

**As Reported by the Senate Judiciary Committee**

**135th General Assembly**

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**2023-2024**

**Am. H. B. No. 111**

**Representatives LaRe, Miller, K.**

**Cosponsors: Representatives Troy, Creech, Carruthers, Johnson, Schmidt, Abrams, Williams, Galonski, Abdullahi, Brennan, Brown, Cross, Dell'Aquila, Dobos, Grim, Gross, Hall, Humphrey, Jarrells, John, Jones, Kick, Mathews, Merrin, Miller, J., Miranda, Mohamed, Oelslager, Patton, Pavliga, Plummer, Ray, Richardson, Rogers, Russo, Sweeney, Thomas, C., White, Willis, Young, T.**

**Senators Dolan, Manning**

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**A BILL**

To amend sections 2903.215, 2919.25, and 2929.14 of  
the Revised Code to increase the sentencing  
range for third degree felony domestic violence  
and to create a presumption in favor of a prison  
term for the offense.

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

**Section 1.** That sections 2903.215, 2919.25, and 2929.14 of  
the Revised Code be amended to read as follows:

**Sec. 2903.215.** (A) As used in this section, "organization"  
includes an entity that is a governmental employer.

(B) A corporation, association, or other organization that  
employs two or more alleged victims of a violation of section  
2903.21, ~~2923.211~~2903.211, or 2903.22 of the Revised Code or to  
which two or more alleged victims of a violation of section  
2903.21, ~~2923.211~~2903.211, or 2903.22 of the Revised Code belong

may file a motion for a temporary protection order pursuant to 15  
section 2903.213 of the Revised Code on behalf of the 16  
corporation, association, or other organization if the violation 17  
is based on words or conduct of the offender that are directed 18  
at or identify the corporation, association, or other 19  
organization. 20

(C) A corporation, association, or other organization that 21  
employs two or more alleged victims of a violation of section 22  
~~2923.211~~2903.211 of the Revised Code or to which two or more 23  
alleged victims of a violation of section ~~2923.211~~2903.211 of 24  
the Revised Code belong may file a petition for a protection 25  
order pursuant to section 2903.214 of the Revised Code on behalf 26  
of the corporation, association, or other organization if the 27  
violation is based on words or conduct of the offender that are 28  
directed at or identify the corporation, association, or other 29  
organization. 30

(D) An attorney who is licensed to practice law in this 31  
state, on behalf of the corporation, association, or other 32  
organization, may file an affidavit to provide sufficient 33  
evidentiary support for the issuance of a temporary protection 34  
order pursuant to section 2903.213 of the Revised Code or a 35  
protection order pursuant to section 2903.214 of the Revised 36  
Code. 37

(E) Any temporary protection order issued pursuant to 38  
section 2903.213 of the Revised Code or any protection order 39  
issued pursuant to section 2903.214 of the Revised Code shall 40  
specify with particularity the location or persons to be 41  
protected by the temporary protection order or the protection 42  
order. 43

**Sec. 2919.25.** (A) No person shall knowingly cause or 44

attempt to cause physical harm to a family or household member. 45

(B) No person shall recklessly cause serious physical harm 46  
to a family or household member. 47

(C) No person, by threat of force, shall knowingly cause a 48  
family or household member to believe that the offender will 49  
cause imminent physical harm to the family or household member. 50

(D) (1) Whoever violates this section is guilty of domestic 51  
violence, and the court shall sentence the offender as provided 52  
in divisions (D) (2) to (6) of this section. 53

(2) Except as otherwise provided in divisions (D) (3) to 54  
(5) of this section, a violation of division (C) of this section 55  
is a misdemeanor of the fourth degree, and a violation of 56  
division (A) or (B) of this section is a misdemeanor of the 57  
first degree. 58

(3) Except as otherwise provided in division (D) (4) of 59  
this section, if the offender previously has pleaded guilty to 60  
or been convicted of domestic violence, a violation of an 61  
existing or former municipal ordinance or law of this or any 62  
other state or the United States that is substantially similar 63  
to domestic violence, a violation of section 2903.14, 2909.06, 64  
2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code if 65  
the victim of the violation was a family or household member at 66  
the time of the violation, a violation of an existing or former 67  
municipal ordinance or law of this or any other state or the 68  
United States that is substantially similar to any of those 69  
sections if the victim of the violation was a family or 70  
household member at the time of the commission of the violation, 71  
or any offense of violence if the victim of the offense was a 72  
family or household member at the time of the commission of the 73

offense, a violation of division (A) or (B) of this section is a 74  
felony of the fourth degree, and, if the offender knew that the 75  
victim of the violation was pregnant at the time of the 76  
violation, the court shall impose a mandatory prison term on the 77  
offender pursuant to division (D)(6) of this section, and a 78  
violation of division (C) of this section is a misdemeanor of 79  
the second degree. 80

(4) If the offender previously has pleaded guilty to or 81  
been convicted of two or more offenses of domestic violence or 82  
two or more violations or offenses of the type described in 83  
division (D)(3) of this section involving a person who was a 84  
family or household member at the time of the violations or 85  
offenses, a violation of division (A) or (B) of this section is 86  
a felony of the third degree, ~~and, if and there is a presumption~~ 87  
for a prison term for the offense, and a violation of division 88  
(C) of this section is a misdemeanor of the first degree. If the 89  
offender previously has pleaded guilty to or been convicted of 90  
two or more offenses of domestic violence or two or more 91  
violations or offenses of the type described in division (D)(3) 92  
of this section involving a person who was a family or household 93  
member at the time of the violations or offenses, and the 94  
offender knew that the victim of the violation was pregnant at 95  
the time of the violation, a violation of division (A) or (B) of 96  
this section is a felony of the third degree, and the court 97  
shall impose a mandatory prison term on the offender pursuant to 98  
division (D)(6) of this section, ~~and a violation of division (C)~~ 99  
~~of this section is a misdemeanor of the first degree.~~ 100

(5) Except as otherwise provided in division (D)(3) or (4) 101  
of this section, if the offender knew that the victim of the 102  
violation was pregnant at the time of the violation, a violation 103  
of division (A) or (B) of this section is a felony of the fifth 104

degree, and the court shall impose a mandatory prison term on 105  
the offender pursuant to division (D)(6) of this section, and a 106  
violation of division (C) of this section is a misdemeanor of 107  
the third degree. 108

(6) If division (D)(3), (4), or (5) of this section 109  
requires the court that sentences an offender for a violation of 110  
division (A) or (B) of this section to impose a mandatory prison 111  
term on the offender pursuant to this division, the court shall 112  
impose the mandatory prison term as follows: 113

(a) If the violation of division (A) or (B) of this 114  
section is a felony of the fourth or fifth degree, except as 115  
otherwise provided in division (D)(6)(b) or (c) of this section, 116  
the court shall impose a mandatory prison term on the offender 117  
of at least six months. 118

(b) If the violation of division (A) or (B) of this 119  
section is a felony of the fifth degree and the offender, in 120  
committing the violation, caused serious physical harm to the 121  
pregnant woman's unborn or caused the termination of the 122  
pregnant woman's pregnancy, the court shall impose a mandatory 123  
prison term on the offender of twelve months. 124

(c) If the violation of division (A) or (B) of this 125  
section is a felony of the fourth degree and the offender, in 126  
committing the violation, caused serious physical harm to the 127  
pregnant woman's unborn or caused the termination of the 128  
pregnant woman's pregnancy, the court shall impose a mandatory 129  
prison term on the offender of at least twelve months. 130

(d) If the violation of division (A) or (B) of this 131  
section is a felony of the third degree and the offender knew 132  
that the victim of the violation was pregnant at the time of the 133

violation, except as otherwise provided in division (D) (6) (e) of 134  
this section and notwithstanding the range of definite prison 135  
terms prescribed in division (A) (3) of section 2929.14 of the 136  
Revised Code for a felony of the third degree, the court shall 137  
impose a mandatory prison term on the offender of either a 138  
definite term of ~~six~~ twelve months or one of the prison terms 139  
prescribed in division ~~(A) (3) (b)~~ (A) (3) (a) of section 2929.14 of 140  
the Revised Code for felonies of the third degree. 141

(e) If the violation of division (A) or (B) of this 142  
section is a felony of the third degree and the offender, in 143  
committing the violation, caused serious physical harm to the 144  
pregnant woman's unborn or caused the termination of the 145  
pregnant woman's pregnancy, notwithstanding the range of 146  
definite prison terms prescribed in division (A) (3) of section 147  
2929.14 of the Revised Code for a felony of the third degree, 148  
the court shall impose a mandatory prison term on the offender 149  
of either a definite term of ~~one year~~ eighteen months or one of 150  
the prison terms prescribed in division ~~(A) (3) (b)~~ (A) (3) (a) of 151  
section 2929.14 of the Revised Code for felonies of the third 152  
degree. 153

(E) Notwithstanding any provision of law to the contrary, 154  
no court or unit of state or local government shall charge any 155  
fee, cost, deposit, or money in connection with the filing of 156  
charges against a person alleging that the person violated this 157  
section or a municipal ordinance substantially similar to this 158  
section or in connection with the prosecution of any charges so 159  
filed. 160

(F) As used in this section and sections 2919.251 and 161  
2919.26 of the Revised Code: 162

(1) "Family or household member" means any of the 163

following:	164
(a) Any of the following who is residing or has resided with the offender:	165 166
(i) A spouse, a person living as a spouse, or a former spouse of the offender;	167 168
(ii) A parent, a foster parent, or a child of the offender, or another person related by consanguinity or affinity to the offender;	169 170 171
(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender.	172 173 174 175
(b) The natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.	176 177 178
(2) "Person living as a spouse" means a person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question.	179 180 181 182 183 184
(3) "Pregnant woman's unborn" has the same meaning as "such other person's unborn," as set forth in section 2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.	185 186 187 188 189 190 191 192

(4) "Termination of the pregnant woman's pregnancy" has 193  
the same meaning as "unlawful termination of another's 194  
pregnancy," as set forth in section 2903.09 of the Revised Code, 195  
as it relates to the pregnant woman. Division (C) of that 196  
section applies regarding the use of the term in this section, 197  
except that the second and third sentences of division (C)(1) of 198  
that section shall be construed for purposes of this section as 199  
if they included a reference to this section in the listing of 200  
Revised Code sections they contain. 201

**Sec. 2929.14.** (A) Except as provided in division (B)(1), 202  
(B)(2), (B)(3), (B)(4), (B)(5), (B)(6), (B)(7), (B)(8), (B)(9), 203  
(B)(10), (B)(11), (E), (G), (H), (J), or (K) of this section or 204  
in division (D)(6) of section 2919.25 of the Revised Code and 205  
except in relation to an offense for which a sentence of death 206  
or life imprisonment is to be imposed, if the court imposing a 207  
sentence upon an offender for a felony elects or is required to 208  
impose a prison term on the offender pursuant to this chapter, 209  
the court shall impose a prison term that shall be one of the 210  
following: 211

(1)(a) For a felony of the first degree committed on or 212  
after March 22, 2019, the prison term shall be an indefinite 213  
prison term with a stated minimum term selected by the court of 214  
three, four, five, six, seven, eight, nine, ten, or eleven years 215  
and a maximum term that is determined pursuant to section 216  
2929.144 of the Revised Code, except that if the section that 217  
criminalizes the conduct constituting the felony specifies a 218  
different minimum term or penalty for the offense, the specific 219  
language of that section shall control in determining the 220  
minimum term or otherwise sentencing the offender but the 221  
minimum term or sentence imposed under that specific language 222  
shall be considered for purposes of the Revised Code as if it 223



had been imposed under this division. 224

(b) For a felony of the first degree committed prior to 225  
March 22, 2019, the prison term shall be a definite prison term 226  
of three, four, five, six, seven, eight, nine, ten, or eleven 227  
years. 228

(2) (a) For a felony of the second degree committed on or 229  
after March 22, 2019, the prison term shall be an indefinite 230  
prison term with a stated minimum term selected by the court of 231  
two, three, four, five, six, seven, or eight years and a maximum 232  
term that is determined pursuant to section 2929.144 of the 233  
Revised Code, except that if the section that criminalizes the 234  
conduct constituting the felony specifies a different minimum 235  
term or penalty for the offense, the specific language of that 236  
section shall control in determining the minimum term or 237  
otherwise sentencing the offender but the minimum term or 238  
sentence imposed under that specific language shall be 239  
considered for purposes of the Revised Code as if it had been 240  
imposed under this division. 241

(b) For a felony of the second degree committed prior to 242  
March 22, 2019, the prison term shall be a definite term of two, 243  
three, four, five, six, seven, or eight years. 244

(3) (a) For a felony of the third degree that is a 245  
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 246  
2907.05, 2907.321, 2907.322, 2907.323, 2919.25, or 3795.04 of 247  
the Revised Code, that is a violation of division (A) of section 248  
4511.19 of the Revised Code if the offender previously has been 249  
convicted of or pleaded guilty to a violation of division (A) of 250  
that section that was a felony, or that is a violation of 251  
section 2911.02 or 2911.12 of the Revised Code if the offender 252  
previously has been convicted of or pleaded guilty in two or 253

more separate proceedings to two or more violations of section 254  
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, the 255  
prison term shall be a definite term of twelve, eighteen, 256  
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 257  
four, or sixty months. 258

(b) For a felony of the third degree that is not an 259  
offense for which division (A) (3) (a) of this section applies, 260  
the prison term shall be a definite term of nine, twelve, 261  
eighteen, twenty-four, thirty, or thirty-six months. 262

(4) For a felony of the fourth degree, the prison term 263  
shall be a definite term of six, seven, eight, nine, ten, 264  
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 265  
or eighteen months. 266

(5) For a felony of the fifth degree, the prison term 267  
shall be a definite term of six, seven, eight, nine, ten, 268  
eleven, or twelve months. 269

(B) (1) (a) Except as provided in division (B) (1) (e) of this 270  
section, if an offender who is convicted of or pleads guilty to 271  
a felony also is convicted of or pleads guilty to a 272  
specification of the type described in section 2941.141, 273  
2941.144, or 2941.145 of the Revised Code, the court shall 274  
impose on the offender one of the following prison terms: 275

(i) A prison term of six years if the specification is of 276  
the type described in division (A) of section 2941.144 of the 277  
Revised Code that charges the offender with having a firearm 278  
that is an automatic firearm or that was equipped with a firearm 279  
muffler or suppressor on or about the offender's person or under 280  
the offender's control while committing the offense; 281

(ii) A prison term of three years if the specification is 282

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 313  
2941.1412 of the Revised Code; 314

(vi) A prison term of eighteen months if the specification 315  
is of the type described in division (D) of section 2941.141 of 316  
the Revised Code that charges the offender with having a firearm 317  
on or about the offender's person or under the offender's 318  
control while committing the offense and that the offender 319  
previously has been convicted of or pleaded guilty to a 320  
specification of the type described in section 2941.141, 321  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 322

(b) If a court imposes a prison term on an offender under 323  
division (B) (1) (a) of this section, the prison term shall not be 324  
reduced pursuant to section 2929.20, division (A) (2) or (3) of 325  
section 2967.193 or 2967.194, or any other provision of Chapter 326  
2967. or Chapter 5120. of the Revised Code. Except as provided 327  
in division (B) (1) (g) of this section, a court shall not impose 328  
more than one prison term on an offender under division (B) (1) 329  
(a) of this section for felonies committed as part of the same 330  
act or transaction. 331

(c) (i) Except as provided in division (B) (1) (e) of this 332  
section, if an offender who is convicted of or pleads guilty to 333  
a violation of section 2923.161 of the Revised Code or to a 334  
felony that includes, as an essential element, purposely or 335  
knowingly causing or attempting to cause the death of or 336  
physical harm to another, also is convicted of or pleads guilty 337  
to a specification of the type described in division (A) of 338  
section 2941.146 of the Revised Code that charges the offender 339  
with committing the offense by discharging a firearm from a 340  
motor vehicle other than a manufactured home, the court, after 341  
imposing a prison term on the offender for the violation of 342

section 2923.161 of the Revised Code or for the other felony 343  
offense under division (A), (B) (2), or (B) (3) of this section, 344  
shall impose an additional prison term of five years upon the 345  
offender that shall not be reduced pursuant to section 2929.20, 346  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 347  
other provision of Chapter 2967. or Chapter 5120. of the Revised 348  
Code. 349

(ii) Except as provided in division (B) (1) (e) of this 350  
section, if an offender who is convicted of or pleads guilty to 351  
a violation of section 2923.161 of the Revised Code or to a 352  
felony that includes, as an essential element, purposely or 353  
knowingly causing or attempting to cause the death of or 354  
physical harm to another, also is convicted of or pleads guilty 355  
to a specification of the type described in division (C) of 356  
section 2941.146 of the Revised Code that charges the offender 357  
with committing the offense by discharging a firearm from a 358  
motor vehicle other than a manufactured home and that the 359  
offender previously has been convicted of or pleaded guilty to a 360  
specification of the type described in section 2941.141, 361  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 362  
the court, after imposing a prison term on the offender for the 363  
violation of section 2923.161 of the Revised Code or for the 364  
other felony offense under division (A), (B) (2), or (3) of this 365  
section, shall impose an additional prison term of ninety months 366  
upon the offender that shall not be reduced pursuant to section 367  
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 368  
or any other provision of Chapter 2967. or Chapter 5120. of the 369  
Revised Code. 370

(iii) A court shall not impose more than one additional 371  
prison term on an offender under division (B) (1) (c) of this 372  
section for felonies committed as part of the same act or 373

transaction. If a court imposes an additional prison term on an 374  
offender under division (B)(1)(c) of this section relative to an 375  
offense, the court also shall impose a prison term under 376  
division (B)(1)(a) of this section relative to the same offense, 377  
provided the criteria specified in that division for imposing an 378  
additional prison term are satisfied relative to the offender 379  
and the offense. 380

(d) If an offender who is convicted of or pleads guilty to 381  
an offense of violence that is a felony also is convicted of or 382  
pleads guilty to a specification of the type described in 383  
section 2941.1411 of the Revised Code that charges the offender 384  
with wearing or carrying body armor while committing the felony 385  
offense of violence, the court shall impose on the offender an 386  
additional prison term of two years. The prison term so imposed 387  
shall not be reduced pursuant to section 2929.20, division (A) 388  
(2) or (3) of section 2967.193 or 2967.194, or any other 389  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 390  
A court shall not impose more than one prison term on an 391  
offender under division (B)(1)(d) of this section for felonies 392  
committed as part of the same act or transaction. If a court 393  
imposes an additional prison term under division (B)(1)(a) or 394  
(c) of this section, the court is not precluded from imposing an 395  
additional prison term under division (B)(1)(d) of this section. 396

(e) The court shall not impose any of the prison terms 397  
described in division (B)(1)(a) of this section or any of the 398  
additional prison terms described in division (B)(1)(c) of this 399  
section upon an offender for a violation of section 2923.12 or 400  
2923.123 of the Revised Code. The court shall not impose any of 401  
the prison terms described in division (B)(1)(a) or (b) of this 402  
section upon an offender for a violation of section 2923.122 403  
that involves a deadly weapon that is a firearm other than a 404

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, division (A)(2) or (3) of section 2967.193 or 2967.194, 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 435  
also is convicted of or pleads guilty to a specification of the 436  
type described in division (B) of section 2941.1412 of the 437  
Revised Code that charges the offender with committing the 438  
offense by discharging a firearm at a peace officer, as defined 439  
in section 2935.01 of the Revised Code, or a corrections 440  
officer, as defined in section 2941.1412 of the Revised Code, 441  
and that the offender previously has been convicted of or 442  
pleaded guilty to a specification of the type described in 443  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 444  
the Revised Code, the court, after imposing a prison term on the 445  
offender for the felony offense under division (A), (B) (2), or 446  
(3) of this section, shall impose an additional prison term of 447  
one hundred twenty-six months upon the offender that shall not 448  
be reduced pursuant to section 2929.20, division (A) (2) or (3) 449  
of section 2967.193 or 2967.194, or any other provision of 450  
Chapter 2967. or 5120. of the Revised Code. 451

(iii) If an offender is convicted of or pleads guilty to 452  
two or more felonies that include, as an essential element, 453  
causing or attempting to cause the death or physical harm to 454  
another and also is convicted of or pleads guilty to a 455  
specification of the type described under division (B) (1) (f) of 456  
this section in connection with two or more of the felonies of 457  
which the offender is convicted or to which the offender pleads 458  
guilty, the sentencing court shall impose on the offender the 459  
prison term specified under division (B) (1) (f) of this section 460  
for each of two of the specifications of which the offender is 461  
convicted or to which the offender pleads guilty and, in its 462  
discretion, also may impose on the offender the prison term 463  
specified under that division for any or all of the remaining 464  
specifications. If a court imposes an additional prison term on 465



an offender under division (B) (1) (f) of this section relative to 466  
an offense, the court shall not impose a prison term under 467  
division (B) (1) (a) or (c) of this section relative to the same 468  
offense. 469

(g) If an offender is convicted of or pleads guilty to two 470  
or more felonies, if one or more of those felonies are 471  
aggravated murder, murder, attempted aggravated murder, 472  
attempted murder, aggravated robbery, felonious assault, or 473  
rape, and if the offender is convicted of or pleads guilty to a 474  
specification of the type described under division (B) (1) (a) of 475  
this section in connection with two or more of the felonies, the 476  
sentencing court shall impose on the offender the prison term 477  
specified under division (B) (1) (a) of this section for each of 478  
the two most serious specifications of which the offender is 479  
convicted or to which the offender pleads guilty and, in its 480  
discretion, also may impose on the offender the prison term 481  
specified under that division for any or all of the remaining 482  
specifications. 483

(2) (a) If division (B) (2) (b) of this section does not 484  
apply, the court may impose on an offender, in addition to the 485  
longest prison term authorized or required for the offense or, 486  
for offenses for which division (A) (1) (a) or (2) (a) of this 487  
section applies, in addition to the longest minimum prison term 488  
authorized or required for the offense, an additional definite 489  
prison term of one, two, three, four, five, six, seven, eight, 490  
nine, or ten years if all of the following criteria are met: 491

(i) The offender is convicted of or pleads guilty to a 492  
specification of the type described in section 2941.149 of the 493  
Revised Code that the offender is a repeat violent offender. 494

(ii) The offense of which the offender currently is 495

convicted or to which the offender currently pleads guilty is 496  
aggravated murder and the court does not impose a sentence of 497  
death or life imprisonment without parole, murder, terrorism and 498  
the court does not impose a sentence of life imprisonment 499  
without parole, any felony of the first degree that is an 500  
offense of violence and the court does not impose a sentence of 501  
life imprisonment without parole, or any felony of the second 502  
degree that is an offense of violence and the trier of fact 503  
finds that the offense involved an attempt to cause or a threat 504  
to cause serious physical harm to a person or resulted in 505  
serious physical harm to a person. 506

(iii) The court imposes the longest prison term for the 507  
offense or the longest minimum prison term for the offense, 508  
whichever is applicable, that is not life imprisonment without 509  
parole. 510

(iv) The court finds that the prison terms imposed 511  
pursuant to division (B) (2) (a) (iii) of this section and, if 512  
applicable, division (B) (1) or (3) of this section are 513  
inadequate to punish the offender and protect the public from 514  
future crime, because the applicable factors under section 515  
2929.12 of the Revised Code indicating a greater likelihood of 516  
recidivism outweigh the applicable factors under that section 517  
indicating a lesser likelihood of recidivism. 518

(v) The court finds that the prison terms imposed pursuant 519  
to division (B) (2) (a) (iii) of this section and, if applicable, 520  
division (B) (1) or (3) of this section are demeaning to the 521  
seriousness of the offense, because one or more of the factors 522  
under section 2929.12 of the Revised Code indicating that the 523  
offender's conduct is more serious than conduct normally 524  
constituting the offense are present, and they outweigh the 525

applicable factors under that section indicating that the 526  
offender's conduct is less serious than conduct normally 527  
constituting the offense. 528

(b) The court shall impose on an offender the longest 529  
prison term authorized or required for the offense or, for 530  
offenses for which division (A) (1) (a) or (2) (a) of this section 531  
applies, the longest minimum prison term authorized or required 532  
for the offense, and shall impose on the offender an additional 533  
definite prison term of one, two, three, four, five, six, seven, 534  
eight, nine, or ten years if all of the following criteria are 535  
met: 536

(i) The offender is convicted of or pleads guilty to a 537  
specification of the type described in section 2941.149 of the 538  
Revised Code that the offender is a repeat violent offender. 539

(ii) The offender within the preceding twenty years has 540  
been convicted of or pleaded guilty to three or more offenses 541  
described in division (CC) (1) of section 2929.01 of the Revised 542  
Code, including all offenses described in that division of which 543  
the offender is convicted or to which the offender pleads guilty 544  
in the current prosecution and all offenses described in that 545  
division of which the offender previously has been convicted or 546  
to which the offender previously pleaded guilty, whether 547  
prosecuted together or separately. 548

(iii) The offense or offenses of which the offender 549  
currently is convicted or to which the offender currently pleads 550  
guilty is aggravated murder and the court does not impose a 551  
sentence of death or life imprisonment without parole, murder, 552  
terrorism and the court does not impose a sentence of life 553  
imprisonment without parole, any felony of the first degree that 554  
is an offense of violence and the court does not impose a 555

sentence of life imprisonment without parole, or any felony of 556  
the second degree that is an offense of violence and the trier 557  
of fact finds that the offense involved an attempt to cause or a 558  
threat to cause serious physical harm to a person or resulted in 559  
serious physical harm to a person. 560

(c) For purposes of division (B) (2) (b) of this section, 561  
two or more offenses committed at the same time or as part of 562  
the same act or event shall be considered one offense, and that 563  
one offense shall be the offense with the greatest penalty. 564

(d) A sentence imposed under division (B) (2) (a) or (b) of 565  
this section shall not be reduced pursuant to section 2929.20, 566  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 567  
other provision of Chapter 2967. or Chapter 5120. of the Revised 568  
Code. The offender shall serve an additional prison term imposed 569  
under division (B) (2) (a) or (b) of this section consecutively to 570  
and prior to the prison term imposed for the underlying offense. 571

(e) When imposing a sentence pursuant to division (B) (2) 572  
(a) or (b) of this section, the court shall state its findings 573  
explaining the imposed sentence. 574

(3) Except when an offender commits a violation of section 575  
2903.01 or 2907.02 of the Revised Code and the penalty imposed 576  
for the violation is life imprisonment or commits a violation of 577  
section 2903.02 of the Revised Code, if the offender commits a 578  
violation of section 2925.03 or 2925.11 of the Revised Code and 579  
that section classifies the offender as a major drug offender, 580  
if the offender commits a violation of section 2925.05 of the 581  
Revised Code and division (E) (1) of that section classifies the 582  
offender as a major drug offender, if the offender commits a 583  
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 584  
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 585

division (C) or (D) of section 3719.172, division (E) of section 586  
4729.51, or division (J) of section 4729.54 of the Revised Code 587  
that includes the sale, offer to sell, or possession of a 588  
schedule I or II controlled substance, with the exception of 589  
marihuana, and the court imposing sentence upon the offender 590  
finds that the offender is guilty of a specification of the type 591  
described in division (A) of section 2941.1410 of the Revised 592  
Code charging that the offender is a major drug offender, if the 593  
court imposing sentence upon an offender for a felony finds that 594  
the offender is guilty of corrupt activity with the most serious 595  
offense in the pattern of corrupt activity being a felony of the 596  
first degree, or if the offender is guilty of an attempted 597  
violation of section 2907.02 of the Revised Code and, had the 598  
offender completed the violation of section 2907.02 of the 599  
Revised Code that was attempted, the offender would have been 600  
subject to a sentence of life imprisonment or life imprisonment 601  
without parole for the violation of section 2907.02 of the 602  
Revised Code, the court shall impose upon the offender for the 603  
felony violation a mandatory prison term determined as described 604  
in this division that cannot be reduced pursuant to section 605  
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 606  
or any other provision of Chapter 2967. or 5120. of the Revised 607  
Code. The mandatory prison term shall be the maximum definite 608  
prison term prescribed in division (A) (1) (b) of this section for 609  
a felony of the first degree, except that for offenses for which 610  
division (A) (1) (a) of this section applies, the mandatory prison 611  
term shall be the longest minimum prison term prescribed in that 612  
division for the offense. 613

(4) If the offender is being sentenced for a third or 614  
fourth degree felony OVI offense under division (G) (2) of 615  
section 2929.13 of the Revised Code, the sentencing court shall 616

impose upon the offender a mandatory prison term in accordance 617  
with that division. In addition to the mandatory prison term, if 618  
the offender is being sentenced for a fourth degree felony OVI 619  
offense, the court, notwithstanding division (A)(4) of this 620  
section, may sentence the offender to a definite prison term of 621  
not less than six months and not more than thirty months, and if 622  
the offender is being sentenced for a third degree felony OVI 623  
offense, the sentencing court may sentence the offender to an 624  
additional prison term of any duration specified in division (A) 625  
(3) of this section. In either case, the additional prison term 626  
imposed shall be reduced by the sixty or one hundred twenty days 627  
imposed upon the offender as the mandatory prison term. The 628  
total of the additional prison term imposed under division (B) 629  
(4) of this section plus the sixty or one hundred twenty days 630  
imposed as the mandatory prison term shall equal a definite term 631  
in the range of six months to thirty months for a fourth degree 632  
felony OVI offense and shall equal one of the authorized prison 633  
terms specified in division (A)(3) of this section for a third 634  
degree felony OVI offense. If the court imposes an additional 635  
prison term under division (B)(4) of this section, the offender 636  
shall serve the additional prison term after the offender has 637  
served the mandatory prison term required for the offense. In 638  
addition to the mandatory prison term or mandatory and 639  
additional prison term imposed as described in division (B)(4) 640  
of this section, the court also may sentence the offender to a 641  
community control sanction under section 2929.16 or 2929.17 of 642  
the Revised Code, but the offender shall serve all of the prison 643  
terms so imposed prior to serving the community control 644  
sanction. 645

If the offender is being sentenced for a fourth degree 646  
felony OVI offense under division (G)(1) of section 2929.13 of 647

the Revised Code and the court imposes a mandatory term of local 648  
incarceration, the court may impose a prison term as described 649  
in division (A) (1) of that section. 650

(5) If an offender is convicted of or pleads guilty to a 651  
violation of division (A) (1) or (2) of section 2903.06 of the 652  
Revised Code and also is convicted of or pleads guilty to a 653  
specification of the type described in section 2941.1414 of the 654  
Revised Code that charges that the victim of the offense is a 655  
peace officer, as defined in section 2935.01 of the Revised 656  
Code, an investigator of the bureau of criminal identification 657  
and investigation, as defined in section 2903.11 of the Revised 658  
Code, or a firefighter or emergency medical worker, both as 659  
defined in section 4123.026 of the Revised Code, the court shall 660  
impose on the offender a prison term of five years. If a court 661  
imposes a prison term on an offender under division (B) (5) of 662  
this section, the prison term shall not be reduced pursuant to 663  
section 2929.20, division (A) (2) or (3) of section 2967.193 or 664  
2967.194, or any other provision of Chapter 2967. or Chapter 665  
5120. of the Revised Code. A court shall not impose more than 666  
one prison term on an offender under division (B) (5) of this 667  
section for felonies committed as part of the same act. 668

(6) If an offender is convicted of or pleads guilty to a 669  
violation of division (A) (1) or (2) of section 2903.06 of the 670  
Revised Code and also is convicted of or pleads guilty to a 671  
specification of the type described in section 2941.1415 of the 672  
Revised Code that charges that the offender previously has been 673  
convicted of or pleaded guilty to three or more violations of 674  
division (A) of section 4511.19 of the Revised Code or an 675  
equivalent offense, as defined in section 2941.1415 of the 676  
Revised Code, or three or more violations of any combination of 677  
those offenses, the court shall impose on the offender a prison 678

term of three years. If a court imposes a prison term on an 679  
offender under division (B) (6) of this section, the prison term 680  
shall not be reduced pursuant to section 2929.20, division (A) 681  
(2) or (3) of section 2967.193 or 2967.194, or any other 682  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 683  
A court shall not impose more than one prison term on an 684  
offender under division (B) (6) of this section for felonies 685  
committed as part of the same act. 686

(7) (a) If an offender is convicted of or pleads guilty to 687  
a felony violation of section 2905.01, 2905.02, 2907.21, 688  
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 689  
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 690  
section 2919.22 of the Revised Code and also is convicted of or 691  
pleads guilty to a specification of the type described in 692  
section 2941.1422 of the Revised Code that charges that the 693  
offender knowingly committed the offense in furtherance of human 694  
trafficking, the court shall impose on the offender a mandatory 695  
prison term that is one of the following: 696

(i) If the offense is a felony of the first degree, a 697  
definite prison term of not less than five years and not greater 698  
than eleven years, except that if the offense is a felony of the 699  
first degree committed on or after March 22, 2019, the court 700  
shall impose as the minimum prison term a mandatory term of not 701  
less than five years and not greater than eleven years; 702

(ii) If the offense is a felony of the second or third 703  
degree, a definite prison term of not less than three years and 704  
not greater than the maximum prison term allowed for the offense 705  
by division (A) (2) (b) or (3) of this section, except that if the 706  
offense is a felony of the second degree committed on or after 707  
March 22, 2019, the court shall impose as the minimum prison 708



term a mandatory term of not less than three years and not 709  
greater than eight years; 710

(iii) If the offense is a felony of the fourth or fifth 711  
degree, a definite prison term that is the maximum prison term 712  
allowed for the offense by division (A) of section 2929.14 of 713  
the Revised Code. 714

(b) The prison term imposed under division (B) (7) (a) of 715  
this section shall not be reduced pursuant to section 2929.20, 716  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 717  
other provision of Chapter 2967. of the Revised Code. A court 718  
shall not impose more than one prison term on an offender under 719  
division (B) (7) (a) of this section for felonies committed as 720  
part of the same act, scheme, or plan. 721

(8) If an offender is convicted of or pleads guilty to a 722  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 723  
Revised Code and also is convicted of or pleads guilty to a 724  
specification of the type described in section 2941.1423 of the 725  
Revised Code that charges that the victim of the violation was a 726  
woman whom the offender knew was pregnant at the time of the 727  
violation, notwithstanding the range prescribed in division (A) 728  
of this section as the definite prison term or minimum prison 729  
term for felonies of the same degree as the violation, the court 730  
shall impose on the offender a mandatory prison term that is 731  
either a definite prison term of six months or one of the prison 732  
terms prescribed in division (A) of this section for felonies of 733  
the same degree as the violation, except that if the violation 734  
is a felony of the first or second degree committed on or after 735  
arch 22, 2019, the court shall impose as the minimum prison term 736  
under division (A) (1) (a) or (2) (a) of this section a mandatory 737  
term that is one of the terms prescribed in that division, 738

whichever is applicable, for the offense. 739

(9) (a) If an offender is convicted of or pleads guilty to 740  
a violation of division (A) (1) or (2) of section 2903.11 of the 741  
Revised Code and also is convicted of or pleads guilty to a 742  
specification of the type described in section 2941.1425 of the 743  
Revised Code, the court shall impose on the offender a mandatory 744  
prison term of six years if either of the following applies: 745

(i) The violation is a violation of division (A) (1) of 746  
section 2903.11 of the Revised Code and the specification 747  
charges that the offender used an accelerant in committing the 748  
violation and the serious physical harm to another or to 749  
another's unborn caused by the violation resulted in a 750  
permanent, serious disfigurement or permanent, substantial 751  
incapacity; 752

(ii) The violation is a violation of division (A) (2) of 753  
section 2903.11 of the Revised Code and the specification 754  
charges that the offender used an accelerant in committing the 755  
violation, that the violation caused physical harm to another or 756  
to another's unborn, and that the physical harm resulted in a 757  
permanent, serious disfigurement or permanent, substantial 758  
incapacity. 759

(b) If a court imposes a prison term on an offender under 760  
division (B) (9) (a) of this section, the prison term shall not be 761  
reduced pursuant to section 2929.20, division (A) (2) or (3) of 762  
section 2967.193 or 2967.194, or any other provision of Chapter 763  
2967. or Chapter 5120. of the Revised Code. A court shall not 764  
impose more than one prison term on an offender under division 765  
(B) (9) of this section for felonies committed as part of the 766  
same act. 767

(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, division (A) (2) or (3) of section 2967.193 or 2967.194, 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) 799  
of section 2941.1410 of the Revised Code that charges that the 800  
offender is a major drug offender, in addition to any other 801  
penalty imposed for the violation, the court shall impose on the 802  
offender a mandatory prison term of three, four, five, six, 803  
seven, or eight years. If a court imposes a prison term on an 804  
offender under division (B)(11) of this section, the prison term 805  
shall not be reduced pursuant to section 2929.20, division (A) 806  
(2) or (3) of section 2967.193 or 2967.194, or any other 807  
provision of Chapter 2967. or 5120. of the Revised Code. A court 808  
shall not impose more than one prison term on an offender under 809  
division (B)(11) of this section for felonies committed as part 810  
of the same act. 811

(C)(1)(a) Subject to division (C)(1)(b) of this section, 812  
if a mandatory prison term is imposed upon an offender pursuant 813  
to division (B)(1)(a) of this section for having a firearm on or 814  
about the offender's person or under the offender's control 815  
while committing a felony, if a mandatory prison term is imposed 816  
upon an offender pursuant to division (B)(1)(c) of this section 817  
for committing a felony specified in that division by 818  
discharging a firearm from a motor vehicle, or if both types of 819  
mandatory prison terms are imposed, the offender shall serve any 820  
mandatory prison term imposed under either division 821  
consecutively to any other mandatory prison term imposed under 822  
either division or under division (B)(1)(d) of this section, 823  
consecutively to and prior to any prison term imposed for the 824  
underlying felony pursuant to division (A), (B)(2), or (B)(3) of 825  
this section or any other section of the Revised Code, and 826  
consecutively to any other prison term or mandatory prison term 827  
previously or subsequently imposed upon the offender. 828

(b) If a mandatory prison term is imposed upon an offender 829

pursuant to division (B)(1)(d) of this section for wearing or 830  
carrying body armor while committing an offense of violence that 831  
is a felony, the offender shall serve the mandatory term so 832  
imposed consecutively to any other mandatory prison term imposed 833  
under that division or under division (B)(1)(a) or (c) of this 834  
section, consecutively to and prior to any prison term imposed 835  
for the underlying felony under division (A), (B)(2), or (B)(3) 836  
of this section or any other section of the Revised Code, and 837  
consecutively to any other prison term or mandatory prison term 838  
previously or subsequently imposed upon the offender. 839

(c) If a mandatory prison term is imposed upon an offender 840  
pursuant to division (B)(1)(f) of this section, the offender 841  
shall serve the mandatory prison term so imposed consecutively 842  
to and prior to any prison term imposed for the underlying 843  
felony under division (A), (B)(2), or (B)(3) of this section or 844  
any other section of the Revised Code, and consecutively to any 845  
other prison term or mandatory prison term previously or 846  
subsequently imposed upon the offender. 847

(d) If a mandatory prison term is imposed upon an offender 848  
pursuant to division (B)(7) or (8) of this section, the offender 849  
shall serve the mandatory prison term so imposed consecutively 850  
to any other mandatory prison term imposed under that division 851  
or under any other provision of law and consecutively to any 852  
other prison term or mandatory prison term previously or 853  
subsequently imposed upon the offender. 854

(e) If a mandatory prison term is imposed upon an offender 855  
pursuant to division (B)(11) of this section, the offender shall 856  
serve the mandatory prison term consecutively to any other 857  
mandatory prison term imposed under that division, consecutively 858  
to and prior to any prison term imposed for the underlying 859

felony, and consecutively to any other prison term or mandatory 860  
prison term previously or subsequently imposed upon the 861  
offender. 862

(2) If an offender who is an inmate in a jail, prison, or 863  
other residential detention facility violates section 2917.02, 864  
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 865  
(2) of section 2921.34 of the Revised Code, if an offender who 866  
is under detention at a detention facility commits a felony 867  
violation of section 2923.131 of the Revised Code, or if an 868  
offender who is an inmate in a jail, prison, or other 869  
residential detention facility or is under detention at a 870  
detention facility commits another felony while the offender is 871  
an escapee in violation of division (A) (1) or (2) of section 872  
2921.34 of the Revised Code, any prison term imposed upon the 873  
offender for one of those violations shall be served by the 874  
offender consecutively to the prison term or term of 875  
imprisonment the offender was serving when the offender 876  
committed that offense and to any other prison term previously 877  
or subsequently imposed upon the offender. 878

(3) If a prison term is imposed for a violation of 879  
division (B) of section 2911.01 of the Revised Code, a violation 880  
of division (A) of section 2913.02 of the Revised Code in which 881  
the stolen property is a firearm or dangerous ordnance, or a 882  
felony violation of division (B) of section 2921.331 of the 883  
Revised Code, the offender shall serve that prison term 884  
consecutively to any other prison term or mandatory prison term 885  
previously or subsequently imposed upon the offender. 886

(4) If multiple prison terms are imposed on an offender 887  
for convictions of multiple offenses, the court may require the 888  
offender to serve the prison terms consecutively if the court 889

finds that the consecutive service is necessary to protect the 890  
public from future crime or to punish the offender and that 891  
consecutive sentences are not disproportionate to the 892  
seriousness of the offender's conduct and to the danger the 893  
offender poses to the public, and if the court also finds any of 894  
the following: 895

(a) The offender committed one or more of the multiple 896  
offenses while the offender was awaiting trial or sentencing, 897  
was under a sanction imposed pursuant to section 2929.16, 898  
2929.17, or 2929.18 of the Revised Code, or was under post- 899  
release control for a prior offense. 900

(b) At least two of the multiple offenses were committed 901  
as part of one or more courses of conduct, and the harm caused 902  
by two or more of the multiple offenses so committed was so 903  
great or unusual that no single prison term for any of the 904  
offenses committed as part of any of the courses of conduct 905  
adequately reflects the seriousness of the offender's conduct. 906

(c) The offender's history of criminal conduct 907  
demonstrates that consecutive sentences are necessary to protect 908  
the public from future crime by the offender. 909

(5) If a mandatory prison term is imposed upon an offender 910  
pursuant to division (B) (5) or (6) of this section, the offender 911  
shall serve the mandatory prison term consecutively to and prior 912  
to any prison term imposed for the underlying violation of 913  
division (A) (1) or (2) of section 2903.06 of the Revised Code 914  
pursuant to division (A) of this section or section 2929.142 of 915  
the Revised Code. If a mandatory prison term is imposed upon an 916  
offender pursuant to division (B) (5) of this section, and if a 917  
mandatory prison term also is imposed upon the offender pursuant 918  
to division (B) (6) of this section in relation to the same 919

violation, the offender shall serve the mandatory prison term 920  
imposed pursuant to division (B) (5) of this section 921  
consecutively to and prior to the mandatory prison term imposed 922  
pursuant to division (B) (6) of this section and consecutively to 923  
and prior to any prison term imposed for the underlying 924  
violation of division (A) (1) or (2) of section 2903.06 of the 925  
Revised Code pursuant to division (A) of this section or section 926  
2929.142 of the Revised Code. 927

(6) If a mandatory prison term is imposed on an offender 928  
pursuant to division (B) (9) of this section, the offender shall 929  
serve the mandatory prison term consecutively to and prior to 930  
any prison term imposed for the underlying violation of division 931  
(A) (1) or (2) of section 2903.11 of the Revised Code and 932  
consecutively to and prior to any other prison term or mandatory 933  
prison term previously or subsequently imposed on the offender. 934

(7) If a mandatory prison term is imposed on an offender 935  
pursuant to division (B) (10) of this section, the offender shall 936  
serve that mandatory prison term consecutively to and prior to 937  
any prison term imposed for the underlying felonious assault. 938  
Except as otherwise provided in division (C) of this section, 939  
any other prison term or mandatory prison term previously or 940  
subsequently imposed upon the offender may be served 941  
concurrently with, or consecutively to, the prison term imposed 942  
pursuant to division (B) (10) of this section. 943

(8) Any prison term imposed for a violation of section 944  
2903.04 of the Revised Code that is based on a violation of 945  
section 2925.03 or 2925.11 of the Revised Code or on a violation 946  
of section 2925.05 of the Revised Code that is not funding of 947  
marihuana trafficking shall run consecutively to any prison term 948  
imposed for the violation of section 2925.03 or 2925.11 of the 949



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

(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 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 980  
type described in this division on or after July 11, 2006, the 981  
failure of a court to include a post-release control requirement 982  
in the sentence pursuant to this division does not negate, 983  
limit, or otherwise affect the mandatory period of post-release 984  
control that is required for the offender under division (B) of 985  
section 2967.28 of the Revised Code. Section 2929.191 of the 986  
Revised Code applies if, prior to July 11, 2006, a court imposed 987  
a sentence including a prison term of a type described in this 988  
division and failed to include in the sentence pursuant to this 989  
division a statement regarding post-release control. 990

(2) If a court imposes a prison term for a felony of the 991  
third, fourth, or fifth degree that is not subject to division 992  
(D) (1) of this section, it shall include in the sentence a 993  
requirement that the offender be subject to a period of post- 994  
release control after the offender's release from imprisonment, 995  
in accordance with that division, if the parole board determines 996  
that a period of post-release control is necessary. Section 997  
2929.191 of the Revised Code applies if, prior to July 11, 2006, 998  
a court imposed a sentence including a prison term of a type 999  
described in this division and failed to include in the sentence 1000  
pursuant to this division a statement regarding post-release 1001  
control. 1002

(E) The court shall impose sentence upon the offender in 1003  
accordance with section 2971.03 of the Revised Code, and Chapter 1004  
2971. of the Revised Code applies regarding the prison term or 1005  
term of life imprisonment without parole imposed upon the 1006  
offender and the service of that term of imprisonment if any of 1007  
the following apply: 1008

(1) A person is convicted of or pleads guilty to a violent 1009

sex offense or a designated homicide, assault, or kidnapping 1010  
offense, and, in relation to that offense, the offender is 1011  
adjudicated a sexually violent predator. 1012

(2) A person is convicted of or pleads guilty to a 1013  
violation of division (A) (1) (b) of section 2907.02 of the 1014  
Revised Code committed on or after January 2, 2007, and either 1015  
the court does not impose a sentence of life without parole when 1016  
authorized pursuant to division (B) of section 2907.02 of the 1017  
Revised Code, or division (B) of section 2907.02 of the Revised 1018  
Code provides that the court shall not sentence the offender 1019  
pursuant to section 2971.03 of the Revised Code. 1020

(3) A person is convicted of or pleads guilty to attempted 1021  
rape committed on or after January 2, 2007, and a specification 1022  
of the type described in section 2941.1418, 2941.1419, or 1023  
2941.1420 of the Revised Code. 1024

(4) A person is convicted of or pleads guilty to a 1025  
violation of section 2905.01 of the Revised Code committed on or 1026  
after January 1, 2008, and that section requires the court to 1027  
sentence the offender pursuant to section 2971.03 of the Revised 1028  
Code. 1029

(5) A person is convicted of or pleads guilty to 1030  
aggravated murder committed on or after January 1, 2008, and 1031  
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 1032  
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1033  
(a) (iv) of section 2929.03, or division (A) or (B) of section 1034  
2929.06 of the Revised Code requires the court to sentence the 1035  
offender pursuant to division (B) (3) of section 2971.03 of the 1036  
Revised Code. 1037

(6) A person is convicted of or pleads guilty to murder 1038

committed on or after January 1, 2008, and division (B)(2) of 1039  
section 2929.02 of the Revised Code requires the court to 1040  
sentence the offender pursuant to section 2971.03 of the Revised 1041  
Code. 1042

(F) If a person who has been convicted of or pleaded 1043  
guilty to a felony is sentenced to a prison term or term of 1044  
imprisonment under this section, sections 2929.02 to 2929.06 of 1045  
the Revised Code, section 2929.142 of the Revised Code, section 1046  
2971.03 of the Revised Code, or any other provision of law, 1047  
section 5120.163 of the Revised Code applies regarding the 1048  
person while the person is confined in a state correctional 1049  
institution. 1050

(G) If an offender who is convicted of or pleads guilty to 1051  
a felony that is an offense of violence also is convicted of or 1052  
pleads guilty to a specification of the type described in 1053  
section 2941.142 of the Revised Code that charges the offender 1054  
with having committed the felony while participating in a 1055  
criminal gang, the court shall impose upon the offender an 1056  
additional prison term of one, two, or three years. 1057

(H) (1) If an offender who is convicted of or pleads guilty 1058  
to aggravated murder, murder, or a felony of the first, second, 1059  
or third degree that is an offense of violence also is convicted 1060  
of or pleads guilty to a specification of the type described in 1061  
section 2941.143 of the Revised Code that charges the offender 1062  
with having committed the offense in a school safety zone or 1063  
towards a person in a school safety zone, the court shall impose 1064  
upon the offender an additional prison term of two years. The 1065  
offender shall serve the additional two years consecutively to 1066  
and prior to the prison term imposed for the underlying offense. 1067

(2) (a) If an offender is convicted of or pleads guilty to 1068

a felony violation of section 2907.22, 2907.24, 2907.241, or 1069  
2907.25 of the Revised Code and to a specification of the type 1070  
described in section 2941.1421 of the Revised Code and if the 1071  
court imposes a prison term on the offender for the felony 1072  
violation, the court may impose upon the offender an additional 1073  
prison term as follows: 1074

(i) Subject to division (H)(2)(a)(ii) of this section, an 1075  
additional prison term of one, two, three, four, five, or six 1076  
months; 1077

(ii) If the offender previously has been convicted of or 1078  
pleaded guilty to one or more felony or misdemeanor violations 1079  
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 1080  
the Revised Code and also was convicted of or pleaded guilty to 1081  
a specification of the type described in section 2941.1421 of 1082  
the Revised Code regarding one or more of those violations, an 1083  
additional prison term of one, two, three, four, five, six, 1084  
seven, eight, nine, ten, eleven, or twelve months. 1085

(b) In lieu of imposing an additional prison term under 1086  
division (H)(2)(a) of this section, the court may directly 1087  
impose on the offender a sanction that requires the offender to 1088  
wear a real-time processing, continual tracking electronic 1089  
monitoring device during the period of time specified by the 1090  
court. The period of time specified by the court shall equal the 1091  
duration of an additional prison term that the court could have 1092  
imposed upon the offender under division (H)(2)(a) of this 1093  
section. A sanction imposed under this division shall commence 1094  
on the date specified by the court, provided that the sanction 1095  
shall not commence until after the offender has served the 1096  
prison term imposed for the felony violation of section 2907.22, 1097  
2907.24, 2907.241, or 2907.25 of the Revised Code and any 1098

residential sanction imposed for the violation under section 1099  
2929.16 of the Revised Code. A sanction imposed under this 1100  
division shall be considered to be a community control sanction 1101  
for purposes of section 2929.15 of the Revised Code, and all 1102  
provisions of the Revised Code that pertain to community control 1103  
sanctions shall apply to a sanction imposed under this division, 1104  
except to the extent that they would by their nature be clearly 1105  
inapplicable. The offender shall pay all costs associated with a 1106  
sanction imposed under this division, including the cost of the 1107  
use of the monitoring device. 1108

(I) At the time of sentencing, the court may recommend the 1109  
offender for placement in a program of shock incarceration under 1110  
section 5120.031 of the Revised Code or for placement in an 1111  
intensive program prison under section 5120.032 of the Revised 1112  
Code, disapprove placement of the offender in a program of shock 1113  
incarceration or an intensive program prison of that nature, or 1114  
make no recommendation on placement of the offender. In no case 1115  
shall the department of rehabilitation and correction place the 1116  
offender in a program or prison of that nature unless the 1117  
department determines as specified in section 5120.031 or 1118  
5120.032 of the Revised Code, whichever is applicable, that the 1119  
offender is eligible for the placement. 1120

If the court disapproves placement of the offender in a 1121  
program or prison of that nature, the department of 1122  
rehabilitation and correction shall not place the offender in 1123  
any program of shock incarceration or intensive program prison. 1124

If the court recommends placement of the offender in a 1125  
program of shock incarceration or in an intensive program 1126  
prison, and if the offender is subsequently placed in the 1127  
recommended program or prison, the department shall notify the 1128

court of the placement and shall include with the notice a brief 1129  
description of the placement. 1130

If the court recommends placement of the offender in a 1131  
program of shock incarceration or in an intensive program prison 1132  
and the department does not subsequently place the offender in 1133  
the recommended program or prison, the department shall send a 1134  
notice to the court indicating why the offender was not placed 1135  
in the recommended program or prison. 1136

If the court does not make a recommendation under this 1137  
division with respect to an offender and if the department 1138  
determines as specified in section 5120.031 or 5120.032 of the 1139  
Revised Code, whichever is applicable, that the offender is 1140  
eligible for placement in a program or prison of that nature, 1141  
the department shall screen the offender and determine if there 1142  
is an available program of shock incarceration or an intensive 1143  
program prison for which the offender is suited. If there is an 1144  
available program of shock incarceration or an intensive program 1145  
prison for which the offender is suited, the department shall 1146  
notify the court of the proposed placement of the offender as 1147  
specified in section 5120.031 or 5120.032 of the Revised Code 1148  
and shall include with the notice a brief description of the 1149  
placement. The court shall have ten days from receipt of the 1150  
notice to disapprove the placement. 1151

(J) If a person is convicted of or pleads guilty to 1152  
aggravated vehicular homicide in violation of division (A) (1) of 1153  
section 2903.06 of the Revised Code and division (B) (2) (c) of 1154  
that section applies, the person shall be sentenced pursuant to 1155  
section 2929.142 of the Revised Code. 1156

(K) (1) The court shall impose an additional mandatory 1157  
prison term of two, three, four, five, six, seven, eight, nine, 1158

ten, or eleven years on an offender who is convicted of or 1159  
pleads guilty to a violent felony offense if the offender also 1160  
is convicted of or pleads guilty to a specification of the type 1161  
described in section 2941.1424 of the Revised Code that charges 1162  
that the offender is a violent career criminal and had a firearm 1163  
on or about the offender's person or under the offender's 1164  
control while committing the presently charged violent felony 1165  
offense and displayed or brandished the firearm, indicated that 1166  
the offender possessed a firearm, or used the firearm to 1167  
facilitate the offense. The offender shall serve the prison term 1168  
imposed under this division consecutively to and prior to the 1169  
prison term imposed for the underlying offense. The prison term 1170  
shall not be reduced pursuant to section 2929.20, division (A) 1171  
(2) or (3) of section 2967.193 or 2967.194, or any other 1172  
provision of Chapter 2967. or 5120. of the Revised Code. A court 1173  
may not impose more than one sentence under division (B) (2) (a) 1174  
of this section and this division for acts committed as part of 1175  
the same act or transaction. 1176

(2) As used in division (K) (1) of this section, "violent 1177  
career criminal" and "violent felony offense" have the same 1178  
meanings as in section 2923.132 of the Revised Code. 1179

(L) If an offender receives or received a sentence of life 1180  
imprisonment without parole, a sentence of life imprisonment, a 1181  
definite sentence, or a sentence to an indefinite prison term 1182  
under this chapter for a felony offense that was committed when 1183  
the offender was under eighteen years of age, the offender's 1184  
parole eligibility shall be determined under section 2967.132 of 1185  
the Revised Code. 1186

**Section 2.** That existing sections 2903.215, 2919.25, and 1187  
2929.14 of the Revised Code are hereby repealed. 1188