

As Introduced

**136th General Assembly
Regular Session
2025-2026**

H. B. No. 923

Representative Williams

To amend sections 2929.15, 2929.16, 2929.25, 1
2967.131, and 2967.15 and to enact section 2
2903.217 of the Revised Code to enact the Adult 3
Parole Authority Enhancement Act. 4

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

Section 1. That sections 2929.15, 2929.16, 2929.25, 5
2967.131, and 2967.15 be amended and section 2903.217 of the 6
Revised Code be enacted to read as follows: 7

Sec. 2903.217. (A) If an offender is subject to post- 8
release control, the adult parole authority may file for a post- 9
conviction no contact order under this section on behalf of a 10
victim, with or without the victim's consent, in the common 11
pleas court of the county in which the offender resides. 12

(B) A motion for a post-conviction no contact order under 13
this section shall include documentation of the offender's 14
conditions of post-release control, including any existing no 15
contact orders or other terms set by the adult parole authority. 16

(C) (1) As soon as possible after the filing of a motion 17
that requests the issuance of a post-conviction no contact order 18
under this section, but not later than the next day that the 19
court is in session after the filing of the motion, the court 20

shall conduct a hearing to determine whether to issue the order. 21
The adult parole authority officer or agent who requested the 22
order shall appear before the court and provide the court with 23
the information that it requests concerning the basis of the 24
motion. 25

(2) If the court finds that the safety and protection of 26
the alleged victim may be impaired by the continued presence of 27
the alleged offender, the court shall issue a post-conviction no 28
contact order under this section that contains terms designed to 29
ensure the safety and protection of the alleged victim, 30
including a requirement that the alleged offender refrain from 31
entering the residence, school, business, or place of employment 32
of the alleged victim. 33

(3) If the court issues a post-conviction no contact order 34
under this section that includes a requirement that the alleged 35
offender refrain from entering the residence, school, business, 36
or place of employment of the alleged victim, the order shall 37
clearly state that the order cannot be waived or nullified by an 38
invitation to the alleged offender from the alleged victim, or a 39
family or household member to enter the residence, school, 40
business, or place of employment or by the alleged offender's 41
entry into one of those places otherwise upon the consent of the 42
alleged victim, or a family or household member. 43

(4) (a) If the court issues a post-conviction no contact 44
order under this section as an ex parte order, it shall conduct, 45
as soon as possible after the issuance of the order but not 46
later than a date that is within ten court days after the ex 47
parte hearing, a hearing to determine whether the order should 48
remain in effect, be modified, or be revoked. 49

The court shall give the alleged offender notice of, and 50

an opportunity to be heard at, the full hearing and shall hold 51
the full hearing on the date scheduled under this division 52
unless the court grants a continuance of the hearing in 53
accordance with this division. Under any of the following 54
circumstances or for any of the following reasons, the court may 55
grant a continuance of the full hearing to a reasonable time 56
determined by the court: 57

(i) Prior to the date scheduled for the full hearing under 58
this division, the alleged offender has not been served with the 59
petition filed pursuant to this section and notice of the full 60
hearing. 61

(ii) The parties consent to the continuance. 62

(iii) The continuance is needed to allow a party to obtain 63
counsel. 64

(iv) The continuance is needed for other good cause. 65

(b) An ex parte order issued under this section does not 66
expire because of a failure to serve notice of the full hearing 67
upon the alleged offender before the date set for the full 68
hearing or because the court grants a continuance. 69

(5) If the adult parole authority does not request an ex 70
parte order, or the adult parole authority requests an ex parte 71
order but the court does not issue an ex parte order after an ex 72
parte hearing, the court shall proceed as in a normal civil 73
action and grant a full hearing on the matter. 74

(D) (1) A copy of a post-conviction no contact order that 75
is issued under this section shall be issued by the court to the 76
adult parole authority, to the alleged victim, to the alleged 77
offender, and to all law enforcement agencies that have 78
jurisdiction to enforce the order. The court shall direct that a 79

copy of the order be delivered to the alleged offender on the 80
same day that the order is entered. 81

(2) All law enforcement agencies shall establish and 82
maintain an index for the post-conviction no contact orders 83
delivered to the agencies pursuant to division (D)(1) of this 84
section. With respect to each order delivered, each agency shall 85
note on the index the date and time of the agency's receipt of 86
the order. 87

(3) Regardless of whether the adult parole authority has 88
registered the post-conviction no contact order in the county in 89
which the officer's agency has jurisdiction, any officer of a 90
law enforcement agency shall enforce a post-conviction no 91
contact order issued pursuant to this section in accordance with 92
the provisions of the order. 93

Sec. 2929.15. (A) (1) If in sentencing an offender for a 94
felony the court is not required to impose a prison term, a 95
mandatory prison term, or a term of life imprisonment upon the 96
offender, the court may directly impose a sentence that consists 97
of one or more community control sanctions authorized pursuant 98
to section 2929.16, 2929.17, or 2929.18 of the Revised Code. If 99
the court is sentencing an offender for a fourth degree felony 100
OVI offense under division (G) (1) of section 2929.13 of the 101
Revised Code, in addition to the mandatory term of local 102
incarceration imposed under that division and the mandatory fine 103
required by division (B) (3) of section 2929.18 of the Revised 104
Code, the court may impose upon the offender a community control 105
sanction or combination of community control sanctions in 106
accordance with sections 2929.16 and 2929.17 of the Revised 107
Code. If the court is sentencing an offender for a third or 108
fourth degree felony OVI offense under division (G) (2) of 109

section 2929.13 of the Revised Code, in addition to the 110
mandatory prison term or mandatory prison term and additional 111
prison term imposed under that division, the court also may 112
impose upon the offender a community control sanction or 113
combination of community control sanctions under section 2929.16 114
or 2929.17 of the Revised Code, but the offender shall serve all 115
of the prison terms so imposed prior to serving the community 116
control sanction. 117

The duration of all community control sanctions imposed on 118
an offender under this division shall not exceed five years. If 119
the offender absconds or otherwise leaves the jurisdiction of 120
the court in which the offender resides without obtaining 121
permission from the court or the offender's probation officer to 122
leave the jurisdiction of the court, or if the offender is 123
confined in any institution for the commission of any offense 124
while under a community control sanction, the period of the 125
community control sanction ceases to run until the offender is 126
brought before the court for its further action. If the court 127
sentences the offender to one or more nonresidential sanctions 128
under section 2929.17 of the Revised Code, the court shall 129
impose as a condition of the nonresidential sanctions that, 130
during the period of the sanctions, the offender must abide by 131
the law and must not leave the state without the permission of 132
the court or the offender's probation officer. The court may 133
impose any other conditions of release under a community control 134
sanction that the court considers appropriate, including, but 135
not limited to, requiring that the offender not ingest or be 136
injected with a drug of abuse and submit to random drug testing 137
as provided in division (D) of this section to determine whether 138
the offender ingested or was injected with a drug of abuse and 139
requiring that the results of the drug test indicate that the 140

offender did not ingest or was not injected with a drug of 141
abuse. 142

(2) (a) If a court sentences an offender to any community 143
control sanction or combination of community control sanctions 144
authorized pursuant to section 2929.16, 2929.17, or 2929.18 of 145
the Revised Code, the court shall place the offender under the 146
general control and supervision of a department of probation in 147
the county that serves the court for purposes of reporting to 148
the court a violation of any condition of the sanctions, any 149
condition of release under a community control sanction imposed 150
by the court, a violation of law, or the departure of the 151
offender from this state without the permission of the court or 152
the offender's probation officer. Alternatively, if the offender 153
resides in another county and a county department of probation 154
has been established in that county or that county is served by 155
a multicounty probation department established under section 156
2301.27 of the Revised Code, the court may request the court of 157
common pleas of that county to receive the offender into the 158
general control and supervision of that county or multicounty 159
department of probation for purposes of reporting to the court a 160
violation of any condition of the sanctions, any condition of 161
release under a community control sanction imposed by the court, 162
a violation of law, or the departure of the offender from this 163
state without the permission of the court or the offender's 164
probation officer, subject to the jurisdiction of the trial 165
judge over and with respect to the person of the offender, and 166
to the rules governing that department of probation. 167

If there is no department of probation in the county that 168
serves the court, the court shall place the offender, regardless 169
of the offender's county of residence, under the general control 170
and supervision of the adult parole authority, unless the court 171

has entered into an agreement with the authority as described in 172
division (B) or (C) of section 2301.32 of the Revised Code, or 173
under an entity authorized under division (B) of section 2301.27 174
of the Revised Code to provide probation and supervisory 175
services to counties for purposes of reporting to the court a 176
violation of any of the sanctions, any condition of release 177
under a community control sanction imposed by the court, a 178
violation of law, or the departure of the offender from this 179
state without the permission of the court or the offender's 180
probation officer. 181

(b) If the court imposing sentence on an offender 182
sentences the offender to any community control sanction or 183
combination of community control sanctions authorized pursuant 184
to section 2929.16, 2929.17, or 2929.18 of the Revised Code, and 185
if the offender violates any condition of the sanctions, 186
violates any condition of release under a community control 187
sanction imposed by the court, violates any law, or departs the 188
state without the permission of the court or the offender's 189
probation officer, the public or private person or entity that 190
operates or administers the sanction or the program or activity 191
that comprises the sanction shall report the violation or 192
departure directly to the sentencing court, or shall report the 193
violation or departure to the county or multicounty department 194
of probation with general control and supervision over the 195
offender under division (A) (2) (a) of this section or the officer 196
of that department who supervises the offender, or, if there is 197
no such department with general control and supervision over the 198
offender under that division, to the adult parole authority 199
unless the court has entered into an agreement with the 200
authority as described in division (B) or (C) of section 2301.32 201
of the Revised Code, or to an entity authorized under division 202

(B) of section 2301.27 of the Revised Code to provide probation 203
and supervisory services to the county. If the public or private 204
person or entity that operates or administers the sanction or 205
the program or activity that comprises the sanction reports the 206
violation or departure to the county or multicounty department 207
of probation, the adult parole authority, or any other entity 208
providing probation and supervisory services to the county, the 209
department's, authority's, or other entity's officers may treat 210
the offender as if the offender were on probation and in 211
violation of the probation, and shall report the violation of 212
the condition of the sanction, any condition of release under a 213
community control sanction imposed by the court, the violation 214
of law, or the departure from the state without the required 215
permission to the sentencing court. 216

(3) If an offender who is eligible for community control 217
sanctions under this section admits to having a drug addiction 218
or the court has reason to believe that the offender has a drug 219
addiction, and if the offense for which the offender is being 220
sentenced was related to the addiction, the court may require 221
that the offender be assessed by a properly credentialed 222
professional within a specified period of time and shall require 223
the professional to file a written assessment of the offender 224
with the court. If a court imposes treatment and recovery 225
support services as a community control sanction, the court 226
shall direct the level and type of treatment and recovery 227
support services after consideration of the written assessment, 228
if available at the time of sentencing, and recommendations of 229
the professional and other treatment and recovery support 230
services providers. 231

(4) If an assessment completed pursuant to division (A) (3) 232
of this section indicates that the offender has an addiction to 233

drugs or alcohol, the court may include in any community control 234
sanction imposed for a violation of section 2925.02, 2925.03, 235
2925.04, 2925.05, 2925.06, 2925.11, 2925.13, 2925.22, 2925.23, 236
2925.36, or 2925.37 of the Revised Code a requirement that the 237
offender participate in alcohol and drug addiction services and 238
recovery supports certified under section 5119.36 of the Revised 239
Code or offered by a properly credentialed community addiction 240
services provider. 241

(B) (1) Except as provided in division (B) (2) of this 242
section, if the conditions of a community control sanction 243
imposed for a felony are violated or if the offender violates a 244
law or leaves the state without the permission of the court or 245
the offender's probation officer, the sentencing court may 246
impose on the violator one or more of the following penalties: 247

(a) A longer time under the same sanction if the total 248
time under the sanctions does not exceed the five-year limit 249
specified in division (A) of this section; 250

(b) A more restrictive sanction under section 2929.16, 251
2929.17, or 2929.18 of the Revised Code, including but not 252
limited to, a new term in a community-based correctional 253
facility, halfway house, work-release program, or jail pursuant 254
to division (A) (6) of section 2929.16 of the Revised Code; 255

(c) A prison term on the offender pursuant to section 256
2929.14 of the Revised Code and division (B) (3) of this section, 257
provided that a prison term imposed under this division is 258
subject to the following limitations and rules, as applicable: 259

(i) If the prison term is imposed for any technical 260
violation of the conditions of a community control sanction 261
imposed for a felony of the fifth degree, the prison term shall 262

not exceed ninety days, provided that if the remaining period of
community control at the time of the violation or the remaining
period of the reserved prison sentence at that time is less than
ninety days, the prison term shall not exceed the length of the
remaining period of community control or the remaining period of
the reserved prison sentence. If the court imposes a prison term
as described in this division, division (B) (2) (b) of this
section applies.

(ii) If the prison term is imposed for any technical
violation of the conditions of a community control sanction
imposed for a felony of the fourth degree that is not an offense
of violence and is not a sexually oriented offense, the prison
term shall not exceed one hundred eighty days, provided that if
the remaining period of the community control at the time of the
violation or the remaining period of the reserved prison
sentence at that time is less than one hundred eighty days, the
prison term shall not exceed the length of the remaining period
of community control or the remaining period of the reserved
prison sentence. If the court imposes a prison term as described
in this division, division (B) (2) (b) of this section applies.

(iii) A court is not limited in the number of times it may
sentence an offender to a prison term under division (B) (1) (c)
of this section for a violation of the conditions of a community
control sanction or for a violation of a law or leaving the
state without the permission of the court or the offender's
probation officer. If an offender who is under a community
control sanction violates the conditions of the sanction or
violates a law or leaves the state without the permission of the
court or the offender's probation officer, is sentenced to a
prison term for the violation or conduct, is released from the
term after serving it, and subsequently violates the conditions

of the sanction or violates a law or leaves the state without 294
the permission of the court or the offender's probation officer, 295
the court may impose a new prison term sanction on the offender 296
under division (B) (1) (c) of this section for the subsequent 297
violation or conduct. 298

(2) (a) If an offender was acting pursuant to division (B) 299
(2) (b) of section 2925.11 or a related provision of section 300
2925.12, 2925.14, or 2925.141 of the Revised Code and in so 301
doing violated the conditions of a community control sanction 302
based on a minor drug possession offense, as defined in section 303
2925.11 of the Revised Code, or violated section 2925.12, 304
division (C) (1) of section 2925.14, or section 2925.141 of the 305
Revised Code, the sentencing court shall not impose any of the 306
penalties described in division (B) (1) of this section based on 307
the violation. 308

(b) If a court imposes a prison term on an offender under 309
division (B) (1) (c) (i) or (ii) of this section for a technical 310
violation of the conditions of a community control sanction, one 311
of the following is applicable with respect to the time that the 312
offender spends in prison under the term: 313

(i) Subject to division (B) (2) (b) (ii) of this section, it 314
shall be credited against the offender's community control 315
sanction that was being served at the time of the violation, and 316
the remaining time under that community control sanction shall 317
be reduced by the time that the offender spends in prison under 318
the prison term. By determination of the court, the offender 319
upon release from the prison term either shall continue serving 320
the remaining time under the community control sanction, as 321
reduced under this division, or shall have the community control 322
sanction terminated. 323

(ii) If, at the time a prison term is imposed for a 324
technical violation, the offender was serving a residential 325
community control sanction imposed under section 2929.16 of the 326
Revised Code, the time spent serving the residential community 327
control sanction shall be credited against the offender's 328
reserved prison sentence, and the remaining time under that 329
residential community control sanction and under the reserved 330
prison sentence shall be reduced by the time that the offender 331
spends in prison under the prison term. By determination of the 332
court, the offender upon release from the prison term either 333
shall continue serving the remaining time under the residential 334
community control sanction, as reduced under this division, or 335
shall have the residential community control sanction 336
terminated. 337

(3) The prison term, if any, imposed on a violator 338
pursuant to this division and division (B)(1) of this section 339
shall be within the range of prison terms described in this 340
division and shall not exceed a prison term from the range of 341
terms specified in the notice provided to the offender at the 342
sentencing hearing pursuant to division (B)(4) of section 343
2929.19 of the Revised Code. The court may reduce the longer 344
period of time that the offender is required to spend under the 345
longer sanction, the more restrictive sanction, or a prison term 346
imposed pursuant to division (B)(1) of this section by the time 347
the offender successfully spent under the sanction that was 348
initially imposed. Except as otherwise specified in this 349
division, the prison term imposed under this division and 350
division (B)(1) of this section shall be within the range of 351
prison terms available as a definite term for the offense for 352
which the sanction that was violated was imposed. If the offense 353
for which the sanction that was violated was imposed is a felony 354

of the first or second degree committed on or after March 22, 355
2019, the prison term so imposed under this division shall be 356
within the range of prison terms available as a minimum term for 357
the offense under division (A) (1) (a) or (2) (a) of section 358
2929.14 of the Revised Code. 359

(C) If an offender, for a significant period of time, 360
fulfills the conditions of a sanction imposed pursuant to 361
section 2929.16, 2929.17, or 2929.18 of the Revised Code in an 362
exemplary manner, the court may reduce the period of time under 363
the sanction or impose a less restrictive sanction, but the 364
court shall not permit the offender to violate any law or permit 365
the offender to leave the state without the permission of the 366
court or the offender's probation officer. 367

(D) (1) If a court under division (A) (1) of this section 368
imposes a condition of release under a community control 369
sanction that requires the offender to submit to random drug 370
testing, the department of probation, the adult parole 371
authority, or any other entity that has general control and 372
supervision of the offender under division (A) (2) (a) of this 373
section may cause the offender to submit to random drug testing 374
performed by a laboratory or entity that has entered into a 375
contract with any of the governmental entities or officers 376
authorized to enter into a contract with that laboratory or 377
entity under section 341.26, 753.33, or 5120.63 of the Revised 378
Code. 379

(2) If no laboratory or entity described in division (D) 380
(1) of this section has entered into a contract as specified in 381
that division, the department of probation, the adult parole 382
authority, or any other entity that has general control and 383
supervision of the offender under division (A) (2) (a) of this 384

section shall cause the offender to submit to random drug 385
testing performed by a reputable public laboratory to determine 386
whether the individual who is the subject of the drug test 387
ingested or was injected with a drug of abuse. 388

(3) A laboratory or entity that has entered into a 389
contract pursuant to section 341.26, 753.33, or 5120.63 of the 390
Revised Code shall perform the random drug tests under division 391
(D) (1) of this section in accordance with the applicable 392
standards that are included in the terms of that contract. A 393
public laboratory shall perform the random drug tests under 394
division (D) (2) of this section in accordance with the standards 395
set forth in the policies and procedures established by the 396
department of rehabilitation and correction pursuant to section 397
5120.63 of the Revised Code. An offender who is required under 398
division (A) (1) of this section to submit to random drug testing 399
as a condition of release under a community control sanction and 400
whose test results indicate that the offender ingested or was 401
injected with a drug of abuse shall pay the fee for the drug 402
test if the department of probation, the adult parole authority, 403
or any other entity that has general control and supervision of 404
the offender requires payment of a fee. A laboratory or entity 405
that performs the random drug testing on an offender under 406
division (D) (1) or (2) of this section shall transmit the 407
results of the drug test to the appropriate department of 408
probation, the adult parole authority, or any other entity that 409
has general control and supervision of the offender under 410
division (A) (2) (a) of this section. 411

(E) As used in this section, "technical violation" means a 412
violation of the conditions of a community control sanction 413
imposed for a felony of the fifth degree, or for a felony of the 414
fourth degree that is not an offense of violence and is not a 415

sexually oriented offense, and to which neither of the following 416
applies: 417

(1) The violation consists of a new criminal offense that 418
is a felony or that is a misdemeanor other than a minor 419
misdemeanor, and the violation is committed while under the 420
community control sanction. 421

(2) The violation consists of or includes the offender's 422
articulated or demonstrated refusal to participate in the 423
community control sanction imposed on the offender or any of its 424
conditions, and the refusal demonstrates to the court that the 425
offender has abandoned the objects of the community control 426
sanction or condition. 427

Sec. 2929.16. (A) Except as provided in this division, the 428
court imposing a sentence for a felony upon an offender who is 429
not required to serve a mandatory prison term may impose any 430
community residential sanction or combination of community 431
residential sanctions under this section. The court imposing a 432
sentence for a fourth degree felony OVI offense under division 433
(G) (1) or (2) of section 2929.13 of the Revised Code or for a 434
third degree felony OVI offense under division (G) (2) of that 435
section may impose upon the offender, in addition to the 436
mandatory term of local incarceration or mandatory prison term 437
imposed under the applicable division, a community residential 438
sanction or combination of community residential sanctions under 439
this section, and the offender shall serve or satisfy the 440
sanction or combination of sanctions after the offender has 441
served the mandatory term of local incarceration or mandatory 442
prison term required for the offense. Community residential 443
sanctions include, but are not limited to, the following: 444

(1) Except as otherwise provided in division (A) (6) of 445

this section, a term of up to six months at a community-based 446
correctional facility that serves the county; 447

(2) Except as otherwise provided in division (A) (3) or (6) 448
of this section and subject to division (D) of this section, a 449
term of up to six months in a jail; 450

(3) If the offender is convicted of a fourth degree felony 451
OVI offense and is sentenced under division (G) (1) of section 452
2929.13 of the Revised Code, subject to division (D) of this 453
section, a term of up to one year in a jail less the mandatory 454
term of local incarceration of sixty or one hundred twenty 455
consecutive days of imprisonment imposed pursuant to that 456
division; 457

(4) A term in a halfway house; 458

(5) A term in an alternative residential facility; 459

(6) If the offender is sentenced to a community control 460
sanction and violates the conditions of the sanction, a new term 461
of up to six months in a community-based correctional facility 462
that serves the county, in a halfway house, a work-release 463
program, or in a jail, which term shall be in addition to any 464
other term imposed under this division. 465

(B) The court that assigns any offender convicted of a 466
felony to a residential sanction under this section may 467
authorize the offender to be released so that the offender may 468
seek or maintain employment, receive education or training, or 469
receive treatment. A release pursuant to this division shall be 470
only for the duration of time that is needed to fulfill the 471
purpose of the release and for travel that reasonably is 472
necessary to fulfill the purposes of the release. 473

(C) If the court assigns an offender to a county jail that 474

is not a minimum security misdemeanor jail in a county that has 475
established a county jail industry program pursuant to section 476
5147.30 of the Revised Code, the court shall specify, as part of 477
the sentence, whether the sheriff of that county may consider 478
the offender for participation in the county jail industry 479
program. During the offender's term in the county jail, the 480
court shall retain jurisdiction to modify its specification upon 481
a reassessment of the offender's qualifications for 482
participation in the program. 483

(D) If a court sentences an offender to a term in jail 484
under division (A) (2), (3), or (6) of this section and if the 485
sentence is imposed for a felony of the fourth or fifth degree 486
that is not an offense of violence, the court may specify that 487
it prefers that the offender serve the term in a minimum 488
security jail established under section 341.34 or 753.21 of the 489
Revised Code. If the court includes a specification of that type 490
in the sentence and if the administrator of the appropriate 491
minimum security jail or the designee of that administrator 492
classifies the offender in accordance with section 341.34 or 493
753.21 of the Revised Code as a minimal security risk, the 494
offender shall serve the term in the minimum security jail 495
established under section 341.34 or 753.21 of the Revised Code. 496
Absent a specification of that type and a finding of that type, 497
the offender shall serve the term in a jail other than a minimum 498
security jail established under section 341.34 or 753.21 of the 499
Revised Code. 500

(E) If a person who has been convicted of or pleaded 501
guilty to a felony is sentenced to a community residential 502
sanction as described in division (A) of this section, at the 503
time of reception and at other times the person in charge of the 504
operation of the community-based correctional facility, jail, 505

halfway house, alternative residential facility, or other place 506
at which the offender will serve the residential sanction 507
determines to be appropriate, the person in charge of the 508
operation of the community-based correctional facility, jail, 509
halfway house, alternative residential facility, or other place 510
may cause the convicted offender to be examined and tested for 511
tuberculosis, HIV infection, hepatitis, including but not 512
limited to hepatitis A, B, and C, and other contagious diseases. 513
The person in charge of the operation of the community-based 514
correctional facility, jail, halfway house, alternative 515
residential facility, or other place at which the offender will 516
serve the residential sanction may cause a convicted offender in 517
the community-based correctional facility, jail, halfway house, 518
alternative residential facility, or other place who refuses to 519
be tested or treated for tuberculosis, HIV infection, hepatitis, 520
including but not limited to hepatitis A, B, and C, or another 521
contagious disease to be tested and treated involuntarily. 522

Sec. 2929.25. (A) (1) Except as provided in sections 523
2929.22 and 2929.23 of the Revised Code or when a jail term is 524
required by law, in sentencing an offender for a misdemeanor, 525
other than a minor misdemeanor, the sentencing court may do 526
either of the following: 527

(a) Directly impose a sentence that consists of one or 528
more community control sanctions authorized by section 2929.26, 529
2929.27, or 2929.28 of the Revised Code. The court may impose 530
any other conditions of release under a community control 531
sanction that the court considers appropriate. If the court 532
imposes a jail term upon the offender, the court may impose any 533
community control sanction or combination of community control 534
sanctions in addition to the jail term. 535

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

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

(3) At sentencing, if a court directly imposes a community control sanction or combination of community control sanctions pursuant to division (A)(1)(a) or (B) of this section, the court shall state the duration of the community control sanctions imposed and shall notify the offender that if any of the conditions of the community control sanctions are violated the court may do any of the following:

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

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

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

(B) If a court sentences an offender to any community

control sanction or combination of community control sanctions 565
pursuant to division (A) (1) (a) of this section, the sentencing 566
court retains jurisdiction over the offender and the period of 567
community control for the duration of the period of community 568
control. Upon the motion of either party or on the court's own 569
motion, the court, in the court's sole discretion and as the 570
circumstances warrant, may modify the community control 571
sanctions or conditions of release previously imposed, 572
substitute a community control sanction or condition of release 573
for another community control sanction or condition of release 574
previously imposed, or impose an additional community control 575
sanction or condition of release. 576

(C) (1) If a court sentences an offender to any community 577
control sanction or combination of community control sanctions 578
authorized under section 2929.26, 2929.27, or 2929.28 of the 579
Revised Code, the court shall place the offender under the 580
general control and supervision of the court or of a department 581
of probation in the jurisdiction that serves the court for 582
purposes of reporting to the court a violation of any of the 583
conditions of the sanctions imposed. If the offender resides in 584
another jurisdiction and a department of probation has been 585
established to serve the municipal court or county court in that 586
jurisdiction, the sentencing court may request the municipal 587
court or the county court to receive the offender into the 588
general control and supervision of that department of probation 589
for purposes of reporting to the sentencing court a violation of 590
any of the conditions of the sanctions imposed. The sentencing 591
court retains jurisdiction over any offender whom it sentences 592
for the duration of the sanction or sanctions imposed. 593

(2) The sentencing court shall require as a condition of 594
any community control sanction that the offender abide by the 595

law and not leave the state without the permission of the court 596
or the offender's probation officer. In the interests of doing 597
justice, rehabilitating the offender, and ensuring the 598
offender's good behavior, the court may impose additional 599
requirements on the offender. The offender's compliance with the 600
additional requirements also shall be a condition of the 601
community control sanction imposed upon the offender. 602

(D) (1) If the court imposing sentence upon an offender 603
sentences the offender to any community control sanction or 604
combination of community control sanctions authorized under 605
section 2929.26, 2929.27, or 2929.28 of the Revised Code, and if 606
the offender violates any of the conditions of the sanctions, 607
the public or private person or entity that supervises or 608
administers the program or activity that comprises the sanction 609
shall report the violation directly to the sentencing court or 610
to the department of probation or probation officer with general 611
control and supervision over the offender. If the public or 612
private person or entity reports the violation to the department 613
of probation or probation officer, the department or officer 614
shall report the violation to the sentencing court. 615

(2) Except as provided in division (D) (3) of this section, 616
if an offender violates any condition of a community control 617
sanction, the sentencing court may impose upon the violator one 618
or more of the following penalties: 619

(a) A longer time under the same community control 620
sanction if the total time under all of the community control 621
sanctions imposed on the violator does not exceed the five-year 622
limit specified in division (A) (2) of this section; 623

(b) A more restrictive community control sanction; 624

(c) A combination of community control sanctions, 625
including a jail term or a term in a work-release program. 626

(3) If an offender was acting pursuant to division (B) (2) 627
(b) of section 2925.11 or a related provision under section 628
2925.12, 2925.14, or 2925.141 of the Revised Code and in so 629
doing violated the conditions of a community control sanction 630
based on a minor drug possession offense, as defined in section 631
2925.11 of the Revised Code, or violated section 2925.12, 632
division (C) (1) of section 2925.14, or section 2925.141 of the 633
Revised Code, the sentencing court shall not impose any of the 634
penalties described in division (D) (2) of this section based on 635
the violation. 636

(4) If the court imposes a jail term or a term in a work- 637
release program upon a violator pursuant to division (D) (2) of 638
this section, the total time spent in jail or in a work-release 639
program for the misdemeanor offense and the violation of a 640
condition of the community control sanction shall not exceed the 641
maximum jail term or term in a work-release program available 642
for the offense for which the sanction that was violated was 643
imposed. The court may reduce the longer period of time that the 644
violator is required to spend under the longer sanction or the 645
more restrictive sanction imposed under division (D) (2) of this 646
section by all or part of the time the violator successfully 647
spent under the sanction that was initially imposed. 648

(E) Except as otherwise provided in this division, if an 649
offender, for a significant period of time, fulfills the 650
conditions of a community control sanction imposed pursuant to 651
section 2929.26, 2929.27, or 2929.28 of the Revised Code in an 652
exemplary manner, the court may reduce the period of time under 653
the community control sanction or impose a less restrictive 654

community control sanction. Fulfilling the conditions of a 655
community control sanction does not relieve the offender of a 656
duty to make restitution under section 2929.28 of the Revised 657
Code. 658

Sec. 2967.131. (A) In addition to any other terms and 659
conditions of a conditional pardon or parole, of transitional 660
control, or of another form of authorized release from 661
confinement in a state correctional institution that is granted 662
to an individual and that involves the placement of the 663
individual under the supervision of the adult parole authority, 664
and in addition to any other sanctions of post-release control 665
of a felon imposed under section 2967.28 of the Revised Code, 666
the authority or, in the case of a conditional pardon, the 667
governor shall include in the terms and conditions of the 668
conditional pardon, parole, transitional control, or other form 669
of authorized release or shall include as conditions of the 670
post-release control the conditions that the individual or felon 671
not leave the state without permission of the court or the 672
individual's or felon's parole or probation officer and that the 673
individual or felon abide by the law during the period of the 674
individual's or felon's conditional pardon, parole, transitional 675
control, other form of authorized release, or post-release 676
control. 677

(B) (1) The department of rehabilitation and correction, as 678
a condition of parole or post-release control, may require that 679
the individual or felon shall not ingest or be injected with a 680
drug of abuse and shall submit to random drug testing as 681
provided in divisions (B) (2), (3), and (4) of this section and 682
that the results of the drug test indicate that the individual 683
or felon did not ingest or was not injected with a drug of 684
abuse. 685

(2) If the adult parole authority has general control and supervision of an individual or felon who is required to submit to random drug testing as a condition of parole or post-release control under division (B)(1) of this section, the authority may cause the individual or felon to submit to random drug testing performed by a laboratory or entity that has entered into a contract with any of the governmental entities or officers authorized to enter into a contract with that laboratory or entity under section 341.26, 753.33, or 5120.63 of the Revised Code.

(3) If no laboratory or entity described in division (B)(2) of this section has entered into a contract as specified in that division, the adult parole authority shall cause the individual or felon to submit to random drug testing performed by a reputable public laboratory to determine whether the individual or felon who is the subject of the drug test ingested or was injected with a drug of abuse.

(4) If a laboratory or entity has entered into a contract with a governmental entity or officer as specified in division (B)(2) of this section, the laboratory or entity shall perform the random drug testing under division (B)(2) of this section in accordance with the applicable standards that are included in the terms of that contract. A public laboratory shall perform the random drug tests under division (B)(3) of this section in accordance with the standards set forth in the policies and procedures established by the department of rehabilitation and correction pursuant to section 5120.63 of the Revised Code. An individual or felon who is required under division (B)(1) of this section to submit to random drug testing as a condition of parole or post-release control and whose test results indicate that the individual or felon ingested or was injected with a

drug of abuse shall pay the fee for the drug test if the adult 717
parole authority requires payment of a fee. A laboratory or 718
entity that performs the random drug testing on a parolee or 719
releasee under division (B) (2) or (3) of this section shall 720
transmit the results of the drug test to the adult parole 721
authority. 722

(C) (1) During the period of a conditional pardon or 723
parole, of transitional control, or of another form of 724
authorized release from confinement in a state correctional 725
institution that is granted to an individual and that involves 726
the placement of the individual under the supervision of the 727
adult parole authority, and during a period of post-release 728
control of a felon imposed under section 2967.28 of the Revised 729
Code, authorized field officers of the authority who are engaged 730
within the scope of their supervisory duties or responsibilities 731
may search, with or without a warrant, the person of the 732
individual or felon, the place of residence of the individual or 733
felon, and a motor vehicle, another item of tangible or 734
intangible personal property, or other real property in which 735
the individual or felon has a right, title, or interest or for 736
which the individual or felon has the express or implied 737
permission of a person with a right, title, or interest to use, 738
occupy, or possess, if any of the following apply: 739

(a) The field officers have reasonable grounds to believe 740
that the individual or felon has left the state, is not abiding 741
by the law, or otherwise is not complying with the terms and 742
conditions of the individual's or felon's conditional pardon, 743
parole, transitional control, other form of authorized release, 744
or post-release control. 745

(b) The adult parole authority requires the individual's 746

or felon's consent to searches as part of the terms and 747
conditions of the conditional pardon or parole, of the 748
transitional control, of the other form of authorized release 749
from confinement in a state correctional institution that is 750
granted to a person, or of the post-release control and that 751
involves the placement of the person under the supervision of 752
the adult parole authority, and the individual or felon agreed 753
to those terms and conditions, provided that this division 754
applies with respect to an individual only if the individual is 755
a felon. 756

(c) The individual or felon otherwise provides consent for 757
the search, provided that this division applies with respect to 758
an individual only if the individual is a felon. 759

(2) The adult parole authority shall provide each 760
individual who is granted a conditional pardon or parole, 761
transitional control, or another form of authorized release from 762
confinement in a state correctional institution and each felon 763
who is under post-release control with a written notice that 764
informs the individual or felon that authorized field officers 765
of the authority who are engaged within the scope of their 766
supervisory duties or responsibilities may conduct the types of 767
searches described in division (C)(1) of this section during the 768
period of the conditional pardon, parole, transitional control, 769
other form of authorized release, or post-release control if any 770
of the following apply: 771

(a) The field officers have reasonable grounds to believe 772
that the individual or felon has left the state, is not abiding 773
by the law, or otherwise is not complying with the terms and 774
conditions of the individual's or felon's conditional pardon, 775
parole, transitional control, other form of authorized release, 776

or post-release control. 777

(b) The adult parole authority requires the individual's 778
or felon's consent to searches as part of the terms and 779
conditions of the conditional pardon or parole, of transitional 780
control, of the other form of authorized release from 781
confinement in a state correctional institution that is granted 782
to a person, or of the post-release control and that involves 783
the placement of the person under the supervision of the adult 784
parole authority, and the individual or felon agreed to those 785
terms and conditions, provided that this division applies with 786
respect to an individual only if the individual is a felon. 787

(c) The individual or felon otherwise provides consent for 788
the search, provided that this division applies with respect to 789
an individual only if the individual is a felon. 790

(D) The department of rehabilitation and correction, as a 791
condition of parole or post-release control, may require the 792
individual or felon to do any of the following: 793

(1) Seek and obtain employment or visit an employment 794
service to review available positions or utilize other 795
recommended resources in seeking employment, until employment is 796
secured; 797

(2) Participate in educational or vocational training, or 798
in a workforce development program; 799

(3) Participate in community service. 800

Sec. 2967.15. ~~(A)~~(A) (1) If an adult parole authority field 801
officer has reasonable cause to believe that a person who is a 802
parolee or releasee, who is under transitional control, or who 803
is under another form of authorized release and who is under the 804
supervision of the adult parole authority has violated or is 805

violating the condition of a conditional pardon, parole, other 806
form of authorized release, transitional control, or post- 807
release control specified in division (A) of section 2967.131 of 808
the Revised Code or any other term or condition of the person's 809
conditional pardon, parole, other form of authorized release, 810
transitional control, or post-release control, the field officer 811
may arrest the person without a warrant or order a peace officer 812
to arrest the person without a warrant. 813

(2) The adult parole authority may arrest a person 814
described above in a residence, including residences other than 815
the approved residence of the person, if there is probable cause 816
to believe that the person is residing at the residence or there 817
is probable cause to believe that the person is currently 818
present on the premises. 819

(3) A person so arrested shall be confined in the jail of 820
the county in which the person is arrested or in another 821
facility designated by the chief of the adult parole authority 822
until a determination is made regarding the person's release 823
status. Upon making an arrest under this section, the arresting 824
or supervising adult parole authority field officer promptly 825
shall notify the superintendent of parole supervision or the 826
superintendent's designee, in writing, that the person has been 827
arrested and is in custody and submit an appropriate report of 828
the reason for the arrest. 829

(B) Except as otherwise provided in this division, prior 830
to the revocation by the adult parole authority of a person's 831
pardon, parole, or other release and prior to the imposition by 832
the parole board or adult parole authority of a new prison term 833
as a post-release control sanction for a person, the adult 834
parole authority shall grant the person a hearing in accordance 835

with rules adopted by the department of rehabilitation and 836
correction under Chapter 119. of the Revised Code. The adult 837
parole authority is not required to grant the person a hearing 838
if the person is convicted of or pleads guilty to an offense 839
that the person committed while released on a pardon, on parole, 840
or another form of release, or on post-release control and upon 841
which the revocation of the person's pardon, parole, other 842
release, or post-release control is based. 843

If a person who has been pardoned is found to be a 844
violation of the conditions of the parolee's conditional pardon 845
or commutation of sentence, the authority forthwith shall 846
transmit to the governor its recommendation concerning that 847
violation, and the violator shall be retained in custody until 848
the governor issues an order concerning that violation. 849

If the authority fails to make a determination of the case 850
of a parolee or releasee alleged to be a violator of the terms 851
and conditions of the parolee's or releasee's conditional 852
pardon, parole, other release, or post-release control sanctions 853
within a reasonable time, the parolee or releasee shall be 854
released from custody under the same terms and conditions of the 855
parolee's or releasee's original conditional pardon, parole, 856
other release, or post-release control sanctions. 857

(C) (1) If a person who is a parolee or releasee, who is 858
under transitional control, or who is under another form of 859
authorized release under the supervision of the adult parole 860
authority absconds from supervision, the supervising adult 861
parole authority field officer shall report that fact to the 862
superintendent of parole supervision, in writing, and the 863
authority shall declare that person to be a violator at large. 864
Upon being advised of the apprehension and availability for 865

return of a violator at large, the superintendent of parole 866
supervision shall determine whether the violator at large should 867
be restored to parole, transitional control, another form of 868
authorized release, or post-release control. 869

The time between the date on which a person who is a 870
parolee or other releasee is declared to be a violator or 871
violator at large and the date on which that person is returned 872
to custody in this state under the immediate control of the 873
adult parole authority shall not be counted as time served under 874
the sentence imposed on that person or as a part of the term of 875
post-release control. 876

(2) A person who is under transitional control or who is 877
under any form of authorized release under the supervision of 878
the adult parole authority is considered to be in custody while 879
under the transitional control or on release, and, if the person 880
absconds from supervision, the person may be prosecuted for the 881
offense of escape. 882

(D) A person who is a parolee or releasee, who is under 883
transitional control, or who is under another form of authorized 884
release under the supervision of the adult parole authority and 885
who has violated a term or condition of the person's conditional 886
pardon, parole, transitional control, other form of authorized 887
release, or post-release control shall be declared to be a 888
violator if the person is committed to a correctional 889
institution outside the state to serve a sentence imposed upon 890
the person by a federal court or a court of another state or if 891
the person otherwise leaves the state. 892

(E) As used in this section, "peace officer" has the same 893
meaning as in section 2935.01 of the Revised Code. 894

Section 2. That existing sections 2929.15, 2929.16, 895
2929.25, 2967.131, and 2967.15 of the Revised Code are hereby 896
repealed. 897

Section 3. This act shall be known as the Adult Parole 898
Authority Enhancement Act. 899

Section 4. Section 2929.15 of the Revised Code is 900
presented in this act as a composite of the section as amended 901
by H.B. 110, H.B. 281, and S.B. 288, all of the 134th General 902
Assembly. The General Assembly, applying the principle stated in 903
division (B) of section 1.52 of the Revised Code that amendments 904
are to be harmonized if reasonably capable of simultaneous 905
operation, finds that the composite is the resulting version of 906
the section in effect prior to the effective date of the section 907
as presented in this act. 908