

As Introduced

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

H. B. No. 926

Representative Williams

To amend sections 2929.01, 2929.14, 2967.01, 1
2967.13, and 2967.132 and to enact section 2
2941.1427 of the Revised Code to enact the 3
Felony Accountability for Frequent Offenders Act 4
to create a specification for a habitual felony 5
offender. 6

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

Section 1. That sections 2929.01, 2929.14, 2967.01, 7
2967.13, and 2967.132 be amended and section 2941.1427 of the 8
Revised Code be enacted to read as follows: 9

Sec. 2929.01. As used in this chapter: 10

(A) (1) "Alternative residential facility" means, subject 11
to divisions (A) (2) and (3) of this section, any facility other 12
than an offender's home or residence in which an offender is 13
assigned to live and that satisfies all of the following 14
criteria: 15

(a) It provides programs through which the offender may 16
seek or maintain employment or may receive education, training, 17
treatment, or habilitation. 18

(b) It has received the appropriate license or certificate 19
for any specialized education, training, treatment, 20

habilitation, or other service that it provides from the 21
government agency that is responsible for licensing or 22
certifying that type of education, training, treatment, 23
habilitation, or service. 24

(2) "Alternative residential facility" does not include a 25
community-based correctional facility, jail, halfway house, or 26
prison. 27

(3) "Alternative residential facility" includes a 28
community alternative sentencing center or district community 29
alternative sentencing center when authorized by section 307.932 30
of the Revised Code and when the center is being used for an OVI 31
term of confinement, as defined by that section. 32

(B) "Basic probation supervision" means a requirement that 33
the offender maintain contact with a person appointed to 34
supervise the offender in accordance with sanctions imposed by 35
the court or imposed by the parole board pursuant to section 36
2967.28 of the Revised Code. "Basic probation supervision" 37
includes basic parole supervision and basic post-release control 38
supervision. 39

(C) "Cocaine," "fentanyl-related compound," "hashish," 40
"L.S.D.," and "unit dose" have the same meanings as in section 41
2925.01 of the Revised Code. 42

(D) "Community-based correctional facility" means a 43
community-based correctional facility and program or district 44
community-based correctional facility and program developed 45
pursuant to sections 2301.51 to 2301.58 of the Revised Code. 46

(E) "Community control sanction" means a sanction that is 47
not a prison term and that is described in section 2929.15, 48
2929.16, 2929.17, or 2929.18 of the Revised Code or a sanction 49

that is not a jail term and that is described in section 50
2929.26, 2929.27, or 2929.28 of the Revised Code. "Community 51
control sanction" includes probation if the sentence involved 52
was imposed for a felony that was committed prior to July 1, 53
1996, or if the sentence involved was imposed for a misdemeanor 54
that was committed prior to January 1, 2004. 55

(F) "Controlled substance," "marihuana," "schedule I," and 56
"schedule II" have the same meanings as in section 3719.01 of 57
the Revised Code. 58

(G) "Curfew" means a requirement that an offender during a 59
specified period of time be at a designated place. 60

(H) "Day reporting" means a sanction pursuant to which an 61
offender is required each day to report to and leave a center or 62
other approved reporting location at specified times in order to 63
participate in work, education or training, treatment, and other 64
approved programs at the center or outside the center. 65

(I) "Deadly weapon" has the same meaning as in section 66
2923.11 of the Revised Code. 67

(J) "Drug and alcohol use monitoring" means a program 68
under which an offender agrees to submit to random chemical 69
analysis of the offender's blood, breath, or urine to determine 70
whether the offender has ingested any alcohol or other drugs. 71

(K) "Drug treatment program" means any program under which 72
a person undergoes assessment and treatment designed to reduce 73
or completely eliminate the person's physical or emotional 74
reliance upon alcohol, another drug, or alcohol and another drug 75
and under which the person may be required to receive assessment 76
and treatment on an outpatient basis or may be required to 77
reside at a facility other than the person's home or residence 78

while undergoing assessment and treatment. 79

(L) "Economic loss" means any economic detriment suffered 80
by a victim as a direct and proximate result of the commission 81
of an offense and includes any loss of income due to lost time 82
at work because of any injury caused to the victim, any property 83
loss, medical cost, or funeral expense incurred as a result of 84
the commission of the offense, and the cost of any accounting or 85
auditing done to determine the extent of loss if the cost is 86
incurred and payable by the victim. "Economic loss" does not 87
include non-economic loss or any punitive or exemplary damages. 88

(M) "Education or training" includes study at, or in 89
conjunction with a program offered by, a university, college, or 90
technical college or vocational study and also includes the 91
completion of primary school, secondary school, and literacy 92
curricula or their equivalent. 93

(N) "Firearm" has the same meaning as in section 2923.11 94
of the Revised Code. 95

(O) "Halfway house" means a facility licensed by the 96
division of parole and community services of the department of 97
rehabilitation and correction pursuant to section 2967.14 of the 98
Revised Code as a suitable facility for the care and treatment 99
of adult offenders. 100

(P) "House arrest" means a period of confinement of an 101
offender that is in the offender's home or in other premises 102
specified by the sentencing court or by the parole board 103
pursuant to section 2967.28 of the Revised Code and during which 104
all of the following apply: 105

(1) The offender is required to remain in the offender's 106
home or other specified premises for the specified period of 107

confinement, except for periods of time during which the 108
offender is at the offender's place of employment or at other 109
premises as authorized by the sentencing court or by the parole 110
board. 111

(2) The offender is required to report periodically to a 112
person designated by the court or parole board. 113

(3) The offender is subject to any other restrictions and 114
requirements that may be imposed by the sentencing court or by 115
the parole board. 116

(Q) "Intensive probation supervision" means a requirement 117
that an offender maintain frequent contact with a person 118
appointed by the court, or by the parole board pursuant to 119
section 2967.28 of the Revised Code, to supervise the offender 120
while the offender is seeking or maintaining necessary 121
employment and participating in training, education, and 122
treatment programs as required in the court's or parole board's 123
order. "Intensive probation supervision" includes intensive 124
parole supervision and intensive post-release control 125
supervision. 126

(R) "Jail" means a jail, workhouse, minimum security jail, 127
or other residential facility used for the confinement of 128
alleged or convicted offenders that is operated by a political 129
subdivision or a combination of political subdivisions of this 130
state. 131

(S) "Jail term" means the term in a jail that a sentencing 132
court imposes or is authorized to impose pursuant to section 133
2929.24 or 2929.25 of the Revised Code or pursuant to any other 134
provision of the Revised Code that authorizes a term in a jail 135
for a misdemeanor conviction. 136

(T) "Mandatory jail term" means the term in a jail that a sentencing court is required to impose pursuant to division (G) of section 1547.99 of the Revised Code, division (E) of section 2903.06 or division (D) of section 2903.08 of the Revised Code, division (F) of section 2929.24 of the Revised Code, division (B) of section 4510.14 of the Revised Code, or division (G) of section 4511.19 of the Revised Code or pursuant to any other provision of the Revised Code that requires a term in a jail for a misdemeanor conviction.

(U) "Delinquent child" has the same meaning as in section 2152.02 of the Revised Code.

(V) "License violation report" means a report that is made by a sentencing court, or by the parole board pursuant to section 2967.28 of the Revised Code, to the regulatory or licensing board or agency that issued an offender a professional license or a license or permit to do business in this state and that specifies that the offender has been convicted of or pleaded guilty to an offense that may violate the conditions under which the offender's professional license or license or permit to do business in this state was granted or an offense for which the offender's professional license or license or permit to do business in this state may be revoked or suspended.

(W) "Major drug offender" means an offender who is convicted of or pleads guilty to the possession of, sale of, or offer to sell any drug, compound, mixture, preparation, or substance that consists of or contains at least one thousand grams of hashish; at least one hundred grams of cocaine; at least one thousand unit doses or one hundred grams of heroin; at least five thousand unit doses of L.S.D. or five hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid

distillate form; at least fifty grams of a controlled substance 167
analog; at least one thousand unit doses or one hundred grams of 168
a fentanyl-related compound; or at least one hundred times the 169
amount of any other schedule I or II controlled substance other 170
than marihuana that is necessary to commit a felony of the third 171
degree pursuant to section 2925.03, 2925.04, 2925.05, or 2925.11 172
of the Revised Code that is based on the possession of, sale of, 173
or offer to sell the controlled substance. 174

(X) "Mandatory prison term" means any of the following: 175

(1) Subject to division (X)(2) of this section, the term 176
in prison that must be imposed for the offenses or circumstances 177
set forth in divisions (F)(1) to (8) or (F)(12) to ~~(21)~~(22) of 178
section 2929.13 and division (B) of section 2929.14 of the 179
Revised Code. Except as provided in sections 2925.02, 2925.03, 180
2925.04, 2925.05, and 2925.11 of the Revised Code, unless the 181
maximum or another specific term is required under section 182
2929.14 or 2929.142 of the Revised Code, a mandatory prison term 183
described in this division may be any prison term authorized for 184
the level of offense except that if the offense is a felony of 185
the first or second degree committed on or after March 22, 2019, 186
a mandatory prison term described in this division may be one of 187
the terms prescribed in division (A)(1)(a) or (2)(a) of section 188
2929.14 of the Revised Code, whichever is applicable, that is 189
authorized as the minimum term for the offense. 190

(2) The term of sixty or one hundred twenty days in prison 191
that a sentencing court is required to impose for a third or 192
fourth degree felony OVI offense pursuant to division (G)(2) of 193
section 2929.13 and division (G)(1)(d) or (e) of section 4511.19 194
of the Revised Code or the term of one, two, three, four, or 195
five years in prison that a sentencing court is required to 196

impose pursuant to division (G) (2) of section 2929.13 of the Revised Code. 197
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(3) The term in prison imposed pursuant to division (A) of section 2971.03 of the Revised Code for the offenses and in the circumstances described in division (F) (11) of section 2929.13 of the Revised Code or pursuant to division (B) (1) (a), (b), or (c), (B) (2) (a), (b), or (c), or (B) (3) (a), (b), (c), or (d) of section 2971.03 of the Revised Code and that term as modified or terminated pursuant to section 2971.05 of the Revised Code. 199
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(Y) "Monitored time" means a period of time during which an offender continues to be under the control of the sentencing court or parole board, subject to no conditions other than leading a law-abiding life. 206
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(Z) "Offender" means a person who, in this state, is convicted of or pleads guilty to a felony or a misdemeanor. 210
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(AA) "Prison" means a residential facility used for the confinement of convicted felony offenders that is under the control of the department of rehabilitation and correction and includes a violation sanction center operated under authority of section 2967.141 of the Revised Code. 212
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(BB) (1) "Prison term" includes either of the following sanctions for an offender: 217
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(a) A stated prison term; 219

(b) A term in a prison shortened by, or with the approval of, the sentencing court pursuant to section 2929.143, 2929.20, 5120.031, 5120.032, or 5120.073 of the Revised Code or shortened pursuant to section 2967.26 of the Revised Code. 220
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(2) With respect to a non-life felony indefinite prison 224

term, references in any provision of law to a reduction of, or 225
deduction from, the prison term mean a reduction in, or 226
deduction from, the minimum term imposed as part of the 227
indefinite term. 228

(CC) "Repeat violent offender" means a person about whom 229
both of the following apply: 230

(1) The person is being sentenced for committing or for 231
complicity in committing any of the following: 232

(a) Aggravated murder, murder, any felony of the first or 233
second degree that is an offense of violence, or an attempt to 234
commit any of these offenses if the attempt is a felony of the 235
first or second degree; 236

(b) An offense under an existing or former law of this 237
state, another state, or the United States that is or was 238
substantially equivalent to an offense described in division 239
(CC) (1) (a) of this section. 240

(2) The person previously was convicted of or pleaded 241
guilty to an offense described in division (CC) (1) (a) or (b) of 242
this section. 243

(DD) "Sanction" means any penalty imposed upon an offender 244
who is convicted of or pleads guilty to an offense, as 245
punishment for the offense. "Sanction" includes any sanction 246
imposed pursuant to any provision of sections 2929.14 to 2929.18 247
or 2929.24 to 2929.28 of the Revised Code. 248

(EE) "Sentence" means the sanction or combination of 249
sanctions imposed by the sentencing court on an offender who is 250
convicted of or pleads guilty to an offense. 251

(FF) (1) "Stated prison term" means the prison term, 252

mandatory prison term, or combination of all prison terms and 253
mandatory prison terms imposed by the sentencing court pursuant 254
to section 2929.14, 2929.142, or 2971.03 of the Revised Code or 255
under section 2919.25 of the Revised Code. "Stated prison term" 256
includes any credit received by the offender for time spent in 257
jail awaiting trial, sentencing, or transfer to prison for the 258
offense and any time spent under house arrest or house arrest 259
with electronic monitoring imposed after earning credits 260
pursuant to section 2967.193 or 2967.194 of the Revised Code. If 261
an offender is serving a prison term as a risk reduction 262
sentence under sections 2929.143 and 5120.036 of the Revised 263
Code, "stated prison term" includes any period of time by which 264
the prison term imposed upon the offender is shortened by the 265
offender's successful completion of all assessment and treatment 266
or programming pursuant to those sections. 267

(2) As used in the definition of "stated prison term" set 268
forth in division (FF) (1) of this section, a prison term is a 269
definite prison term imposed under section 2929.14 of the 270
Revised Code or any other provision of law, is the minimum and 271
maximum prison terms under a non-life felony indefinite prison 272
term, or is a term of life imprisonment except to the extent 273
that the use of that definition in a section of the Revised Code 274
clearly is not intended to include a term of life imprisonment. 275
With respect to an offender sentenced to a non-life felony 276
indefinite prison term, references in section 2967.191, 277
2967.193, or 2967.194 of the Revised Code or any other provision 278
of law to a reduction of, or deduction from, the offender's 279
stated prison term or to release of the offender before the 280
expiration of the offender's stated prison term mean a reduction 281
in, or deduction from, the minimum term imposed as part of the 282
indefinite term or a release of the offender before the 283

expiration of that minimum term, references in section 2929.19 284
or 2967.28 of the Revised Code to a stated prison term with 285
respect to a prison term imposed for a violation of a post- 286
release control sanction mean the minimum term so imposed, and 287
references in any provision of law to an offender's service of 288
the offender's stated prison term or the expiration of the 289
offender's stated prison term mean service or expiration of the 290
minimum term so imposed plus any additional period of 291
incarceration under the sentence that is required under section 292
2967.271 of the Revised Code. 293

(GG) "Victim-offender mediation" means a reconciliation or 294
mediation program that involves an offender and the victim of 295
the offense committed by the offender and that includes a 296
meeting in which the offender and the victim may discuss the 297
offense, discuss restitution, and consider other sanctions for 298
the offense. 299

(HH) "Fourth degree felony OVI offense" means a violation 300
of division (A) of section 4511.19 of the Revised Code that, 301
under division (G) of that section, is a felony of the fourth 302
degree. 303

(II) "Mandatory term of local incarceration" means the 304
term of sixty or one hundred twenty days in a jail, a community- 305
based correctional facility, a halfway house, or an alternative 306
residential facility that a sentencing court may impose upon a 307
person who is convicted of or pleads guilty to a fourth degree 308
felony OVI offense pursuant to division (G) (1) of section 309
2929.13 of the Revised Code and division (G) (1) (d) or (e) of 310
section 4511.19 of the Revised Code. 311

(JJ) "Designated homicide, assault, or kidnapping 312
offense," "violent sex offense," "sexual motivation 313

specification," "sexually violent offense," "sexually violent predator," and "sexually violent predator specification" have the same meanings as in section 2971.01 of the Revised Code.

(KK) "Sexually oriented offense," "child-victim oriented offense," and "tier III sex offender/child-victim offender" have the same meanings as in section 2950.01 of the Revised Code.

(LL) An offense is "committed in the vicinity of a child" if the offender commits the offense within thirty feet of or within the same residential unit as a child who is under eighteen years of age, regardless of whether the offender knows the age of the child or whether the offender knows the offense is being committed within thirty feet of or within the same residential unit as the child and regardless of whether the child actually views the commission of the offense.

(MM) "Family or household member" has the same meaning as in section 2919.25 of the Revised Code.

(NN) "Motor vehicle" and "manufactured home" have the same meanings as in section 4501.01 of the Revised Code.

(OO) "Detention" and "detention facility" have the same meanings as in section 2921.01 of the Revised Code.

(PP) "Third degree felony OVI offense" means a violation of division (A) of section 4511.19 of the Revised Code that, under division (G) of that section, is a felony of the third degree.

(QQ) "Random drug testing" has the same meaning as in section 5120.63 of the Revised Code.

(RR) "Felony sex offense" has the same meaning as in section 2967.28 of the Revised Code.

(SS) "Body armor" has the same meaning as in section 342
2941.1411 of the Revised Code. 343

(TT) "Electronic monitoring" means monitoring through the 344
use of an electronic monitoring device. 345

(UU) "Electronic monitoring device" means any of the 346
following: 347

(1) Any device that can be operated by electrical or 348
battery power and that conforms with all of the following: 349

(a) The device has a transmitter that can be attached to a 350
person, that will transmit a specified signal to a receiver of 351
the type described in division (UU) (1) (b) of this section if the 352
transmitter is removed from the person, turned off, or altered 353
in any manner without prior court approval in relation to 354
electronic monitoring or without prior approval of the 355
department of rehabilitation and correction in relation to the 356
use of an electronic monitoring device for an inmate on 357
transitional control or otherwise is tampered with, that can 358
transmit continuously and periodically a signal to that receiver 359
when the person is within a specified distance from the 360
receiver, and that can transmit an appropriate signal to that 361
receiver if the person to whom it is attached travels a 362
specified distance from that receiver. 363

(b) The device has a receiver that can receive 364
continuously the signals transmitted by a transmitter of the 365
type described in division (UU) (1) (a) of this section, can 366
transmit continuously those signals by a wireless or landline 367
telephone connection to a central monitoring computer of the 368
type described in division (UU) (1) (c) of this section, and can 369
transmit continuously an appropriate signal to that central 370

monitoring computer if the device has been turned off or altered 371
without prior court approval or otherwise tampered with. The 372
device is designed specifically for use in electronic 373
monitoring, is not a converted wireless phone or another 374
tracking device that is clearly not designed for electronic 375
monitoring, and provides a means of text-based or voice 376
communication with the person. 377

(c) The device has a central monitoring computer that can 378
receive continuously the signals transmitted by a wireless or 379
landline telephone connection by a receiver of the type 380
described in division (UU) (1) (b) of this section and can monitor 381
continuously the person to whom an electronic monitoring device 382
of the type described in division (UU) (1) (a) of this section is 383
attached. 384

(2) Any device that is not a device of the type described 385
in division (UU) (1) of this section and that conforms with all 386
of the following: 387

(a) The device includes a transmitter and receiver that 388
can monitor and determine the location of a subject person at 389
any time, or at a designated point in time, through the use of a 390
central monitoring computer or through other electronic means. 391

(b) The device includes a transmitter and receiver that 392
can determine at any time, or at a designated point in time, 393
through the use of a central monitoring computer or other 394
electronic means the fact that the transmitter is turned off or 395
altered in any manner without prior approval of the court in 396
relation to the electronic monitoring or without prior approval 397
of the department of rehabilitation and correction in relation 398
to the use of an electronic monitoring device for an inmate on 399
transitional control or otherwise is tampered with. 400

(3) Any type of technology that can adequately track or 401
determine the location of a subject person at any time and that 402
is approved by the director of rehabilitation and correction, 403
including, but not limited to, any satellite technology, voice 404
tracking system, or retinal scanning system that is so approved. 405

(VV) "Non-economic loss" means nonpecuniary harm suffered 406
by a victim of an offense as a result of or related to the 407
commission of the offense, including, but not limited to, pain 408
and suffering; loss of society, consortium, companionship, care, 409
assistance, attention, protection, advice, guidance, counsel, 410
instruction, training, or education; mental anguish; and any 411
other intangible loss. 412

(WW) "Prosecutor" has the same meaning as in section 413
2935.01 of the Revised Code. 414

(XX) "Continuous alcohol monitoring" means the ability to 415
automatically test and periodically transmit alcohol consumption 416
levels and tamper attempts at least every hour, regardless of 417
the location of the person who is being monitored. 418

(YY) A person is "adjudicated a sexually violent predator" 419
if the person is convicted of or pleads guilty to a violent sex 420
offense and also is convicted of or pleads guilty to a sexually 421
violent predator specification that was included in the 422
indictment, count in the indictment, or information charging 423
that violent sex offense or if the person is convicted of or 424
pleads guilty to a designated homicide, assault, or kidnapping 425
offense and also is convicted of or pleads guilty to both a 426
sexual motivation specification and a sexually violent predator 427
specification that were included in the indictment, count in the 428
indictment, or information charging that designated homicide, 429
assault, or kidnapping offense. 430

(ZZ) An offense is "committed in proximity to a school" if 431
the offender commits the offense in a school safety zone or 432
within five hundred feet of any school building or the 433
boundaries of any school premises, regardless of whether the 434
offender knows the offense is being committed in a school safety 435
zone or within five hundred feet of any school building or the 436
boundaries of any school premises. 437

(AAA) "Human trafficking" means a scheme or plan to which 438
all of the following apply: 439

(1) Its object is one or both of the following: 440

(a) To subject a victim or victims to involuntary 441
servitude, as defined in section 2905.31 of the Revised Code or 442
to compel a victim or victims to engage in sexual activity for 443
hire, to engage in a performance that is obscene, sexually 444
oriented, or nudity oriented, or to be a model or participant in 445
the production of material that is obscene, sexually oriented, 446
or nudity oriented; 447

(b) To facilitate, encourage, or recruit a victim who is a 448
minor or is a person with a developmental disability, or victims 449
who are minors or are persons with developmental disabilities, 450
for any purpose listed in divisions (A)(2)(a) to (c) of section 451
2905.32 of the Revised Code. 452

(2) It involves at least two felony offenses, whether or 453
not there has been a prior conviction for any of the felony 454
offenses, to which all of the following apply: 455

(a) Each of the felony offenses is a violation of section 456
2905.01, 2905.02, 2905.32, 2907.21, 2907.22, or 2923.32, 457
division (A)(1) or (2) of section 2907.323, or division (B)(1), 458
(2), (3), (4), or (5) of section 2919.22 of the Revised Code or 459

is a violation of a law of any state other than this state that 460
is substantially similar to any of the sections or divisions of 461
the Revised Code identified in this division. 462

(b) At least one of the felony offenses was committed in 463
this state. 464

(c) The felony offenses are related to the same scheme or 465
plan and are not isolated instances. 466

(BBB) "Material," "nudity," "obscene," "performance," and 467
"sexual activity" have the same meanings as in section 2907.01 468
of the Revised Code. 469

(CCC) "Material that is obscene, sexually oriented, or 470
nudity oriented" means any material that is obscene, that shows 471
a person participating or engaging in sexual activity, 472
masturbation, or bestiality, or that shows a person in a state 473
of nudity. 474

(DDD) "Performance that is obscene, sexually oriented, or 475
nudity oriented" means any performance that is obscene, that 476
shows a person participating or engaging in sexual activity, 477
masturbation, or bestiality, or that shows a person in a state 478
of nudity. 479

(EEE) "Accelerant" means a fuel or oxidizing agent, such 480
as an ignitable liquid, used to initiate a fire or increase the 481
rate of growth or spread of a fire. 482

(FFF) "Permanent disabling harm" means serious physical 483
harm that results in permanent injury to the intellectual, 484
physical, or sensory functions and that permanently and 485
substantially impairs a person's ability to meet one or more of 486
the ordinary demands of life, including the functions of caring 487
for one's self, performing manual tasks, walking, seeing, 488

hearing, speaking, breathing, learning, and working. 489

(GGG) "Non-life felony indefinite prison term" means a 490
prison term imposed under division (A) (1) (a) or (2) (a) of 491
section 2929.14 and section 2929.144 of the Revised Code for a 492
felony of the first or second degree committed on or after March 493
22, 2019. 494

(HHH) (1) "Habitual felony offender" means a person about 495
whom both of the following apply: 496

(a) The person is being convicted of or pleading guilty to 497
a felony of the first or second degree. 498

(b) The person has previously been convicted of or pleaded 499
guilty to two or more felonies of the first or second degree 500
committed on separate occasions. 501

(2) As used in division (HHH) (1) of this section, "felony 502
of the first or second degree" does not include a felony of the 503
first or second degree committed before the effective date of 504
this amendment or a delinquent act that would be a felony of the 505
first or second degree if committed by an adult. 506

Sec. 2929.14. (A) Except as provided in division (B) (1), 507
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 508
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 509
in division (D) (6) of section 2919.25 of the Revised Code and 510
except in relation to an offense for which a sentence of death 511
or life imprisonment is to be imposed, if the court imposing a 512
sentence upon an offender for a felony elects or is required to 513
impose a prison term on the offender pursuant to this chapter, 514
the court shall impose a prison term that shall be one of the 515
following: 516

(1) (a) For a felony of the first degree committed on or 517

after March 22, 2019, the prison term shall be an indefinite 518
prison term with a stated minimum term selected by the court of 519
three, four, five, six, seven, eight, nine, ten, or eleven years 520
and a maximum term that is determined pursuant to section 521
2929.144 of the Revised Code, except that if the section that 522
criminalizes the conduct constituting the felony specifies a 523
different minimum term or penalty for the offense, the specific 524
language of that section shall control in determining the 525
minimum term or otherwise sentencing the offender but the 526
minimum term or sentence imposed under that specific language 527
shall be considered for purposes of the Revised Code as if it 528
had been imposed under this division. 529

(b) For a felony of the first degree committed prior to 530
March 22, 2019, the prison term shall be a definite prison term 531
of three, four, five, six, seven, eight, nine, ten, or eleven 532
years. 533

(2) (a) For a felony of the second degree committed on or 534
after March 22, 2019, the prison term shall be an indefinite 535
prison term with a stated minimum term selected by the court of 536
two, three, four, five, six, seven, or eight years and a maximum 537
term that is determined pursuant to section 2929.144 of the 538
Revised Code, except that if the section that criminalizes the 539
conduct constituting the felony specifies a different minimum 540
term or penalty for the offense, the specific language of that 541
section shall control in determining the minimum term or 542
otherwise sentencing the offender but the minimum term or 543
sentence imposed under that specific language shall be 544
considered for purposes of the Revised Code as if it had been 545
imposed under this division. 546

(b) For a felony of the second degree committed prior to 547

March 22, 2019, the prison term shall be a definite term of two, 548
three, four, five, six, seven, or eight years. 549

(3) (a) For a felony of the third degree that is a 550
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 551
2907.05, 2907.321, 2907.322, 2907.323, 2919.25, or 3795.04 of 552
the Revised Code, that is a violation of division (A) of section 553
4511.19 of the Revised Code if the offender previously has been 554
convicted of or pleaded guilty to a violation of division (A) of 555
that section that was a felony, that is a violation of section 556
2911.02 or 2911.12 of the Revised Code if the offender 557
previously has been convicted of or pleaded guilty in two or 558
more separate proceedings to two or more violations of section 559
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, or 560
that is a violation of division (B) of section 2921.331 of the 561
Revised Code if division (C) (5) of that section applies, the 562
prison term shall be a definite term of twelve, eighteen, 563
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 564
four, or sixty months. 565

(b) For a felony of the third degree that is not an 566
offense for which division (A) (3) (a) of this section applies, 567
the prison term shall be a definite term of nine, twelve, 568
eighteen, twenty-four, thirty, or thirty-six months. 569

(4) For a felony of the fourth degree, the prison term 570
shall be a definite term of six, seven, eight, nine, ten, 571
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 572
or eighteen months. 573

(5) For a felony of the fifth degree, the prison term 574
shall be a definite term of six, seven, eight, nine, ten, 575
eleven, or twelve months. 576

(B) (1) (a) Except as provided in division (B) (1) (e) of this section, if an offender who is convicted of or pleads guilty to a felony also is convicted of or pleads guilty to a specification of the type described in section 2941.141, 2941.144, or 2941.145 of the Revised Code, the court shall impose on the offender one of the following prison terms:

(i) A prison term of six years if the specification is of the type described in division (A) of section 2941.144 of the Revised Code that charges the offender with having a firearm that is an automatic firearm or that was equipped with a firearm muffler or suppressor on or about the offender's person or under the offender's control while committing the offense;

(ii) A prison term of three years if the specification is of the type described in division (A) of section 2941.145 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense and displaying the firearm, brandishing the firearm, indicating that the offender possessed the firearm, or using it to facilitate the offense;

(iii) A prison term of one year if the specification is of the type described in division (A) of section 2941.141 of the Revised Code that charges the offender with having a firearm on or about the offender's person or under the offender's control while committing the offense;

(iv) A prison term of nine years if the specification is of the type described in division (D) of section 2941.144 of the Revised Code that charges the offender with having a firearm that is an automatic firearm or that was equipped with a firearm muffler or suppressor on or about the offender's person or under the offender's control while committing the offense and

specifies that the offender previously has been convicted of or 607
pleaded guilty to a specification of the type described in 608
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 609
the Revised Code; 610

(v) A prison term of fifty-four months if the 611
specification is of the type described in division (D) of 612
section 2941.145 of the Revised Code that charges the offender 613
with having a firearm on or about the offender's person or under 614
the offender's control while committing the offense and 615
displaying the firearm, brandishing the firearm, indicating that 616
the offender possessed the firearm, or using the firearm to 617
facilitate the offense and that the offender previously has been 618
convicted of or pleaded guilty to a specification of the type 619
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 620
2941.1412 of the Revised Code; 621

(vi) A prison term of eighteen months if the specification 622
is of the type described in division (D) of section 2941.141 of 623
the Revised Code that charges the offender with having a firearm 624
on or about the offender's person or under the offender's 625
control while committing the offense and that the offender 626
previously has been convicted of or pleaded guilty to a 627
specification of the type described in section 2941.141, 628
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 629

(b) If a court imposes a prison term on an offender under 630
division (B)(1)(a) of this section, the prison term shall not be 631
reduced pursuant to section 2929.20, division (A)(2) or (3) of 632
section 2967.193 or 2967.194, or any other provision of Chapter 633
2967. or Chapter 5120. of the Revised Code. Except as provided 634
in division (B)(1)(g) of this section, a court shall not impose 635
more than one prison term on an offender under division (B)(1) 636

(a) of this section for felonies committed as part of the same 637
act or transaction. 638

(c) (i) Except as provided in division (B) (1) (e) of this 639
section, if an offender who is convicted of or pleads guilty to 640
a violation of section 2923.161 of the Revised Code or to a 641
felony that includes, as an essential element, purposely or 642
knowingly causing or attempting to cause the death of or 643
physical harm to another, also is convicted of or pleads guilty 644
to a specification of the type described in division (A) of 645
section 2941.146 of the Revised Code that charges the offender 646
with committing the offense by discharging a firearm from a 647
motor vehicle other than a manufactured home, the court, after 648
imposing a prison term on the offender for the violation of 649
section 2923.161 of the Revised Code or for the other felony 650
offense under division (A), (B) (2), or (B) (3) of this section, 651
shall impose an additional prison term of five years upon the 652
offender that shall not be reduced pursuant to section 2929.20, 653
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 654
other provision of Chapter 2967. or Chapter 5120. of the Revised 655
Code. 656

(ii) Except as provided in division (B) (1) (e) of this 657
section, if an offender who is convicted of or pleads guilty to 658
a violation of section 2923.161 of the Revised Code or to a 659
felony that includes, as an essential element, purposely or 660
knowingly causing or attempting to cause the death of or 661
physical harm to another, also is convicted of or pleads guilty 662
to a specification of the type described in division (C) of 663
section 2941.146 of the Revised Code that charges the offender 664
with committing the offense by discharging a firearm from a 665
motor vehicle other than a manufactured home and that the 666
offender previously has been convicted of or pleaded guilty to a 667

specification of the type described in section 2941.141, 668
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 669
the court, after imposing a prison term on the offender for the 670
violation of section 2923.161 of the Revised Code or for the 671
other felony offense under division (A), (B) (2), or (3) of this 672
section, shall impose an additional prison term of ninety months 673
upon the offender that shall not be reduced pursuant to section 674
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 675
or any other provision of Chapter 2967. or Chapter 5120. of the 676
Revised Code. 677

(iii) A court shall not impose more than one additional 678
prison term on an offender under division (B) (1) (c) of this 679
section for felonies committed as part of the same act or 680
transaction. If a court imposes an additional prison term on an 681
offender under division (B) (1) (c) of this section relative to an 682
offense, the court also shall impose a prison term under 683
division (B) (1) (a) of this section relative to the same offense, 684
provided the criteria specified in that division for imposing an 685
additional prison term are satisfied relative to the offender 686
and the offense. 687

(d) If an offender who is convicted of or pleads guilty to 688
an offense of violence that is a felony also is convicted of or 689
pleads guilty to a specification of the type described in 690
section 2941.1411 of the Revised Code that charges the offender 691
with wearing or carrying body armor while committing the felony 692
offense of violence, the court shall impose on the offender an 693
additional prison term of two years. The prison term so imposed 694
shall not be reduced pursuant to section 2929.20, division (A) 695
(2) or (3) of section 2967.193 or 2967.194, or any other 696
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 697
A court shall not impose more than one prison term on an 698

offender under division (B) (1) (d) of this section for felonies 699
committed as part of the same act or transaction. If a court 700
imposes an additional prison term under division (B) (1) (a) or 701
(c) of this section, the court is not precluded from imposing an 702
additional prison term under division (B) (1) (d) of this section. 703

(e) The court shall not impose any of the prison terms 704
described in division (B) (1) (a) of this section or any of the 705
additional prison terms described in division (B) (1) (c) of this 706
section upon an offender for a violation of section 2923.12 or 707
2923.123 of the Revised Code. The court shall not impose any of 708
the prison terms described in division (B) (1) (a) or (b) of this 709
section upon an offender for a violation of section 2923.122 710
that involves a deadly weapon that is a firearm other than a 711
dangerous ordnance, section 2923.16, or section 2923.121 of the 712
Revised Code. The court shall not impose any of the prison terms 713
described in division (B) (1) (a) of this section or any of the 714
additional prison terms described in division (B) (1) (c) of this 715
section upon an offender for a violation of section 2923.13 of 716
the Revised Code unless all of the following apply: 717

(i) The offender previously has been convicted of 718
aggravated murder, murder, or any felony of the first or second 719
degree. 720

(ii) Less than five years have passed since the offender 721
was released from prison or post-release control, whichever is 722
later, for the prior offense. 723

(f) (i) If an offender is convicted of or pleads guilty to 724
a felony that includes, as an essential element, causing or 725
attempting to cause the death of or physical harm to another and 726
also is convicted of or pleads guilty to a specification of the 727
type described in division (A) of section 2941.1412 of the 728

Revised Code that charges the offender with committing the 729
offense by discharging a firearm at a peace officer as defined 730
in section 2935.01 of the Revised Code or a corrections officer, 731
as defined in section 2941.1412 of the Revised Code, the court, 732
after imposing a prison term on the offender for the felony 733
offense under division (A), (B) (2), or (B) (3) of this section, 734
shall impose an additional prison term of seven years upon the 735
offender that shall not be reduced pursuant to section 2929.20, 736
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 737
other provision of Chapter 2967. or Chapter 5120. of the Revised 738
Code. 739

(ii) If an offender is convicted of or pleads guilty to a 740
felony that includes, as an essential element, causing or 741
attempting to cause the death of or physical harm to another and 742
also is convicted of or pleads guilty to a specification of the 743
type described in division (B) of section 2941.1412 of the 744
Revised Code that charges the offender with committing the 745
offense by discharging a firearm at a peace officer, as defined 746
in section 2935.01 of the Revised Code, or a corrections 747
officer, as defined in section 2941.1412 of the Revised Code, 748
and that the offender previously has been convicted of or 749
pleaded guilty to a specification of the type described in 750
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 751
the Revised Code, the court, after imposing a prison term on the 752
offender for the felony offense under division (A), (B) (2), or 753
(3) of this section, shall impose an additional prison term of 754
one hundred twenty-six months upon the offender that shall not 755
be reduced pursuant to section 2929.20, division (A) (2) or (3) 756
of section 2967.193 or 2967.194, or any other provision of 757
Chapter 2967. or 5120. of the Revised Code. 758

(iii) If an offender is convicted of or pleads guilty to 759

two or more felonies that include, as an essential element, 760
causing or attempting to cause the death or physical harm to 761
another and also is convicted of or pleads guilty to a 762
specification of the type described under division (B) (1) (f) of 763
this section in connection with two or more of the felonies of 764
which the offender is convicted or to which the offender pleads 765
guilty, the sentencing court shall impose on the offender the 766
prison term specified under division (B) (1) (f) of this section 767
for each of two of the specifications of which the offender is 768
convicted or to which the offender pleads guilty and, in its 769
discretion, also may impose on the offender the prison term 770
specified under that division for any or all of the remaining 771
specifications. If a court imposes an additional prison term on 772
an offender under division (B) (1) (f) of this section relative to 773
an offense, the court shall not impose a prison term under 774
division (B) (1) (a) or (c) of this section relative to the same 775
offense. 776

(g) If an offender is convicted of or pleads guilty to two 777
or more felonies, if one or more of those felonies are 778
aggravated murder, murder, attempted aggravated murder, 779
attempted murder, aggravated robbery, felonious assault, or 780
rape, and if the offender is convicted of or pleads guilty to a 781
specification of the type described under division (B) (1) (a) of 782
this section in connection with two or more of the felonies, the 783
sentencing court shall impose on the offender the prison term 784
specified under division (B) (1) (a) of this section for each of 785
the two most serious specifications of which the offender is 786
convicted or to which the offender pleads guilty and, in its 787
discretion, also may impose on the offender the prison term 788
specified under that division for any or all of the remaining 789
specifications. 790

(2) (a) If division (B) (2) (b) of this section does not 791
apply, the court may impose on an offender, in addition to the 792
longest prison term authorized or required for the offense or, 793
for offenses for which division (A) (1) (a) or (2) (a) of this 794
section applies, in addition to the longest minimum prison term 795
authorized or required for the offense, an additional definite 796
prison term of one, two, three, four, five, six, seven, eight, 797
nine, or ten years if all of the following criteria are met: 798

(i) The offender is convicted of or pleads guilty to a 799
specification of the type described in section 2941.149 of the 800
Revised Code that the offender is a repeat violent offender. 801

(ii) The offense of which the offender currently is 802
convicted or to which the offender currently pleads guilty is 803
aggravated murder and the court does not impose a sentence of 804
death or life imprisonment without parole, murder, terrorism and 805
the court does not impose a sentence of life imprisonment 806
without parole, any felony of the first degree that is an 807
offense of violence and the court does not impose a sentence of 808
life imprisonment without parole, or any felony of the second 809
degree that is an offense of violence and the trier of fact 810
finds that the offense involved an attempt to cause or a threat 811
to cause serious physical harm to a person or resulted in 812
serious physical harm to a person. 813

(iii) The court imposes the longest prison term for the 814
offense or the longest minimum prison term for the offense, 815
whichever is applicable, that is not life imprisonment without 816
parole. 817

(iv) The court finds that the prison terms imposed 818
pursuant to division (B) (2) (a) (iii) of this section and, if 819
applicable, division (B) (1) or (3) of this section are 820

inadequate to punish the offender and protect the public from 821
future crime, because the applicable factors under section 822
2929.12 of the Revised Code indicating a greater likelihood of 823
recidivism outweigh the applicable factors under that section 824
indicating a lesser likelihood of recidivism. 825

(v) The court finds that the prison terms imposed pursuant 826
to division (B) (2) (a) (iii) of this section and, if applicable, 827
division (B) (1) or (3) of this section are demeaning to the 828
seriousness of the offense, because one or more of the factors 829
under section 2929.12 of the Revised Code indicating that the 830
offender's conduct is more serious than conduct normally 831
constituting the offense are present, and they outweigh the 832
applicable factors under that section indicating that the 833
offender's conduct is less serious than conduct normally 834
constituting the offense. 835

(b) The court shall impose on an offender the longest 836
prison term authorized or required for the offense or, for 837
offenses for which division (A) (1) (a) or (2) (a) of this section 838
applies, the longest minimum prison term authorized or required 839
for the offense, and shall impose on the offender an additional 840
definite prison term of one, two, three, four, five, six, seven, 841
eight, nine, or ten years if all of the following criteria are 842
met: 843

(i) The offender is convicted of or pleads guilty to a 844
specification of the type described in section 2941.149 of the 845
Revised Code that the offender is a repeat violent offender. 846

(ii) The offender within the preceding twenty years has 847
been convicted of or pleaded guilty to three or more offenses 848
described in division (CC) (1) of section 2929.01 of the Revised 849
Code, including all offenses described in that division of which 850

the offender is convicted or to which the offender pleads guilty 851
in the current prosecution and all offenses described in that 852
division of which the offender previously has been convicted or 853
to which the offender previously pleaded guilty, whether 854
prosecuted together or separately. 855

(iii) The offense or offenses of which the offender 856
currently is convicted or to which the offender currently pleads 857
guilty is aggravated murder and the court does not impose a 858
sentence of death or life imprisonment without parole, murder, 859
terrorism and the court does not impose a sentence of life 860
imprisonment without parole, any felony of the first degree that 861
is an offense of violence and the court does not impose a 862
sentence of life imprisonment without parole, or any felony of 863
the second degree that is an offense of violence and the trier 864
of fact finds that the offense involved an attempt to cause or a 865
threat to cause serious physical harm to a person or resulted in 866
serious physical harm to a person. 867

(c) For purposes of division (B) (2) (b) of this section, 868
two or more offenses committed at the same time or as part of 869
the same act or event shall be considered one offense, and that 870
one offense shall be the offense with the greatest penalty. 871

(d) A sentence imposed under division (B) (2) (a) or (b) of 872
this section shall not be reduced pursuant to section 2929.20, 873
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 874
other provision of Chapter 2967. or Chapter 5120. of the Revised 875
Code. The offender shall serve an additional prison term imposed 876
under division (B) (2) (a) or (b) of this section consecutively to 877
and prior to the prison term imposed for the underlying offense. 878

(e) When imposing a sentence pursuant to division (B) (2) 879
(a) or (b) of this section, the court shall state its findings 880

explaining the imposed sentence. 881

(3) Except when an offender commits a violation of section 882
2903.01 or 2907.02 of the Revised Code and the penalty imposed 883
for the violation is life imprisonment or commits a violation of 884
section 2903.02 of the Revised Code, if the offender commits a 885
violation of section 2925.03 or 2925.11 of the Revised Code and 886
that section classifies the offender as a major drug offender, 887
if the offender commits a violation of section 2925.05 of the 888
Revised Code and division (E)(1) of that section classifies the 889
offender as a major drug offender, if the offender commits a 890
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 891
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 892
division (C) or (D) of section 3719.172, division (E) of section 893
4729.51, or division (J) of section 4729.54 of the Revised Code 894
that includes the sale, offer to sell, or possession of a 895
schedule I or II controlled substance, with the exception of 896
marihuana, and the court imposing sentence upon the offender 897
finds that the offender is guilty of a specification of the type 898
described in division (A) of section 2941.1410 of the Revised 899
Code charging that the offender is a major drug offender, if the 900
court imposing sentence upon an offender for a felony finds that 901
the offender is guilty of corrupt activity with the most serious 902
offense in the pattern of corrupt activity being a felony of the 903
first degree, or if the offender is guilty of an attempted 904
violation of section 2907.02 of the Revised Code and, had the 905
offender completed the violation of section 2907.02 of the 906
Revised Code that was attempted, the offender would have been 907
subject to a sentence of life imprisonment or life imprisonment 908
without parole for the violation of section 2907.02 of the 909
Revised Code, the court shall impose upon the offender for the 910
felony violation a mandatory prison term determined as described 911

in this division that cannot be reduced pursuant to section 912
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 913
or any other provision of Chapter 2967. or 5120. of the Revised 914
Code. The mandatory prison term shall be the maximum definite 915
prison term prescribed in division (A) (1) (b) of this section for 916
a felony of the first degree, except that for offenses for which 917
division (A) (1) (a) of this section applies, the mandatory prison 918
term shall be the longest minimum prison term prescribed in that 919
division for the offense. 920

(4) If the offender is being sentenced for a third or 921
fourth degree felony OVI offense under division (G) (2) of 922
section 2929.13 of the Revised Code, the sentencing court shall 923
impose upon the offender a mandatory prison term in accordance 924
with that division. In addition to the mandatory prison term, if 925
the offender is being sentenced for a fourth degree felony OVI 926
offense, the court, notwithstanding division (A) (4) of this 927
section, may sentence the offender to a definite prison term of 928
not less than six months and not more than thirty months, and if 929
the offender is being sentenced for a third degree felony OVI 930
offense, the sentencing court may sentence the offender to an 931
additional prison term of any duration specified in division (A) 932
(3) of this section. In either case, the additional prison term 933
imposed shall be reduced by the sixty or one hundred twenty days 934
imposed upon the offender as the mandatory prison term. The 935
total of the additional prison term imposed under division (B) 936
(4) of this section plus the sixty or one hundred twenty days 937
imposed as the mandatory prison term shall equal a definite term 938
in the range of six months to thirty months for a fourth degree 939
felony OVI offense and shall equal one of the authorized prison 940
terms specified in division (A) (3) of this section for a third 941
degree felony OVI offense. If the court imposes an additional 942

prison term under division (B) (4) of this section, the offender 943
shall serve the additional prison term after the offender has 944
served the mandatory prison term required for the offense. In 945
addition to the mandatory prison term or mandatory and 946
additional prison term imposed as described in division (B) (4) 947
of this section, the court also may sentence the offender to a 948
community control sanction under section 2929.16 or 2929.17 of 949
the Revised Code, but the offender shall serve all of the prison 950
terms so imposed prior to serving the community control 951
sanction. 952

If the offender is being sentenced for a fourth degree 953
felony OVI offense under division (G) (1) of section 2929.13 of 954
the Revised Code and the court imposes a mandatory term of local 955
incarceration, the court may impose a prison term as described 956
in division (A) (1) of that section. 957

(5) If an offender is convicted of or pleads guilty to a 958
violation of division (A) (1) or (2) of section 2903.06 of the 959
Revised Code and also is convicted of or pleads guilty to a 960
specification of the type described in section 2941.1414 of the 961
Revised Code that charges that the victim of the offense is a 962
peace officer, as defined in section 2935.01 of the Revised 963
Code, an investigator of the bureau of criminal identification 964
and investigation, as defined in section 2903.11 of the Revised 965
Code, or a firefighter or emergency medical worker, both as 966
defined in section 2941.1414 of the Revised Code, the court 967
shall impose on the offender a prison term of five years. If a 968
court imposes a prison term on an offender under division (B) (5) 969
of this section, the prison term shall not be reduced pursuant 970
to section 2929.20, division (A) (2) or (3) of section 2967.193 971
or 2967.194, or any other provision of Chapter 2967. or Chapter 972
5120. of the Revised Code. A court shall not impose more than 973

one prison term on an offender under division (B) (5) of this 974
section for felonies committed as part of the same act. 975

(6) If an offender is convicted of or pleads guilty to a 976
violation of division (A) (1) or (2) of section 2903.06 of the 977
Revised Code and also is convicted of or pleads guilty to a 978
specification of the type described in section 2941.1415 of the 979
Revised Code that charges that the offender previously has been 980
convicted of or pleaded guilty to three or more violations of 981
division (A) of section 4511.19 of the Revised Code or an 982
equivalent offense, as defined in section 2941.1415 of the 983
Revised Code, or three or more violations of any combination of 984
those offenses, the court shall impose on the offender a prison 985
term of three years. If a court imposes a prison term on an 986
offender under division (B) (6) of this section, the prison term 987
shall not be reduced pursuant to section 2929.20, division (A) 988
(2) or (3) of section 2967.193 or 2967.194, or any other 989
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 990
A court shall not impose more than one prison term on an 991
offender under division (B) (6) of this section for felonies 992
committed as part of the same act. 993

(7) (a) If an offender is convicted of or pleads guilty to 994
a felony violation of section 2905.01, 2905.02, 2907.21, 995
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 996
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 997
section 2919.22 of the Revised Code and also is convicted of or 998
pleads guilty to a specification of the type described in 999
section 2941.1422 of the Revised Code that charges that the 1000
offender knowingly committed the offense in furtherance of human 1001
trafficking, the court shall impose on the offender a mandatory 1002
prison term that is one of the following: 1003

(i) If the offense is a felony of the first degree, a
definite prison term of not less than five years and not greater
than eleven years, except that if the offense is a felony of the
first degree committed on or after March 22, 2019, the court
shall impose as the minimum prison term a mandatory term of not
less than five years and not greater than eleven years;

(ii) If the offense is a felony of the second or third
degree, a definite prison term of not less than three years and
not greater than the maximum prison term allowed for the offense
by division (A) (2) (b) or (3) of this section, except that if the
offense is a felony of the second degree committed on or after
March 22, 2019, the court shall impose as the minimum prison
term a mandatory term of not less than three years and not
greater than eight years;

(iii) If the offense is a felony of the fourth or fifth
degree, a definite prison term that is the maximum prison term
allowed for the offense by division (A) of section 2929.14 of
the Revised Code.

(b) The prison term imposed under division (B) (7) (a) of
this section shall not be reduced pursuant to section 2929.20,
division (A) (2) or (3) of section 2967.193 or 2967.194, or any
other provision of Chapter 2967. of the Revised Code. A court
shall not impose more than one prison term on an offender under
division (B) (7) (a) of this section for felonies committed as
part of the same act, scheme, or plan.

(8) If an offender is convicted of or pleads guilty to a
felony violation of section 2903.11, 2903.12, or 2903.13 of the
Revised Code and also is convicted of or pleads guilty to a
specification of the type described in section 2941.1423 of the
Revised Code that charges that the victim of the violation was a

woman whom the offender knew was pregnant at the time of the 1034
violation, notwithstanding the range prescribed in division (A) 1035
of this section as the definite prison term or minimum prison 1036
term for felonies of the same degree as the violation, the court 1037
shall impose on the offender a mandatory prison term that is 1038
either a definite prison term of six months or one of the prison 1039
terms prescribed in division (A) of this section for felonies of 1040
the same degree as the violation, except that if the violation 1041
is a felony of the first or second degree committed on or after 1042
March 22, 2019, the court shall impose as the minimum prison 1043
term under division (A) (1) (a) or (2) (a) of this section a 1044
mandatory term that is one of the terms prescribed in that 1045
division, whichever is applicable, for the offense. 1046

(9) (a) If an offender is convicted of or pleads guilty to 1047
a violation of division (A) (1) or (2) of section 2903.11 of the 1048
Revised Code and also is convicted of or pleads guilty to a 1049
specification of the type described in section 2941.1425 of the 1050
Revised Code, the court shall impose on the offender a mandatory 1051
prison term of six years if either of the following applies: 1052

(i) The violation is a violation of division (A) (1) of 1053
section 2903.11 of the Revised Code and the specification 1054
charges that the offender used an accelerant in committing the 1055
violation and the serious physical harm to another or to 1056
another's unborn caused by the violation resulted in a 1057
permanent, serious disfigurement or permanent, substantial 1058
incapacity; 1059

(ii) The violation is a violation of division (A) (2) of 1060
section 2903.11 of the Revised Code and the specification 1061
charges that the offender used an accelerant in committing the 1062
violation, that the violation caused physical harm to another or 1063

to another's unborn, and that the physical harm resulted in a 1064
permanent, serious disfigurement or permanent, substantial 1065
incapacity. 1066

(b) If a court imposes a prison term on an offender under 1067
division (B) (9) (a) of this section, the prison term shall not be 1068
reduced pursuant to section 2929.20, division (A) (2) or (3) of 1069
section 2967.193 or 2967.194, or any other provision of Chapter 1070
2967. or Chapter 5120. of the Revised Code. A court shall not 1071
impose more than one prison term on an offender under division 1072
(B) (9) of this section for felonies committed as part of the 1073
same act. 1074

(c) The provisions of divisions (B) (9) and (C) (6) of this 1075
section and of division (D) (2) of section 2903.11, division (F) 1076
(20) of section 2929.13, and section 2941.1425 of the Revised 1077
Code shall be known as "Judy's Law." 1078

(10) If an offender is convicted of or pleads guilty to a 1079
violation of division (A) of section 2903.11 of the Revised Code 1080
and also is convicted of or pleads guilty to a specification of 1081
the type described in section 2941.1426 of the Revised Code that 1082
charges that the victim of the offense suffered permanent 1083
disabling harm as a result of the offense and that the victim 1084
was under ten years of age at the time of the offense, 1085
regardless of whether the offender knew the age of the victim, 1086
the court shall impose upon the offender an additional definite 1087
prison term of six years. A prison term imposed on an offender 1088
under division (B) (10) of this section shall not be reduced 1089
pursuant to section 2929.20, division (A) (2) or (3) of section 1090
2967.193 or 2967.194, or any other provision of Chapter 2967. or 1091
Chapter 5120. of the Revised Code. If a court imposes an 1092
additional prison term on an offender under this division 1093

relative to a violation of division (A) of section 2903.11 of 1094
the Revised Code, the court shall not impose any other 1095
additional prison term on the offender relative to the same 1096
offense. 1097

(11) If an offender is convicted of or pleads guilty to a 1098
felony violation of section 2925.03 or 2925.05 of the Revised 1099
Code or a felony violation of section 2925.11 of the Revised 1100
Code for which division (C)(11) of that section applies in 1101
determining the sentence for the violation, if the drug involved 1102
in the violation is a fentanyl-related compound or a compound, 1103
mixture, preparation, or substance containing a fentanyl-related 1104
compound, and if the offender also is convicted of or pleads 1105
guilty to a specification of the type described in division (B) 1106
of section 2941.1410 of the Revised Code that charges that the 1107
offender is a major drug offender, in addition to any other 1108
penalty imposed for the violation, the court shall impose on the 1109
offender a mandatory prison term of three, four, five, six, 1110
seven, or eight years. If a court imposes a prison term on an 1111
offender under division (B)(11) of this section, the prison term 1112
shall not be reduced pursuant to section 2929.20, division (A) 1113
(2) or (3) of section 2967.193 or 2967.194, or any other 1114
provision of Chapter 2967. or 5120. of the Revised Code. A court 1115
shall not impose more than one prison term on an offender under 1116
division (B)(11) of this section for felonies committed as part 1117
of the same act. 1118

(12) If an offender is convicted of or pleads guilty to a 1119
specification of the type described in section 2941.1427 of the 1120
Revised Code that charges the offender with being a habitual 1121
felony offender, the court shall impose on the offender a 1122
mandatory term of life imprisonment. 1123

(C) (1) (a) Subject to division (C) (1) (b) of this section, 1124
if a mandatory prison term is imposed upon an offender pursuant 1125
to division (B) (1) (a) of this section for having a firearm on or 1126
about the offender's person or under the offender's control 1127
while committing a felony, if a mandatory prison term is imposed 1128
upon an offender pursuant to division (B) (1) (c) of this section 1129
for committing a felony specified in that division by 1130
discharging a firearm from a motor vehicle, or if both types of 1131
mandatory prison terms are imposed, the offender shall serve any 1132
mandatory prison term imposed under either division 1133
consecutively to any other mandatory prison term imposed under 1134
either division or under division (B) (1) (d) of this section, 1135
consecutively to and prior to any prison term imposed for the 1136
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 1137
this section or any other section of the Revised Code, and 1138
consecutively to any other prison term or mandatory prison term 1139
previously or subsequently imposed upon the offender. 1140

(b) If a mandatory prison term is imposed upon an offender 1141
pursuant to division (B) (1) (d) of this section for wearing or 1142
carrying body armor while committing an offense of violence that 1143
is a felony, the offender shall serve the mandatory term so 1144
imposed consecutively to any other mandatory prison term imposed 1145
under that division or under division (B) (1) (a) or (c) of this 1146
section, consecutively to and prior to any prison term imposed 1147
for the underlying felony under division (A), (B) (2), or (B) (3) 1148
of this section or any other section of the Revised Code, and 1149
consecutively to any other prison term or mandatory prison term 1150
previously or subsequently imposed upon the offender. 1151

(c) If a mandatory prison term is imposed upon an offender 1152
pursuant to division (B) (1) (f) of this section, the offender 1153
shall serve the mandatory prison term so imposed consecutively 1154

to and prior to any prison term imposed for the underlying 1155
felony under division (A), (B) (2), or (B) (3) of this section or 1156
any other section of the Revised Code, and consecutively to any 1157
other prison term or mandatory prison term previously or 1158
subsequently imposed upon the offender. 1159

(d) If a mandatory prison term is imposed upon an offender 1160
pursuant to division (B) (7) or (8) of this section, the offender 1161
shall serve the mandatory prison term so imposed consecutively 1162
to any other mandatory prison term imposed under that division 1163
or under any other provision of law and consecutively to any 1164
other prison term or mandatory prison term previously or 1165
subsequently imposed upon the offender. 1166

(e) If a mandatory prison term is imposed upon an offender 1167
pursuant to division (B) (11) of this section, the offender shall 1168
serve the mandatory prison term consecutively to any other 1169
mandatory prison term imposed under that division, consecutively 1170
to and prior to any prison term imposed for the underlying 1171
felony, and consecutively to any other prison term or mandatory 1172
prison term previously or subsequently imposed upon the 1173
offender. 1174

(2) If an offender who is an inmate in a jail, prison, or 1175
other residential detention facility violates section 2917.02, 1176
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 1177
(2) of section 2921.34 of the Revised Code, if an offender who 1178
is under detention at a detention facility commits a felony 1179
violation of section 2923.131 of the Revised Code, or if an 1180
offender who is an inmate in a jail, prison, or other 1181
residential detention facility or is under detention at a 1182
detention facility commits another felony while the offender is 1183
an escapee in violation of division (A) (1) or (2) of section 1184

2921.34 of the Revised Code, any prison term imposed upon the 1185
offender for one of those violations shall be served by the 1186
offender consecutively to the prison term or term of 1187
imprisonment the offender was serving when the offender 1188
committed that offense and to any other prison term previously 1189
or subsequently imposed upon the offender. 1190

(3) If a prison term is imposed for a violation of 1191
division (B) of section 2911.01 of the Revised Code, a violation 1192
of division (A) of section 2913.02 of the Revised Code in which 1193
the stolen property is a firearm or dangerous ordnance, or a 1194
felony violation of division (B) of section 2921.331 of the 1195
Revised Code, the offender shall serve that prison term 1196
consecutively to any other prison term or mandatory prison term 1197
previously or subsequently imposed upon the offender. 1198

(4) If multiple prison terms are imposed on an offender 1199
for convictions of multiple offenses, the court may require the 1200
offender to serve the prison terms consecutively if the court 1201
finds that the consecutive service is necessary to protect the 1202
public from future crime or to punish the offender and that 1203
consecutive sentences are not disproportionate to the 1204
seriousness of the offender's conduct and to the danger the 1205
offender poses to the public, and if the court also finds any of 1206
the following: 1207

(a) The offender committed one or more of the multiple 1208
offenses while the offender was awaiting trial or sentencing, 1209
was under a sanction imposed pursuant to section 2929.16, 1210
2929.17, or 2929.18 of the Revised Code, or was under post- 1211
release control for a prior offense. 1212

(b) At least two of the multiple offenses were committed 1213
as part of one or more courses of conduct, and the harm caused 1214

by two or more of the multiple offenses so committed was so 1215
great or unusual that no single prison term for any of the 1216
offenses committed as part of any of the courses of conduct 1217
adequately reflects the seriousness of the offender's conduct. 1218

(c) The offender's history of criminal conduct 1219
demonstrates that consecutive sentences are necessary to protect 1220
the public from future crime by the offender. 1221

(5) If a mandatory prison term is imposed upon an offender 1222
pursuant to division (B) (5) or (6) of this section, the offender 1223
shall serve the mandatory prison term consecutively to and prior 1224
to any prison term imposed for the underlying violation of 1225
division (A) (1) or (2) of section 2903.06 of the Revised Code 1226
pursuant to division (A) of this section or section 2929.142 of 1227
the Revised Code. If a mandatory prison term is imposed upon an 1228
offender pursuant to division (B) (5) of this section, and if a 1229
mandatory prison term also is imposed upon the offender pursuant 1230
to division (B) (6) of this section in relation to the same 1231
violation, the offender shall serve the mandatory prison term 1232
imposed pursuant to division (B) (5) of this section 1233
consecutively to and prior to the mandatory prison term imposed 1234
pursuant to division (B) (6) of this section and consecutively to 1235
and prior to any prison term imposed for the underlying 1236
violation of division (A) (1) or (2) of section 2903.06 of the 1237
Revised Code pursuant to division (A) of this section or section 1238
2929.142 of the Revised Code. 1239

(6) If a mandatory prison term is imposed on an offender 1240
pursuant to division (B) (9) of this section, the offender shall 1241
serve the mandatory prison term consecutively to and prior to 1242
any prison term imposed for the underlying violation of division 1243
(A) (1) or (2) of section 2903.11 of the Revised Code and 1244

consecutively to and prior to any other prison term or mandatory 1245
prison term previously or subsequently imposed on the offender. 1246

(7) If a mandatory prison term is imposed on an offender 1247
pursuant to division (B)(10) of this section, the offender shall 1248
serve that mandatory prison term consecutively to and prior to 1249
any prison term imposed for the underlying felonious assault. 1250
Except as otherwise provided in division (C) of this section, 1251
any other prison term or mandatory prison term previously or 1252
subsequently imposed upon the offender may be served 1253
concurrently with, or consecutively to, the prison term imposed 1254
pursuant to division (B)(10) of this section. 1255

(8) Any prison term imposed for a violation of section 1256
2903.04 of the Revised Code that is based on a violation of 1257
section 2925.03 or 2925.11 of the Revised Code or on a violation 1258
of section 2925.05 of the Revised Code that is not funding of 1259
marihuana trafficking shall run consecutively to any prison term 1260
imposed for the violation of section 2925.03 or 2925.11 of the 1261
Revised Code or for the violation of section 2925.05 of the 1262
Revised Code that is not funding of marihuana trafficking. 1263

(9) When consecutive prison terms are imposed pursuant to 1264
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 1265
division (H)(1) or (2) of this section, subject to division (C) 1266
(10) of this section, the term to be served is the aggregate of 1267
all of the terms so imposed. 1268

(10) When a court sentences an offender to a non-life 1269
felony indefinite prison term, any definite prison term or 1270
mandatory definite prison term previously or subsequently 1271
imposed on the offender in addition to that indefinite sentence 1272
that is required to be served consecutively to that indefinite 1273
sentence shall be served prior to the indefinite sentence. 1274

(11) If a court is sentencing an offender for a felony of 1275
the first or second degree, if division (A) (1) (a) or (2) (a) of 1276
this section applies with respect to the sentencing for the 1277
offense, and if the court is required under the Revised Code 1278
section that sets forth the offense or any other Revised Code 1279
provision to impose a mandatory prison term for the offense, the 1280
court shall impose the required mandatory prison term as the 1281
minimum term imposed under division (A) (1) (a) or (2) (a) of this 1282
section, whichever is applicable. 1283

(D) (1) If a court imposes a prison term, other than a term 1284
of life imprisonment, for a felony of the first degree, for a 1285
felony of the second degree, for a felony sex offense, or for a 1286
felony of the third degree that is an offense of violence and 1287
that is not a felony sex offense, it shall include in the 1288
sentence a requirement that the offender be subject to a period 1289
of post-release control after the offender's release from 1290
imprisonment, in accordance with section 2967.28 of the Revised 1291
Code. If a court imposes a sentence including a prison term of a 1292
type described in this division on or after July 11, 2006, the 1293
failure of a court to include a post-release control requirement 1294
in the sentence pursuant to this division does not negate, 1295
limit, or otherwise affect the mandatory period of post-release 1296
control that is required for the offender under division (B) of 1297
section 2967.28 of the Revised Code. Section 2929.191 of the 1298
Revised Code applies if, prior to July 11, 2006, a court imposed 1299
a sentence including a prison term of a type described in this 1300
division and failed to include in the sentence pursuant to this 1301
division a statement regarding post-release control. 1302

(2) If a court imposes a prison term for a felony of the 1303
third, fourth, or fifth degree that is not subject to division 1304
(D) (1) of this section, it shall include in the sentence a 1305

requirement that the offender be subject to a period of post- 1306
release control after the offender's release from imprisonment, 1307
in accordance with that division, if the parole board determines 1308
that a period of post-release control is necessary. Section 1309
2929.191 of the Revised Code applies if, prior to July 11, 2006, 1310
a court imposed a sentence including a prison term of a type 1311
described in this division and failed to include in the sentence 1312
pursuant to this division a statement regarding post-release 1313
control. 1314

(E) The court shall impose sentence upon the offender in 1315
accordance with section 2971.03 of the Revised Code, and Chapter 1316
2971. of the Revised Code applies regarding the prison term or 1317
term of life imprisonment without parole imposed upon the 1318
offender and the service of that term of imprisonment if any of 1319
the following apply: 1320

(1) A person is convicted of or pleads guilty to a violent 1321
sex offense or a designated homicide, assault, or kidnapping 1322
offense, and, in relation to that offense, the offender is 1323
adjudicated a sexually violent predator. 1324

(2) A person is convicted of or pleads guilty to a 1325
violation of division (A) (1) (b) of section 2907.02 of the 1326
Revised Code committed on or after January 2, 2007, and either 1327
the court does not impose a sentence of life without parole when 1328
authorized pursuant to division (B) of section 2907.02 of the 1329
Revised Code, or division (B) of section 2907.02 of the Revised 1330
Code provides that the court shall not sentence the offender 1331
pursuant to section 2971.03 of the Revised Code. 1332

(3) A person is convicted of or pleads guilty to attempted 1333
rape committed on or after January 2, 2007, and a specification 1334
of the type described in section 2941.1418, 2941.1419, or 1335

2941.1420 of the Revised Code. 1336

(4) A person is convicted of or pleads guilty to a 1337
violation of section 2905.01 of the Revised Code committed on or 1338
after January 1, 2008, and that section requires the court to 1339
sentence the offender pursuant to section 2971.03 of the Revised 1340
Code. 1341

(5) A person is convicted of or pleads guilty to 1342
aggravated murder committed on or after January 1, 2008, and 1343
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 1344
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1345
(a) (iv) of section 2929.03, or division (A) or (B) of section 1346
2929.06 of the Revised Code requires the court to sentence the 1347
offender pursuant to division (B) (3) of section 2971.03 of the 1348
Revised Code. 1349

(6) A person is convicted of or pleads guilty to murder 1350
committed on or after January 1, 2008, and division (B) (2) of 1351
section 2929.02 of the Revised Code requires the court to 1352
sentence the offender pursuant to section 2971.03 of the Revised 1353
Code. 1354

(F) If a person who has been convicted of or pleaded 1355
guilty to a felony is sentenced to a prison term or term of 1356
imprisonment under this section, sections 2929.02 to 2929.06 of 1357
the Revised Code, section 2929.142 of the Revised Code, section 1358
2971.03 of the Revised Code, or any other provision of law, 1359
section 5120.163 of the Revised Code applies regarding the 1360
person while the person is confined in a state correctional 1361
institution. 1362

(G) If an offender who is convicted of or pleads guilty to 1363
a felony that is an offense of violence also is convicted of or 1364

pleads guilty to a specification of the type described in 1365
section 2941.142 of the Revised Code that charges the offender 1366
with having committed the felony while participating in a 1367
criminal gang, the court shall impose upon the offender an 1368
additional prison term of one, two, or three years. 1369

(H) (1) If an offender who is convicted of or pleads guilty 1370
to aggravated murder, murder, or a felony of the first, second, 1371
or third degree that is an offense of violence also is convicted 1372
of or pleads guilty to a specification of the type described in 1373
section 2941.143 of the Revised Code that charges the offender 1374
with having committed the offense in a school safety zone or 1375
towards a person in a school safety zone, the court shall impose 1376
upon the offender an additional prison term of two years. The 1377
offender shall serve the additional two years consecutively to 1378
and prior to the prison term imposed for the underlying offense. 1379

(2) (a) If an offender is convicted of or pleads guilty to 1380
a felony violation of section 2907.22, 2907.24, 2907.241, or 1381
2907.25 of the Revised Code and to a specification of the type 1382
described in section 2941.1421 of the Revised Code and if the 1383
court imposes a prison term on the offender for the felony 1384
violation, the court may impose upon the offender an additional 1385
prison term as follows: 1386

(i) Subject to division (H) (2) (a) (ii) of this section, an 1387
additional prison term of one, two, three, four, five, or six 1388
months; 1389

(ii) If the offender previously has been convicted of or 1390
pleaded guilty to one or more felony or misdemeanor violations 1391
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 1392
the Revised Code and also was convicted of or pleaded guilty to 1393
a specification of the type described in section 2941.1421 of 1394

the Revised Code regarding one or more of those violations, an 1395
additional prison term of one, two, three, four, five, six, 1396
seven, eight, nine, ten, eleven, or twelve months. 1397

(b) In lieu of imposing an additional prison term under 1398
division (H)(2)(a) of this section, the court may directly 1399
impose on the offender a sanction that requires the offender to 1400
wear a real-time processing, continual tracking electronic 1401
monitoring device during the period of time specified by the 1402
court. The period of time specified by the court shall equal the 1403
duration of an additional prison term that the court could have 1404
imposed upon the offender under division (H)(2)(a) of this 1405
section. A sanction imposed under this division shall commence 1406
on the date specified by the court, provided that the sanction 1407
shall not commence until after the offender has served the 1408
prison term imposed for the felony violation of section 2907.22, 1409
2907.24, 2907.241, or 2907.25 of the Revised Code and any 1410
residential sanction imposed for the violation under section 1411
2929.16 of the Revised Code. A sanction imposed under this 1412
division shall be considered to be a community control sanction 1413
for purposes of section 2929.15 of the Revised Code, and all 1414
provisions of the Revised Code that pertain to community control 1415
sanctions shall apply to a sanction imposed under this division, 1416
except to the extent that they would by their nature be clearly 1417
inapplicable. The offender shall pay all costs associated with a 1418
sanction imposed under this division, including the cost of the 1419
use of the monitoring device. 1420

(I) At the time of sentencing, the court may recommend the 1421
offender for placement in a program of shock incarceration under 1422
section 5120.031 of the Revised Code or for placement in an 1423
intensive program prison under section 5120.032 of the Revised 1424
Code, disapprove placement of the offender in a program of shock 1425

incarceration or an intensive program prison of that nature, or 1426
make no recommendation on placement of the offender. In no case 1427
shall the department of rehabilitation and correction place the 1428
offender in a program or prison of that nature unless the 1429
department determines as specified in section 5120.031 or 1430
5120.032 of the Revised Code, whichever is applicable, that the 1431
offender is eligible for the placement. 1432

If the court disapproves placement of the offender in a 1433
program or prison of that nature, the department of 1434
rehabilitation and correction shall not place the offender in 1435
any program of shock incarceration or intensive program prison. 1436

If the court recommends placement of the offender in a 1437
program of shock incarceration or in an intensive program 1438
prison, and if the offender is subsequently placed in the 1439
recommended program or prison, the department shall notify the 1440
court of the placement and shall include with the notice a brief 1441
description of the placement. 1442

If the court recommends placement of the offender in a 1443
program of shock incarceration or in an intensive program prison 1444
and the department does not subsequently place the offender in 1445
the recommended program or prison, the department shall send a 1446
notice to the court indicating why the offender was not placed 1447
in the recommended program or prison. 1448

If the court does not make a recommendation under this 1449
division with respect to an offender and if the department 1450
determines as specified in section 5120.031 or 5120.032 of the 1451
Revised Code, whichever is applicable, that the offender is 1452
eligible for placement in a program or prison of that nature, 1453
the department shall screen the offender and determine if there 1454
is an available program of shock incarceration or an intensive 1455

program prison for which the offender is suited. If there is an 1456
available program of shock incarceration or an intensive program 1457
prison for which the offender is suited, the department shall 1458
notify the court of the proposed placement of the offender as 1459
specified in section 5120.031 or 5120.032 of the Revised Code 1460
and shall include with the notice a brief description of the 1461
placement. The court shall have ten days from receipt of the 1462
notice to disapprove the placement. 1463

(J) If a person is convicted of or pleads guilty to 1464
aggravated vehicular homicide in violation of division (A) (1) of 1465
section 2903.06 of the Revised Code and division (B) (2) (c) or 1466
(d) of that section applies, the person shall be sentenced 1467
pursuant to section 2929.142 of the Revised Code. 1468

(K) (1) The court shall impose an additional mandatory 1469
prison term of two, three, four, five, six, seven, eight, nine, 1470
ten, or eleven years on an offender who is convicted of or 1471
pleads guilty to a violent felony offense if the offender also 1472
is convicted of or pleads guilty to a specification of the type 1473
described in section 2941.1424 of the Revised Code that charges 1474
that the offender is a violent career criminal and had a firearm 1475
on or about the offender's person or under the offender's 1476
control while committing the presently charged violent felony 1477
offense and displayed or brandished the firearm, indicated that 1478
the offender possessed a firearm, or used the firearm to 1479
facilitate the offense. The offender shall serve the prison term 1480
imposed under this division consecutively to and prior to the 1481
prison term imposed for the underlying offense. The prison term 1482
shall not be reduced pursuant to section 2929.20, division (A) 1483
(2) or (3) of section 2967.193 or 2967.194, or any other 1484
provision of Chapter 2967. or 5120. of the Revised Code. A court 1485
may not impose more than one sentence under division (B) (2) (a) 1486

of this section and this division for acts committed as part of 1487
the same act or transaction. 1488

(2) As used in division (K)(1) of this section, "violent 1489
career criminal" and "violent felony offense" have the same 1490
meanings as in section 2923.132 of the Revised Code. 1491

(L) If an offender receives or received a sentence of life 1492
imprisonment without parole, a sentence of life imprisonment, a 1493
definite sentence, or a sentence to an indefinite prison term 1494
under this chapter for a felony offense that was committed when 1495
the offender was under eighteen years of age, the offender's 1496
parole eligibility shall be determined under section 2967.132 of 1497
the Revised Code. 1498

Sec. 2941.1427. (A) Imposition of a mandatory term of life 1499
imprisonment pursuant to division (B)(12) of section 2929.14 of 1500
the Revised Code is precluded unless the indictment, count in 1501
the indictment, or information charging the offender specifies 1502
that the offender is a habitual felony offender. The 1503
specification shall be stated at the end of the body of the 1504
indictment, count, or information, and shall be stated in 1505
substantially the following form: 1506

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1507
Grand Jurors (or insert the person's or prosecuting attorney's 1508
name when appropriate) further find and specify that (set forth 1509
that the offender is a habitual felony offender)." 1510

(B) The court shall determine the issue of whether an 1511
offender is a habitual felony offender. 1512

(C) At the arraignment of the defendant or as soon 1513
thereafter as is practicable, the prosecuting attorney may give 1514
notice to the defendant of the prosecuting attorney's intention 1515

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 judgment. If the defendant pursuant to 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. 1516
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(D) As used in this section, "habitual felony offender" has the same meaning as in section 2929.01 of the Revised Code. 1525
1526

Sec. 2967.01. As used in this chapter: 1527

(A) "State correctional institution" includes any 1528
institution or facility that is operated by the department of 1529
rehabilitation and correction and that is used for the custody, 1530
care, or treatment of criminal, delinquent, or psychologically 1531
or psychiatrically disturbed offenders. 1532

(B) "Pardon" means the remission of penalty by the 1533
governor in accordance with the power vested in the governor by 1534
the constitution. 1535

(C) "Commutation" or "commutation of sentence" means the 1536
substitution by the governor of a lesser for a greater 1537
punishment. A stated prison term may be commuted without the 1538
consent of the convict, except when granted upon the acceptance 1539
and performance by the convict of conditions precedent. After 1540
commutation, the commuted prison term shall be the only one in 1541
existence. The commutation may be stated in terms of commuting 1542
from a named offense to a lesser included offense with a shorter 1543
prison term, in terms of commuting from a stated prison term in 1544

months and years to a shorter prison term in months and years, 1545
or in terms of commuting from any other stated prison term to a 1546
shorter prison term. 1547

(D) "Reprieve" means the temporary suspension by the 1548
governor of the execution of a sentence or prison term. The 1549
governor may grant a reprieve without the consent of and against 1550
the will of the convict. 1551

(E) "Parole" means, regarding a prisoner who is serving a 1552
prison term for aggravated murder or murder, who is serving a 1553
prison term of life imprisonment for being a habitual felony 1554
offender, who is serving a prison term of life imprisonment for 1555
rape or for felonious sexual penetration as it existed under 1556
section 2907.12 of the Revised Code prior to September 3, 1996, 1557
or who was sentenced prior to July 1, 1996, a release of the 1558
prisoner from confinement in any state correctional institution 1559
by the adult parole authority that is subject to the eligibility 1560
criteria specified in this chapter and that is under the terms 1561
and conditions, and for the period of time, prescribed by the 1562
authority in its published rules and official minutes or 1563
required by division (A) of section 2967.131 of the Revised Code 1564
or another provision of this chapter. 1565

(F) "Head of a state correctional institution" or "head of 1566
the institution" means the resident head of the institution and 1567
the person immediately in charge of the institution, whether 1568
designated warden, superintendent, or any other name by which 1569
the head is known. 1570

(G) "Convict" means a person who has been convicted of a 1571
felony under the laws of this state, whether or not actually 1572
confined in a state correctional institution, unless the person 1573
has been pardoned or has served the person's sentence or prison 1574

term. 1575

(H) "Prisoner" means a person who is in actual confinement 1576
in a state correctional institution. 1577

(I) "Parolee" means any inmate who has been released from 1578
confinement on parole by order of the adult parole authority or 1579
conditionally pardoned, who is under supervision of the adult 1580
parole authority and has not been granted a final release, and 1581
who has not been declared in violation of the inmate's parole by 1582
the authority or is performing the prescribed conditions of a 1583
conditional pardon. 1584

(J) "Releasee" means an inmate who has been released from 1585
confinement pursuant to section 2967.28 of the Revised Code 1586
under a period of post-release control that includes one or more 1587
post-release control sanctions. 1588

(K) "Final release" means a remission by the adult parole 1589
authority of the balance of the sentence or prison term of a 1590
parolee or prisoner or the termination by the authority of a 1591
term of post-release control of a releasee. 1592

(L) "Parole violator" or "release violator" means any 1593
parolee or releasee who has been declared to be in violation of 1594
the condition of parole or post-release control specified in 1595
division (A) or (B) of section 2967.131 of the Revised Code or 1596
in violation of any other term, condition, or rule of the 1597
parolee's or releasee's parole or of the parolee's or releasee's 1598
post-release control sanctions, the determination of which has 1599
been made by the adult parole authority and recorded in its 1600
official minutes. 1601

(M) "Administrative release" means a termination of 1602
jurisdiction over a particular sentence or prison term by the 1603

adult parole authority for administrative convenience. 1604

(N) "Post-release control" means a period of supervision 1605
by the adult parole authority after a prisoner's release from 1606
imprisonment, other than under a term of life imprisonment, that 1607
includes one or more post-release control sanctions imposed 1608
under section 2967.28 of the Revised Code. 1609

(O) "Post-release control sanction" means a sanction that 1610
is authorized under sections 2929.16 to 2929.18 of the Revised 1611
Code and that is imposed upon a prisoner upon the prisoner's 1612
release from a prison term other than a term of life 1613
imprisonment. 1614

(P) "Community control sanction," "prison term," 1615
"mandatory prison term," and "stated prison term" have the same 1616
meanings as in section 2929.01 of the Revised Code. 1617

(Q) "Transitional control" means control of a prisoner 1618
under the transitional control program established by the 1619
department of rehabilitation and correction under section 1620
2967.26 of the Revised Code, if the department establishes a 1621
program of that nature under that section. 1622

(R) "Random drug testing" has the same meaning as in 1623
section 5120.63 of the Revised Code. 1624

(S) "Non-life felony indefinite prison term" has the same 1625
meaning as in section 2929.01 of the Revised Code. 1626

(T) "Habitual felony offender" has the same meaning as in 1627
section 2929.01 of the Revised Code. 1628

Sec. 2967.13. (A) Except as provided in division (G) of 1629
this section or section 2967.132 of the Revised Code, a prisoner 1630
serving a sentence of imprisonment for life for an offense 1631

committed on or after July 1, 1996, is not entitled to any 1632
earned credit under division (A) (2) or (3) of section 2967.193 1633
or 2967.194 of the Revised Code and becomes eligible for parole 1634
as follows: 1635

(1) If a sentence of imprisonment for life was imposed for 1636
the offense of murder, at the expiration of the prisoner's 1637
minimum term; 1638

(2) If a sentence of imprisonment for life with parole 1639
eligibility after serving twenty years of imprisonment was 1640
imposed pursuant to section 2929.022 or 2929.03 of the Revised 1641
Code, after serving a term of twenty years; 1642

(3) If a sentence of imprisonment for life with parole 1643
eligibility after serving twenty-five full years of imprisonment 1644
was imposed pursuant to section 2929.022 or 2929.03 of the 1645
Revised Code, after serving a term of twenty-five full years; 1646

(4) If a sentence of imprisonment for life with parole 1647
eligibility after serving thirty full years of imprisonment was 1648
imposed pursuant to section 2929.022 or 2929.03 of the Revised 1649
Code, after serving a term of thirty full years; 1650

(5) If a sentence of imprisonment for life was imposed for 1651
rape, after serving a term of ten full years' imprisonment; 1652

(6) If a sentence of imprisonment for life with parole 1653
eligibility after serving fifteen years of imprisonment was 1654
imposed for a violation of section 2927.24 of the Revised Code, 1655
after serving a term of fifteen years; 1656

(7) If a sentence of imprisonment for life was imposed for 1657
being a habitual felony offender, after serving a term of 1658
fifteen full years' imprisonment. 1659

(B) Except as provided in division (G) of this section or 1660
section 2967.132 of the Revised Code, a prisoner serving a 1661
sentence of imprisonment for life with parole eligibility after 1662
serving twenty years of imprisonment or a sentence of 1663
imprisonment for life with parole eligibility after serving 1664
twenty-five full years or thirty full years of imprisonment 1665
imposed pursuant to section 2929.022 or 2929.03 of the Revised 1666
Code for an offense committed on or after July 1, 1996, 1667
consecutively to any other term of imprisonment, becomes 1668
eligible for parole after serving twenty years, twenty full 1669
years, or thirty full years, as applicable, as to each such 1670
sentence of life imprisonment, which shall not be reduced for 1671
earned credits under division (A) (2) or (3) of section 2967.193 1672
or 2967.194 of the Revised Code, plus the term or terms of the 1673
other sentences consecutively imposed or, if one of the other 1674
sentences is another type of life sentence with parole 1675
eligibility, the number of years before parole eligibility for 1676
that sentence. 1677

(C) Except as provided in division (G) of this section or 1678
section 2967.132 of the Revised Code, a prisoner serving 1679
consecutively two or more sentences in which an indefinite term 1680
of imprisonment is imposed becomes eligible for parole upon the 1681
expiration of the aggregate of the minimum terms of the 1682
sentences. 1683

(D) Except as provided in division (G) of this section or 1684
section 2967.132 of the Revised Code, a prisoner serving a term 1685
of imprisonment who is described in division (A) of section 1686
2967.021 of the Revised Code becomes eligible for parole as 1687
described in that division or, if the prisoner is serving a 1688
definite term of imprisonment, shall be released as described in 1689
that division. 1690

(E) Except as provided in section 2967.132 of the Revised Code, a prisoner serving a sentence of life imprisonment without parole imposed pursuant to section 2907.02 or section 2929.03 or 2929.06 of the Revised Code is not eligible for parole and shall be imprisoned until death.

(F) A prisoner serving a stated prison term that is a non-life felony indefinite prison term shall be released in accordance with sections 2967.271 and 2967.28 of the Revised Code. A prisoner serving a stated prison term of any other nature shall be released in accordance with section 2967.28 of the Revised Code.

(G) Except as provided in section 2967.132 of the Revised Code, a prisoner serving a prison term or term of life imprisonment without parole imposed pursuant to section 2971.03 of the Revised Code never becomes eligible for parole during that term of imprisonment.

Sec. 2967.132. (A) As used in this section:

(1) "Aggravated homicide offense" means any of the following that involved the purposeful killing of three or more persons, when the offender is the principal offender in each offense:

(a) Aggravated murder;

(b) Any other offense or combination of offenses that involved the purposeful killing of three or more persons.

(2) "Homicide offense" means a violation of section 2903.02, 2903.03, 2903.04, or 2903.041 of the Revised Code or a violation of section 2903.01 of the Revised Code that is not an aggravated homicide offense.

(B) This section applies to any prisoner serving a prison sentence for one or more offenses committed when the prisoner was under eighteen years of age. Regardless of whether the prisoner's stated prison term includes mandatory time, this section shall apply automatically and cannot be limited by the sentencing court.

(C) Notwithstanding any provision of the Revised Code to the contrary, and regardless of when the offense or offenses were committed and when the sentence was imposed, a prisoner who is serving a prison sentence for an offense other than an aggravated homicide offense and who was under eighteen years of age at the time of the offense, or who is serving consecutive prison sentences for multiple offenses none of which is an aggravated homicide offense and who was under eighteen years of age at the time of the offenses, is eligible for parole as follows:

(1) Except as provided in division (C) (2) or (4) of this section, if the prisoner is serving a sentence for being a habitual felony offender, and none of the offenses for which the prisoner have been sentenced are an aggravated homicide offense, the prisoner is eligible for parole after serving fifteen years in prison;

(2) Except as provided in division ~~(C) (2) or (3)~~ (C) (3) or (4) of this section, the prisoner is eligible for parole after serving eighteen years in prison.

~~(2) (3)~~ Except as provided in division ~~(C) (3)~~ (C) (4) or ~~(4)~~ (5) of this section, if the prisoner is serving a sentence for one or more homicide offenses, none of which are an aggravated homicide offense, the prisoner is eligible for parole after serving twenty-five years in prison.

~~(3)~~(4) Except as provided in division ~~(C)~~~~(4)~~(C) (5) of this 1749
section, if the prisoner is serving a sentence for two or more 1750
homicide offenses, none of which are an aggravated homicide 1751
offense, and the offender was the principal offender in two or 1752
more of those offenses, the prisoner is eligible for parole 1753
after serving thirty years in prison. 1754

~~(4)~~(5) If the prisoner is serving a sentence for one or 1755
more offenses and the sentence permits parole earlier than the 1756
parole eligibility date specified in division (C) (1), (2), ~~or~~ 1757
(3), or (4) of this section, the prisoner is eligible for parole 1758
after serving the period of time in prison that is specified in 1759
the sentence. 1760

(D) If the prisoner is serving a sentence for an 1761
aggravated homicide offense, or for a violation of section 1762
2909.24 of the Revised Code when the most serious underlying 1763
specified offense the defendant committed in the violation was 1764
aggravated murder or murder, the prisoner is not eligible for 1765
parole review other than in accordance with the sentence imposed 1766
for the offense. 1767

(E) (1) Once a prisoner is eligible for parole pursuant to 1768
division (C) or (D) of this section, the parole board, within a 1769
reasonable time after the prisoner becomes eligible, shall 1770
conduct a hearing to consider the prisoner's release on parole 1771
under parole supervision. The board shall conduct the hearing in 1772
accordance with Chapters 2930., 2967., and 5149. of the Revised 1773
Code and in accordance with the board's policies and procedures. 1774
Those policies and procedures must permit the prisoner's 1775
privately retained counsel or the state public defender to 1776
appear at the prisoner's hearing to make a statement in support 1777
of the prisoner's release. 1778

(2) The parole board shall ensure that the review process 1779
provides the prisoner a meaningful opportunity to obtain 1780
release. In addition to any other factors the board is required 1781
or authorized to consider by rule or statute, the board shall 1782
consider the following factors as mitigating factors: 1783

(a) The chronological age of the prisoner at the time of 1784
the offense and that age's hallmark features, including 1785
intellectual capacity, immaturity, impetuosity, and a failure to 1786
appreciate risks and consequences; 1787

(b) The family and home environment of the prisoner at the 1788
time of the offense, the prisoner's inability to control the 1789
prisoner's surroundings, a history of trauma regarding the 1790
prisoner, and the prisoner's school and special education 1791
history; 1792

(c) The circumstances of the offense, including the extent 1793
of the prisoner's participation in the conduct and the way 1794
familial and peer pressures may have impacted the prisoner's 1795
conduct; 1796

(d) Whether the prisoner might have been charged and 1797
convicted of a lesser offense if not for the incompetencies 1798
associated with youth such as the prisoner's inability to deal 1799
with police officers and prosecutors during the prisoner's 1800
interrogation or possible plea agreement, or the prisoner's 1801
inability to assist the prisoner's own attorney; 1802

(e) Examples of the prisoner's rehabilitation, including 1803
any subsequent growth or increase in maturity during 1804
imprisonment. 1805

(F) In accordance with section 2967.131 of the Revised 1806
Code, the parole board shall impose appropriate terms and 1807

conditions of release upon each prisoner granted a parole under 1808
this section. 1809

(G) If the parole board denies release on parole pursuant 1810
to this section, the board shall set a time for a subsequent 1811
release review and hearing in accordance with rules adopted by 1812
the department of rehabilitation and correction in effect at the 1813
time of the denial. 1814

(H) In addition to any notice required by rule or statute, 1815
the parole board shall notify the state public defender, the 1816
victim, and the appropriate prosecuting attorney of a prisoner's 1817
eligibility for review under this section at least sixty days 1818
before the board begins any review or proceedings involving that 1819
prisoner under this section. 1820

(I) (1) This section shall apply to determine the parole 1821
eligibility of all prisoners described in this section who 1822
committed an offense prior to, on, or after April 12, 2021, 1823
regardless of when the prisoner committed or was sentenced for 1824
the offense and, for purposes of this section, a prisoner is 1825
"serving" a prison sentence for an offense if on or after April 1826
12, 2021, the prisoner is serving a prison sentence for that 1827
offense, regardless of when the sentence was imposed or the 1828
offense was committed. 1829

(2) The provisions of this section do not apply to an 1830
offender who is paroled on an offense committed when the 1831
offender was under eighteen years of age who subsequently 1832
returns to prison for a violation of parole committed as an 1833
adult or for a new felony conviction committed as an adult. 1834

Section 2. That existing sections 2929.01, 2929.14, 1835
2967.01, 2967.13, and 2967.132 of the Revised Code are hereby 1836

repealed.	1837
Section 3. This act shall be known as the Felony	1838
Accountability for Frequent Offenders Act.	1839
Section 4. Section 2929.14 of the Revised Code is	1840
presented in this act as a composite of the section as amended	1841
by H.B. 37, H.B. 56, H.B. 111, and S.B. 106, all of the 135th	1842
General Assembly. The General Assembly, applying the principle	1843
stated in division (B) of section 1.52 of the Revised Code that	1844
amendments are to be harmonized if reasonably capable of	1845
simultaneous operation, finds that the composite is the	1846
resulting version of the section in effect prior to the	1847
effective date of the section as presented in this act.	1848