A BILL

To amend sections 181.21, 2152.13, 2152.14, 2901.011, 2929.01, 2929.14, 2929.144, 2929.19, 2930.16, 2945.37, 2945.401, 2949.08, 2951.03, 2953.07, 2967.14, 2967.191, 2967.193, 2967.271, 5120.021, 5120.038, 5120.113, 5120.66, and 5149.04; to enact new section 2953.08 and section 181.26; and to repeal section 2953.08 of the Revised Code to modify the Criminal Sentencing Law with respect to non-life felony indefinite sentencing, to modify the process for felony appeals as a matter of right, to modify the Corrections Law regarding a Department of Rehabilitation and Correction reentry program for certain offenders, maximum workload and caseload standards for parole and field officers, GPS monitoring of offenders released from prison, and entry into LEADS of specified
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 181.21, 2152.13, 2152.14, 2901.011, 2929.01, 2929.14, 2929.144, 2929.19, 2930.16, 2945.37, 2945.401, 2949.08, 2951.03, 2953.07, 2967.14, 2967.191, 2967.193, 2967.271, 5120.021, 5120.038, 5120.113, 5120.66, and 5149.04 be amended and new section 2953.08 and section 181.26 of the Revised Code be enacted to read as follows:

Sec. 181.21. (A) There is hereby created within the supreme court the state criminal sentencing commission, consisting of thirty-one members. One member shall be the chief justice of the supreme court, who shall be the chairperson of the commission. The following ten members of the commission, no more than six of whom shall be members of the same political party, shall be appointed by the chief justice: one judge of a court of appeals, three judges of courts of common pleas who are not juvenile court judges, three judges of juvenile courts, and three judges of municipal courts or county courts. Four members shall be the superintendent of the state highway patrol, the state public defender, the director of youth services, and the director of rehabilitation and correction, or their individual designees. The following twelve members, no more than seven of whom shall be members of the same political party, shall be appointed by the governor after consulting with the appropriate state associations, if any, that are represented by these
members: one sheriff; two county prosecuting attorneys, at least one of whom shall be experienced in the prosecution of cases in juvenile court involving alleged delinquent children, unruly children, and juvenile traffic offenders; two peace officers of a municipal corporation or township, at least one of whom shall be experienced in the investigation of cases involving juveniles; one former victim of a violation of Title XXIX of the Revised Code; one attorney whose practice of law primarily involves the representation of criminal defendants; one member of the Ohio state bar association; one attorney whose practice of law primarily involves the representation in juvenile court of alleged delinquent children, unruly children, and juvenile traffic offenders; one full-time city prosecuting attorney; one county commissioner; and one mayor, city manager, or member of a legislative authority of a municipal corporation. Two members shall be members of the senate, one appointed by the president of the senate and one appointed by the minority leader of the senate. Two members shall be members of the house of representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives.

The chief justice shall become a member of the commission on August 22, 1990, and the chief justice's successors in office shall become members of the commission on the day that they assume the office of chief justice. The term of office of the chief justice as a member of the commission shall continue for as long as that person holds the office of chief justice. The term of office of the member who is an attorney whose practice of law primarily involves the representation of criminal defendants, the term of office of the member who is an attorney whose practice of law primarily involves the representation in
juvenile court of alleged delinquent children, unruly children, and juvenile traffic offenders, and the term of office of the former victim of a violation of Title XXIX of the Revised Code shall be four years. The term of office of the superintendent of the state highway patrol, the state public defender, the director of youth services, and the director of rehabilitation and correction, or their individual designees, as members of the commission shall continue for as long as they hold the office of superintendent of the state highway patrol, state public defender, director of youth services, or director of rehabilitation and correction. The term of office of a municipal corporation or township peace officer as a member of the commission shall be the lesser of four years or until that person ceases to be a peace officer of a municipal corporation or township. Unless the full-time city prosecuting attorney is an elected official, the term of office of the full-time city prosecuting attorney shall be the lesser of four years or until the full-time city prosecuting attorney ceases to be a full-time city prosecuting attorney. All of the members of the commission who are elected officials shall serve the lesser of four years or until the expiration of their term of office. Any vacancy on the commission shall be filled in the same manner as the original appointment.

When the chief justice and governor make their appointments to the commission, they shall consider adequate representation by race and gender.

(B) The commission shall select a vice-chairperson and any other necessary officers and adopt rules to govern its proceedings. The commission shall meet as necessary at the call of the chairperson or on the written request of eight or more of its members. Sixteen members of the commission constitute a
quorum, and the votes of a majority of the quorum present shall be required to validate any action of the commission. All business of the commission shall be conducted in public meetings.

The members of the commission shall serve without compensation, but each member shall be reimbursed for the member's actual and necessary expenses incurred in the performance of the member's official duties on the commission. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson.

(C) The commission shall establish an office and shall appoint and fix the compensation of a project director and any other employees necessary to assist the commission in the execution of its authority under sections 181.21 to 181.25 of the Revised Code. The project director shall have a thorough understanding of the criminal laws of this state and experience in committee-oriented research. The other employees may include a research coordinator with experience and training in policy-oriented research; professional staff employees with backgrounds in criminal law, criminal justice, political science, or related fields of expertise; administrative assistants; and secretaries. The commission also may appoint and fix the compensation of part-time data collectors, clerical employees, and other temporary employees as needed to enable the commission to execute its authority under sections 181.21 to 181.25 of the Revised Code.

(D)(1) The sentencing commission shall establish an ad hoc, standing offender supervision study committee. The committee shall consist of one member who is a person appointed by the governor and the following twelve members appointed by
the commission: one active parole line officer who is a member of the exclusive representative, as defined in section 4117.01 of the Revised Code, with which the state has entered into a collective bargaining agreement that is in effect at the time of the appointment and who has been recommended by the exclusive representative; one active probation officer; two members of the house of representatives who shall not be members of the same political party; two members of the senate who shall not be members of the same political party; one judge of a court of common pleas; one representative of the Ohio community corrections association; the director of rehabilitation and corrections or the director's representative; one county prosecuting attorney; the state public defender, the state public defender's representative, or a county public defender; and one sheriff. The members of the commission may serve on the committee by designation of the chief justice, to the extent that the members satisfy the criteria for service on the committee. The chief justice shall designate a member to serve as chairperson of the committee. The committee shall select a vice-chairperson. The committee shall meet as necessary at the call of the chairperson or on the written request of four or more of the committee's members. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. A majority of the members of the committee shall constitute a quorum, and the votes of a majority of the quorum present shall be required to validate any action of the committee, including the content of reports and recommendations to the commission.

The members of the committee who are not members of the commission shall serve without compensation, but each such member shall be reimbursed for the member's actual and necessary
expenses incurred in the performance of the member's official duties on the commission. Section 181.21 of the Revised Code applies to the members of the committee who are members of the commission.

(2) The offender supervision study committee shall study and review all issues related to the supervision of offenders, including issues related to parole, community control, probation, community corrections, and transitional control, and issues related to interstate compact policies. The committee shall submit a report to the commission not later than the thirty-first day of December in each even-numbered year that contains its findings with respect to the issues it studies and reviews and recommendations regarding possible changes in the law based on those findings.

The commission shall comply with division (D) of section 181.26 of the Revised Code with respect to the reports submitted to it under this division.

(3) The sentencing commission may appoint persons who are experts in issues related to the supervision of offenders to assist the committee in the performance of its duties under division (D)(2) of this section. No person appointed in a capacity under this division may vote on any action of the committee, including the content of any report or recommendation to the commission.

Sec. 181.26. (A) In addition to its duties set forth in sections 181.23 to 181.25 and 181.27 of the Revised Code, the state criminal sentencing commission shall review all reports submitted to it by the offender supervision study committee under division (D)(2) of section 181.21 of the Revised Code and, for each report so received, not later than ninety days after
receiving the report, shall submit a report to the general assembly that contains the commission's recommendations regarding possible changes in the law based on the findings of the committee that are set forth in the report. In preparing its report to the general assembly, the commission shall consider all findings and recommendations of the committee contained in the report the committee submitted to the commission, and the commission's report to the general assembly may be, but is not required to be, the same as the report of the committee submitted to the commission.

(B) The state criminal sentencing commission, within ninety days after the effective date of this section, pursuant to section 181.23 of the Revised Code, shall study the impact of sections relevant to the Reagan Tokes Law, including those listed in section 2901.011 of the Revised Code as constituting the Reagan Tokes Law. The commission shall submit a report to the general assembly and the governor that contains the results of the study and recommendations on the thirty-first day of December in every even-numbered year beginning on December 31, 2024.

Sec. 2152.13. (A) A juvenile court shall impose a serious youthful dispositional sentence on a child when required under division (B)(3) of section 2152.121 of the Revised Code. In such a case, the remaining provisions of this division and divisions (B) and (C) do not apply to the child, and the court shall impose the mandatory serious youthful dispositional sentence under division (D)(1) of this section.

In all other cases, a juvenile court may impose a serious youthful offender dispositional sentence on a child only if the prosecuting attorney of the county in which the delinquent act
allegedly occurred initiates the process against the child in accordance with this division, and the child is an alleged delinquent child who is eligible for the dispositional sentence. The prosecuting attorney may initiate the process in any of the following ways:

(1) Obtaining an indictment of the child as a serious youthful offender;

(2) The child waives the right to indictment, charging the child in a bill of information as a serious youthful offender;

(3) Until an indictment or information is obtained, requesting a serious youthful offender dispositional sentence in the original complaint alleging that the child is a delinquent child;

(4) Until an indictment or information is obtained, if the original complaint does not request a serious youthful offender dispositional sentence, filing with the juvenile court a written notice of intent to seek a serious youthful offender dispositional sentence within twenty days after the later of the following, unless the time is extended by the juvenile court for good cause shown:

(a) The date of the child's first juvenile court hearing regarding the complaint;

(b) The date the juvenile court determines not to transfer the case under section 2152.12 of the Revised Code.

After a written notice is filed under division (A)(4) of this section, the juvenile court shall serve a copy of the notice on the child and advise the child of the prosecuting attorney's intent to seek a serious youthful offender dispositional sentence in the case.
(B) If an alleged delinquent child is not indicted or charged by information as described in division (A)(1) or (2) of this section and if a notice or complaint as described in division (A)(3) or (4) of this section indicates that the prosecuting attorney intends to pursue a serious youthful offender dispositional sentence in the case, the juvenile court shall hold a preliminary hearing to determine if there is probable cause that the child committed the act charged and is by age eligible for, or required to receive, a serious youthful offender dispositional sentence.

(C)(1) A child for whom a serious youthful offender dispositional sentence is sought by a prosecuting attorney has the right to a grand jury determination of probable cause that the child committed the act charged and that the child is eligible by age for a serious youthful offender dispositional sentence. The grand jury may be impaneled by the court of common pleas or the juvenile court.

Once a child is indicted, or charged by information or the juvenile court determines that the child is eligible for a serious youthful offender dispositional sentence, the child is entitled to an open and speedy trial by jury in juvenile court and to be provided with a transcript of the proceedings. The time within which the trial is to be held under Title XXIX of the Revised Code commences on whichever of the following dates is applicable:

(a) If the child is indicted or charged by information, on the date of the filing of the indictment or information.

(b) If the child is charged by an original complaint that requests a serious youthful offender dispositional sentence, on the date of the filing of the complaint.
(c) If the child is not charged by an original complaint that requests a serious youthful offender dispositional sentence, on the date that the prosecuting attorney files the written notice of intent to seek a serious youthful offender dispositional sentence.

(2) If the child is detained awaiting adjudication, upon indictment or being charged by information, the child has the same right to bail as an adult charged with the offense the alleged delinquent act would be if committed by an adult. Except as provided in division (D) of section 2152.14 of the Revised Code, all provisions of Title XXIX of the Revised Code and the Criminal Rules shall apply in the case and to the child. The juvenile court shall afford the child all rights afforded a person who is prosecuted for committing a crime including the right to counsel and the right to raise the issue of competency. The child may not waive the right to counsel.

(D)(1) If a child is adjudicated a delinquent child for committing an act under circumstances that require the juvenile court to impose upon the child a serious youthful offender dispositional sentence under section 2152.11 of the Revised Code, all of the following apply:

(a) The juvenile court shall impose upon the child a sentence available for the violation, as if the child were an adult, under Chapter 2929. of the Revised Code, except that the juvenile court shall not impose on the child a sentence of death or life imprisonment without parole.

(b) The juvenile court also shall impose upon the child one or more traditional juvenile dispositions under sections 2152.16, 2152.19, and 2152.20, and, if applicable, section 2152.17 of the Revised Code.
The juvenile court shall stay the adult portion of the serious youthful offender dispositional sentence pending the successful completion of the traditional juvenile dispositions imposed.

(2)(a) If a child is adjudicated a delinquent child for committing an act under circumstances that allow, but do not require, the juvenile court to impose on the child a serious youthful offender dispositional sentence under section 2152.11 of the Revised Code, all of the following apply:

(i) If the juvenile court on the record makes a finding that, given the nature and circumstances of the violation and the history of the child, the length of time, level of security, and types of programming and resources available in the juvenile system alone are not adequate to provide the juvenile court with a reasonable expectation that the purposes set forth in section 2152.01 of the Revised Code will be met, the juvenile court may impose upon the child a sentence available for the violation, as if the child were an adult, under Chapter 2929. of the Revised Code, except that the juvenile court shall not impose on the child a sentence of death or life imprisonment without parole.

(ii) If a sentence is imposed under division (D)(2)(a)(i) of this section, the juvenile court also shall impose upon the child one or more traditional juvenile dispositions under sections 2152.16, 2152.19, and 2152.20 and, if applicable, section 2152.17 of the Revised Code.

(iii) The juvenile court shall stay the adult portion of the serious youthful offender dispositional sentence pending the successful completion of the traditional juvenile dispositions imposed.
(b) If the juvenile court does not find that a sentence should be imposed under division (D)(2)(a)(i) of this section, the juvenile court may impose one or more traditional juvenile dispositions under sections 2152.16, 2152.19, 2152.20, and, if applicable, section 2152.17 of the Revised Code.

(3) A child upon whom a serious youthful offender dispositional sentence is imposed under division (D)(1) or (2) of this section has a right to appeal under division (A)(1), (3), (4), or (5), (3), (4), or (5) divisions (C)(1) to (7) of section 2953.08 of the Revised Code the adult portion of the serious youthful offender dispositional sentence when any of those divisions apply. The child may appeal the adult portion, and the court shall consider the appeal as if the adult portion were not stayed.

Sec. 2152.14. (A)(1) The director of youth services may request the prosecuting attorney of the county in which is located the juvenile court that imposed a serious youthful offender dispositional sentence upon a person under section 2152.121 or 2152.13 of the Revised Code to file a motion with that juvenile court to invoke the adult portion of the dispositional sentence if all of the following apply to the person:

(a) The person is at least fourteen years of age.

(b) The person is in the institutional custody, or an escapee from the custody, of the department of youth services.

(c) The person is serving the juvenile portion of the serious youthful offender dispositional sentence.

(2) The motion shall state that there is reasonable cause to believe that either of the following misconduct has occurred...
and shall state that at least one incident of misconduct of that nature occurred after the person reached fourteen years of age:

    (a) The person committed an act that is a violation of the rules of the institution and that could be charged as any felony or as a first degree misdemeanor offense of violence if committed by an adult.

    (b) The person has engaged in conduct that creates a substantial risk to the safety or security of the institution, the community, or the victim.

    (B) If a person is at least fourteen years of age, is serving the juvenile portion of a serious youthful offender dispositional sentence imposed under section 2152.121 or 2152.13 of the Revised Code, and is on parole or aftercare from a department of youth services facility, or on community control, the director of youth services, the juvenile court that imposed the serious youthful offender dispositional sentence on the person, or the probation department supervising the person may request the prosecuting attorney of the county in which is located the juvenile court to file a motion with the juvenile court to invoke the adult portion of the dispositional sentence. The prosecuting attorney may file a motion to invoke the adult portion of the dispositional sentence even if no request is made. The motion shall state that there is reasonable cause to believe that either of the following occurred and shall state that at least one incident of misconduct of that nature occurred after the person reached fourteen years of age:

    (1) The person committed an act that is a violation of the conditions of supervision and that could be charged as any felony or as a first degree misdemeanor offense of violence if committed by an adult.
(2) The person has engaged in conduct that creates a substantial risk to the safety or security of the community or of the victim.

(C) If the prosecuting attorney declines a request to file a motion that was made by the department of youth services or the supervising probation department under division (A) or (B) of this section or fails to act on a request made under either division by the department within a reasonable time, the department of youth services or the supervising probation department may file a motion of the type described in division (A) or (B) of this section with the juvenile court to invoke the adult portion of the serious youthful offender dispositional sentence. If the prosecuting attorney declines a request to file a motion that was made by the juvenile court under division (B) of this section or fails to act on a request from the court under that division within a reasonable time, the juvenile court may hold the hearing described in division (D) of this section on its own motion.

(D) Upon the filing of a motion described in division (A), (B), or (C) of this section, the juvenile court may hold a hearing to determine whether to invoke the adult portion of a person's serious juvenile offender dispositional sentence. The juvenile court shall not invoke the adult portion of the dispositional sentence without a hearing. At the hearing the person who is the subject of the serious youthful offender disposition has the right to be present, to receive notice of the grounds upon which the adult sentence portion is sought to be invoked, to be represented by counsel including counsel appointed under Juvenile Rule 4(A), to be advised on the procedures and protections set forth in the Juvenile Rules, and to present evidence on the person's own behalf, including
evidence that the person has a mental illness or intellectual
disability. The person may not waive the right to counsel. The
hearing shall be open to the public. If the person presents
evidence that the person has a mental illness or intellectual
disability, the juvenile court shall consider that evidence in
determining whether to invoke the adult portion of the serious
youthful offender dispositional sentence.

(E)(1) The juvenile court may invoke the adult portion of
a person's serious youthful offender dispositional sentence if
the juvenile court finds all of the following on the record by
clear and convincing evidence:

(a) The person is serving the juvenile portion of a
serious youthful offender dispositional sentence.

(b) The person is at least fourteen years of age and has
been admitted to a department of youth services facility, or
criminal charges are pending against the person.

(c) The person engaged in the conduct or acts charged
under division (A), (B), or (C) of this section, and the
person's conduct demonstrates that the person is unlikely to be
rehabilitated during the remaining period of juvenile
jurisdiction.

(2) The court may modify the adult sentence the court
invokes to consist of any lesser prison term that could be
imposed for the offense and, in addition to the prison term or
in lieu of the prison term if the prison term was not mandatory,
any community control sanction that the offender was eligible to
receive at sentencing.

(F) If a juvenile court issues an order invoking the adult
portion of a serious youthful offender dispositional sentence
under division (E) of this section, the juvenile portion of the
dispositional sentence shall terminate, and the department of
youth services shall transfer the person to the department of
rehabilitation and correction or place the person under another
sanction imposed as part of the sentence. The juvenile court
shall state in its order the total number of days that the
person has been held in detention or in a facility operated by,
or under contract with, the department of youth services under
the juvenile portion of the dispositional sentence. The time the
person must serve on a prison term imposed under the adult
portion of the dispositional sentence shall be reduced by the
total number of days specified in the order plus any additional
days the person is held in a juvenile facility or in detention
after the order is issued and before the person is transferred
to the custody of the department of rehabilitation and
correction. In no case shall the total prison term as calculated
under this division exceed the maximum prison term available for
an adult who is convicted of violating the same sections of the
Revised Code, including, for an offense that would be a felony
of the first or second degree that was committed on or after
March 22, 2019, both the longest minimum prison term that the
defendant or person could have received for the offense if
convicted plus the corresponding maximum prison term that would
be required for the offense.

Any community control imposed as part of the adult
sentence or as a condition of a judicial release from prison
shall be under the supervision of the entity that provides adult
probation services in the county. Any post-release control
imposed after the offender otherwise is released from prison
shall be supervised by the adult parole authority.

(G) As used in division (F) of this section, "minimum
prison term" and "maximum prison term" have the same meanings as in section 2929.01 of the Revised Code.

Sec. 2901.011. The amendments to sections 109.42, 121.22, 149.43, 2903.06, 2903.08, 2903.11, 2903.12, 2905.01, 2905.32, 2907.02, 2907.03, 2907.05, 2907.07, 2919.22, 2919.25, 2921.321, 2921.36, 2923.132, 2925.01, 2925.02, 2925.03, 2925.04, 2925.041, 2925.11, 2929.01, 2929.14, 2929.142, 2929.15, 2929.19, 2929.191, 2929.20, 2929.61, 2930.16, 2943.032, 2953.08, 2967.01, 2967.021, 2967.03, 2967.13, 2967.19, 2967.191, 2967.193, 2967.26, 2967.28, 2971.03, 3719.99, 5120.021, 5120.53, 5120.66, and 5120.80 and the enactment of sections 2901.011, 2929.144, 2967.271, and 5120.038 of the Revised Code by S.B. 201 of the 132nd general assembly and amendments to those sections made by the act in which this amendment was made constitute the Reagan Tokes Law.

The amendments to sections 2901.01, 2929.011, 2929.14, 2929.144, 2929.19, 2930.16, 2945.37, 2945.401, 2949.08, 2967.191, 2967.193, and 2967.271 of the Revised Code by the act in which this amendment was made are intended to be remedial in nature and apply to any individual sentenced for an offense committed on or after March 22, 2019.

Sec. 2929.01. As used in this chapter:

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

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

(b) It has received the appropriate license or certificate
for any specialized education, training, treatment, habilitation, or other service that it provides from the government agency that is responsible for licensing or certifying that type of education, training, treatment, habilitation, or service.

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

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

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

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

(E) "Community control sanction" means a sanction that is not a prison term and that is described in section 2929.15, 2929.16, 2929.17, or 2929.18 of the Revised Code or a sanction that is not a jail term and that is described in section 2929.26, 2929.27, or 2929.28 of the Revised Code. "Community control sanction" includes probation if the sentence involved was imposed for a felony that was committed prior to July 1,
1996, or if the sentence involved was imposed for a misdemeanor that was committed prior to January 1, 2004.

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

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

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

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

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

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

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

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

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

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

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

(1) The offender is required to remain in the offender's home or other specified premises for the specified period of confinement, except for periods of time during which the offender is at the offender's place of employment or at other premises as authorized by the sentencing court or by the parole board.
(2) The offender is required to report periodically to a person designated by the court or parole board.

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

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

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

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

(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 (E) or (G) 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 analog; at least one thousand unit doses or one hundred grams of a fentanyl-related compound; or at least one hundred times the amount of any other schedule I or II controlled substance other...
than marihuana that is necessary to commit a felony of the third
degree pursuant to section 2925.03, 2925.04, 2925.05, or 2925.11
of the Revised Code that is based on the possession of, sale of,
or offer to sell the controlled substance.

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

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

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

(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.

(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.

(Z) "Offender" means a person who, in this state, is convicted of or pleads guilty to a felony or a misdemeanor.

(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.

(BB)(1) "Prison term" includes either of the following sanctions for an offender:

(a) A stated prison term;

(b) A term in a prison shortened by, or with the approval of, the sentencing court pursuant to section 2929.143, 2929.20, 2967.26, 5120.031, 5120.032, or 5120.073 of the Revised Code.

(2) With respect to a non-life felony indefinite prison term, references in any provision of law to a reduction of, or deduction from, the prison term mean a reduction in, or deduction from, the minimum prison term imposed as part of the indefinite term.

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

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

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

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

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

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

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

(FF)(1) "Stated prison term" means the prison term, mandatory prison term, or combination of all prison terms and mandatory prison terms imposed by the sentencing court pursuant to section 2929.14, 2929.142, or 2971.03 of the Revised Code or under section 2919.25 of the Revised Code. "Stated prison term" includes any credit received by the offender for time spent in jail awaiting trial, sentencing, or transfer to prison for the
offense and any time spent under house arrest or house arrest
with electronic monitoring imposed after earning credits
pursuant to section 2967.193 of the Revised Code. If an offender
is serving a prison term as a risk reduction sentence under
sections 2929.143 and 5120.036 of the Revised Code, "stated
prison term" includes any period of time by which the prison
term imposed upon the offender is shortened by the offender's
successful completion of all assessment and treatment or
programming pursuant to those sections.

(2) As used in the definition of "stated prison term" set
forth in division (FF)(1) of this section, a prison term is a
definite prison term imposed under section 2929.14 of the
Revised Code or any other provision of law, is the a minimum and
prison term imposed under section 2929.14 of the Revised Code
for a non-life felony indefinite prison term plus any maximum
prison terms under a term imposed as part of the non-life felony
indefinite prison term under section 2929.144 of the Revised
Code, or is a term of life imprisonment except to the extent
that the use of that definition in a section of the Revised Code
clearly is not intended to include a term of life imprisonment.
With respect to an offender sentenced to a non-life felony
indefinite prison term, references in section 2967.191 or
2967.193 of the Revised Code or any other provision of law to a
reduction of, or deduction from, the offender's stated prison
term or to release of the offender before the expiration of the
offender's stated prison term mean a reduction in, or deduction
from, the minimum prison term imposed as part of the indefinite
term or a release of the offender before the expiration of that
minimum prison term, references in section 2929.19 or 2967.28 of
the Revised Code to a stated prison term with respect to a
prison term imposed for a violation of a post-release control
sanction mean the minimum prison term so imposed, and references in any provision of law to an offender's service of the offender's stated prison term or the expiration of the offender's stated prison term mean service or expiration of the minimum prison term so imposed plus any additional period of incarceration under the sentence that is required under section 2967.271 of the Revised Code.

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

(HH) "Fourth 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 fourth degree.

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

(JJ) "Designated homicide, assault, or kidnapping offense," "violent sex offense," "sexual motivation 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 2941.1411 of the Revised Code.

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

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

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

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

(b) The device has a receiver that can receive continuously the signals transmitted by a transmitter of the type described in division (UU)(1)(a) of this section, can transmit continuously those signals by a wireless or landline telephone connection to a central monitoring computer of the type described in division (UU)(1)(c) of this section, and can transmit continuously an appropriate signal to that central monitoring computer if the device has been turned off or altered without prior court approval or otherwise tampered with. The device is designed specifically for use in electronic monitoring, is not a converted wireless phone or another
tracking device that is clearly not designed for electronic monitoring, and provides a means of text-based or voice communication with the person.

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

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

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

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

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

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

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

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

(YY) A person is "adjudicated a sexually violent predator"
if the person is convicted of or pleads guilty to a violent sex
offense and also is convicted of or pleads guilty to a sexually
violent predator specification that was included in the
indictment, count in the indictment, or information charging
that violent sex offense or if the person is convicted of or
pleads guilty to a designated homicide, assault, or kidnapping
offense and also is convicted of or pleads guilty to both a
sexual motivation specification and a sexually violent predator
specification that were included in the indictment, count in the
indictment, or information charging that designated homicide,
assault, or kidnapping offense.

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

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

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

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

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

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

(a) Each of the felony offenses is a violation of section 2905.01, 2905.02, 2905.32, 2907.21, 2907.22, or 2923.32, division (A)(1) or (2) of section 2907.323, or division (B)(1), (2), (3), (4), or (5) of section 2919.22 of the Revised Code or is a violation of a law of any state other than this state that is substantially similar to any of the sections or divisions of
(b) At least one of the felony offenses was committed in this state.

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

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

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

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

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

(FFF) "Permanent disabling harm" means serious physical harm that results in permanent injury to the intellectual, physical, or sensory functions and that permanently and substantially impairs a person's ability to meet one or more of the ordinary demands of life, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
(GGG) "Non-life felony indefinite prison term" means a prison term imposed under division (A)(1)(a) or (2)(a) of section 2929.14 and section 2929.144 of the Revised Code for a felony of the first or second degree committed on or after March 22, 2019 that consists of both a minimum prison term and a maximum prison term.

(HHH) "Minimum prison term" means the minimum term of years imposed under division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code as part of a non-life felony indefinite prison term.

(III) "Maximum prison term" means the potential additional prison term imposed as part of a non-life felony indefinite prison term as calculated under section 2929.144 of the Revised Code that must be served by the offender at the conclusion of the offender's minimum prison term or aggregate minimum prison term, to the extent that the presumption of release under division (C) of section 2967.271 of the Revised Code has been rebutted.

(JJJ) "Aggregate minimum prison term" means the sum of all minimum prison terms and definite terms sentenced to be served consecutively to one another or combined under division (C)(10) of section 2929.14 of the Revised Code as part of a non-life felony indefinite sentence.

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

(1)(a) Except as provided in division (A)(1)(a)(i) of this section, for a felony of the first degree committed on or after the effective date of this amendment March 22, 2019, the prison term shall be an indefinite prison term with a stated minimum prison term selected by the court of three, four, five, six, seven, eight, nine, ten, or eleven years and followed by a single maximum prison term that is shall be determined pursuant to section 2929.144 of the Revised Code, except that if

(ii) If the section that criminalizes the conduct constituting the felony specifies a different minimum prison term or penalty for the offense, the specific language of that section shall control over division (A)(1)(a)(i) of this section in determining the minimum prison term or otherwise sentencing the offender but the minimum prison term or sentence imposed under that specific language shall be considered for purposes of the Revised Code as if it had been imposed under this division (A)(1)(a)(i) of this section.

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

(2)(a) Except as provided in division (A)(2)(a)(i) of this section, for a felony of the second degree committed on or after the effective date of this amendment March 22, 2019, the prison term shall be an indefinite prison term with a stated minimum prison term selected by the court of three, four, five, six, seven, eight, nine, ten, or eleven years and followed by a single maximum prison term that is shall be determined pursuant to section 2929.144 of the Revised Code, except that if
prison term selected by the court of two, three, four, five, six, seven, or eight years and followed by a single maximum prison term that shall be determined pursuant to section 2929.144 of the Revised Code, except that if

(ii) If the section that criminalizes the conduct constituting the felony specifies a different minimum prison term or penalty for the offense, the specific language of that section shall control over division (A)(2)(a)(i) of this section in determining the minimum prison term or otherwise sentencing the offender but the minimum prison term or sentence imposed under that specific language shall be considered for purposes of the Revised Code as if it had been imposed under this division (A)(2)(a)(i) of this section.

(b) For a felony of the second degree committed prior to the effective date of this amendment March 22, 2019, the prison term shall be a definite term of two, three, four, five, six, seven, or eight years.

(3)(a) For a felony of the third degree that is a violation of section 2903.06, 2903.08, 2907.03, 2907.04, 2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised Code or that is a violation of section 2911.02 or 2911.12 of the Revised Code if the offender previously has been convicted of or pleaded guilty in two or more separate proceedings to two or more violations of section 2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, the prison term shall be a definite term of twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty months.

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

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

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

(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
pleaded guilty to a specification of the type described in
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of
the Revised Code;

(v) A prison term of fifty-four months if the
specification is of the type described in division (D) 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 the firearm to
facilitate the offense and that the offender previously has been
convicted of or pleaded guilty to a specification of the type
described in section 2941.141, 2941.144, 2941.145, 2941.146, or
2941.1412 of the Revised Code;

(vi) A prison term of eighteen months if the specification
is of the type described in division (D) 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 and that the offender
previously has been convicted of or pleaded guilty to a
specification of the type described in section 2941.141,
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code.

(b) If a court imposes a prison term on an offender under
division (B)(1)(a) of this section, the prison term shall not be
reduced pursuant to section 2967.19, section 2929.20, section
2967.193, or any other provision of Chapter 2967. or Chapter
5120. of the Revised Code. Except as provided in division (B)(1)
(g) of this section, a court shall not impose more than one
prison term on an offender under division (B)(1)(a) of this
section for felonies committed as part of the same act or
transaction.

(c)(i) Except as provided in division (B)(1)(e) of this
section, if an offender who is convicted of or pleads guilty to
a violation of section 2923.161 of the Revised Code or to a
felony that includes, as an essential element, purposely or
knowingly causing or attempting to cause the death of or
physical harm to another, also is convicted of or pleads guilty
to a specification of the type described in division (A) of
section 2941.146 of the Revised Code that charges the offender
with committing the offense by discharging a firearm from a
motor vehicle other than a manufactured home, the court, after
imposing a prison term on the offender for the violation of
section 2923.161 of the Revised Code or for the other felony
offense under division (A), (B)(2), or (B)(3) of this section,
shall impose an additional prison term of five years upon the
offender that shall not be reduced pursuant to section 2929.20,
section 2967.19, section 2967.193, or any other provision of
Chapter 2967. or Chapter 5120. of the Revised Code.

(ii) Except as provided in division (B)(1)(e) of this
section, if an offender who is convicted of or pleads guilty to
a violation of section 2923.161 of the Revised Code or to a
felony that includes, as an essential element, purposely or
knowingly causing or attempting to cause the death of or
physical harm to another, also is convicted of or pleads guilty
to a specification of the type described in division (C) of
section 2941.146 of the Revised Code that charges the offender
with committing the offense by discharging a firearm from a
motor vehicle other than a manufactured home and that the
offender previously has been convicted of or pleaded guilty to a
specification of the type described in section 2941.141,
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code,
the court, after imposing a prison term on the offender for the
violation of section 2923.161 of the Revised Code or for the
other felony offense under division (A), (B)(2), or (3) of this
section, shall impose an additional prison term of ninety months
upon the offender that shall not be reduced pursuant to section
2929.20, 2967.19, 2967.193, or any other provision of Chapter
2967. or Chapter 5120. of the Revised Code.

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

(d) If an offender who is convicted of or pleads guilty to
an offense of violence that is a felony also is convicted of or
pleads guilty to a specification of the type described in
section 2941.1411 of the Revised Code that charges the offender with wearing or carrying body armor while committing the felony offense of violence, the court shall impose on the offender an additional prison term of two years. The prison term so imposed, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(1)(d) of this section for felonies committed as part of the same act or transaction. If a court imposes an additional prison term under division (B)(1)(a) or (c) of this section, the court is not precluded from imposing an additional prison term under division (B)(1)(d) of this section.

(e) The court shall not impose any of the prison terms described in division (B)(1)(a) of this section or any of the additional prison terms described in division (B)(1)(c) of this section upon an offender for a violation of section 2923.12 or 2923.123 of the Revised Code. The court shall not impose any of the prison terms described in division (B)(1)(a) or (b) of this section upon an offender for a violation of section 2923.122 that involves a deadly weapon that is a firearm other than a dangerous ordnance, section 2923.16, or section 2923.121 of the Revised Code. The court shall not impose any of the prison terms described in division (B)(1)(a) of this section or any of the additional prison terms described in division (B)(1)(c) of this section upon an offender for a violation of section 2923.13 of the Revised Code unless all of the following apply:

(i) The offender previously has been convicted of aggravated murder, murder, or any felony of the first or second degree.
(ii) Less than five years have passed since the offender was released from prison or post-release control, whichever is later, for the prior offense.

(f)(i) If an offender is convicted of or pleads guilty to a felony that includes, as an essential element, causing or attempting to cause the death of or physical harm to another and also is convicted of or pleads guilty to a specification of the type described in division (A) of section 2941.1412 of the Revised Code that charges the offender with committing the offense by discharging a firearm at a peace officer as defined in section 2935.01 of the Revised Code or a corrections officer, as defined in section 2941.1412 of the Revised Code, the court, after imposing a prison term on the offender for the felony offense under division (A), (B)(2), or (B)(3) of this section, shall impose an additional prison term of seven years upon the offender that shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code.

(ii) If an offender is convicted of or pleads guilty to a felony that includes, as an essential element, causing or attempting to cause the death of or physical harm to another and also is convicted of or pleads guilty to a specification of the type described in division (B) of section 2941.1412 of the Revised Code that charges the offender with committing the offense by discharging a firearm at a peace officer, as defined in section 2935.01 of the Revised Code, or a corrections officer, as defined in section 2941.1412 of the Revised Code, and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, the court, after imposing a prison term on the
offender for the felony offense under division (A), (B)(2), or (3) of this section, shall impose an additional prison term of one hundred twenty-six months upon the offender that shall not be reduced pursuant to section 2929.20, 2967.19, 2967.193, or any other provision of Chapter 2967. or 5120. of the Revised Code.

(iii) If an offender is convicted of or pleads guilty to two or more felonies that include, as an essential element, causing or attempting to cause the death or physical harm to another and also is convicted of or pleads guilty to a specification of the type described under division (B)(1)(f) of this section in connection with two or more of the felonies of which the offender is convicted or to which the offender pleads guilty, the sentencing court shall impose on the offender the prison term specified under division (B)(1)(f) of this section for each of two of the specifications of which the offender is convicted or to which the offender pleads guilty and, in its discretion, also may impose on the offender the prison term specified under that division for any or all of the remaining specifications. If a court imposes an additional prison term on an offender under division (B)(1)(f) of this section relative to an offense, the court shall not impose a prison term under division (B)(1)(a) or (c) of this section relative to the same offense.

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

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

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

(ii) The offense of which the offender currently is
convicted or to which the offender currently pleads guilty is
aggravated murder and the court does not impose a sentence of
death or life imprisonment without parole, murder, terrorism and
the court does not impose a sentence of life imprisonment
without parole, any felony of the first degree that is an
offense of violence and the court does not impose a sentence of
life imprisonment without parole, or any felony of the second
degree that is an offense of violence and the trier of fact
finds that the offense involved an attempt to cause or a threat
to cause serious physical harm to a person or resulted in
serious physical harm to a person.
(iii) The court imposes the longest prison term for the offense or the longest minimum prison term for the offense, whichever is applicable, that is not life imprisonment without parole.

(iv) The court finds that the prison terms imposed pursuant to division (B)(2)(a)(iii) of this section and, if applicable, division (B)(1) or (3) of this section are inadequate to punish the offender and protect the public from future crime, because the applicable factors under section 2929.12 of the Revised Code indicating a greater likelihood of recidivism outweigh the applicable factors under that section indicating a lesser likelihood of recidivism.

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

(b) The court shall impose on an offender the longest prison term authorized or required for the offense or, for offenses for which division (A)(1)(a) or (2)(a) of this section applies, the longest minimum prison term authorized or required for the offense, and shall impose on the offender an additional definite prison term of one, two, three, four, five, six, seven, eight, nine, or ten years if all of the following criteria are met:
(i) The offender is convicted of or pleads guilty to a specification of the type described in section 2941.149 of the Revised Code that the offender is a repeat violent offender.

(ii) The offender within the preceding twenty years has been convicted of or pleaded guilty to three or more offenses described in division (CC)(1) of section 2929.01 of the Revised Code, including all offenses described in that division of which the offender is convicted or to which the offender pleads guilty in the current prosecution and all offenses described in that division of which the offender previously has been convicted or to which the offender previously pleaded guilty, whether prosecuted together or separately.

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

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

(d) A sentence imposed under division (B)(2)(a) or (b) of this section shall not be reduced pursuant to section 2929.20,
section 2967.19, or section 2967.193, or any other provision of
Chapter 2967. or Chapter 5120. of the Revised Code. The offender
shall serve an additional prison term imposed under division (B)
(2)(a) or (b) of this section consecutively to and prior to the
prison term imposed for the underlying offense.

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

(3) Except when an offender commits a violation of section
2903.01 or 2907.02 of the Revised Code and the penalty imposed
for the violation is life imprisonment or commits a violation of
section 2903.02 of the Revised Code, if the offender commits a
violation of section 2925.03 or 2925.11 of the Revised Code and
that section classifies the offender as a major drug offender,
if the offender commits a violation of section 2925.05 of the
Revised Code and division (E)(1) of that section classifies the
offender as a major drug offender, if the offender commits a
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36,
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61,
division (C) or (D) of section 3719.172, division (E) of section
4729.51, or division (J) of section 4729.54 of the Revised Code
that includes the sale, offer to sell, or possession of a
schedule I or II controlled substance, with the exception of
marihuana, and the court imposing sentence upon the offender
finds that the offender is guilty of a specification of the type
described in division (A) of section 2941.1410 of the Revised
Code charging that the offender is a major drug offender, if the
court imposing sentence upon an offender for a felony finds that
the offender is guilty of corrupt activity with the most serious
offense in the pattern of corrupt activity being a felony of the
first degree, or if the offender is guilty of an attempted
violation of section 2907.02 of the Revised Code and, had the offender completed the violation of section 2907.02 of the Revised Code that was attempted, the offender would have been subject to a sentence of life imprisonment or life imprisonment without parole for the violation of section 2907.02 of the Revised Code, the court shall impose upon the offender for the felony violation a mandatory prison term determined as described in this division that, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, cannot be reduced pursuant to section 2929.20, section 2967.19, or any other provision of Chapter 2967. or 5120. of the Revised Code. The mandatory prison term shall be the maximum definite prison term prescribed in division (A)(1)(b) of this section for a felony of the first degree, except that for offenses for which division (A)(1)(a) of this section applies, the mandatory prison term shall be the longest minimum prison term prescribed in that division for the offense.

(4) If the offender is being sentenced for a third or fourth degree felony OVI offense under division (G)(2) of section 2929.13 of the Revised Code, the sentencing court shall impose upon the offender a mandatory prison term in accordance with that division. In addition to the mandatory prison term, if the offender is being sentenced for a fourth degree felony OVI offense, the court, notwithstanding division (A)(4) of this section, may sentence the offender to a definite prison term of not less than six months and not more than thirty months, and if the offender is being sentenced for a third degree felony OVI offense, the sentencing court may sentence the offender to an additional prison term of any duration specified in division (A)(3) of this section. In either case, the additional prison term imposed shall be reduced by the sixty or one hundred twenty days
imposed upon the offender as the mandatory prison term. The total of the additional prison term imposed under division (B) (4) of this section plus the sixty or one hundred twenty days imposed as the mandatory prison term shall equal a definite term in the range of six months to thirty months for a fourth degree felony OVI offense and shall equal one of the authorized prison terms specified in division (A)(3) of this section for a third degree felony OVI offense. If the court imposes an additional prison term under division (B)(4) of this section, the offender shall serve the additional prison term after the offender has served the mandatory prison term required for the offense. In addition to the mandatory prison term or mandatory and additional prison term imposed as described in division (B)(4) of this section, the court also may sentence the offender to a community control sanction under section 2929.16 or 2929.17 of the Revised Code, but the offender shall serve all of the prison terms so imposed prior to serving the community control sanction.

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

(5) If an offender is convicted of or pleads guilty to a violation of division (A)(1) or (2) of section 2903.06 of the Revised Code and also is convicted of or pleads guilty to a specification of the type described in section 2941.1414 of the Revised Code that charges that the victim of the offense is a peace officer, as defined in section 2935.01 of the Revised Code, or an investigator of the bureau of criminal identification and investigation, as defined in section 2903.11
of the Revised Code, the court shall impose on the offender a prison term of five years. If a court imposes a prison term on an offender under division (B)(5) of this section, the prison term, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(5) of this section for felonies committed as part of the same act.

(6) If an offender is convicted of or pleads guilty to a violation of division (A)(1) or (2) of section 2903.06 of the Revised Code and also is convicted of or pleads guilty to a specification of the type described in section 2941.1415 of the Revised Code that charges that the offender previously has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code or an equivalent offense, as defined in section 2941.1415 of the Revised Code, or three or more violations of any combination of those divisions and offenses, the court shall impose on the offender a prison term of three years. If a court imposes a prison term on an offender under division (B)(6) of this section, the prison term, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(6) of this section for felonies committed as part of the same act.

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

(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 the effective date of this amendment 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 the effective date of this amendment 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) Subject to divisions (C) to (I) of section 2967.19 of the Revised Code, the prison term imposed under division (B)(7) (a) of this section shall not be reduced pursuant to section
2929.20, section 2967.19, section 2967.193, 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 violation, notwithstanding the range prescribed in division (A) of this section as the definite prison term or minimum prison term for felonies of the same degree as the violation, the court shall impose on the offender a mandatory prison term that is either a definite prison term of six months or one of the prison terms prescribed in division (A) of this section for felonies of the same degree as the violation, except that if the violation is a felony of the first or second degree committed on or after the effective date of this amendment March 22, 2019, the court shall impose as the minimum prison term under division (A)(1)(a) or (2)(a) of this section a mandatory term that is one of the terms prescribed in that division, whichever is applicable, for the offense.

(9)(a) If an offender is convicted of or pleads guilty to a violation of division (A)(1) or (2) of section 2903.11 of the Revised Code and also is convicted of or pleads guilty to a specification of the type described in section 2941.1425 of the Revised Code, the court shall impose on the offender a mandatory prison term of six years if either of the following applies:
(i) The violation is a violation of division (A)(1) of section 2903.11 of the Revised Code and the specification charges that the offender used an accelerant in committing the violation and the serious physical harm to another or to another's unborn caused by the violation resulted in a permanent, serious disfigurement or permanent, substantial incapacity;

(ii) The violation is a violation of division (A)(2) of section 2903.11 of the Revised Code and the specification charges that the offender used an accelerant in committing the violation, that the violation caused physical harm to another or to another's unborn, and that the physical harm resulted in a permanent, serious disfigurement or permanent, substantial incapacity.

(b) If a court imposes a prison term on an offender under division (B)(9)(a) of this section, the prison term shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(9) of this section for felonies committed as part of the same act.

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

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

If a court imposes an additional prison term on an offender under this division relative to a violation of division (A) of section 2903.11 of the Revised Code, the court shall not impose any other additional prison term on the offender relative to the same offense.

(11) If an offender is convicted of or pleads guilty to a felony violation of section 2925.03 or 2925.05 of the Revised Code or a felony violation of section 2925.11 of the Revised Code for which division (C)(11) of that section applies in determining the sentence for the violation, if the drug involved in the violation is a fentanyl-related compound or a compound, mixture, preparation, or substance containing a fentanyl-related compound, and if the offender also is convicted of or pleads guilty to a specification of the type described in division (B) of section 2941.1410 of the Revised Code that charges that the offender is a major drug offender, in addition to any other penalty imposed for the violation, the court shall impose on the offender a mandatory prison term of three, four, five, six, seven, or eight years. If a court imposes a prison term on an offender under division (B)(11) of this section, the prison term, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, 2967.19, or 2967.193, or any other provision of Chapter 2967.
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5120. of the Revised Code. A court shall not impose more than
one prison term on an offender under division (B)(11) of this
section for felonies committed as part of the same act.

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

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

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

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

(2) If an offender who is an inmate in a jail, prison, or other residential detention facility violates section 2917.02, 2917.03, or 2921.35 of the Revised Code or division (A)(1) or (2) of section 2921.34 of the Revised Code, if an offender who is under detention at a detention facility commits a felony violation of section 2923.131 of the Revised Code, or if an offender who is an inmate in a jail, prison, or other
residential detention facility or is under detention at a detention facility commits another felony while the offender is an escapee in violation of division (A)(1) or (2) of section 2921.34 of the Revised Code, any prison term imposed upon the offender for one of those violations shall be served by the offender consecutively to the prison term or term of imprisonment the offender was serving when the offender committed that offense and to any other prison term previously or subsequently imposed upon the offender.

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

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

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

(b) At least two of the multiple offenses were committed as part of one or more courses of conduct, and the harm caused by two or more of the multiple offenses so committed was so great or unusual that no single prison term for any of the offenses committed as part of any of the courses of conduct adequately reflects the seriousness of the offender's conduct.

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

(5) If a mandatory prison term is imposed upon an offender pursuant to division (B)(5) or (6) of this section, the offender shall serve the mandatory prison term consecutively to and prior to any prison term imposed for the underlying violation of division (A)(1) or (2) of section 2903.06 of the Revised Code pursuant to division (A) of this section or section 2929.142 of the Revised Code. If a mandatory prison term is imposed upon an offender pursuant to division (B)(5) of this section, and if a mandatory prison term also is imposed upon the offender pursuant to division (B)(6) of this section in relation to the same violation, the offender shall serve the mandatory prison term imposed pursuant to division (B)(5) of this section consecutively to and prior to the mandatory prison term imposed pursuant to division (B)(6) of this section and consecutively to and prior to any prison term imposed for the underlying violation of division (A)(1) or (2) of section 2903.06 of the Revised Code pursuant to division (A) of this section or section 2929.142 of the Revised Code.

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

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

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

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

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

(b) When a court sentences an offender to a non-life felony indefinite prison term for an offense committed on or after March 22, 2019, to be served consecutively with any other non-life felony indefinite prison term previously, subsequently, or contemporaneously imposed on the offender in another case for an offense committed on or after March 22, 2019, the minimum prison term portions of each non-life felony indefinite prison term shall be aggregated and treated as one aggregate minimum prison term and the maximum prison term portions of each non-life felony indefinite prison term shall be aggregated and treated as one aggregate maximum prison term to be served in accordance with section 2967.271 of the Revised Code.

(c) When a court sentences an offender to a non-life felony indefinite prison term for an offense committed on or after March 22, 2019, to be served consecutively to any indefinite prison term for an offense committed before July 1, 1996, the non-life felony indefinite prison term for the offense committed on or after March 22, 2019, shall be served prior to the indefinite prison term for the offense committed prior to July 1, 1996.

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

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

(2) If a court imposes a prison term for a felony of the third, fourth, or fifth degree that is not subject to division (D)(1) of this section, it shall include in the sentence a requirement that the offender be subject to a period of post-release control after the offender's release from imprisonment, in accordance with that division, if the parole board determines that a period of post-release control is necessary. Section
2929.191 of the Revised Code applies if, prior to July 11, 2006, a court imposed a sentence including a prison term of a type described in this division and failed to include in the sentence pursuant to this division a statement regarding post-release control.

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

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

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

(3) A person is convicted of or pleads guilty to attempted rape committed on or after January 2, 2007, and a specification of the type described in section 2941.1418, 2941.1419, or 2941.1420 of the Revised Code.

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

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

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

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

(G) If an offender who is convicted of or pleads guilty to a felony that is an offense of violence also is convicted of or pleas guilty to a specification of the type described in section 2941.142 of the Revised Code that charges the offender with having committed the felony while participating in a criminal gang, the court shall impose upon the offender an
additional prison term of one, two, or three years.

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

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

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

(ii) If the offender previously has been convicted of or pleaded guilty to one or more felony or misdemeanor violations of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of the Revised Code and also was convicted of or pleaded guilty to a specification of the type described in section 2941.1421 of the Revised Code regarding one or more of those violations, an additional prison term of one, two, three, four, five, six, seven, eight, nine, ten, eleven, or twelve months.
(b) In lieu of imposing an additional prison term under division (H)(2)(a) of this section, the court may directly impose on the offender a sanction that requires the offender to wear a real-time processing, continual tracking electronic monitoring device during the period of time specified by the court. The period of time specified by the court shall equal the duration of an additional prison term that the court could have imposed upon the offender under division (H)(2)(a) of this section. A sanction imposed under this division shall commence on the date specified by the court, provided that the sanction shall not commence until after the offender has served the prison term imposed for the felony violation of section 2907.22, 2907.24, 2907.241, or 2907.25 of the Revised Code and any residential sanction imposed for the violation under section 2929.16 of the Revised Code. A sanction imposed under this division shall be considered to be a community control sanction for purposes of section 2929.15 of the Revised Code, and all provisions of the Revised Code that pertain to community control sanctions shall apply to a sanction imposed under this division, except to the extent that they would by their nature be clearly inapplicable. The offender shall pay all costs associated with a sanction imposed under this division, including the cost of the use of the monitoring device.

(I) At the time of sentencing, the court may recommend the offender for placement in a program of shock incarceration under section 5120.031 of the Revised Code or for placement in an intensive program prison under section 5120.032 of the Revised Code, disapprove placement of the offender in a program of shock incarceration or an intensive program prison of that nature, or make no recommendation on placement of the offender. In no case shall the department of rehabilitation and correction place the
offender in a program or prison of that nature unless the
department determines as specified in section 5120.031 or
5120.032 of the Revised Code, whichever is applicable, that the
offender is eligible for the placement.

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

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

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

If the court does not make a recommendation under this
division with respect to an offender and if the department
determines as specified in section 5120.031 or 5120.032 of the
Revised Code, whichever is applicable, that the offender is
eligible for placement in a program or prison of that nature,
the department shall screen the offender and determine if there
is an available program of shock incarceration or an intensive
program prison for which the offender is suited. If there is an
available program of shock incarceration or an intensive program
prison for which the offender is suited, the department shall
notify the court of the proposed placement of the offender as specified in section 5120.031 or 5120.032 of the Revised Code and shall include with the notice a brief description of the placement. The court shall have ten days from receipt of the notice to disapprove the placement.

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

(K)(1) The court shall impose an additional mandatory prison term of two, three, four, five, six, seven, eight, nine, ten, or eleven years on an offender who is convicted of or pleads guilty to a violent felony offense if the offender also is convicted of or pleads guilty to a specification of the type described in section 2941.1424 of the Revised Code that charges that the offender is a violent career criminal and had a firearm on or about the offender's person or under the offender's control while committing the presently charged violent felony offense and displayed or brandished the firearm, indicated that the offender possessed a firearm, or used the firearm to facilitate the offense. The offender shall serve the prison term imposed under this division consecutively to and prior to the prison term imposed for the underlying offense. The prison term shall not be reduced pursuant to section 2929.20 or 2967.19 or any other provision of Chapter 2967. or 5120. of the Revised Code. A court may not impose more than one sentence under division (B)(2)(a) of this section and this division for acts committed as part of the same act or transaction.

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

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

Sec. 2929.144. (A) As used in this section, "qualifying:

(1) "Most serious qualifying felony being sentenced" means, with respect to one or more indictments, informations, or complaints that contain more than one qualifying felony of the first or second degree, the qualifying felony of the first or second degree carrying the highest degree of felony of all the qualifying felonies of the first or second degree contained in the indictments, informations, or complaints for which sentence is being imposed.

(2) "Qualifying felony of the first or second degree" means a felony of the first or second degree committed on or after the effective date of this section March 22, 2019.

(B) The court imposing a prison term on an offender under division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code for one or more qualifying felonies of the first or second degree contained in one or more indictments, informations, or complaints shall determine the a single maximum prison term that is part of the sentence for all of the qualifying felonies of the first or second degree contained in the indictments, informations, or complaints in accordance with
the following:

(1) If the offender is being sentenced for one felony and the felony is a qualifying felony of the first or second degree, the maximum prison term shall be equal to fifty per cent of the minimum prison term imposed on the offender under division (A) (1)(a) or (2)(a) of section 2929.14 of the Revised Code plus fifty per cent of that term.

(2) If the offender is being sentenced for more than one felony and if one or more of the felonies is a qualifying felony of the first or second degree, and if the court orders that some or all of the prison terms imposed are to be served consecutively, the court shall add all of the minimum terms imposed on the offender under division (A) (1)(a) or (2)(a) of section 2929.14 of the Revised Code for a qualifying felony of the first or second degree that are to be served consecutively and all of the definite terms of the felonies that are not qualifying felonies of the first or second degree that are to be served consecutively, and the maximum term shall be equal to the total of those terms so added by the court plus fifty per cent of the longest minimum term or definite term for the most serious felony being sentenced.

(3) If the offender is being sentenced for more than one felony, if one or more of the felonies is a qualifying felony of the first or second degree, and if the court orders that all of the prison terms imposed are to run concurrently, the maximum prison term shall be equal to the longest of the minimum terms imposed on the offender under division (A) (1)(a) or (2)(a) of section 2929.14 of the Revised Code for a qualifying felony of the first or second degree for which the sentence is being imposed plus fifty per cent of the longest minimum prison term.
for the most serious qualifying felony being sentenced.

(4) Any mandatory prison term, or portion of a mandatory prison term, that is imposed or to be imposed on the offender under division (B), (G), or (H) of section 2929.14 of the Revised Code or under any other provision of the Revised Code, with respect to a conviction of or plea of guilty to a specification, and that is in addition to the sentence imposed for the underlying offense is:

(a) Is separate from the non-life felony indefinite sentence being imposed for the qualifying first or second degree felony committed on or after the effective date of this section and shall March 22, 2019;

(b) Shall not be considered or included in determining a maximum prison term for the offender under divisions (B)(1) to (3) of this section; and

(c) Is to be imposed separately from the non-life felony indefinite sentence being imposed under this section.

(C) The court imposing a prison term on an offender pursuant to division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code for a qualifying felony of the first or second degree shall sentence the offender, as part of the sentence, to the a maximum prison term determined under division (B) of this section. The court shall impose this maximum term at sentencing as part of the sentence it imposes under section 2929.14 of the Revised Code, and shall state the minimum term it imposes under division (A)(1)(a) or (2)(a) of that section for each qualifying felony of the first or second degree, and this maximum term, in the sentencing entry.

(D) If a court imposes a prison term on an offender
pursuant to division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code for a qualifying felony of the first or second degree, section 2967.271 of the Revised Code applies with respect to the offender's service of the prison term.

**Sec. 2929.19.** (A) The court shall hold a sentencing hearing before imposing a sentence under this chapter upon an offender who was convicted of or pleaded guilty to a felony and before resentencing an offender who was convicted of or pleaded guilty to a felony and whose case was remanded pursuant to section 2953.07 or 2953.08 of the Revised Code. At the hearing, the offender, the prosecuting attorney, the victim or the victim's representative in accordance with section 2930.14 of the Revised Code, and, with the approval of the court, any other person may present information relevant to the imposition of sentence in the case. The court shall inform the offender of the verdict of the jury or finding of the court and ask the offender whether the offender has anything to say as to why sentence should not be imposed upon the offender.

(B)(1) At the sentencing hearing, the court, before imposing sentence, shall do all of the following:

(a) Consider the record, any information presented at the hearing by any person pursuant to division (A) of this section, and, if one was prepared, the presentence investigation report made pursuant to section 2951.03 of the Revised Code or Criminal Rule 32.2, and any victim impact statement made pursuant to section 2947.051 of the Revised Code;

(b) If the offense was committed when the offender was under eighteen years of age, in addition to other factors considered, consider youth and its characteristics as mitigating factors, including:
(i) The chronological age of the offender at the time of the offense and that age's hallmark features, including intellectual capacity, immaturity, impetuosity, and a failure to appreciate risks and consequences;

(ii) The family and home environment of the offender at the time of the offense, the offender's inability to control the offender's surroundings, a history of trauma regarding the offender, and the offender's school and special education history;

(iii) The circumstances of the offense, including the extent of the offender's participation in the conduct and the way familial and peer pressures may have impacted the offender's conduct;

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

(v) Examples of the offender's rehabilitation, including any subsequent growth or increase in maturity during confinement.

(2) Subject to division (B)(3) of this section, if the sentencing court determines at the sentencing hearing that a prison term is necessary or required, the court shall do all of the following:

(a) Impose a stated prison term and, if the court imposes a mandatory prison term, notify the offender that the prison term is a mandatory prison term;
(b) In addition to any other information, include in the sentencing entry the name and section reference to the offense or offenses, the sentence or sentences imposed and whether the sentence or sentences contain mandatory prison terms, if sentences are imposed for multiple counts whether the sentences are to be served concurrently or consecutively, and the name and section reference of any specification or specifications for which sentence is imposed and the sentence or sentences imposed for the specification or specifications;

(c) If the prison term is a non-life felony indefinite prison term, notify the offender of all of the following:

(i) That the non-life felony indefinite prison term to which the offender is subject consists of a minimum prison term followed by a maximum prison term.

(ii) That it is rebuttably presumed that the offender will be released from service of the sentence on the expiration of the minimum prison term imposed as part of the sentence or on the offender's presumptive earned early release date, as defined in section 2967.271 of the Revised Code, whichever is earlier;

(iii) That the department of rehabilitation and correction may rebut the presumption described in division (B)(2)(c)(i) of this section if, at a hearing held under section 2967.271 of the Revised Code, the department makes specified determinations regarding the offender's conduct while confined, the offender's rehabilitation, the offender's threat to society, the offender's restrictive housing, if any, while confined, and the offender's security classification;

(iv) That if, as described in division (B)(2)(c)(ii) of this section, the department at the hearing
makes the specified determinations and rebuts the presumption, the department may maintain the offender's incarceration after the expiration of that minimum term or after that presumptive earned early release date for the length of time the department determines to be reasonable, subject to the limitation specified in section 2967.271 of the Revised Code;

(iv) That the department may make the specified determinations and maintain the offender's incarceration under the provisions described in divisions (B)(2)(c)(i) and (ii) of this section more than one time, subject to the limitation specified in section 2967.271 of the Revised Code;

(v) That if the offender has not been released prior to the expiration of the offender's maximum prison term imposed as part of the sentence, the offender must be released upon the expiration of that term.

(d) Notify the offender that the offender will be supervised under section 2967.28 of the Revised Code after the offender leaves prison if the offender is being sentenced, other than to a sentence of life imprisonment, for a felony of the first degree or second degree, for a felony sex offense, or for a felony of the third degree that is an offense of violence and is not a felony sex offense. This division applies with respect to all prison terms imposed for an offense of a type described in this division, including a non-life felony indefinite prison term and including a term imposed for any offense of a type described in this division that is a risk reduction sentence, as defined in section 2967.28 of the Revised Code. If a court imposes a sentence including a prison term of a type described in division (B)(2)(d) of this section on or after July 11, 2006,
the failure of a court to notify the offender pursuant to division (B)(2)(d) of this section that the offender will be supervised under section 2967.28 of the Revised Code after the offender leaves prison or to include in the judgment of conviction entered on the journal a statement to that effect does not negate, limit, or otherwise affect the mandatory period of supervision that is required for the offender under division (B) of section 2967.28 of the Revised Code. Section 2929.191 of the Revised Code applies if, prior to July 11, 2006, a court imposed a sentence including a prison term of a type described in division (B)(2)(d) of this section and failed to notify the offender pursuant to division (B)(2)(d) of this section regarding post-release control or to include in the judgment of conviction entered on the journal or in the sentence a statement regarding post-release control.

(e) Notify the offender that the offender may be supervised under section 2967.28 of the Revised Code after the offender leaves prison if the offender is being sentenced for a felony of the third, fourth, or fifth degree that is not subject to division (B)(2)(d) of this section. This division applies with respect to all prison terms imposed for an offense of a type described in this division, including a term imposed for any such offense that is a risk reduction sentence, as defined in section 2967.28 of the Revised Code. Section 2929.191 of the Revised Code applies if, prior to July 11, 2006, a court imposed a sentence including a prison term of a type described in division (B)(2)(e) of this section and failed to notify the offender pursuant to division (B)(2)(e) of this section regarding post-release control or to include in the judgment of conviction entered on the journal or in the sentence a statement regarding post-release control.
(f) Notify the offender that, if a period of supervision is imposed following the offender's release from prison, as described in division (B)(2)(d) or (e) of this section, and if the offender violates that supervision or a condition of post-release control imposed under division (B) of section 2967.131 of the Revised Code, the parole board may impose a prison term, as part of the sentence, of up to one-half of the definite prison term originally imposed upon the offender as the offender's stated prison term or up to one-half of the minimum prison term originally imposed upon the offender as part of the offender's stated non-life felony indefinite prison term. If a court imposes a sentence including a prison term on or after July 11, 2006, the failure of a court to notify the offender pursuant to division (B)(2)(f) of this section that the parole board may impose a prison term as described in division (B)(2)(f) of this section for a violation of that supervision or a condition of post-release control imposed under division (B) of section 2967.131 of the Revised Code or to include in the judgment of conviction entered on the journal a statement to that effect does not negate, limit, or otherwise affect the authority of the parole board to so impose a prison term for a violation of that nature if, pursuant to division (D)(1) of section 2967.28 of the Revised Code, the parole board notifies the offender prior to the offender's release of the board's authority to so impose a prison term. Section 2929.191 of the Revised Code applies if, prior to July 11, 2006, a court imposed a sentence including a prison term and failed to notify the offender pursuant to division (B)(2)(f) of this section regarding the possibility of the parole board imposing a prison term for a violation of supervision or a condition of post-release control.
(g)(i) Determine, notify the offender of, and include in the sentencing entry the total number of days, including the sentencing date but excluding conveyance time, that the offender has been confined for any reason arising out of the offense for which the offender is being sentenced and by which the department of rehabilitation and correction must reduce the definite prison term imposed on the offender as the offender's stated prison term or, if the offense is an offense for which a non-life felony indefinite prison term is imposed under division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code, the minimum and maximum prison terms imposed on the offender as part of that non-life felony indefinite prison term, under section 2967.191 of the Revised Code. The court's calculation shall not include the number of days, if any, that the offender served in the custody of the department of rehabilitation and correction arising out of any prior offense for which the prisoner was convicted and sentenced.

(ii) In making a determination under division (B)(2)(g)(i) of this section, the court shall consider the arguments of the parties and conduct a hearing if one is requested.

(iii) The sentencing court retains continuing jurisdiction to correct any error not previously raised at sentencing in making a determination under division (B)(2)(g)(i) of this section. The offender may, at any time after sentencing, file a motion in the sentencing court to correct any error made in making a determination under division (B)(2)(g)(i) of this section, and the court may in its discretion grant or deny that motion. If the court changes the number of days in its determination or redetermination, the court shall cause the entry granting that change to be delivered to the department of rehabilitation and correction without delay. Sections 2931.15
and 2953.21 of the Revised Code do not apply to a motion made under this section.

(iv) An inaccurate determination under division (B)(2)(g) (i) of this section is not grounds for setting aside the offender's conviction or sentence and does not otherwise render the sentence void or voidable.

(v) The department of rehabilitation and correction shall rely upon the latest journal entry of the court in determining the total days of local confinement for purposes of division (B) (2)(g)(i) to (iii) of this section and section 2967.191 of the Revised Code.

(3)(a) The court shall include in the offender's sentence a statement that the offender is a tier III sex offender/child-victim offender, and the court shall comply with the requirements of section 2950.03 of the Revised Code if any of the following apply:

(i) The offender is being sentenced for a violent sex offense or designated homicide, assault, or kidnapping offense that the offender committed on or after January 1, 1997, and the offender is adjudicated a sexually violent predator in relation to that offense.

(ii) The offender is being sentenced for a sexually oriented offense that the offender committed on or after January 1, 1997, and the offender is a tier III sex offender/child-victim offender relative to that offense.

(iii) The offender is being sentenced on or after July 31, 2003, for a child-victim oriented offense, and the offender is a tier III sex offender/child-victim offender relative to that offense.
(iv) The offender is being sentenced under section 2971.03 of the Revised Code for a violation of division (A)(1)(b) of section 2907.02 of the Revised Code committed on or after January 2, 2007.

(v) The offender is sentenced to a term of life without parole under division (B) of section 2907.02 of the Revised Code.

(vi) The offender is being sentenced for attempted rape committed on or after January 2, 2007, and a specification of the type described in section 2941.1418, 2941.1419, or 2941.1420 of the Revised Code.

(vii) The offender is being sentenced under division (B) (3)(a), (b), (c), or (d) of section 2971.03 of the Revised Code for an offense described in those divisions committed on or after January 1, 2008.

(b) Additionally, if any criterion set forth in divisions (B)(3)(a)(i) to (vii) of this section is satisfied, in the circumstances described in division (E) of section 2929.14 of the Revised Code, the court shall impose sentence on the offender as described in that division.

(4) If the sentencing court determines at the sentencing hearing that a community control sanction should be imposed and the court is not prohibited from imposing a community control sanction, the court shall impose a community control sanction. The court shall notify the offender that, if the conditions of the sanction are violated, if the offender commits a violation of any law, or if the offender leaves this state without the permission of the court or the offender's probation officer, the court may impose a longer time under the same sanction, may
impose a more restrictive sanction, or may impose a prison term on the offender and shall indicate the range from which the prison term may be imposed as a sanction for the violation, which shall be the range of prison terms for the offense that is specified pursuant to section 2929.14 of the Revised Code and as described in section 2929.15 of the Revised Code.

(5) Before imposing a financial sanction under section 2929.18 of the Revised Code or a fine under section 2929.32 of the Revised Code, the court shall consider the offender's present and future ability to pay the amount of the sanction or fine.

(6) If the sentencing court sentences the offender to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a local detention facility, as defined in section 2929.36 of the Revised Code, and if the local detention facility is covered by a policy adopted pursuant to section 307.93, 341.14, 341.19, 341.21, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and section 2929.37 of the Revised Code, both of the following apply:

(a) The court shall specify both of the following as part of the sentence:

(i) If the offender is presented with an itemized bill pursuant to section 2929.37 of the Revised Code for payment of the costs of confinement, the offender is required to pay the bill in accordance with that section.

(ii) If the offender does not dispute the bill described in division (B)(6)(a)(i) of this section and does not pay the bill by the times specified in section 2929.37 of the Revised Code.
Code, the clerk of the court may issue a certificate of judgment against the offender as described in that section.

(b) The sentence automatically includes any certificate of judgment issued as described in division (B)(6)(a)(ii) of this section.

(7) The failure of the court to notify the offender that a prison term is a mandatory prison term pursuant to division (B)(2)(a) of this section or to include in the sentencing entry any information required by division (B)(2)(b) of this section does not affect the validity of the imposed sentence or sentences. If the sentencing court notifies the offender at the sentencing hearing that a prison term is mandatory but the sentencing entry does not specify that the prison term is mandatory, the court may complete a corrected journal entry and send copies of the corrected entry to the offender and the department of rehabilitation and correction, or, at the request of the state, the court shall complete a corrected journal entry and send copies of the corrected entry to the offender and department of rehabilitation and correction.

(C)(1) If the offender is being sentenced for a fourth degree felony OVI offense under division (G)(1) of section 2929.13 of the Revised Code, the court shall impose the mandatory term of local incarceration in accordance with that division, shall impose a mandatory fine in accordance with division (B)(3) of section 2929.18 of the Revised Code, and, in addition, may impose additional sanctions as specified in sections 2929.15, 2929.16, 2929.17, and 2929.18 of the Revised Code. The court shall not impose a prison term on the offender except that the court may impose a prison term upon the offender as provided in division (A)(1) of section 2929.13 of the Revised
(2) If the offender is being sentenced for a third or fourth degree felony OVI offense under division (G)(2) of section 2929.13 of the Revised Code, the court shall impose the mandatory prison term in accordance with that division, shall impose a mandatory fine in accordance with division (B)(3) of section 2929.18 of the Revised Code, and, in addition, may impose an additional prison term as specified in section 2929.14 of the Revised Code. In addition to the mandatory prison term or mandatory prison term and additional prison term the court imposes, the court also may impose a community control sanction on the offender, but the offender shall serve all of the prison terms so imposed prior to serving the community control sanction.

(D) The sentencing court, pursuant to division (I)(1) of section 2929.14 of the Revised Code, may recommend placement of the offender in a program of shock incarceration under section 5120.031 of the Revised Code or an intensive program prison under section 5120.032 of the Revised Code, disapprove placement of the offender in a program or prison of that nature, or make no recommendation. If the court recommends or disapproves placement, it shall make a finding that gives its reasons for its recommendation or disapproval.

Sec. 2930.16. (A) If a defendant is incarcerated, a victim in a case who has requested to receive notice under this section shall be given notice of the incarceration of the defendant. If an alleged juvenile offender is committed to the temporary custody of a school, camp, institution, or other facility operated for the care of delinquent children or to the legal custody of the department of youth services, a victim in a case...
who has requested to receive notice under this section shall be given notice of the commitment. Promptly after sentence is imposed upon the defendant or the commitment of the alleged juvenile offender is ordered, the prosecutor in the case shall notify the victim of the date on which the defendant will be released, or initially will be eligible for release, from confinement or the prosecutor's reasonable estimate of that date or the date on which the alleged juvenile offender will have served the minimum period of commitment or the prosecutor's reasonable estimate of that date. The prosecutor also shall notify the victim of the name of the custodial agency of the defendant or alleged juvenile offender and tell the victim how to contact that custodial agency. If the custodial agency is the department of rehabilitation and correction, the prosecutor shall notify the victim of the services offered by the office of victims' services pursuant to section 5120.60 of the Revised Code. If the custodial agency is the department of youth services, the prosecutor shall notify the victim of the services provided by the office of victims' services within the release authority of the department pursuant to section 5139.55 of the Revised Code and the victim's right pursuant to section 5139.56 of the Revised Code to submit a written request to the release authority to be notified of actions the release authority takes with respect to the alleged juvenile offender. The victim shall keep the custodial agency informed of the victim's current address and telephone number.

(B)(1) Upon the victim's request or in accordance with division (D) of this section, the prosecutor promptly shall notify the victim of any hearing for judicial release of the defendant pursuant to section 2929.20 of the Revised Code, of any hearing for release of the defendant pursuant to section
2967.19 of the Revised Code, or of any hearing for judicial
release or early release of the alleged juvenile offender
pursuant to section 2151.38 of the Revised Code and of the
victim's right to make a statement under those sections. The
court shall notify the victim of its ruling in each of those
hearings and on each of those applications.

(2) If an offender is sentenced to a prison term pursuant
to division (A)(3) or (B) of section 2971.03 of the Revised
Code, upon the request of the victim of the crime or in
accordance with division (D) of this section, the prosecutor
promptly shall notify the victim of any hearing to be conducted
pursuant to section 2971.05 of the Revised Code to determine
whether to modify the requirement that the offender serve the
entire prison term in a state correctional facility in
accordance with division (C) of that section, whether to
continue, revise, or revoke any existing modification of that
requirement, or whether to terminate the prison term in
accordance with division (D) of that section. The court shall
notify the victim of any order issued at the conclusion of the
hearing.

(C) Upon the victim's request made at any time before the
particular notice would be due or in accordance with division
(D) of this section, the custodial agency of a defendant or
alleged juvenile offender shall give the victim any of the
following notices that is applicable:

(1) At least sixty days before the adult parole authority
recommends a pardon or commutation of sentence for the defendant
or at least sixty days prior to a hearing before the adult
parole authority regarding a grant of parole to the defendant,
notice of the victim's right to submit a statement regarding the
impact of the defendant's release in accordance with section 2967.12 of the Revised Code and, if applicable, of the victim's right to appear at a full board hearing of the parole board to give testimony as authorized by section 5149.101 of the Revised Code; and at least sixty days prior to a hearing before the department regarding a determination of whether the inmate must be released under division (C) or (D) of section 2967.271 of the Revised Code if the inmate is serving a non-life felony indefinite prison term, notice of the fact that the inmate will be having a hearing regarding a possible grant of release, the date of any hearing regarding a possible grant of release, and the right of any person to submit a written statement regarding the pending action;

(2) At least sixty days before the defendant is transferred to transitional control under section 2967.26 of the Revised Code, notice of the pendency of the transfer and of the victim's right under that section to submit a statement regarding the impact of the transfer;

(3) At least sixty days before the release authority of the department of youth services holds a release review, release hearing, or discharge review for the alleged juvenile offender, notice of the pendency of the review or hearing, of the victim's right to make an oral or written statement regarding the impact of the crime upon the victim or regarding the possible release or discharge, and, if the notice pertains to a hearing, of the victim's right to attend and make statements or comments at the hearing as authorized by section 5139.56 of the Revised Code;

(4) Prompt notice of the defendant's or alleged juvenile offender's escape from a facility of the custodial agency in which the defendant was incarcerated or in which the alleged
juvenile offender was placed after commitment, of the defendant's or alleged juvenile offender's absence without leave from a mental health or developmental disabilities facility or from other custody, and of the capture of the defendant or alleged juvenile offender after an escape or absence;

(5) Notice of the defendant's or alleged juvenile offender's death while in confinement or custody;

(6) Notice of the filing of a petition by the director of rehabilitation and correction pursuant to section 2967.19 of the Revised Code requesting the early release under that section of the defendant;

(7) Notice of the defendant's or alleged juvenile offender's release from confinement or custody and the terms and conditions of the release.

(D)(1) If a defendant is incarcerated for the commission of aggravated murder, murder, or an offense of violence that is a felony of the first, second, or third degree or is under a sentence of life imprisonment or if an alleged juvenile offender has been charged with the commission of an act that would be aggravated murder, murder, or an offense of violence that is a felony of the first, second, or third degree or be subject to a sentence of life imprisonment if committed by an adult, except as otherwise provided in this division, the notices described in divisions (B) and (C) of this section shall be given regardless of whether the victim has requested the notification. The notices described in divisions (B) and (C) of this section shall not be given under this division to a victim if the victim has requested pursuant to division (B)(2) of section 2930.03 of the Revised Code that the victim not be provided the notice. Regardless of whether the victim has requested that the notices
described in division (C) of this section be provided or not be
provided, the custodial agency shall give notice similar to
those notices to the prosecutor in the case, to the sentencing
court, to the law enforcement agency that arrested the defendant
or alleged juvenile offender if any officer of that agency was a
victim of the offense, and to any member of the victim's
immediate family who requests notification. If the notice given
under this division to the victim is based on an offense
committed prior to March 22, 2013, and if the prosecutor or
custodial agency has not previously successfully provided any
notice to the victim under this division or division (B) or (C)
of this section with respect to that offense and the offender
who committed it, the notice also shall inform the victim that
the victim may request that the victim not be provided any
further notices with respect to that offense and the offender
who committed it and shall describe the procedure for making
that request. If the notice given under this division to the
victim pertains to a hearing regarding a grant of a parole to
the defendant, the notice also shall inform the victim that the
victim, a member of the victim's immediate family, or the
victim's representative may request a victim conference, as
described in division (E) of this section, and shall provide an
explanation of a victim conference.

The prosecutor or custodial agency may give the notices to
which this division applies by any reasonable means, including
regular mail, telephone, and electronic mail. If the prosecutor
or custodial agency attempts to provide notice to a victim under
this division but the attempt is unsuccessful because the
prosecutor or custodial agency is unable to locate the victim,
is unable to provide the notice by its chosen method because it
cannot determine the mailing address, telephone number, or
electronic mail address at which to provide the notice, or, if
the notice is sent by mail, the notice is returned, the
prosecutor or custodial agency shall make another attempt to
provide the notice to the victim. If the second attempt is
unsuccessful, the prosecutor or custodial agency shall make at
least one more attempt to provide the notice. If the notice is
based on an offense committed prior to March 22, 2013, in each
attempt to provide the notice to the victim, the notice shall
include the opt-out information described in the preceding
paragraph. The prosecutor or custodial agency, in accordance
with division (D)(2) of this section, shall keep a record of all
tries to provide the notice, and of all notices provided,
under this division.

Division (D)(1) of this section, and the notice-related
provisions of divisions (E)(2) and (K) of section 2929.20,
division (H) of section 2967.12, division (E)(1)(b) of section
2967.19, division (A)(3)(b) of section 2967.26, division (D)(1)
of section 2967.28, and division (A)(2) of section 5149.101 of
the Revised Code enacted in the act in which division (D)(1) of
this section was enacted, shall be known as "Roberta's Law."

(2) Each prosecutor and custodial agency that attempts to
give any notice to which division (D)(1) of this section applies
shall keep a record of all attempts to give the notice. The
record shall indicate the person who was to be the recipient of
the notice, the date on which the attempt was made, the manner
in which the attempt was made, and the person who made the
attempt. If the attempt is successful and the notice is given,
the record shall indicate that fact. The record shall be kept in
a manner that allows public inspection of attempts and notices
given to persons other than victims without revealing the names,
addresses, or other identifying information relating to victims.
The record of attempts and notices given to victims is not a
public record, but the prosecutor or custodial agency shall
provide upon request a copy of that record to a prosecuting
attorney, judge, law enforcement agency, or member of the
general assembly. The record of attempts and notices given to
persons other than victims is a public record. A record kept
under this division may be indexed by offender name, or in any
other manner determined by the prosecutor or the custodial
agency. Each prosecutor or custodial agency that is required to
keep a record under this division shall determine the procedures
for keeping the record and the manner in which it is to be kept,
subject to the requirements of this division.

(E) The adult parole authority shall adopt rules under
Chapter 119. of the Revised Code providing for a victim
conference, upon request of the victim, a member of the victim's
immediate family, or the victim's representative, prior to a
parole hearing in the case of a prisoner who is incarcerated for
the commission of aggravated murder, murder, or an offense of
violence that is a felony of the first, second, or third degree
or is under a sentence of life imprisonment. The rules shall
provide for, but not be limited to, all of the following:

(1) Subject to division (E)(3) of this section, attendance
by the victim, members of the victim's immediate family, the
victim's representative, and, if practicable, other individuals;

(2) Allotment of up to one hour for the conference;

(3) A specification of the number of persons specified in
division (E)(1) of this section who may be present at any single
victim conference, if limited by the department pursuant to
division (F) of this section.
(F) The department may limit the number of persons specified in division (E)(1) of this section who may be present at any single victim conference, provided that the department shall not limit the number of persons who may be present at any single conference to fewer than three. If the department limits the number of persons who may be present at any single victim conference, the department shall permit and schedule, upon request of the victim, a member of the victim's immediate family, or the victim's representative, multiple victim conferences for the persons specified in division (E)(1) of this section.

(G) As used in this section, "victim's immediate family" has the same meaning as in section 2967.12 of the Revised Code.

Sec. 2945.37. (A) As used in sections 2945.37 to 2945.402 of the Revised Code:

(1) "Prosecutor" means a prosecuting attorney or a city director of law, village solicitor, or similar chief legal officer of a municipal corporation who has authority to prosecute a criminal case that is before the court or the criminal case in which a defendant in a criminal case has been found incompetent to stand trial or not guilty by reason of insanity.

(2) "Examiner" means either of the following:

(a) A psychiatrist or a licensed clinical psychologist who satisfies the criteria of division (I) of section 5122.01 of the Revised Code or is employed by a certified forensic center designated by the department of mental health and addiction services to conduct examinations or evaluations.

(b) For purposes of a separate intellectual disability
evaluation that is ordered by a court pursuant to division (I) of section 2945.371 of the Revised Code, a psychologist designated by the director of developmental disabilities pursuant to that section to conduct that separate intellectual disability evaluation.

(3) "Nonsecured status" means any unsupervised, off-grounds movement or trial visit from a hospital or institution, or any conditional release, that is granted to a person who is found incompetent to stand trial and is committed pursuant to section 2945.39 of the Revised Code or to a person who is found not guilty by reason of insanity and is committed pursuant to section 2945.40 of the Revised Code.

(4) "Unsupervised, off-grounds movement" includes only off-grounds privileges that are unsupervised and that have an expectation of return to the hospital or institution on a daily basis.

(5) "Trial visit" means a patient privilege of a longer stated duration of unsupervised community contact with an expectation of return to the hospital or institution at designated times.

(6) "Conditional release" means a commitment status under which both of the following apply:

(a) Under the status, the trial court at any time may revoke a person's conditional release and order the rehospitalization or reinstitutionalization of the person as described in division (A) of section 2945.402 of the Revised Code and pursuant to which.

(b) Pursuant to the status, a person who is found incompetent to stand trial or a person who is found not guilty
by reason of insanity lives and receives treatment in the community for a period of time that does not exceed the maximum longest prison term or term of imprisonment that the person could have received for the offense in question had the person been convicted of the offense instead of being found incompetent to stand trial on the charge of the offense or being found not guilty by reason of insanity relative to the offense. The longest prison term includes, for an offense that would be a felony of the first or second degree that occurred on or after March 22, 2019, both the longest minimum prison term that the defendant or person could have received if convicted plus the corresponding maximum prison term that would be required.

(7) "Licensed clinical psychologist," "mentally ill person subject to court order," and "psychiatrist" have the same meanings as in section 5122.01 of the Revised Code.

(8) "Person with an intellectual disability subject to institutionalization by court order" has the same meaning as in section 5123.01 of the Revised Code.

(9) "Minimum prison term" and "maximum prison term" have the same meanings as in section 2929.01 of the Revised Code.

(B) In a criminal action in a court of common pleas, a county court, or a municipal court, the court, prosecutor, or defense may raise the issue of the defendant's competence to stand trial. If the issue is raised before the trial has commenced, the court shall hold a hearing on the issue as provided in this section. If the issue is raised after the trial has commenced, the court shall hold a hearing on the issue only for good cause shown or on the court's own motion.

(C) The court shall conduct the hearing required or
authorized under division (B) of this section within thirty days after the issue is raised, unless the defendant has been referred for evaluation in which case the court shall conduct the hearing within ten days after the filing of the report of the evaluation or, in the case of a defendant who is ordered by the court pursuant to division (I) of section 2945.371 of the Revised Code to undergo a separate intellectual disability evaluation conducted by a psychologist designated by the director of developmental disabilities, within ten days after the filing of the report of the separate intellectual disability evaluation under that division. A hearing may be continued for good cause.

(D) The defendant shall be represented by counsel at the hearing conducted under division (C) of this section. If the defendant is unable to obtain counsel, the court shall appoint counsel under Chapter 120. of the Revised Code or under the authority recognized in division (C) of section 120.06, division (E) of section 120.16, division (E) of section 120.26, or section 2941.51 of the Revised Code before proceeding with the hearing.

(E) The prosecutor and defense counsel may submit evidence on the issue of the defendant's competence to stand trial. A written report of the evaluation of the defendant may be admitted into evidence at the hearing by stipulation, but, if either the prosecution or defense objects to its admission, the report may be admitted under sections 2317.36 to 2317.38 of the Revised Code or any other applicable statute or rule.

(F) The court shall not find a defendant incompetent to stand trial solely because the defendant is receiving or has received treatment as a voluntary or involuntary mentally ill
patient under Chapter 5122. or a voluntary or involuntary
resident with an intellectual disability under Chapter 5123. of
the Revised Code or because the defendant is receiving or has
received psychotropic drugs or other medication, even if the
defendant might become incompetent to stand trial without the
drugs or medication.

(G) A defendant is presumed to be competent to stand
trial. If, after a hearing, the court finds by a preponderance
of the evidence that, because of the defendant's present mental
condition, the defendant is incapable of understanding the
nature and objective of the proceedings against the defendant or
of assisting in the defendant's defense, the court shall find
the defendant incompetent to stand trial and shall enter an
order authorized by section 2945.38 of the Revised Code.

(H) Municipal courts shall follow the procedures set forth
in sections 2945.37 to 2945.402 of the Revised Code. Except as
provided in section 2945.371 of the Revised Code, a municipal
court shall not order an evaluation of the defendant's
competence to stand trial or the defendant's mental condition at
the time of the commission of the offense to be conducted at any
hospital operated by the department of mental health and
addiction services. Those evaluations shall be performed through
community resources including, but not limited to, certified
forensic centers, court probation departments, and community
mental health services providers. All expenses of the
evaluations shall be borne by the legislative authority of the
municipal court, as defined in section 1901.03 of the Revised
Code, and shall be taxed as costs in the case. If a defendant is
found incompetent to stand trial or not guilty by reason of
insanity, a municipal court may commit the defendant as provided
in sections 2945.38 to 2945.402 of the Revised Code.
Sec. 2945.401. (A) A defendant found incompetent to stand trial and committed pursuant to section 2945.39 of the Revised Code or a person found not guilty by reason of insanity and committed pursuant to section 2945.40 of the Revised Code shall remain subject to the jurisdiction of the trial court pursuant to that commitment, and to the provisions of this section, until the final termination of the commitment as described in division (J)(1) of this section. If the jurisdiction is terminated under this division because of the final termination of the commitment resulting from the expiration of the maximum prison term or term of imprisonment described in division (J)(1)(b) of this section, the court or prosecutor may file an affidavit for the civil commitment of the defendant or person pursuant to Chapter 5122. or 5123. of the Revised Code.

(B) A hearing conducted under any provision of sections 2945.37 to 2945.402 of the Revised Code shall not be conducted in accordance with Chapters 5122. and 5123. of the Revised Code. Any person who is committed pursuant to section 2945.39 or 2945.40 of the Revised Code shall not voluntarily admit the person or be voluntarily admitted to a hospital or institution pursuant to section 5122.02, 5122.15, 5123.69, or 5123.76 of the Revised Code. All other provisions of Chapters 5122. and 5123. of the Revised Code regarding hospitalization or institutionalization shall apply to the extent they are not in conflict with this chapter. A commitment under section 2945.39 or 2945.40 of the Revised Code shall not be terminated and the conditions of the commitment shall not be changed except as otherwise provided in division (D)(2) of this section with respect to a person with an intellectual disability subject to institutionalization by court order or except by order of the trial court.
(C) The department of mental health and addiction services or the institution, facility, or program to which a defendant or person has been committed under section 2945.39 or 2945.40 of the Revised Code shall report in writing to the trial court, at the times specified in this division, as to whether the defendant or person remains a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order and, in the case of a defendant committed under section 2945.39 of the Revised Code, as to whether the defendant remains incompetent to stand trial. The department, institution, facility, or program shall make the reports after the initial six months of treatment and every two years after the initial report is made. The trial court shall provide copies of the reports to the prosecutor and to the counsel for the defendant or person. Within thirty days after its receipt pursuant to this division of a report from the department, institution, facility, or program, the trial court shall hold a hearing on the continued commitment of the defendant or person or on any changes in the conditions of the commitment of the defendant or person. The defendant or person may request a change in the conditions of confinement, and the trial court shall conduct a hearing on that request if six months or more have elapsed since the most recent hearing was conducted under this section.

(D)(1) Except as otherwise provided in division (D)(2) of this section, when a defendant or person has been committed under section 2945.39 or 2945.40 of the Revised Code, at any time after evaluating the risks to public safety and the welfare of the defendant or person, the designee of the department of mental health and addiction services or the managing officer of the institution or director of the facility or program to which
the defendant or person is committed may recommend a termination
of the defendant's or person's commitment or a change in the
conditions of the defendant's or person's commitment.

Except as otherwise provided in division (D)(2) of this
section, if the designee of the department of mental health and
addiction services recommends on-grounds unsupervised movement,
off-grounds supervised movement, or nonsecured status for the
defendant or person or termination of the defendant's or
person's commitment, the following provisions apply:

(a) If the department's designee recommends on-grounds
unsupervised movement or off-grounds supervised movement, the
department's designee shall file with the trial court an
application for approval of the movement and shall send a copy
of the application to the prosecutor. Within fifteen days after
receiving the application, the prosecutor may request a hearing
on the application and, if a hearing is requested, shall so
inform the department's designee. If the prosecutor does not
request a hearing within the fifteen-day period, the trial court
shall approve the application by entering its order approving
the requested movement or, within five days after the expiration
of the fifteen-day period, shall set a date for a hearing on the
application. If the prosecutor requests a hearing on the
application within the fifteen-day period, the trial court shall
hold a hearing on the application within thirty days after the
hearing is requested. If the trial court, within five days after
the expiration of the fifteen-day period, sets a date for a
hearing on the application, the trial court shall hold the
hearing within thirty days after setting the hearing date. At
least fifteen days before any hearing is held under this
division, the trial court shall give the prosecutor written
notice of the date, time, and place of the hearing. At the
conclusion of each hearing conducted under this division, the
trial court either shall approve or disapprove the application
and shall enter its order accordingly.

(b) If the department's designee recommends termination of
the defendant's or person's commitment at any time or if the
department's designee recommends the first of any nonsecured
status for the defendant or person, the department's designee
shall send written notice of this recommendation to the trial
court and to the local forensic center. The local forensic
center shall evaluate the committed defendant or person and,
within thirty days after its receipt of the written notice,
shall submit to the trial court and the department's designee a
written report of the evaluation. The trial court shall provide
a copy of the department's designee's written notice and of the
local forensic center's written report to the prosecutor and to
the counsel for the defendant or person. Upon the local forensic
center's submission of the report to the trial court and the
department's designee, all of the following apply:

(i) If the forensic center disagrees with the
recommendation of the department's designee, it shall inform the
department's designee and the trial court of its decision and
the reasons for the decision. The department's designee, after
consideration of the forensic center's decision, shall either
withdraw, proceed with, or modify and proceed with the
recommendation. If the department's designee proceeds with, or
modifies and proceeds with, the recommendation, the department's
designee shall proceed in accordance with division (D)(1)(b)
(iii) of this section.

(ii) If the forensic center agrees with the recommendation
of the department's designee, it shall inform the department's
designee and the trial court of its decision and the reasons for
the decision, and the department's designee shall proceed in
accordance with division (D)(1)(b)(iii) of this section.

(iii) If the forensic center disagrees with the
recommendation of the department's designee and the department's
designee proceeds with, or modifies and proceeds with, the
recommendation or if the forensic center agrees with the
recommendation of the department's designee, the department's
designee shall work with community mental health services
providers, programs, facilities, or boards of alcohol, drug
addiction, and mental health services or community mental health
boards to develop a plan to implement the recommendation. If the
defendant or person is on medication, the plan shall include,
but shall not be limited to, a system to monitor the defendant's
or person's compliance with the prescribed medication treatment
plan. The system shall include a schedule that clearly states
when the defendant or person shall report for a medication
compliance check. The medication compliance checks shall be
based upon the effective duration of the prescribed medication,
taking into account the route by which it is taken, and shall be
scheduled at intervals sufficiently close together to detect a
potential increase in mental illness symptoms that the
medication is intended to prevent.

The department's designee, after consultation with the
board of alcohol, drug addiction, and mental health services or
the community mental health board serving the area, shall send
the recommendation and plan developed under division (D)(1)(b)
(iii) of this section, in writing, to the trial court, the
prosecutor, and the counsel for the committed defendant or
person. The trial court shall conduct a hearing on the
recommendation and plan developed under division (D)(1)(b)(iii)
of this section. Divisions (D)(1)(c) and (d) and (E) to (J) of this section apply regarding the hearing.

(c) If the department's designee's recommendation is for nonsecured status or termination of commitment, the prosecutor may obtain an independent expert evaluation of the defendant's or person's mental condition, and the trial court may continue the hearing on the recommendation for a period of not more than thirty days to permit time for the evaluation.

The prosecutor may introduce the evaluation report or present other evidence at the hearing in accordance with the Rules of Evidence.

(d) The trial court shall schedule the hearing on a department's designee's recommendation for nonsecured status or termination of commitment and shall give reasonable notice to the prosecutor and the counsel for the defendant or person. Unless continued for independent evaluation at the prosecutor's request or for other good cause, the hearing shall be held within thirty days after the trial court's receipt of the recommendation and plan.

(2)(a) Division (D)(1) of this section does not apply to on-gounds unsupervised movement of a defendant or person who has been committed under section 2945.39 or 2945.40 of the Revised Code, who is a person with an intellectual disability subject to institutionalization by court order, and who is being provided residential habilitation, care, and treatment in a facility operated by the department of developmental disabilities.

(b) If, pursuant to section 2945.39 of the Revised Code, the trial court commits a defendant who is found incompetent to
stand trial and who is a person with an intellectual disability subject to institutionalization by court order, if the defendant is being provided residential habilitation, care, and treatment in a facility operated by the department of developmental disabilities, if an individual who is conducting a survey for the department of health to determine the facility's compliance with the certification requirements of the medicaid program cites the defendant's receipt of the residential habilitation, care, and treatment in the facility as being inappropriate under the certification requirements, if the defendant's receipt of the residential habilitation, care, and treatment in the facility potentially jeopardizes the facility's continued receipt of federal medicaid moneys, and if as a result of the citation the chief clinical officer of the facility determines that the conditions of the defendant's commitment should be changed, the department of developmental disabilities may cause the defendant to be removed from the particular facility and, after evaluating the risks to public safety and the welfare of the defendant and after determining whether another type of placement is consistent with the certification requirements, may place the defendant in another facility that the department selects as an appropriate facility for the defendant's continued receipt of residential habilitation, care, and treatment and that is a no less secure setting than the facility in which the defendant had been placed at the time of the citation. Within three days after the defendant's removal and alternative placement under the circumstances described in division (D)(2)(b) of this section, the department of developmental disabilities shall notify the trial court and the prosecutor in writing of the removal and alternative placement.

The trial court shall set a date for a hearing on the
removal and alternative placement, and the hearing shall be held
within twenty-one days after the trial court's receipt of the
notice from the department of developmental disabilities. At
least ten days before the hearing is held, the trial court shall
give the prosecutor, the department of developmental
disabilities, and the counsel for the defendant written notice
of the date, time, and place of the hearing. At the hearing, the
trial court shall consider the citation issued by the individual
who conducted the survey for the department of health to be
prima-facie evidence of the fact that the defendant's commitment
to the particular facility was inappropriate under the
certification requirements of the medicaid program and
potentially jeopardizes the particular facility's continued
receipt of federal medicaid moneys. At the conclusion of the
hearing, the trial court may approve or disapprove the
defendant's removal and alternative placement. If the trial
court approves the defendant's removal and alternative
placement, the department of developmental disabilities may
continue the defendant's alternative placement. If the trial
court disapproves the defendant's removal and alternative
placement, it shall enter an order modifying the defendant's
removal and alternative placement, but that order shall not
require the department of developmental disabilities to replace
the defendant for purposes of continued residential
habilitation, care, and treatment in the facility associated
with the citation issued by the individual who conducted the
survey for the department of health.

(E) In making a determination under this section regarding
nonsecured status or termination of commitment, the trial court
shall consider all relevant factors, including, but not limited
to, all of the following:
(1) Whether, in the trial court's view, the defendant or person currently represents a substantial risk of physical harm to the defendant or person or others;

(2) Psychiatric and medical testimony as to the current mental and physical condition of the defendant or person;

(3) Whether the defendant or person has insight into the defendant's or person's condition so that the defendant or person will continue treatment as prescribed or seek professional assistance as needed;

(4) The grounds upon which the state relies for the proposed commitment;

(5) Any past history that is relevant to establish the defendant's or person's degree of conformity to the laws, rules, regulations, and values of society;

(6) If there is evidence that the defendant's or person's mental illness is in a state of remission, the medically suggested cause and degree of the remission and the probability that the defendant or person will continue treatment to maintain the remissive state of the defendant's or person's illness should the defendant's or person's commitment conditions be altered.

(F) At any hearing held pursuant to division (C) or (D)(1) or (2) of this section, the defendant or the person shall have all the rights of a defendant or person at a commitment hearing as described in section 2945.40 of the Revised Code.

(G) In a hearing held pursuant to division (C) or (D)(1) of this section, the prosecutor has the burden of proof as follows:
(1) For a recommendation of termination of commitment, to show by clear and convincing evidence that the defendant or person remains a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order;

(2) For a recommendation for a change in the conditions of the commitment to a less restrictive status, to show by clear and convincing evidence that the proposed change represents a threat to public safety or a threat to the safety of any person.

(H) In a hearing held pursuant to division (C) or (D)(1) or (2) of this section, the prosecutor shall represent the state or the public interest.

(I) At the conclusion of a hearing conducted under division (D)(1) of this section regarding a recommendation from the designee of the department of mental health and addiction services, managing officer of the institution, or director of a facility or program, the trial court may approve, disapprove, or modify the recommendation and shall enter an order accordingly.

(J)(1) A defendant or person who has been committed pursuant to section 2945.39 or 2945.40 of the Revised Code continues to be under the jurisdiction of the trial court until the final termination of the commitment. For purposes of division (J) of this section, the final termination of a commitment occurs upon the earlier of one of the following:

(a) The defendant or person no longer is a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order, as determined by the trial court;

(b) The expiration of the maximum prison term or
term of imprisonment that the defendant or person could have received if the defendant or person had been convicted of the most serious offense with which the defendant or person is charged or in relation to which the defendant or person was found not guilty by reason of insanity, including, for an offense that would be a felony of the first or second degree that occurred on or after March 22, 2019, both the longest minimum prison term that the defendant or person could have received if convicted plus the corresponding maximum prison term that would be required;

(c) The trial court enters an order terminating the commitment under the circumstances described in division (J)(2)(a)(ii) of this section.

(2)(a) If a defendant is found incompetent to stand trial and committed pursuant to section 2945.39 of the Revised Code, if neither of the circumstances described in divisions (J)(1)(a) and (b) of this section applies to that defendant, and if a report filed with the trial court pursuant to division (C) of this section indicates that the defendant presently is competent to stand trial or if, at any other time during the period of the defendant's commitment, the prosecutor, the counsel for the defendant, or the designee of the department of mental health and addiction services or the managing officer of the institution or director of the facility or program to which the defendant is committed files an application with the trial court alleging that the defendant presently is competent to stand trial and requesting a hearing on the competency issue or the trial court otherwise has reasonable cause to believe that the defendant presently is competent to stand trial and determines on its own motion to hold a hearing on the competency issue, the trial court shall schedule a hearing on the competency of the
defendant to stand trial, shall give the prosecutor, the counsel for the defendant, and the department's designee or the managing officer of the institution or the director of the facility to which the defendant is committed notice of the date, time, and place of the hearing at least fifteen days before the hearing, and shall conduct the hearing within thirty days of the filing of the application or of its own motion. If, at the conclusion of the hearing, the trial court determines that the defendant presently is capable of understanding the nature and objective of the proceedings against the defendant and of assisting in the defendant's defense, the trial court shall order that the defendant is competent to stand trial and shall be proceeded against as provided by law with respect to the applicable offenses described in division (C)(1) of section 2945.38 of the Revised Code and shall enter whichever of the following additional orders is appropriate:

(i) If the trial court determines that the defendant remains a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order, the trial court shall order that the defendant's commitment to the department of mental health and addiction services or to an institution, facility, or program for the treatment of intellectual disabilities be continued during the pendency of the trial on the applicable offenses described in division (C)(1) of section 2945.38 of the Revised Code.

(ii) If the trial court determines that the defendant no longer is a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order, the trial court shall order that the defendant's commitment to the department of mental health and addiction services or to an institution, facility, or
program for the treatment of intellectual disabilities shall not be continued during the pendency of the trial on the applicable offenses described in division (C)(1) of section 2945.38 of the Revised Code. This order shall be a final termination of the commitment for purposes of division (J)(1)(c) of this section.  

(b) If, at the conclusion of the hearing described in division (J)(2)(a) of this section, the trial court determines that the defendant remains incapable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense, the trial court shall order that the defendant continues to be incompetent to stand trial, that the defendant's commitment to the department of mental health and addiction services or to an institution, facility, or program for the treatment of intellectual disabilities shall be continued, and that the defendant remains subject to the jurisdiction of the trial court pursuant to that commitment, and to the provisions of this section, until the final termination of the commitment as described in division (J)(1) of this section.  

Sec. 2949.08. (A) When a person who is convicted of or pleads guilty to a felony is sentenced to a community residential sanction in a community-based correctional facility pursuant to section 2929.16 of the Revised Code or when a person who is convicted of or pleads guilty to a felony or a misdemeanor is sentenced to a term of imprisonment in a jail, the judge or magistrate shall order the person into the custody of the sheriff or constable, and the sheriff or constable shall deliver the person with the record of the person's conviction to the jailer, administrator, or keeper, in whose custody the person shall remain until the term of imprisonment expires or the person is otherwise legally discharged.
(B) The record of the person's conviction shall specify the total number of days, if any, that the person was confined for any reason arising out of the offense for which the person was convicted and sentenced prior to delivery to the jailer, administrator, or keeper under this section. The record shall be used to determine any reduction of sentence under division (C) of this section.

(C)(1) If the person is sentenced to a jail for a felony or a misdemeanor, the jailer in charge of a jail shall reduce the sentence of a person delivered into the jailer's custody pursuant to division (A) of this section by the total number of days the person was confined for any reason arising out of the offense for which the person was convicted and sentenced, including confinement in lieu of bail while awaiting trial, confinement for examination to determine the person's competence to stand trial or to determine sanity, confinement while awaiting transportation to the place where the person is to serve the sentence, and confinement in a juvenile facility.

(2) If the person is sentenced to a community-based correctional facility for a felony, the total amount of time that a person shall be confined in a community-based correctional facility, in a jail, and for any reason arising out of the offense for which the person was convicted and sentenced prior to delivery to the jailer, administrator, or keeper shall not exceed the maximum longest prison term available for that offense including, for an offense that would be a felony of the first or second degree that occurred on or after March 22, 2019, both the longest minimum prison term that the defendant or person could have received if convicted, plus the corresponding maximum prison term that would be required. Any term in a jail shall be reduced first pursuant to division (C)(1) of this
section by the total number of days the person was confined prior to delivery to the jailer, administrator, or keeper. Only after the term in a jail has been entirely reduced may the term in a community-based correctional facility be reduced pursuant to this division. This division does not affect the limitations placed on the duration of a term in a jail or a community-based correctional facility under divisions (A)(1), (2), and (3) of section 2929.16 of the Revised Code.

(D) For purposes of divisions (B) and (C) of this section, a person shall be considered to have been confined for a day if the person was confined for any period or periods of time totaling more than eight hours during that day.

(E) As used in this section, "community-based correctional facility," "minimum prison term," "maximum prison term," and "jail" have the same meanings as in section 2929.01 of the Revised Code.

Sec. 2951.03. (A)(1) Unless the defendant and the prosecutor who is handling the case against the defendant agree to waive the presentence investigation report, no person who has been convicted of or pleaded guilty to a felony shall be placed under a community control sanction until a written presentence investigation report has been considered by the court. The court may order a presentence investigation report notwithstanding an agreement to waive the report. If a court orders the preparation of a presentence investigation report pursuant to this section, section 2947.06 of the Revised Code, or Criminal Rule 32.2, the officer making the report shall inquire into the circumstances of the offense and the criminal record, social history, and present condition of the defendant, all information available regarding any prior adjudications of the defendant as a
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delinquent child and regarding the dispositions made relative to those adjudications, and any other matters specified in Criminal Rule 32.2. Whenever the officer considers it advisable, the officer's investigation may include a physical and mental examination of the defendant. A physical examination of the defendant may include a drug test consisting of a chemical analysis of a blood or urine specimen of the defendant to determine whether the defendant ingested or was injected with a drug of abuse. If, pursuant to section 2930.13 of the Revised Code, the victim of the offense of which the defendant has been convicted wishes to make a statement regarding the impact of the offense for the officer's use in preparing the presentence investigation report, the officer shall comply with the requirements of that section.

(2) If a defendant is committed to any institution, the presentence investigation report shall be sent to the institution with the entry of commitment. If a defendant is committed to any institution and a presentence investigation report is not prepared regarding that defendant pursuant to this section, section 2947.06 of the Revised Code, or Criminal Rule 32.2, the director of the department of rehabilitation and correction or the director's designee may order that an offender background investigation and report be conducted and prepared regarding the defendant pursuant to section 5120.16 of the Revised Code. An offender background investigation report prepared pursuant to this section shall be considered confidential information and is not a public record under section 149.43 of the Revised Code.

(3) The department of rehabilitation and correction may use any presentence investigation report and any offender background investigation report prepared pursuant to this section.
section for penological and rehabilitative purposes. The department may disclose any presentence investigation report and any offender background investigation report to courts, law enforcement agencies, community-based correctional facilities, halfway houses, and medical, mental health, and substance abuse treatment providers. The department shall make the disclosure in a manner calculated to maintain the report's confidentiality. Any presentence investigation report or offender background investigation report that the department discloses to a community-based correctional facility, a halfway house, or a medical, mental health, or substance abuse treatment provider shall not include a victim impact section or information identifying a witness.

(B)(1) If a presentence investigation report is prepared pursuant to this section, section 2947.06 of the Revised Code, or Criminal Rule 32.2, the court, at a reasonable time before imposing sentence, shall permit the defendant or the defendant's counsel to read the report, except that the court shall not permit the defendant or the defendant's counsel to read any of the following:

(a) Any recommendation as to sentence;

(b) Any diagnostic opinions that, if disclosed, the court believes might seriously disrupt a program of rehabilitation for the defendant;

(c) Any sources of information obtained upon a promise of confidentiality;

(d) Any other information that, if disclosed, the court believes might result in physical harm or some other type of harm to the defendant or to any other person.
(2) Prior to sentencing, the court shall permit the defendant and the defendant's counsel to comment on the presentence investigation report and, in its discretion, may permit the defendant and the defendant's counsel to introduce testimony or other information that relates to any alleged factual inaccuracy contained in the report.

(3) If the court believes that any information in the presentence investigation report should not be disclosed pursuant to division (B)(1) of this section, the court, in lieu of making the report or any part of the report available, shall state orally or in writing a summary of the factual information contained in the report that will be relied upon in determining the defendant's sentence. The court shall permit the defendant and the defendant's counsel to comment upon the oral or written summary of the report.

(4) Any material that is disclosed to the defendant or the defendant's counsel pursuant to this section shall be disclosed to the prosecutor who is handling the prosecution of the case against the defendant.

(5) If the comments of the defendant or the defendant's counsel, the testimony they introduce, or any of the other information they introduce alleges any factual inaccuracy in the presentence investigation report or the summary of the report, the court shall do either of the following with respect to each alleged factual inaccuracy:

   (a) Make a finding as to the allegation;

   (b) Make a determination that no finding is necessary with respect to the allegation, because the factual matter will not be taken into account in the sentencing of the defendant.
(C) A court's decision as to the content of a summary under division (B)(3) of this section or as to the withholding of information under division (B)(1)(a), (b), (c), or (d) of this section shall be considered to be within the discretion of the court. No appeal can be taken from either of those decisions, and neither of those decisions shall be the basis for a reversal of the sentence imposed.

(D)(1) The contents of a presentence investigation report prepared pursuant to this section, section 2947.06 of the Revised Code, or Criminal Rule 32.2 and the contents of any written or oral summary of a presentence investigation report or of a part of a presentence investigation report described in division (B)(3) of this section are confidential information and are not a public record. The court, an appellate court, authorized probation officers, investigators, and court personnel, the defendant, the defendant's counsel, the prosecutor who is handling the prosecution of the case against the defendant, and authorized personnel of an institution to which the defendant is committed may inspect, receive copies of, retain copies of, and use a presentence investigation report or a written or oral summary of a presentence investigation only for the purposes of or only as authorized by Criminal Rule 32.2 or this section, division (F)(1)(a) of section 2953.08, section 2947.06, or another section of the Revised Code.

(2) Immediately following the imposition of sentence upon the defendant, the defendant or the defendant's counsel and the prosecutor shall return to the court all copies of a presentence investigation report and of any written summary of a presentence investigation report or part of a presentence investigation report that the court made available to the defendant or the defendant's counsel and to the prosecutor pursuant to this
section. The defendant or the defendant's counsel and the prosecutor shall not make any copies of the presentence investigation report or of any written summary of a presentence investigation report or part of a presentence investigation report that the court made available to them pursuant to this section.

(3) Except when a presentence investigation report or a written or oral summary of a presentence investigation report is being used for the purposes of or as authorized by Criminal Rule 32.2 or this section, division (F)(1)(a) of section 2953.08, section 2947.06, or another section of the Revised Code, the court or other authorized holder of the report or summary shall retain the report or summary under seal.

(E) In inquiring into the information available regarding any prior adjudications of the defendant as a delinquent child and regarding the dispositions made relative to those adjudications, the officer making the report shall consider all information that is relevant, including, but not limited to, the materials described in division (B) of section 2151.14, division (C)(3) of section 2152.18, division (D)(3) of section 2152.19, and division (E) of section 2152.71 of the Revised Code.

(F) As used in this section:

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

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

(3) "Public record" has the same meaning as in section 149.43 of the Revised Code.

Sec. 2953.07. (A) Upon the hearing of an appeal other than
an appeal from a mayor's court, the appellate court may affirm
the judgment or reverse it, in whole or in part, or modify it,
and order the accused to be discharged or grant a new trial. The
appellate court may remand the accused for the sole purpose of
correcting a sentence imposed contrary to law, provided that, on
an appeal of a sentence imposed upon a person who is convicted
of or pleads guilty to a felony that is brought under section
2953.08 of the Revised Code, division (C) of that section
applies to the court. If the judgment is reversed, the appellant
shall recover from the appellee all court costs incurred to
secure the reversal, including the cost of transcripts. In
capital cases, when the judgment is affirmed and the day fixed
for the execution is passed, the appellate court shall appoint a
day for it, and the clerk of the appellate court shall issue a
warrant under the seal of the appellate court, to the sheriff of
the proper county, or the warden of the appropriate state
correctional institution, commanding the sheriff or warden to
carry the sentence into execution on the day so appointed. The
sheriff or warden shall execute and return the warrant as in
other cases, and the clerk shall record the warrant and return.

(B) As used in this section, "appellate court" means, for
a case in which a sentence of death is imposed for an offense
committed before January 1, 1995, both the court of appeals and
the supreme court, and for a case in which a sentence of death
is imposed for an offense committed on or after January 1, 1995,
the supreme court.

Sec. 2953.08. (A) As used in this section, "authorized by
law" means a sentence that complies with all of the following:

(1) All mandatory sentencing provisions in the Revised
Code;
(2) All definite or indefinite sentencing provisions in the Revised Code;

(3) The range of prison terms in division (A) of section 2929.14 of the Revised Code;

(4) Any other provision of the Revised Code.

(B) This section applies to all appeals of sentences imposed upon a defendant who is convicted of or pleads guilty to a felony. Except for constitutional challenges, no appeal of a sentence imposed upon a defendant who is convicted of or pleads guilty to a felony may be filed unless authorized by this section.

(C) In addition to any other right to appeal and except as provided in division (E) of this section, a defendant who is convicted of or pleads guilty to a felony may appeal as a matter of right the sentence imposed upon the defendant on one of the following grounds:

(1) The sentence is not authorized by law.

(2) The sentence was imposed for an offense and was not imposed concurrently or consecutively with another sentence.

(3) The sentence was imposed for an offense and was not imposed concurrently or consecutively with another sentence, and there is a presumption against a prison term for the offense.

(4) The sentence was imposed concurrently with another sentence for an offense.

(5) The sentence was imposed concurrently with another sentence for an offense, and there is a presumption against a prison term for the offense.
(6) The sentence was imposed consecutively with another sentence for an offense, and the sentencing court did not make the findings required by division (C)(4) of section 2929.14 of the Revised Code to overcome the presumption in division (A) of section 2929.41 of the Revised Code.

(7) The sentence was imposed consecutively with another sentence, and the sentencing court made the findings required by division (C)(4) of section 2929.14 of the Revised Code to overcome the presumption in division (A) of section 2929.41 of the Revised Code.

(D) Except as provided in division (E) of this section, the prosecuting attorney, city director of law, village solicitor, chief municipal legal officer, or the attorney general, if one of those persons prosecuted the case, may appeal as a matter of right a sentence imposed upon a defendant who is convicted of or pleads guilty to a felony on any of the following grounds:

(1) The sentence is not authorized by law.

(2) The sentence is suspended, and the sentence was imposed for a felony of the first or second degree.

(3) The sentence did not include a prison term despite a presumption favoring a prison term for the offense for which it was imposed.

(4) The sentence is a modification under section 2929.20 of the Revised Code, and the sentence was imposed for a felony of the first or second degree.

(E) A sentence imposed upon a defendant is not subject to review under this section if the sentence is authorized by law, and is consistent with the joint recommendation of the defendant.
and the prosecution in the case as to the sentence, sentencing range, aggregate minimum prison term, or aggregate maximum prison term, and is imposed by a sentencing judge.

(F)(1) On appeal of a sentence under this section, the record to be reviewed shall include all of the following, as applicable:

(a) Any presentence, psychiatric, or other investigative report that was submitted to the court in writing before the sentence was imposed. An appellate court that reviews a presentence investigation report prepared pursuant to section 2947.06 or 2951.03 of the Revised Code or Criminal Rule 32.2 in connection with the appeal of a sentence under this section shall comply with division (D)(3) of section 2951.03 of the Revised Code when the appellate court is not using the presentence investigation report. The appellate court's use of a presentence investigation report of that nature in connection with the appeal of a sentence under this section does not affect the otherwise confidential character of the contents of that report as described in division (D)(1) of section 2951.03 of the Revised Code and does not cause that report to become a public record, as defined in section 149.43 of the Revised Code, following the appellate court's use of the report.

(b) The trial record in the case in which the sentence was imposed;

(c) Any oral or written statements made to or by the court at the sentencing hearing at which the sentence was imposed;

(d) Any written findings that the court was required to make in connection with the modification of the sentence pursuant to a judicial release under division (I) of section
2929.20 of the Revised Code;

(e) An agreed statement of the record to be reviewed, as applicable.

(2) The record to be reviewed shall be made available to all parties.

(G) When filing an appeal, the appellant shall specify the grounds for the appeal in division (C) or (D) of this section and specifically reference the record in division (F) of this section that is the basis of the appeal.

(H)(1) The appellate court shall consider the record, including the findings underlying the sentence or modification given by the sentencing court and, when reviewing a sentence that was imposed consecutively with another sentence, the aggregate length of all imposed sentences.

(2) For a sentence reviewed under divisions (C)(1) to (6) or division (D) of this section, if the sentence is within the range of prison terms in division (A) of section 2929.14 of the Revised Code, there is a presumption that the sentence is proportional and consistent, and the appellate court shall vacate and remand for resentencing if the defendant or prosecution establishes by clear and convincing evidence that the sentencing court erroneously based its sentence on an error of fact.

(3)(a) Subject to division (H)(3)(c) of this section, for a sentence reviewed under division (C)(7) of this section, if the aggregate minimum prison term of the consecutive sentence, not including any specification, is equal to or less than the number of years in division (H)(3)(d) of this section, there is a presumption that the findings made under division (C)(4) of...
section 2929.14 of the Revised Code are supported by the record, and the appellate court shall vacate and remand for resentencing if the findings made under division (C)(4) of section 2929.14 of the Revised Code are not clearly and convincingly supported by the record.

(b) Subject to division (H)(3)(c) of this section, for a sentence reviewed under division (C)(7) of this section, if the aggregate minimum prison term of the consecutive sentence, not including any specification, is greater than the number of years in division (H)(3)(d) of this section, there is no presumption that the findings made under division (C)(4) of section 2929.14 of the Revised Code are supported by the record, and the appellate court shall vacate and remand for resentencing if the findings made under division (C)(4) of section 2929.14 of the Revised Code are not clearly and convincingly supported by the record.

(c) In making the determination described in division (H)(3)(a) or (b) of this section, the court may also consider all of the following:

(i) The conduct of the defendant;

(ii) The age of the defendant;

(iii) The harm or lack of harm caused by the offense or offenses;

(iv) The defendant's criminal history or lack of criminal history;

(v) All relevant sentencing factors under sections 2929.11 and 2929.12 and division (C)(4) of section 2929.14 of the Revised Code.
(vi) The consistency and proportionality of the sentence;

(vii) Any mitigating factors presented at sentencing.

(d) The court shall review the following aggregate minimum prison terms of a consecutive sentence:

   (i) Fifteen years when the most serious offense is a felony of the first degree;

   (ii) Twelve years when the most serious offense is a felony of the second degree;

   (iii) Eight years when the most serious offense is a felony of the third degree;

   (iv) Three years when the most serious offense is a felony of the fourth degree;

   (v) Two years when the most serious offense is a felony of the fifth degree.

   (I) A judgment or final order of a court of appeals under this section may be appealed, by leave of court, to the supreme court.

Sec. 2967.14. (A) The department of rehabilitation and correction or the adult parole authority may require or allow a parolee, a releasee, or a prisoner otherwise released from a state correctional institution to reside in a halfway house or other suitable community residential center that has been licensed by the division of parole and community services pursuant to division (C) of this section or, in the circumstances described in division (E) of section 5120.113 of the Revised Code, in the reentry program and facility established under that division, during a part or for the entire period of the offender's or parolee's conditional release or of
the releasee's term of post-release control. The court of common
pleas that placed an offender under a sanction consisting of a
term in a halfway house or in an alternative residential
sanction may require the offender to reside in a halfway house
or other suitable community residential center that is
designated by the court and that has been licensed by the
division pursuant to division (C) of this section during a part
or for the entire period of the offender's residential sanction.

(B) The division of parole and community services may
negotiate and enter into agreements with any public or private
agency or a department or political subdivision of the state
that operates a halfway house, reentry center, or community
residential center that has been licensed by the division
pursuant to division (C) of this section. An agreement under
this division shall provide for the purchase of beds, shall set
limits of supervision and levels of occupancy, and shall
determine the scope of services for all eligible offenders,
including those subject to a residential sanction, as defined in
rules adopted by the director of rehabilitation and correction
in accordance with Chapter 119. of the Revised Code, or those
released from prison without supervision. The payments for beds
and services shall not exceed the total operating costs of the
halfway house, reentry center, or community residential center
during the term of an agreement. The director of rehabilitation
and correction shall adopt rules in accordance with Chapter 119.
of the Revised Code for determining includable and excludable
costs and income to be used in computing the agency's average
daily per capita costs with its facility at full occupancy.

The director of rehabilitation and correction shall adopt
rules providing for the use of no more than fifteen per cent of
the amount appropriated to the department each fiscal year for
the halfway house, reentry center, and community residential program to pay for contracts with licensed halfway houses for nonresidential services for offenders under the supervision of the adult parole authority, including but not limited to, offenders supervised pursuant to an agreement entered into by the adult parole authority and a court of common pleas under section 2301.32 of the Revised Code. The nonresidential services may include, but are not limited to, treatment for substance abuse, mental health counseling, counseling for sex offenders, electronic monitoring services, aftercare, and other nonresidential services that the director identifies by rule.

(C) The division of parole and community services may license a halfway house, reentry center, or community residential center as a suitable facility for the care and treatment of adult offenders, including offenders sentenced under section 2929.16 or 2929.26 of the Revised Code, only if the halfway house, reentry center, or community residential center complies with the standards that the division adopts in accordance with Chapter 119. of the Revised Code for the licensure of halfway houses, reentry centers, and community residential centers. The division shall annually inspect each licensed halfway house, licensed reentry center, and licensed community residential center to determine if it is in compliance with the licensure standards.

(D) The division of parole and community services may expend up to one-half per cent of the annual appropriation made for halfway house programs, for goods or services that benefit those programs.

Sec. 2967.191. (A) The department of rehabilitation and correction shall reduce the prison term of a prisoner, as
described in division (B) of this section, by the total number of days that the prisoner was confined for any reason arising out of the offense for which the prisoner was convicted and sentenced, including confinement in lieu of bail while awaiting trial, confinement for examination to determine the prisoner's competence to stand trial or sanity, confinement while awaiting transportation to the place where the prisoner is to serve the prisoner's prison term, as determined by the sentencing court under division (B)(2)(g)(i) of section 2929.19 of the Revised Code, and confinement in a juvenile facility. The department of rehabilitation and correction also shall reduce the stated prison term of a prisoner or, if the prisoner is serving a term for which there is parole eligibility, the minimum and maximum term or the parole eligibility date of the prisoner by the total number of days, if any, that the prisoner previously served in the custody of the department of rehabilitation and correction arising out of the offense for which the prisoner was convicted and sentenced.

(B) The reductions described in division (A) of this section shall be made to the following prison terms, as applicable:

(1) The definite prison term of a prisoner serving a definite prison term as a stated prison term;

(2) The minimum and maximum term of a prisoner serving a non-life felony indefinite prison term as a stated prison term;

(3) The minimum and maximum term or the parole eligibility date of a prisoner serving a term for which there is parole eligibility.

Sec. 2967.193. (A)(1) Except as provided in division (C)
of this section and subject to the maximum aggregate total
specified in division (A)(3) of this section, a person confined
in a state correctional institution or placed in the substance
use disorder treatment program may provisionally earn one day or
five days of credit, based on the category set forth in division
(D)(1), (2), (3), (4), or (5) of this section in which the
person is included, toward satisfaction of the person's stated
prison term, as described in division (F) of this section, for
each completed month during which the person, if confined in a
state correctional institution, productively participates in an
education program, vocational training, employment in prison
industries, treatment for substance abuse, or any other
constructive program developed by the department with specific
standards for performance by prisoners or during which the
person, if placed in the substance use disorder treatment
program, productively participates in the program. Except as
provided in division (C) of this section and subject to the
maximum aggregate total specified in division (A)(3) of this
section, a person so confined in a state correctional
institute who successfully completes two programs or
activities of that type may, in addition, provisionally earn up
to five days of credit toward satisfaction of the person's
stated prison term, as described in division (F) of this
section, for the successful completion of the second program or
activity. The person shall not be awarded any provisional days
of credit for the successful completion of the first program or
activity or for the successful completion of any program or
activity that is completed after the second program or activity.
At the end of each calendar month in which a person productively
participates in a program or activity listed in this division or
successfully completes a program or activity listed in this
division, the department of rehabilitation and correction shall
determine and record the total number of days credit that the
person provisionally earned in that calendar month. If the
person in a state correctional institution violates prison rules
or the person in the substance use disorder treatment program
violates program or department rules, the department may deny
the person a credit that otherwise could have been provisionally
awarded to the person or may withdraw one or more credits
previously provisionally earned by the person. Days of credit
 provisionally earned by a person shall be finalized and awarded
by the department subject to administrative review by the
department of the person's conduct.

(2) Unless a person is serving a mandatory prison term or
a prison term for an offense of violence or a sexually oriented
offense, and notwithstanding the maximum aggregate total
specified in division (A)(3) of this section, a person who
successfully completes any of the following shall earn ninety
days of credit toward satisfaction of the person's stated prison
term or a ten per cent reduction of the person's stated prison
term, whichever is less:

(a) An Ohio high school diploma or Ohio certificate of
high school equivalence certified by the Ohio central school
system;

(b) A therapeutic drug community program;

(c) All three phases of the department of rehabilitation
and correction's intensive outpatient drug treatment program;

(d) A career technical vocational school program;

(e) A college certification program;

(f) The criteria for a certificate of achievement and
employability as specified in division (A)(1) of section 2961.22
of the Revised Code.

(3) Except for persons described in division (A)(2) of this section, the aggregate days of credit provisionally earned by a person for program or activity participation and program and activity completion under this section and the aggregate days of credit finally credited to a person under this section shall not exceed eight per cent of the total number of days in the person's stated prison term.

(B) The department of rehabilitation and correction shall adopt rules that specify the programs or activities for which credit may be earned under this section, the criteria for determining productive participation in, or completion of, the programs or activities and the criteria for awarding credit, including criteria for awarding additional credit for successful program or activity completion, and the criteria for denying or withdrawing previously provisionally earned credit as a result of a violation of prison rules, or program or department rules, whichever is applicable.

(C) No person confined in a state correctional institution or placed in a substance use disorder treatment program to whom any of the following applies shall be awarded any days of credit under division (A) of this section:

(1) The person is serving a prison term that section 2929.13 or section 2929.14 of the Revised Code specifies cannot be reduced pursuant to this section or this chapter or is serving a sentence for which section 2967.13 or division (B) of section 2929.143 of the Revised Code specifies that the person is not entitled to any earned credit under this section.

(2) The person is sentenced to death or is serving a
prison term or a term of life imprisonment for aggravated
murder, murder, or a conspiracy or attempt to commit, or
complicity in committing, aggravated murder or murder.

(3) The person is serving a sentence of life imprisonment
without parole imposed pursuant to section 2929.03 or 2929.06 of
the Revised Code, a prison term or a term of life imprisonment
without parole imposed pursuant to section 2971.03 of the
Revised Code, or a sentence for a sexually oriented offense that
was committed on or after September 30, 2011.

(D) This division does not apply to a determination of
whether a person confined in a state correctional institution or
placed in a substance use disorder treatment program may earn
any days of credit under division (A) of this section for
successful completion of a second program or activity. The
determination of whether a person confined in a state
correctional institution may earn one day of credit or five days
of credit under division (A) of this section for each completed
month during which the person productively participates in a
program or activity specified under that division shall be made
in accordance with the following:

(1) The offender may earn one day of credit under division
(A) of this section, except as provided in division (C) of this
section, if the most serious offense for which the offender is
confined is any of the following that is a felony of the first
or second degree:

(a) A violation of division (A) of section 2903.04 or of
section 2903.03, 2903.11, 2903.15, 2905.01, 2907.24, 2907.25,
2909.02, 2909.09, 2909.10, 2909.101, 2909.26, 2909.27, 2909.29,
2911.01, 2911.02, 2911.11, 2911.12, 2919.13, 2919.15, 2919.151,
2919.22, 2921.34, 2923.01, 2923.131, 2923.162, 2923.32, 2925.24,
or 2927.24 of the Revised Code;

(b) A conspiracy or attempt to commit, or complicity in committing, any other offense for which the maximum penalty is imprisonment for life or any offense listed in division (D)(1) of this section.

(2) The offender may earn one day of credit under division (A) of this section, except as provided in division (C) of this section, if the offender is serving a stated prison term that includes a prison term imposed for a sexually oriented offense that the offender committed prior to September 30, 2011.

(3) The offender may earn one day of credit under division (A) of this section, except as provided in division (C) of this section, if the offender is serving a stated prison term that includes a prison term imposed for a felony other than carrying a concealed weapon an essential element of which is any conduct or failure to act expressly involving any deadly weapon or dangerous ordnance.

(4) Except as provided in division (C) of this section, if the most serious offense for which the offender is confined is a felony of the first or second degree and divisions (D)(1), (2), and (3) of this section do not apply to the offender, the offender may earn one day of credit under division (A) of this section if the offender committed that offense prior to September 30, 2011, and the offender may earn five days of credit under division (A) of this section if the offender committed that offense on or after September 30, 2011.

(5) Except as provided in division (C) of this section, if the most serious offense for which the offender is confined is a felony of the third, fourth, or fifth degree or an unclassified ...
felony and neither division (D)(2) nor (3) of this section applies to the offender, the offender may earn one day of credit under division (A) of this section if the offender committed that offense prior to September 30, 2011, and the offender may earn five days of credit under division (A) of this section if the offender committed that offense on or after September 30, 2011.

(E) The department annually shall seek and consider the written feedback of the Ohio prosecuting attorneys association, the Ohio judicial conference, the Ohio public defender, the Ohio association of criminal defense lawyers, and other organizations and associations that have an interest in the operation of the corrections system and the earned credits program under this section as part of its evaluation of the program and in determining whether to modify the program.

(F) Days of credit awarded under this section shall be applied toward satisfaction of a person's stated prison term as follows:

(1) Toward the definite prison term of a prisoner serving a definite prison term as a stated prison term;

(2) Toward the minimum and maximum terms of a prisoner serving an indefinite prison term imposed under division (A)(1)(a) or (2)(a) of section 2929.14 of the Revised Code for a felony of the first or second degree committed on or after the effective date of this amendment March 22, 2019.

(G) As used in this section:

(1) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.
(2) "Substance use disorder treatment program" means the substance use disorder treatment program established by the department of rehabilitation and correction under section 5120.035 of the Revised Code.

Sec. 2967.271. (A) As used in this section:

(1) "Offender's minimum prison term" means the minimum prison term imposed on an offender under a non-life felony indefinite prison term, diminished as provided in section 2967.191 or 2967.193 of the Revised Code or in any other provision of the Revised Code, other than division (F) of this section, that provides for diminution or reduction of an offender's sentence.

(2) "Offender's aggregate minimum prison term" means the sum of all minimum prison terms imposed on an offender under a non-life felony indefinite prison term and all definite terms imposed on the offender, and that are sentenced to be served consecutively to one another or combined under division (C)(10) of section 2929.14 of the Revised Code as part of a non-life felony indefinite prison term diminished as provided in section 2967.191 or 2967.193 of the Revised Code or in any other provision of the Revised Code, other than division (F) of this section, that provides for diminution or reduction of an offender's sentence.

(3) "Maximum prison term" has the same meaning as in section 2929.01 of the Revised Code.

(4) "Offender's aggregate maximum prison term" means the sum of all maximum prison terms imposed on an offender and sentenced to be served consecutively to one another or combined under division (C)(10) of section 2929.14 of the Revised Code as
(5) "Offender's presumptive earned early release date" means the date that is determined under the procedures described in division (F) of this section by the reduction, if any, of an offender's minimum prison term or an offender's aggregate minimum prison term by the sentencing court and the crediting of that reduction toward the satisfaction of the minimum term or aggregate minimum term.

(3) (6) "Rehabilitative programs and activities" means education programs, vocational training, employment in prison industries, treatment for substance abuse, or other constructive programs developed by the department of rehabilitation and correction with specific standards for performance by prisoners.

(4) (7) "Security level" means the security level in which an offender is classified under the inmate classification level system of the department of rehabilitation and correction that then is in effect.

(5) (8) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.

(B) When an offender is sentenced to a non-life felony indefinite prison term, there shall be a presumption that the person shall be released from service of the sentence on the earlier of the following:

(1) The expiration of the offender's minimum prison term or the offender's aggregate minimum prison term if the offender is subject to an aggregate minimum prison term;

(2) The offender's presumptive earned early release date— whichever is earlier.
(C) The presumption established under division (B) of this section is a rebuttable presumption that the department of rehabilitation and correction may rebut as provided in this division. Unless the department rebuts the presumption, the offender shall be released from service of the sentence on the expiration of the offender's minimum prison term or on the offender's presumptive earned early release date, whichever is earlier established in division (B) of this section. The department may rebut the presumption only if the department determines, at a hearing, that one or more of the following applies:

(1) Regardless of the security level in which the offender is classified at the time of the hearing, both of the following apply:

(a) During the offender's incarceration, the offender committed institutional rule infractions that involved compromising the security of a state correctional institution, compromising the safety of the staff of a state correctional institution or its inmates, or physical harm or the threat of physical harm to the staff of a state correctional institution or its inmates, or committed a violation of law that was not prosecuted, and the infractions or violations demonstrate that the offender has not been rehabilitated.

(b) The offender's behavior while incarcerated, including, but not limited to the infractions and violations specified in division (C)(1)(a) of this section, demonstrate that the offender continues to pose a threat to society.

(2) Regardless of the security level in which the offender is classified at the time of the hearing, the offender has been placed by the department in extended restrictive housing at any
time within the year preceding the date of the hearing.

(3) At the time of the hearing, the offender is classified by the department as a security level three, four, or five, or at a higher security level.

(D)(1) If the department of rehabilitation and correction, pursuant to division (C) of this section, rebuts the presumption established under division (B) of this section, the department may maintain the offender's incarceration in a state correctional institution under the sentence after the expiration of the offender's minimum prison term or, for offenders who have a presumptive earned early release date, after the offender's presumed earned early release date established in division (B) of this section. The department may maintain the offender's incarceration under this division for an additional period of incarceration determined by the department. The additional period of incarceration shall be a reasonable period determined by the department, shall be specified by the department, and shall not exceed the offender's maximum prison term or aggregate maximum prison term to which the offender is subject and that was imposed by the sentencing court.

(2) If the department maintains an offender's incarceration for an additional period under division (D)(1) of this section, there shall be a presumption that the offender shall be released on the expiration of the offender's minimum prison term plus the additional period of incarceration specified by the department as provided under that division or, for offenders who have a presumptive earned early release date, on the expiration of the additional period of incarceration to be served after the offender's presumptive earned early release date that is specified by the department as provided under that.
The presumption is a rebuttable presumption that the department may rebut, but only if it conducts a hearing and makes the determinations specified in division (C) of this section, and if the department rebuts the presumption, it may maintain the offender's incarceration in a state correctional institution for an additional period determined as specified in division (D)(1) of this section. Unless the department rebuts the presumption at the hearing, the offender shall be released from service of the sentence on the expiration of the offender's minimum prison term plus the additional period of incarceration specified by the department or, for offenders who have a presumptive earned early release date, on the expiration of the additional period of incarceration to be served after the offender's presumptive earned early release date as specified by the department.

(3) The provisions of this division regarding the establishment of a rebuttable presumption, the department's rebuttal of the presumption, and the department's maintenance of an offender's incarceration for an additional period of incarceration apply, and may be utilized more than one time, during the remainder of the offender's incarceration. If the offender has not been released under division (C) or (D)(2) of this section or this division prior to the expiration of the offender's maximum prison term imposed as part of the offender's non-life felony indefinite prison term or aggregate maximum prison term to which the offender is subject, the offender shall be released upon the expiration of that maximum term or aggregate maximum term. If the offender is subject to an aggregate maximum prison term, the department shall rebut the presumption as provided in division (C) of this section at least once before commencing each portion of the aggregate maximum.
prison term that is attributable to an individual maximum prison term that was aggregated under division (C)(10)(b) of section 2929.14 of the Revised Code. For purposes of this section, the individual maximum prison term portions of an aggregate maximum prison term shall be served in the same order as the corresponding minimum prison term portions were served as part of the aggregate minimum prison term.

(E) The department shall provide notices of hearings to be conducted under division (C) or (D) of this section in the same manner, and to the same persons, as specified in section 2967.12 and Chapter 2930. of the Revised Code with respect to hearings to be conducted regarding the possible release on parole of an inmate.

(F)(1) The director of the department of rehabilitation and correction may notify the sentencing court in writing that the director is recommending that the court grant a reduction in the minimum prison term imposed on a specified offender who is serving a non-life felony indefinite prison term and who is eligible under division (F)(8) of this section for such a reduction, due to the offender's exceptional conduct while incarcerated or the offender's adjustment to incarceration. If the director wishes to recommend such a reduction for an offender, the director shall send the notice to the court not earlier than ninety days prior to the date on which the director wishes to credit the reduction toward the satisfaction of the offender's minimum prison term. If the director recommends such a reduction for an offender, there shall be a presumption that the court shall grant the recommended reduction to the offender. The presumption established under this division is a rebuttable presumption that may be rebutted as provided in division (F)(4) of this section.
The director shall include with the notice sent to a court under this division an institutional summary report that covers the offender's participation while confined in a state correctional institution in rehabilitative programs and activities and any disciplinary action taken against the offender while so confined, and any other documentation requested by the court, if available.

The notice the director sends to a court under this division shall do all of the following:

(a) Identify the offender;

(b) Specify the length of the recommended reduction, which shall be for five to fifteen per cent of the offender's minimum term determined in accordance with rules adopted by the department under division (F)(7) of this section;

(c) Specify the reason or reasons that qualify the offender for the recommended reduction;

(d) Inform the court of the rebuttable presumption and that the court must either approve or, if the court finds that the presumption has been rebutted, disapprove of the recommended reduction, and that if it approves of the recommended reduction, it must grant the reduction;

(e) Inform the court that it must notify the department of its decision as to approval or disapproval not later than sixty days after receipt of the notice from the director.

(2) When the director, under division (F)(1) of this section, submits a notice to a sentencing court that the director is recommending that the court grant a reduction in the minimum prison term imposed on an offender serving a non-life felony indefinite prison term, the department promptly shall
provide to the prosecuting attorney of the county in which the offender was indicted a copy of the written notice, a copy of the institutional summary report described in that division, and any other information provided to the court.

(3) Upon receipt of a notice submitted by the director under division (F)(1) of this section, the court shall schedule a hearing to consider whether to grant the reduction in the minimum prison term imposed on the specified offender that was recommended by the director or to find that the presumption has been rebutted and disapprove the recommended reduction. Upon scheduling the hearing, the court promptly shall give notice of the hearing to the prosecuting attorney of the county in which the offender was indicted and to the department. The notice shall inform the prosecuting attorney that the prosecuting attorney may submit to the court, prior to the date of the hearing, written information relevant to the recommendation and may present at the hearing written information and oral information relevant to the recommendation.

Upon receipt of the notice from the court, the prosecuting attorney shall notify the victim of the offender or the victim's representative of the recommendation by the director, the date, time, and place of the hearing, the fact that the victim may submit to the court, prior to the date of the hearing, written information relevant to the recommendation, and the address and procedure for submitting the information.

(4) At the hearing scheduled under division (F)(3) of this section, the court shall afford the prosecuting attorney an opportunity to present written information and oral information relevant to the director's recommendation. In making its determination as to whether to grant or disapprove the reduction
in the minimum prison term imposed on the specified offender that was recommended by the director, the court shall consider any report and other documentation submitted by the director, any information submitted by a victim, any information submitted or presented at the hearing by the prosecuting attorney, and all of the factors set forth in divisions (B) to (D) of section 2929.12 of the Revised Code that are relevant to the offender's offense and to the offender.

Unless the court, after considering at the hearing the specified reports, documentation, information, and relevant factors, finds that the presumption that the recommended reduction shall be granted has been rebutted and disapproves the recommended reduction, the court shall grant the recommended reduction. The court may disapprove the recommended reduction only if, after considering at the hearing the specified reports, documentation, information, and relevant factors, it finds that the presumption that the reduction shall be granted has been rebutted. The court may find that the presumption has been rebutted and disapprove the recommended reduction only if it determines at the hearing that one or more of the following applies:

(a) Regardless of the security level in which the offender is classified at the time of the hearing, during the offender's incarceration, the offender committed institutional rule infractions that involved compromising the security of a state correctional institution, compromising the safety of the staff of a state correctional institution or its inmates, or physical harm or the threat of physical harm to the staff of a state correctional institution or its inmates, or committed a violation of law that was not prosecuted, and the infractions or violations demonstrate that the offender has not been
(b) The offender's behavior while incarcerated, including, but not limited to, the infractions and violations specified in division (F)(4)(a) of this section, demonstrates that the offender continues to pose a threat to society.

(c) At the time of the hearing, the offender is classified by the department as a security level three, four, or five, or at a higher security level.

(d) During the offender's incarceration, the offender did not productively participate in a majority of the rehabilitative programs and activities recommended by the department for the offender, or the offender participated in a majority of such recommended programs or activities but did not successfully complete a reasonable number of the programs or activities in which the offender participated.

(e) After release, the offender will not be residing in a halfway house, reentry center, or community residential center licensed under division (C) of section 2967.14 of the Revised Code and, after release, does not have any other place to reside at a fixed residence address.

(5) If the court pursuant to division (F)(4) of this section finds that the presumption that the recommended reduction in the offender's minimum prison term has been rebutted and disapproves the recommended reduction, the court shall notify the department of the disapproval not later than sixty days after receipt of the notice from the director. The court shall specify in the notification the reason or reasons for which it found that the presumption was rebutted and disapproved the recommended reduction. The court shall not
reduce the offender's minimum prison term, and the department shall not credit the amount of the disapproved reduction toward satisfaction of the offender's minimum prison term.

If the court pursuant to division (F)(4) of this section grants the recommended reduction of the offender's minimum prison term, the court shall notify the department of the grant of the reduction not later than sixty days after receipt of the notice from the director, the court shall reduce the offender's minimum prison term in accordance with the recommendation submitted by the director, and the department shall credit the amount of the reduction toward satisfaction of the offender's minimum prison term.

Upon deciding whether to disapprove or grant the recommended reduction of the offender's minimum prison term, the court shall notify the prosecuting attorney of the decision and the prosecuting attorney shall notify the victim or victim's representative of the court's decision.

(6) If the court under division (F)(5) of this section grants the reduction in the minimum prison term imposed on an offender that was recommended by the director and reduces the offender's minimum prison term, the date determined by the department's crediting of the reduction toward satisfaction of the offender's minimum prison term is the offender's presumptive earned early release date.

(7) The department of rehabilitation and correction by rule shall specify both of the following for offenders serving a non-life felony indefinite prison term:

(a) The type of exceptional conduct while incarcerated and the type of adjustment to incarceration that will qualify an
offender serving such a prison term for a reduction under

divisions (F)(1) to (6) of this section of the minimum prison
term imposed on the offender under the non-life felony
indefinite prison term.

(b) The per cent of reduction that it may recommend for,
and that may be granted to, an offender serving such a prison
term under divisions (F)(1) to (6) of this section, based on the
offense level of the offense for which the prison term was
imposed, with the department specifying the offense levels used
for purposes of this division and assigning a specific
percentage reduction within the range of five to fifteen per
cent for each such offense level.

(8) Divisions (F)(1) to (6) of this section do not apply
with respect to an offender serving a non-life felony indefinite
prison term for a sexually oriented offense, and no offender
serving such a prison term for a sexually oriented offense is
eligible to be recommended for or granted, or may be recommended
for or granted, a reduction under those divisions in the
offender's minimum prison term imposed under that non-life
felony indefinite prison term.

(G) If an offender is sentenced to a non-life felony
indefinite prison term, any reference in a section of the
Revised Code to a definite prison term shall be construed as
referring to the offender's minimum term under that sentence
plus any additional period of time of incarceration specified by
the department under division (D)(1) or (2) of this section,
except to the extent otherwise specified in the section or to
the extent that that construction clearly would be
inappropriate.

Sec. 5120.021. (A) The provisions of Chapter 5120. of the
Revised Code, as they existed prior to July 1, 1996, and that
direct the duration or potential duration of incarceration or
parole or other forms of supervised release, apply to all
persons upon whom a court imposed a term of imprisonment prior
to July 1, 1996, and all persons upon whom a court, on or after
July 1, 1996, and in accordance with law existing prior to July
1, 1996, imposed a term of imprisonment for an offense that was
committed prior to July 1, 1996.

(B)(1) The provisions of Chapter 5120. of the Revised
Code, as they exist on or after July 1, 1996, and that address
the duration or potential duration of incarceration or
supervised release, apply to all persons upon whom a court
imposed a stated prison term for an offense committed on or
after July 1, 1996.

(2) The provisions of Chapter 5120. of the Revised Code, as they exist on or after the effective date of this
March 22, 2019, and prior to the effective date of this
amendment, apply to an offender who is released from confinement in a state correctional institution on or after that date March
22, 2019, and prior to the effective date of this amendment.

(3) The provisions of Chapter 5120. of the Revised Code, as they exist on or after the effective date of this amendment,
apply to an offender who is released from confinement in a state
correctional institution on or after that date.

(C) Nothing in this section limits or affects the
applicability of any provision in Chapter 5120. of the Revised
Code, as amended or enacted on or after July 1, 1996, that
pertains to an issue other than the duration or potential
duration of incarceration or supervised release, to persons in
custody or under the supervision of the department of
Sec. 5120.038. (A) As used in this section:

(1) "GPS-monitored offender" means an offender who, on or after the effective date of divisions (C) to (E) of this section, is released from confinement in a state correctional institution under a conditional pardon, parole, other form of authorized release, or transitional control that includes global positioning system monitoring as a condition of the person's release, or who, on or after that date, is placed under post-release control that includes global positioning system monitoring as a condition under the post-release control.

(2) "Law enforcement automated data system" means the law enforcement automated data system, also known as LEADS, established under section 5503.10 of the Revised Code.

(3) "Secondary entity" means an entity under contract with a third-party contract administrator with which the department of rehabilitation and correction has entered into a contract for global positioning system monitoring of GPS-monitored offenders.

(B) Not later than December 31, 2022, the department of rehabilitation and correction shall study the feasibility of contracting with a third-party contract administrator for global position system monitoring that would include a crime scene correlation program that could interface by link with a statewide database for GPS-monitored offenders. The study also shall analyze the use of GPS monitoring as a supervision tool. In conducting the study, the department shall consider all of the following factors:

(1) The ability of the department or another state entity...
to establish and operate a statewide internet database of GPS-monitored offenders and the specific information that such a database could include.

(2) The capability for a GPS monitoring system run by a third-party contract administrator to include a crime scene correlation program that interfaces by link with a statewide database of GPS monitored offenders.

(3) The ability of local law enforcement representatives to remotely search a statewide internet database of GPS-monitored offenders that is linked with a crime scene correlation program.

(4) The capability for a GPS monitoring system with crime scene correlation features to allow local law enforcement representatives without a subpoena or warrant to access information contained in the crime scene correlation program about a GPS monitored offender, including the offender's current location, the offender's location at previous points in time, the location of recent criminal activity in or near the offender's inclusionary or exclusionary zones included as restrictions under the offender's supervision, and any possible connection between the offender's location and that recent criminal activity.

(5) The ability of law enforcement representatives to obtain, without a warrant or subpoena, information about a GPS monitored offender from either an employee of the department or a third party contract administrator who is monitoring the offender, including information of the types listed in division (B)(4) of this section.

(6) The types of offenders for whom GPS monitoring would
be beneficial, the appropriate length for monitoring, and the costs related to GPS monitoring.

(C) Upon completion of the study specified in this division (B) of this section, the department shall submit copies of the study to the president and minority leader of the senate, the speaker and minority leader of the house of representatives, and the governor.

(C)(1) On and after the effective date of this amendment, each global positioning system monitor that is used to monitor a GPS-monitored offender shall specify and monitor restrictions for the offender. The restrictions shall include for the offender inclusionary zones and, to the extent necessary, exclusionary zones, and may include for the offender a curfew specifying times of required presence in the inclusionary zone and any other reasonable restrictions.

(2) Each contract that the department of rehabilitation and correction enters into on or after the effective date of this amendment with a third-party contract administrator for global positioning system monitoring of GPS-monitored offenders shall require all of the following:

(a) That the global positioning system used by the administrator, or by any secondary entity under contract with the administrator to perform the actual monitoring of the offender, include a crime scene correlation program to which access can be obtained as described in division (E)(2) of this section;

(b) That the crime scene correlation program included in the administrator's system, or in the system of a secondary entity under contract with the administrator to perform the
actual monitoring of the offender, will allow local law
enforcement representatives or their designees to obtain,
without need for a subpoena or warrant, real-time access or
active global positioning system access to information contained
in the program about a GPS-monitored offender's location at that
time and, to the extent that it is available, at other previous
points in time identified by the representative or designee,
about the location of recent criminal activity in or near the
offender's inclusionary or exclusionary zones, and about any
possible connection between the offender's location and that
recent criminal activity;

(c) That the administrator, or the secondary entity under
contract with the administrator to perform the actual monitoring
of the offender, allow access to the crime scene correlation
program included in the administrator's or secondary entity's
system to law enforcement representatives as described in
division (E)(2) of this section;

(d) That the global positioning system used by the
administrator, or by any secondary entity under contract with
the administrator to perform the actual monitoring of the
offender, be monitored continuously and that the access
described in divisions (C)(2)(b) and (c) of this section be
afforded twenty-four hours a day and seven days a week.

(D)(1) On and after the effective date of this amendment,
any third-party contract administrator used for global
positioning system monitoring of a GPS-monitored offender, and
any secondary entity under contract with such a third-party
contract administrator to perform the actual monitoring of a
GPS-monitored offender, shall comply in the monitoring of the
offender with system requirements of the department of
(2) If, on the effective date of this amendment, the department of rehabilitation and correction has not established system requirements of the type described in division (D)(1) of this section, within a reasonable period of time after that effective date, the department shall establish system requirements for global positioning system monitoring of GPS-monitored offenders. After establishment of the requirements, the department, any third-party contract administrator used for global positioning system monitoring, and any secondary entity under contract with such a third-party contract administrator to perform the actual monitoring of a GPS-monitored offender, shall comply with the established system requirements in the monitoring of a GPS-monitored offender.

(E)(1)(a) As soon as possible after, but not later than twelve months after, the effective date of this amendment, the department of rehabilitation and correction shall adopt procedures that the department and third-party contract administrators that are being used for global positioning system monitoring of a GPS-monitored offender shall use to provide to the bureau of criminal identification and investigation the information specified in division (E)(3) of this section for each GPS-monitored offender being monitored by the department or administrator.

(b) On and after the date on which the department of rehabilitation and correction adopts the procedures specified in division (E)(1)(a) of this section, the department shall provide to the bureau of criminal identification and investigation the information specified in division (E)(3) of this section for
each GPS-monitored offender that is being monitored by the department, and each third-party contract administrator that is being used for global positioning system monitoring of a GPS-monitored offender shall provide to the bureau the information specified in division (E)(3) of this section for each GPS-monitored offender that is being monitored by the administrator. If the third-party contract administrator has contracted with a secondary entity to perform the actual monitoring of a GPS-monitored offender, the information the administrator provides to the bureau also shall include the information specified in division (E)(3) of this section for each GPS-monitored offender that is being monitored by the secondary entity. The department and each third-party administrator shall provide the information in accordance with the procedures adopted by the department under division (E)(1)(a) of this section. Upon receipt of such information, the bureau immediately shall enter the information into the law enforcement automated data system. The superintendent of the state highway patrol shall ensure that the law enforcement automated data system is so configured as to permit the entry into, and transmission through, the system of that information.

(c) If any information the department of rehabilitation and correction provides under divisions (E)(1)(a) and (b) of this section to the bureau of criminal identification and investigation becomes inaccurate, the department immediately shall update the information so that it is current and accurate and immediately provide the updated information to the bureau. If any information a third-party contract administrator provides under divisions (E)(1)(a) and (b) of this section to the bureau of criminal identification and investigation, including any information with respect to a secondary entity under contract...
with the administrator, becomes inaccurate, the administrator immediately shall update the information so that it is current and accurate and immediately provide the updated information to the bureau. Upon receipt of such updated information, the bureau immediately shall enter the updated information into the law enforcement automated data system.

(2) If a local law enforcement representative, through use of the law enforcement automated data system or in any other manner, learns the identity of, and contact information for, an employee of the department who is monitoring a GPS-monitored offender, the identity of, and contact information for, a third-party contract administrator that is being used for global positioning system monitoring of a GPS-monitored offender, or the identity of, and contact information for, a secondary entity under contract with such a third-party contract administrator to perform the actual monitoring of a GPS-monitored offender, the representative or another law enforcement officer designated by the representative may contact the employee, the administrator, or the secondary entity and, without need for a subpoena or warrant, request real-time access or active global positioning system access to information about the offender's location at that time and at other previous points in time identified by the representative or designee. Upon receipt of a request as described in this division, the employee of the department, the third-party contract administrator, or the secondary entity, without need for a subpoena or warrant, shall provide the representative or designee with the requested information regarding the offender's location at that time and, to the extent that it is available, at the other identified previous points in time. A request under this division also may request information that the employee, administrator, or secondary
entity has obtained about the location of recent criminal activity in or near the GPS-monitored offender's inclusionary or exclusionary zones, and about any possible connection between the offender's location and that recent criminal activity, and, upon receipt of such a request, the employee, administrator, or secondary entity, without need for a subpoena or warrant, shall provide the representative or designee with that information to the extent that it is available.

(3) The information to be entered into the law enforcement automated data system as required under division (E)(1) of this section shall include, for each GPS-monitored offender for whom the information is required, all of the following:

(a) The offender's name;

(b) The offense or offenses for which the offender is subject to global positioning system monitoring and the offender's other criminal history;

(c) The offender's residence address;

(d) The monitoring parameters and restrictions for the offender, including all inclusionary zones, exclusionary zones, and inclusionary zone curfews for the offender and all other restrictions placed on the offender;

(e) The identity of, and contact information for, whichever of the following is applicable:

   (i) If an employee of the department is monitoring the offender, the employee;

   (ii) If a third-party contract administrator is being used for global positioning system monitoring of the offender, the third-party contract administrator;
(iii) If a secondary entity under contract with a third-party contract administrator is performing the actual monitoring of a GPS-monitored offender, the secondary entity.

(f) All previous violations of the monitoring parameters and restrictions applicable to the offender under the global positioning system monitoring that then is in effect for the offender.

Sec. 5120.113. (A) For each inmate committed to the department of rehabilitation and correction, except as provided in division (B) of this section, the department shall prepare a written reentry plan for the inmate to help guide the inmate's rehabilitation program during imprisonment, to assist in the inmate's reentry into the community, and to assess the inmate's needs upon release.

(B) Division (A) of this section does not apply to an inmate who has been sentenced to life imprisonment without parole or who has been sentenced to death. Division (A) of this section does not apply to any inmate who is expected to be imprisoned for thirty days or less, but the department may prepare a written reentry plan of the type described in that division if the department determines that the plan is needed.

(C) The department may collect, if available, any social and other information that will aid in the preparation of reentry plans under this section.

(D) In the event the department does not prepare a written reentry plan as specified in division (A) of this section, or makes a decision to not prepare a written reentry plan under division (B) of this section or to not collect information under division (C) of this section, that fact does not give rise to a
claim for damages against the state, the department, the
director of the department, or any employee of the department.

(E)(1) As used in this division, "target offender" means a parolee, a releasee, or a prisoner otherwise released from a state correctional institution with respect to whom both of the following apply:

(a) The department of rehabilitation and correction or the adult parole authority intends to require the parolee, releasee, or prisoner to reside in a halfway house, reentry center, or community residential center that has been licensed by the division of parole and community services pursuant to division (C) of section 2967.14 of the Revised Code during a part or for the entire period of the prisoner's or parolee's conditional release or of the releasee's term of post-release control.

(b) No halfway house, reentry center, or community residential center that has been licensed as described in division (E)(1) of this section will accept the prisoner, parolee, or releasee to reside in the facility.

(2) Not later than twenty-four months after the effective date of this amendment, the department, through the adult parole authority, shall establish and implement a reentry program for all target offenders. The program shall include a facility. The program and facility shall satisfy all of the standards that the division of parole and community services adopts in accordance with Chapter 119. of the Revised Code for the licensure of halfway houses, reentry centers, and community residential centers. Upon the establishment and implementation of the program and facility, the department or authority shall require that all target offenders reside in the program's facility during a part or for the entire period of the target offender's
conditional release or term of post-release control.

Sec. 5120.66. (A) Within ninety days after November 23, 2005, but not before January 1, 2006, the department of rehabilitation and correction shall establish and operate on the internet a database that contains all of the following:

(1) For each inmate in the custody of the department under a sentence imposed for a conviction of or plea of guilty to any offense, all of the following information:

(a) The inmate's name;

(b) For each offense for which the inmate was sentenced to a prison term or term of imprisonment and is in the department's custody, the name of the offense, the Revised Code section of which the offense is a violation, the gender of each victim of the offense if those facts are known, whether each victim of the offense was an adult or child if those facts are known, whether any victim of the offense was a law enforcement officer if that fact is known, the range of the possible prison terms or term of imprisonment that could have been imposed for the offense, the actual prison term or term of imprisonment imposed for the offense, the county in which the offense was committed, the date on which the inmate began serving the prison term or term of imprisonment imposed for the offense, and whichever of the following is applicable:

(i) The date on which the inmate will be eligible for parole relative to the offense if the prison term or term of imprisonment is an indefinite term or life term with parole eligibility;

(ii) The date on which the term ends if the prison term is a definite term;
(iii) The date on which the inmate will be eligible for presumptive release under section 2967.271 of the Revised Code, if the inmate is serving a non-life felony indefinite prison term.

(c) All of the following information that is applicable regarding the inmate:

(i) If known to the department prior to the conduct of any hearing for judicial release of the defendant pursuant to section 2929.20 of the Revised Code in relation to any prison term or term of imprisonment the inmate is serving for any offense or any hearing for release of the defendant pursuant to section 2967.19 of the Revised Code in relation to any such term, notice of the fact that the inmate will be having a hearing regarding a possible grant of judicial release or release, the date of the hearing, and the right of any person pursuant to division (J) of section 2929.20 or division (H) of section 2967.19 of the Revised Code, whichever is applicable, to submit to the court a written statement regarding the possible judicial release or release. The department also shall post notice of the submission to a sentencing court of any recommendation for early release of the inmate pursuant to section 2967.19 of the Revised Code, as required by division (E) of that section.

(ii) If the inmate is serving a prison term pursuant to division (A)(3), (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, prior to the conduct of any hearing pursuant to section 2971.05 of the Revised Code to determine whether to modify the requirement that the inmate serve the entire prison term in a state correctional facility in accordance with division (C) of
that section, whether to continue, revise, or revoke any existing modification of that requirement, or whether to terminate the prison term in accordance with division (D) of that section, notice of the fact that the inmate will be having a hearing regarding those determinations and the date of the hearing;

   (iii) At least sixty days before the adult parole authority recommends a pardon or commutation of sentence for the inmate, at least sixty days prior to a hearing before the adult parole authority regarding a grant of parole to the inmate in relation to any prison term or term of imprisonment the inmate is serving for any offense, or at least sixty days prior to a hearing before the department regarding a determination of whether the inmate must be released under division (C) or (D) of section 2967.271 of the Revised Code if the inmate is serving a non-life felony indefinite prison term, notice of the fact that the inmate might be under consideration for a pardon or commutation of sentence or will be having a hearing regarding a possible grant of parole or release, the date of any hearing regarding a possible grant of parole or release, and the right of any person to submit a written statement regarding the pending action;

   (iv) At least sixty days before the inmate is transferred to transitional control under section 2967.26 of the Revised Code in relation to any prison term or term of imprisonment the inmate is serving for any offense, notice of the pendency of the transfer, the date of the possible transfer, and the right of any person to submit a statement regarding the possible transfer;

   (v) Prompt notice of the inmate's escape from any facility
in which the inmate was incarcerated and of the capture of the
inmate after an escape;

(vi) Notice of the inmate's death while in confinement;

(vii) Prior to the release of the inmate from confinement,
notice of the fact that the inmate will be released, of the date
of the release, and, if applicable, of the standard terms and
conditions of the release;

(viii) Notice of the inmate's judicial release pursuant to
section 2929.20 of the Revised Code or release pursuant to
section 2967.19 of the Revised Code.

(2) Information as to where a person can send written
statements of the types referred to in divisions (A)(1)(c)(i),
(iii), and (iv) of this section.

(B)(1) The department shall update the database required
under division (A) of this section every twenty-four hours to
ensure that the information it contains is accurate and current.

(2) The database required under division (A) of this
section is a public record open for inspection under section
149.43 of the Revised Code. The department shall make the
database searchable by inmate name and by the county and zip
code where the offender intends to reside after release from a
state correctional institution if this information is known to
the department.

(3) The database required under division (A) of this
section may contain information regarding inmates who are listed
in the database in addition to the information described in that
division.

(4) No information included on the database required under
division (A) of this section shall identify or enable the identification of any victim of any offense committed by an inmate.

(C) The failure of the department to comply with the requirements of division (A) or (B) of this section does not give any rights or any grounds for appeal or post-conviction relief to any inmate.

(D) This section, and the related provisions of sections 2929.20, 2967.03, 2967.12, and 2967.26 of the Revised Code enacted in the act in which this section was enacted, shall be known as "Laura's Law."

(E) As used in this section, "non-life felony indefinite prison term" has the same meaning as in section 2929.01 of the Revised Code.

Sec. 5149.04. (A) Persons paroled, conditionally pardoned, or released to community supervision shall be under jurisdiction of the adult parole authority and shall be supervised by the field services section through its staff of parole and field officers in such manner as to insure as nearly as possible the offender's rehabilitation while at the same time providing maximum protection to the general public. All state and local officials shall furnish such information to officers of the section as they may request in the performance of their duties.

(B) The superintendent, or superintendents, of the field services section shall be a person, or persons, especially qualified by training and experience in the field of corrections. The superintendent, or superintendents, shall supervise the work of the section and shall formulate and execute an effective program of offender supervision. The
superintendent, or superintendents, shall collect and preserve
any records and statistics with respect to offenders that are
required by the chief of the authority. The section also shall
include other personnel who are necessary for the performance of
the section's duties.

No person shall be appointed as a superintendent who is
not qualified by education or experience in correctional work
including law enforcement, probation, or parole work, in law, in
social work, or in a combination of the three categories.

(C) The superintendent, or superintendents, of the field
services section, with the approval of the chief of the
authority, may establish district offices for the section and
may assign necessary parole and field officers and clerical
staff to the district offices.

(D) The field services section in the exercise of its
supervision over offenders and persons conditionally pardoned
shall carry out all lawful orders, terms, and conditions
prescribed by the authority, the chief of the division of parole
and community services, or the governor.

(E)(1) As used in division (E) of this section:

(a) "Caseload" means the maximum number of persons
paroled, conditionally pardoned, or released to community
supervision who should be under the supervision of any parole or
field officer, based on the aggregate of the workload of the
officer for each of those persons.

(b) "Parole or field officer" means a parole or field
officer of the field services section.

(c) "Workload" means the minimum number of hours that a
parole or field officer is expected to dedicate to each person.
paroled, conditionally pardoned, or released to community
supervision who is under the officer's supervision, based on the
person's risk classification.

(2) Not later than one year after the effective date of
this amendment, the adult parole authority shall establish
supervision standards for parole and field officers. The
standards shall include a specification of a caseload and a
workload for parole and field officers. The caseload and
workload specified in the standards shall comport with industry
standards set forth by the American probation and parole
association.

(3) Not later than two years after establishing the
standards required under division (E)(2) of this section, the
department of rehabilitation and correction shall ensure that
the field services section has enough parole and field officers
to comply with the standards and that the officers have been
trained to the extent required to comply with the standards.

Section 2. That existing sections 181.21, 2152.13,
2152.14, 2901.011, 2929.01, 2929.14, 2929.144, 2929.19, 2930.16,
2945.37, 2945.401, 2949.08, 2951.03, 2953.07, 2967.14, 2967.191,
2967.193, 2967.271, 5120.021, 5120.038, 5120.113, 5120.66, and
5149.04 of the Revised Code are hereby repealed.

Section 3. That section 2953.08 of the Revised Code is
hereby repealed.

Section 4. The General Assembly, applying the principle
stated in division (B) of section 1.52 of the Revised Code that
amendments are to be harmonized if reasonably capable of
simultaneous operation, finds that the following sections,
presented in this act as composites of the sections as amended
by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 2929.01 of the Revised Code as amended by H.B. 66 and H.B. 431, both of the 133rd General Assembly.

Section 2929.14 of the Revised Code as amended by both H.B. 136 and S.B. 256 of the 133rd General Assembly.

Section 2953.07 of the Revised Code as amended by both S.B. 2 and S.B. 4 of the 121st General Assembly.

Section 2967.191 of the Revised Code as amended by both S.B. 66 and S.B. 201 of the 132nd General Assembly.

Section 2967.193 of the Revised Code as amended by both S.B. 145 and S.B. 201 of the 132nd General Assembly.