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H.B. 926
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Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Williams

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SUMMARY

- Creates a habitual offender classification for an offender who is convicted of multiple first or second degree felonies.
- Creates a habitual offender specification and requires the court to impose a mandatory term of life imprisonment on a person convicted of the specification.
- Names the bill the "Felony Accountability for Frequent Offenders Act."

DETAILED ANALYSIS

Habitual felony offender

Classification

The bill creates a "habitual felony offender" classification. A habitual felony offender is a person about whom both of the following apply:

- The person is being convicted of or pleaded guilty to a first or second degree felony.
- The person has previously been convicted of or pleaded guilty to two or more first or second degree felonies committed on separate occasions.

As used above, a "first or second degree felony" does not include a first or second degree felony or a delinquent act that would be a first or second degree felony if committed by an adult committed before the effective date of the bill.[1]

[1] R.C. 2929.01(HHH), 2941.1427(D), and 2967.01(T).

Specification

The bill creates a habitual felony offender specification. The court must impose a mandatory term of life imprisonment on an offender who is convicted of or pleaded guilty to a habitual felony specification.[2]

The bill requires the indictment, count in the indictment, or information charging the offender to specify that the offender is a habitual felony offender. The specification must be stated at the end of the body of the indictment, count, or information, and must be stated in substantially the same form:[3]

> SPECIFICATION (or SPECIFICATION TO THE FIRST COUNT).
> The Grand Jurors (or insert the person's or prosecuting attorney's name when appropriate) further find and specify that (set forth that the offender is a habitual felony offender).

The bill requires the court to determine the issue of whether an offender is a habitual felony offender.[4] At the arraignment, or as soon thereafter as possible, the prosecuting attorney may give notice to the defendant of the prosecuting attorney's intention to use a certified copy of the entry of judgment of a prior conviction as proof of that prior conviction. The defendant must then give notice to the prosecuting attorney of the defendant's intention to object to the use of the entry of the judgment. If the defendant, pursuant to Ohio Criminal Rule 12, does not give notice of that intention to the prosecuting attorney before trial, the defendant waives the objection to the use of an entry of judgment as proof of the defendant's prior conviction, as shown on the entry of judgment.[5]

Parole eligibility and earned credit

The bill provides that if a prisoner is serving a term of life imprisonment for being a habitual felony offender, both of the following apply:

- The prisoner generally becomes eligible for parole after serving 15 years' imprisonment.[6]
- The prisoner is not eligible for any earned credit.[7]

Felony Accountability and Frequent Offenders Act

The bill names the act's provisions the "Felony Accountability for Frequent Offenders Act."[8]

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[2] R.C. 2929.14(B)(12).

[3] R.C. 2941.1427(A).

[4] R.C. 2941.1427(B).

[5] R.C. 2941.1427(C).

[6] R.C. 2967.13(A)(7) and 2967.132(C)(1).

[7] R.C. 2967.13(A)(7).

[8] Section 3.

HISTORY

Action	Date
Introduced	05-19-26