laboratory or 417  
entity under section 341.26, 753.33, or 5120.63 of the Revised 418  
Code. 419

(2) If no laboratory or entity described in division (D) 420  
(1) of this section has entered into a contract as specified in 421  
that division, the department of probation, the adult parole 422  
authority, or any other entity that has general control and 423  
supervision of the offender under division (A) (2) (a) of this 424  
section shall cause the offender to submit to random drug 425  
testing performed by a reputable public laboratory to determine 426  
whether the individual who is the subject of the drug test 427  
ingested or was injected with a drug of abuse. 428

(3) A laboratory or entity that has entered into a 429  
contract pursuant to section 341.26, 753.33, or 5120.63 of the 430  
Revised Code shall perform the random drug tests under division 431  
(D) (1) of this section in accordance with the applicable 432  
standards that are included in the terms of that contract. A 433  
public laboratory shall perform the random drug tests under 434  
division (D) (2) of this section in accordance with the standards 435  
set forth in the policies and procedures established by the 436  
department of rehabilitation and correction pursuant to section 437  
5120.63 of the Revised Code. An offender who is required under 438  
division (A) (1) of this section to submit to random drug testing 439  
as a condition of release under a community control sanction and 440

whose test results indicate that the offender ingested or was 441  
injected with a drug of abuse shall pay the fee for the drug 442  
test if the department of probation, the adult parole authority, 443  
or any other entity that has general control and supervision of 444  
the offender requires payment of a fee. A laboratory or entity 445  
that performs the random drug testing on an offender under 446  
division (D) (1) or (2) of this section shall transmit the 447  
results of the drug test to the appropriate department of 448  
probation, the adult parole authority, or any other entity that 449  
has general control and supervision of the offender under 450  
division (A) (2) (a) of this section. 451

(E) As used in this section, "technical violation" means a 452  
violation of the conditions of a community control sanction 453  
imposed for a felony of the fifth degree, or for a felony of the 454  
fourth degree that is not an offense of violence and is not a 455  
sexually oriented offense, and to which neither of the following 456  
applies: 457

(1) The violation consists of a new criminal offense that 458  
is a felony or that is a misdemeanor other than a minor 459  
misdemeanor, and the violation is committed while under the 460  
community control sanction. 461

(2) The violation consists of or includes the offender's 462  
articulated or demonstrated refusal to participate in the 463  
community control sanction imposed on the offender or any of its 464  
conditions, and the refusal demonstrates to the court that the 465  
offender has abandoned the objects of the community control 466  
sanction or condition. 467

(F) A court shall not, under division (A) (1) of this 468  
section, impose a condition of release under a community control 469  
sanction that requires an offender who has pleaded guilty by 470



entering an Alford plea to otherwise admit guilt for the 471  
offense. 472

**Sec. 2929.25.** (A) (1) Except as provided in sections 473  
2929.22 and 2929.23 of the Revised Code or when a jail term is 474  
required by law, in sentencing an offender for a misdemeanor, 475  
other than a minor misdemeanor, the sentencing court may do 476  
either of the following: 477

(a) Directly impose a sentence that consists of one or 478  
more community control sanctions authorized by section 2929.26, 479  
2929.27, or 2929.28 of the Revised Code. The court may impose 480  
any other conditions of release under a community control 481  
sanction that the court considers appropriate. If the court 482  
imposes a jail term upon the offender, the court may impose any 483  
community control sanction or combination of community control 484  
sanctions in addition to the jail term. 485

(b) Impose a jail term under section 2929.24 of the 486  
Revised Code from the range of jail terms authorized under that 487  
section for the offense, suspend all or a portion of the jail 488  
term imposed, and place the offender under a community control 489  
sanction or combination of community control sanctions 490  
authorized under section 2929.26, 2929.27, or 2929.28 of the 491  
Revised Code. 492

(2) The duration of all community control sanctions 493  
imposed upon an offender and in effect for an offender at any 494  
time shall not exceed five years. 495

(3) At sentencing, if a court directly imposes a community 496  
control sanction or combination of community control sanctions 497  
pursuant to division (A) (1) (a) or (B) of this section, the court 498  
shall state the duration of the community control sanctions 499

imposed and shall notify the offender that if any of the 500  
conditions of the community control sanctions are violated the 501  
court may do any of the following: 502

(a) Impose a longer time under the same community control 503  
sanction if the total time under all of the offender's community 504  
control sanctions does not exceed the five-year limit specified 505  
in division (A) (2) of this section; 506

(b) Impose a more restrictive community control sanction 507  
under section 2929.26, 2929.27, or 2929.28 of the Revised Code, 508  
but the court is not required to impose any particular sanction 509  
or sanctions; 510

(c) Impose a definite jail term from the range of jail 511  
terms authorized for the offense under section 2929.24 of the 512  
Revised Code. 513

(B) If a court sentences an offender to any community 514  
control sanction or combination of community control sanctions 515  
pursuant to division (A) (1) (a) of this section, the sentencing 516  
court retains jurisdiction over the offender and the period of 517  
community control for the duration of the period of community 518  
control. Upon the motion of either party or on the court's own 519  
motion, the court, in the court's sole discretion and as the 520  
circumstances warrant, may modify the community control 521  
sanctions or conditions of release previously imposed, 522  
substitute a community control sanction or condition of release 523  
for another community control sanction or condition of release 524  
previously imposed, or impose an additional community control 525  
sanction or condition of release. 526

(C) (1) If a court sentences an offender to any community 527  
control sanction or combination of community control sanctions 528

authorized under section 2929.26, 2929.27, or 2929.28 of the 529  
Revised Code, the court shall place the offender under the 530  
general control and supervision of the court or of a department 531  
of probation in the jurisdiction that serves the court for 532  
purposes of reporting to the court a violation of any of the 533  
conditions of the sanctions imposed. If the offender resides in 534  
another jurisdiction and a department of probation has been 535  
established to serve the municipal court or county court in that 536  
jurisdiction, the sentencing court may request the municipal 537  
court or the county court to receive the offender into the 538  
general control and supervision of that department of probation 539  
for purposes of reporting to the sentencing court a violation of 540  
any of the conditions of the sanctions imposed. The sentencing 541  
court retains jurisdiction over any offender whom it sentences 542  
for the duration of the sanction or sanctions imposed. 543

(2) The sentencing court shall require as a condition of 544  
any community control sanction that the offender abide by the 545  
law and not leave the state without the permission of the court 546  
or the offender's probation officer. In the interests of doing 547  
justice, rehabilitating the offender, and ensuring the 548  
offender's good behavior, the court may impose additional 549  
requirements on the offender. The offender's compliance with the 550  
additional requirements also shall be a condition of the 551  
community control sanction imposed upon the offender. 552

(D) (1) If the court imposing sentence upon an offender 553  
sentences the offender to any community control sanction or 554  
combination of community control sanctions authorized under 555  
section 2929.26, 2929.27, or 2929.28 of the Revised Code, and if 556  
the offender violates any of the conditions of the sanctions, 557  
the public or private person or entity that supervises or 558  
administers the program or activity that comprises the sanction 559

shall report the violation directly to the sentencing court or 560  
to the department of probation or probation officer with general 561  
control and supervision over the offender. If the public or 562  
private person or entity reports the violation to the department 563  
of probation or probation officer, the department or officer 564  
shall report the violation to the sentencing court. 565

(2) Except as provided in division (D)(3) of this section, 566  
if an offender violates any condition of a community control 567  
sanction, the sentencing court may impose upon the violator one 568  
or more of the following penalties: 569

(a) A longer time under the same community control 570  
sanction if the total time under all of the community control 571  
sanctions imposed on the violator does not exceed the five-year 572  
limit specified in division (A)(2) of this section; 573

(b) A more restrictive community control sanction; 574

(c) A combination of community control sanctions, 575  
including a jail term. 576

(3) If an offender was acting pursuant to division (B)(2) 577  
(b) of section 2925.11 or a related provision under section 578  
2925.12, 2925.14, or 2925.141 of the Revised Code and in so 579  
doing violated the conditions of a community control sanction 580  
based on a minor drug possession offense, as defined in section 581  
2925.11 of the Revised Code, or violated section 2925.12, 582  
division (C)(1) of section 2925.14, or section 2925.141 of the 583  
Revised Code, the sentencing court shall not impose any of the 584  
penalties described in division (D)(2) of this section based on 585  
the violation. 586

(4) If the court imposes a jail term upon a violator 587  
pursuant to division (D)(2) of this section, the total time 588

spent in jail for the misdemeanor offense and the violation of a 589  
condition of the community control sanction shall not exceed the 590  
maximum jail term available for the offense for which the 591  
sanction that was violated was imposed. The court may reduce the 592  
longer period of time that the violator is required to spend 593  
under the longer sanction or the more restrictive sanction 594  
imposed under division (D) (2) of this section by all or part of 595  
the time the violator successfully spent under the sanction that 596  
was initially imposed. 597

(E) Except as otherwise provided in this division, if an 598  
offender, for a significant period of time, fulfills the 599  
conditions of a community control sanction imposed pursuant to 600  
section 2929.26, 2929.27, or 2929.28 of the Revised Code in an 601  
exemplary manner, the court may reduce the period of time under 602  
the community control sanction or impose a less restrictive 603  
community control sanction. Fulfilling the conditions of a 604  
community control sanction does not relieve the offender of a 605  
duty to make restitution under section 2929.28 of the Revised 606  
Code. 607

(F) A court shall not, under division (A) (1) of this 608  
section, impose a condition of release under a community control 609  
sanction that requires an offender who has pleaded guilty by 610  
entering an Alford plea to otherwise admit guilt for the 611  
offense. 612

**Section 2.** That existing sections 2929.12, 2929.15, and 613  
2929.25 of the Revised Code are hereby repealed. 614

**Section 3.** This act shall be known as the Alford Plea 615  
Fairness Act. 616

**Section 4.** The General Assembly, applying the principle 617

stated in division (B) of section 1.52 of the Revised Code that 618  
amendments are to be harmonized if reasonably capable of 619  
simultaneous operation, finds that the following sections, 620  
presented in this act as composites of the sections as amended 621  
by the acts indicated, are the resulting versions of the 622  
sections in effect prior to the effective date of the sections 623  
as presented in this act: 624

Section 2929.12 of the Revised Code as amended by both 625  
H.B. 234 and H.B. 531 of the 135th General Assembly. 626

Section 2929.15 of the Revised Code as amended by H.B. 627  
110, H.B. 281, and S.B. 288 all of the 134th General Assembly. 628