

**As Passed by the House**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Am. Sub. S. B. No. 106**

**Senator Schaffer**

**Cosponsors: Senators Hackett, Antonio, Cirino, Craig, DeMora, Gavarone, Hicks-Hudson, Johnson, Kunze, Landis, O'Brien, Reineke, Reynolds, Romanchuk, Rulli, Schuring, Smith, Sykes, Wilkin, Wilson**

**Representatives Abdullahi, Abrams, Baker, Barhorst, Blackshear, Brennan, Brewer, Brown, Carruthers, Dell'Aquila, Denson, Dobos, Forhan, Ghanbari, Grim, Humphrey, Isaacsohn, Jarrells, Jones, Kick, Klopfenstein, Lampton, Liston, Mathews, Miller, K., Miranda, Mohamed, Oelslager, Patton, Pavliga, Piccolantonio, Richardson, Rogers, Russo, Schmidt, Sims, Skindell, Somani, Sweeney, Thomas, C., Upchurch, Williams, Willis**

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**A BILL**

To amend sections 2929.14, 2941.1414, 4123.026, and 4123.651 of the Revised Code regarding workers' compensation coverage for testing when certain medical professionals are exposed to chemical substances or bodily fluids in the course of employment and regarding medical release forms for workers' compensation claims.

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

**Section 1.** That sections 2929.14, 2941.1414, 4123.026, and 4123.651 of the Revised Code be amended to read as follows:

**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 13  
except in relation to an offense for which a sentence of death 14  
or life imprisonment is to be imposed, if the court imposing a 15  
sentence upon an offender for a felony elects or is required to 16  
impose a prison term on the offender pursuant to this chapter, 17  
the court shall impose a prison term that shall be one of the 18  
following: 19

(1) (a) For a felony of the first degree committed on or 20  
after March 22, 2019, the prison term shall be an indefinite 21  
prison term with a stated minimum term selected by the court of 22  
three, four, five, six, seven, eight, nine, ten, or eleven years 23  
and a maximum term that is determined pursuant to section 24  
2929.144 of the Revised Code, except that if the section that 25  
criminalizes the conduct constituting the felony specifies a 26  
different minimum term or penalty for the offense, the specific 27  
language of that section shall control in determining the 28  
minimum term or otherwise sentencing the offender but the 29  
minimum term or sentence imposed under that specific language 30  
shall be considered for purposes of the Revised Code as if it 31  
had been imposed under this division. 32

(b) For a felony of the first degree committed prior to 33  
March 22, 2019, the prison term shall be a definite prison term 34  
of three, four, five, six, seven, eight, nine, ten, or eleven 35  
years. 36

(2) (a) For a felony of the second degree committed on or 37  
after March 22, 2019, the prison term shall be an indefinite 38  
prison term with a stated minimum term selected by the court of 39  
two, three, four, five, six, seven, or eight years and a maximum 40  
term that is determined pursuant to section 2929.144 of the 41  
Revised Code, except that if the section that criminalizes the 42

conduct constituting the felony specifies a different minimum 43  
term or penalty for the offense, the specific language of that 44  
section shall control in determining the minimum term or 45  
otherwise sentencing the offender but the minimum term or 46  
sentence imposed under that specific language shall be 47  
considered for purposes of the Revised Code as if it had been 48  
imposed under this division. 49

(b) For a felony of the second degree committed prior to 50  
March 22, 2019, the prison term shall be a definite term of two, 51  
three, four, five, six, seven, or eight years. 52

(3) (a) For a felony of the third degree that is a 53  
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 54  
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 55  
Code, that is a violation of division (A) of section 4511.19 of 56  
the Revised Code if the offender previously has been convicted 57  
of or pleaded guilty to a violation of division (A) of that 58  
section that was a felony, or that is a violation of section 59  
2911.02 or 2911.12 of the Revised Code if the offender 60  
previously has been convicted of or pleaded guilty in two or 61  
more separate proceedings to two or more violations of section 62  
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, the 63  
prison term shall be a definite term of twelve, eighteen, 64  
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 65  
four, or sixty months. 66

(b) For a felony of the third degree that is not an 67  
offense for which division (A) (3) (a) of this section applies, 68  
the prison term shall be a definite term of nine, twelve, 69  
eighteen, twenty-four, thirty, or thirty-six months. 70

(4) For a felony of the fourth degree, the prison term 71  
shall be a definite term of six, seven, eight, nine, ten, 72

eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 73  
or eighteen months. 74

(5) For a felony of the fifth degree, the prison term 75  
shall be a definite term of six, seven, eight, nine, ten, 76  
eleven, or twelve months. 77

(B) (1) (a) Except as provided in division (B) (1) (e) of this 78  
section, if an offender who is convicted of or pleads guilty to 79  
a felony also is convicted of or pleads guilty to a 80  
specification of the type described in section 2941.141, 81  
2941.144, or 2941.145 of the Revised Code, the court shall 82  
impose on the offender one of the following prison terms: 83

(i) A prison term of six years if the specification is of 84  
the type described in division (A) of section 2941.144 of the 85  
Revised Code that charges the offender with having a firearm 86  
that is an automatic firearm or that was equipped with a firearm 87  
muffler or suppressor on or about the offender's person or under 88  
the offender's control while committing the offense; 89

(ii) A prison term of three years if the specification is 90  
of the type described in division (A) of section 2941.145 of the 91  
Revised Code that charges the offender with having a firearm on 92  
or about the offender's person or under the offender's control 93  
while committing the offense and displaying the firearm, 94  
brandishing the firearm, indicating that the offender possessed 95  
the firearm, or using it to facilitate the offense; 96

(iii) A prison term of one year if the specification is of 97  
the type described in division (A) of section 2941.141 of the 98  
Revised Code that charges the offender with having a firearm on 99  
or about the offender's person or under the offender's control 100  
while committing the offense; 101

(iv) A prison term of nine years if the specification is 102  
of the type described in division (D) of section 2941.144 of the 103  
Revised Code that charges the offender with having a firearm 104  
that is an automatic firearm or that was equipped with a firearm 105  
muffler or suppressor on or about the offender's person or under 106  
the offender's control while committing the offense and 107  
specifies that the offender previously has been convicted of or 108  
pleaded guilty to a specification of the type described in 109  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 110  
the Revised Code; 111

(v) A prison term of fifty-four months if the 112  
specification is of the type described in division (D) of 113  
section 2941.145 of the Revised Code that charges the offender 114  
with having a firearm on or about the offender's person or under 115  
the offender's control while committing the offense and 116  
displaying the firearm, brandishing the firearm, indicating that 117  
the offender possessed the firearm, or using the firearm to 118  
facilitate the offense and that the offender previously has been 119  
convicted of or pleaded guilty to a specification of the type 120  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 121  
2941.1412 of the Revised Code; 122

(vi) A prison term of eighteen months if the specification 123  
is of the type described in division (D) of section 2941.141 of 124  
the Revised Code that charges the offender with having a firearm 125  
on or about the offender's person or under the offender's 126  
control while committing the offense and that the offender 127  
previously has been convicted of or pleaded guilty to a 128  
specification of the type described in section 2941.141, 129  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 130

(b) If a court imposes a prison term on an offender under 131

division (B) (1) (a) of this section, the prison term shall not be 132  
reduced pursuant to section 2929.20, division (A) (2) or (3) of 133  
section 2967.193 or 2967.194, or any other provision of Chapter 134  
2967. or Chapter 5120. of the Revised Code. Except as provided 135  
in division (B) (1) (g) of this section, a court shall not impose 136  
more than one prison term on an offender under division (B) (1) 137  
(a) of this section for felonies committed as part of the same 138  
act or transaction. 139

(c) (i) Except as provided in division (B) (1) (e) of this 140  
section, if an offender who is convicted of or pleads guilty to 141  
a violation of section 2923.161 of the Revised Code or to a 142  
felony that includes, as an essential element, purposely or 143  
knowingly causing or attempting to cause the death of or 144  
physical harm to another, also is convicted of or pleads guilty 145  
to a specification of the type described in division (A) of 146  
section 2941.146 of the Revised Code that charges the offender 147  
with committing the offense by discharging a firearm from a 148  
motor vehicle other than a manufactured home, the court, after 149  
imposing a prison term on the offender for the violation of 150  
section 2923.161 of the Revised Code or for the other felony 151  
offense under division (A), (B) (2), or (B) (3) of this section, 152  
shall impose an additional prison term of five years upon the 153  
offender that shall not be reduced pursuant to section 2929.20, 154  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 155  
other provision of Chapter 2967. or Chapter 5120. of the Revised 156  
Code. 157

(ii) Except as provided in division (B) (1) (e) of this 158  
section, if an offender who is convicted of or pleads guilty to 159  
a violation of section 2923.161 of the Revised Code or to a 160  
felony that includes, as an essential element, purposely or 161  
knowingly causing or attempting to cause the death of or 162

physical harm to another, also is convicted of or pleads guilty 163  
to a specification of the type described in division (C) of 164  
section 2941.146 of the Revised Code that charges the offender 165  
with committing the offense by discharging a firearm from a 166  
motor vehicle other than a manufactured home and that the 167  
offender previously has been convicted of or pleaded guilty to a 168  
specification of the type described in section 2941.141, 169  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 170  
the court, after imposing a prison term on the offender for the 171  
violation of section 2923.161 of the Revised Code or for the 172  
other felony offense under division (A), (B) (2), or (3) of this 173  
section, shall impose an additional prison term of ninety months 174  
upon the offender that shall not be reduced pursuant to section 175  
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 176  
or any other provision of Chapter 2967. or Chapter 5120. of the 177  
Revised Code. 178

(iii) A court shall not impose more than one additional 179  
prison term on an offender under division (B) (1) (c) of this 180  
section for felonies committed as part of the same act or 181  
transaction. If a court imposes an additional prison term on an 182  
offender under division (B) (1) (c) of this section relative to an 183  
offense, the court also shall impose a prison term under 184  
division (B) (1) (a) of this section relative to the same offense, 185  
provided the criteria specified in that division for imposing an 186  
additional prison term are satisfied relative to the offender 187  
and the offense. 188

(d) If an offender who is convicted of or pleads guilty to 189  
an offense of violence that is a felony also is convicted of or 190  
pleads guilty to a specification of the type described in 191  
section 2941.1411 of the Revised Code that charges the offender 192  
with wearing or carrying body armor while committing the felony 193

offense of violence, the court shall impose on the offender an 194  
additional prison term of two years. The prison term so imposed 195  
shall not be reduced pursuant to section 2929.20, division (A) 196  
(2) or (3) of section 2967.193 or 2967.194, or any other 197  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 198  
A court shall not impose more than one prison term on an 199  
offender under division (B)(1)(d) of this section for felonies 200  
committed as part of the same act or transaction. If a court 201  
imposes an additional prison term under division (B)(1)(a) or 202  
(c) of this section, the court is not precluded from imposing an 203  
additional prison term under division (B)(1)(d) of this section. 204

(e) The court shall not impose any of the prison terms 205  
described in division (B)(1)(a) of this section or any of the 206  
additional prison terms described in division (B)(1)(c) of this 207  
section upon an offender for a violation of section 2923.12 or 208  
2923.123 of the Revised Code. The court shall not impose any of 209  
the prison terms described in division (B)(1)(a) or (b) of this 210  
section upon an offender for a violation of section 2923.122 211  
that involves a deadly weapon that is a firearm other than a 212  
dangerous ordnance, section 2923.16, or section 2923.121 of the 213  
Revised Code. The court shall not impose any of the prison terms 214  
described in division (B)(1)(a) of this section or any of the 215  
additional prison terms described in division (B)(1)(c) of this 216  
section upon an offender for a violation of section 2923.13 of 217  
the Revised Code unless all of the following apply: 218

(i) The offender previously has been convicted of 219  
aggravated murder, murder, or any felony of the first or second 220  
degree. 221

(ii) Less than five years have passed since the offender 222  
was released from prison or post-release control, whichever is 223



later, for the prior offense. 224

(f) (i) If an offender is convicted of or pleads guilty to 225  
a felony that includes, as an essential element, causing or 226  
attempting to cause the death of or physical harm to another and 227  
also is convicted of or pleads guilty to a specification of the 228  
type described in division (A) of section 2941.1412 of the 229  
Revised Code that charges the offender with committing the 230  
offense by discharging a firearm at a peace officer as defined 231  
in section 2935.01 of the Revised Code or a corrections officer, 232  
as defined in section 2941.1412 of the Revised Code, the court, 233  
after imposing a prison term on the offender for the felony 234  
offense under division (A), (B) (2), or (B) (3) of this section, 235  
shall impose an additional prison term of seven years upon the 236  
offender that shall not be reduced pursuant to section 2929.20, 237  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 238  
other provision of Chapter 2967. or Chapter 5120. of the Revised 239  
Code. 240

(ii) If an offender is convicted of or pleads guilty to a 241  
felony that includes, as an essential element, causing or 242  
attempting to cause the death of or physical harm to another and 243  
also is convicted of or pleads guilty to a specification of the 244  
type described in division (B) of section 2941.1412 of the 245  
Revised Code that charges the offender with committing the 246  
offense by discharging a firearm at a peace officer, as defined 247  
in section 2935.01 of the Revised Code, or a corrections 248  
officer, as defined in section 2941.1412 of the Revised Code, 249  
and that the offender previously has been convicted of or 250  
pleaded guilty to a specification of the type described in 251  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 252  
the Revised Code, the court, after imposing a prison term on the 253  
offender for the felony offense under division (A), (B) (2), or 254

(3) of this section, shall impose an additional prison term of 255  
one hundred twenty-six months upon the offender that shall not 256  
be reduced pursuant to section 2929.20, division (A)(2) or (3) 257  
of section 2967.193 or 2967.194, or any other provision of 258  
Chapter 2967. or 5120. of the Revised Code. 259

(iii) If an offender is convicted of or pleads guilty to 260  
two or more felonies that include, as an essential element, 261  
causing or attempting to cause the death or physical harm to 262  
another and also is convicted of or pleads guilty to a 263  
specification of the type described under division (B)(1)(f) of 264  
this section in connection with two or more of the felonies of 265  
which the offender is convicted or to which the offender pleads 266  
guilty, the sentencing court shall impose on the offender the 267  
prison term specified under division (B)(1)(f) of this section 268  
for each of two of the specifications of which the offender is 269  
convicted or to which the offender pleads guilty and, in its 270  
discretion, also may impose on the offender the prison term 271  
specified under that division for any or all of the remaining 272  
specifications. If a court imposes an additional prison term on 273  
an offender under division (B)(1)(f) of this section relative to 274  
an offense, the court shall not impose a prison term under 275  
division (B)(1)(a) or (c) of this section relative to the same 276  
offense. 277

(g) If an offender is convicted of or pleads guilty to two 278  
or more felonies, if one or more of those felonies are 279  
aggravated murder, murder, attempted aggravated murder, 280  
attempted murder, aggravated robbery, felonious assault, or 281  
rape, and if the offender is convicted of or pleads guilty to a 282  
specification of the type described under division (B)(1)(a) of 283  
this section in connection with two or more of the felonies, the 284  
sentencing court shall impose on the offender the prison term 285

specified under division (B) (1) (a) of this section for each of 286  
the two most serious specifications of which the offender is 287  
convicted or to which the offender pleads guilty and, in its 288  
discretion, also may impose on the offender the prison term 289  
specified under that division for any or all of the remaining 290  
specifications. 291

(2) (a) If division (B) (2) (b) of this section does not 292  
apply, the court may impose on an offender, in addition to the 293  
longest prison term authorized or required for the offense or, 294  
for offenses for which division (A) (1) (a) or (2) (a) of this 295  
section applies, in addition to the longest minimum prison term 296  
authorized or required for the offense, an additional definite 297  
prison term of one, two, three, four, five, six, seven, eight, 298  
nine, or ten years if all of the following criteria are met: 299

(i) The offender is convicted of or pleads guilty to a 300  
specification of the type described in section 2941.149 of the 301  
Revised Code that the offender is a repeat violent offender. 302

(ii) The offense of which the offender currently is 303  
convicted or to which the offender currently pleads guilty is 304  
aggravated murder and the court does not impose a sentence of 305  
death or life imprisonment without parole, murder, terrorism and 306  
the court does not impose a sentence of life imprisonment 307  
without parole, any felony of the first degree that is an 308  
offense of violence and the court does not impose a sentence of 309  
life imprisonment without parole, or any felony of the second 310  
degree that is an offense of violence and the trier of fact 311  
finds that the offense involved an attempt to cause or a threat 312  
to cause serious physical harm to a person or resulted in 313  
serious physical harm to a person. 314

(iii) The court imposes the longest prison term for the 315

offense or the longest minimum prison term for the offense, 316  
whichever is applicable, that is not life imprisonment without 317  
parole. 318

(iv) The court finds that the prison terms imposed 319  
pursuant to division (B)(2)(a)(iii) of this section and, if 320  
applicable, division (B)(1) or (3) of this section are 321  
inadequate to punish the offender and protect the public from 322  
future crime, because the applicable factors under section 323  
2929.12 of the Revised Code indicating a greater likelihood of 324  
recidivism outweigh the applicable factors under that section 325  
indicating a lesser likelihood of recidivism. 326

(v) The court finds that the prison terms imposed pursuant 327  
to division (B)(2)(a)(iii) of this section and, if applicable, 328  
division (B)(1) or (3) of this section are demeaning to the 329  
seriousness of the offense, because one or more of the factors 330  
under section 2929.12 of the Revised Code indicating that the 331  
offender's conduct is more serious than conduct normally 332  
constituting the offense are present, and they outweigh the 333  
applicable factors under that section indicating that the 334  
offender's conduct is less serious than conduct normally 335  
constituting the offense. 336

(b) The court shall impose on an offender the longest 337  
prison term authorized or required for the offense or, for 338  
offenses for which division (A)(1)(a) or (2)(a) of this section 339  
applies, the longest minimum prison term authorized or required 340  
for the offense, and shall impose on the offender an additional 341  
definite prison term of one, two, three, four, five, six, seven, 342  
eight, nine, or ten years if all of the following criteria are 343  
met: 344

(i) The offender is convicted of or pleads guilty to a 345

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, 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. 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 cannot 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 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 438  
imposed as the mandatory prison term shall equal a definite term 439  
in the range of six months to thirty months for a fourth degree 440  
felony OVI offense and shall equal one of the authorized prison 441  
terms specified in division (A) (3) of this section for a third 442  
degree felony OVI offense. If the court imposes an additional 443  
prison term under division (B) (4) of this section, the offender 444  
shall serve the additional prison term after the offender has 445  
served the mandatory prison term required for the offense. In 446  
addition to the mandatory prison term or mandatory and 447  
additional prison term imposed as described in division (B) (4) 448  
of this section, the court also may sentence the offender to a 449  
community control sanction under section 2929.16 or 2929.17 of 450  
the Revised Code, but the offender shall serve all of the prison 451  
terms so imposed prior to serving the community control 452  
sanction. 453

If the offender is being sentenced for a fourth degree 454  
felony OVI offense under division (G) (1) of section 2929.13 of 455  
the Revised Code and the court imposes a mandatory term of local 456  
incarceration, the court may impose a prison term as described 457  
in division (A) (1) of that section. 458

(5) If an offender is convicted of or pleads guilty to a 459  
violation of division (A) (1) or (2) of section 2903.06 of the 460  
Revised Code and also is convicted of or pleads guilty to a 461  
specification of the type described in section 2941.1414 of the 462  
Revised Code that charges that the victim of the offense is a 463  
peace officer, as defined in section 2935.01 of the Revised 464  
Code, an investigator of the bureau of criminal identification 465  
and investigation, as defined in section 2903.11 of the Revised 466  
Code, or a firefighter or emergency medical worker, both as 467  
defined in section ~~4123.026~~ 2941.1414 of the Revised Code, the 468



court shall impose on the offender a prison term of five years. 469  
If a court imposes a prison term on an offender under division 470  
(B) (5) of this section, the prison term shall not be reduced 471  
pursuant to section 2929.20, division (A) (2) or (3) of section 472  
2967.193 or 2967.194, or any other provision of Chapter 2967. or 473  
Chapter 5120. of the Revised Code. A court shall not impose more 474  
than one prison term on an offender under division (B) (5) of 475  
this section for felonies committed as part of the same act. 476

(6) If an offender is convicted of or pleads guilty to a 477  
violation of division (A) (1) or (2) of section 2903.06 of the 478  
Revised Code and also is convicted of or pleads guilty to a 479  
specification of the type described in section 2941.1415 of the 480  
Revised Code that charges that the offender previously has been 481  
convicted of or pleaded guilty to three or more violations of 482  
division (A) of section 4511.19 of the Revised Code or an 483  
equivalent offense, as defined in section 2941.1415 of the 484  
Revised Code, or three or more violations of any combination of 485  
those offenses, the court shall impose on the offender a prison 486  
term of three years. If a court imposes a prison term on an 487  
offender under division (B) (6) of this section, the prison term 488  
shall not be reduced pursuant to section 2929.20, division (A) 489  
(2) or (3) of section 2967.193 or 2967.194, or any other 490  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 491  
A court shall not impose more than one prison term on an 492  
offender under division (B) (6) of this section for felonies 493  
committed as part of the same act. 494

(7) (a) If an offender is convicted of or pleads guilty to 495  
a felony violation of section 2905.01, 2905.02, 2907.21, 496  
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 497  
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 498  
section 2919.22 of the Revised Code and also is convicted of or 499

pleads guilty to a specification of the type described in 500  
section 2941.1422 of the Revised Code that charges that the 501  
offender knowingly committed the offense in furtherance of human 502  
trafficking, the court shall impose on the offender a mandatory 503  
prison term that is one of the following: 504

(i) If the offense is a felony of the first degree, a 505  
definite prison term of not less than five years and not greater 506  
than eleven years, except that if the offense is a felony of the 507  
first degree committed on or after March 22, 2019, the court 508  
shall impose as the minimum prison term a mandatory term of not 509  
less than five years and not greater than eleven years; 510

(ii) If the offense is a felony of the second or third 511  
degree, a definite prison term of not less than three years and 512  
not greater than the maximum prison term allowed for the offense 513  
by division (A) (2) (b) or (3) of this section, except that if the 514  
offense is a felony of the second degree committed on or after 515  
March 22, 2019, the court shall impose as the minimum prison 516  
term a mandatory term of not less than three years and not 517  
greater than eight years; 518

(iii) If the offense is a felony of the fourth or fifth 519  
degree, a definite prison term that is the maximum prison term 520  
allowed for the offense by division (A) of section 2929.14 of 521  
the Revised Code. 522

(b) The prison term imposed under division (B) (7) (a) of 523  
this section shall not be reduced pursuant to section 2929.20, 524  
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 525  
other provision of Chapter 2967. of the Revised Code. A court 526  
shall not impose more than one prison term on an offender under 527  
division (B) (7) (a) of this section for felonies committed as 528  
part of the same act, scheme, or plan. 529

(8) If an offender is convicted of or pleads guilty to a 530  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 531  
Revised Code and also is convicted of or pleads guilty to a 532  
specification of the type described in section 2941.1423 of the 533  
Revised Code that charges that the victim of the violation was a 534  
woman whom the offender knew was pregnant at the time of the 535  
violation, notwithstanding the range prescribed in division (A) 536  
of this section as the definite prison term or minimum prison 537  
term for felonies of the same degree as the violation, the court 538  
shall impose on the offender a mandatory prison term that is 539  
either a definite prison term of six months or one of the prison 540  
terms prescribed in division (A) of this section for felonies of 541  
the same degree as the violation, except that if the violation 542  
is a felony of the first or second degree committed on or after 543  
arch 22, 2019, the court shall impose as the minimum prison term 544  
under division (A) (1) (a) or (2) (a) of this section a mandatory 545  
term that is one of the terms prescribed in that division, 546  
whichever is applicable, for the offense. 547

(9) (a) If an offender is convicted of or pleads guilty to 548  
a violation of division (A) (1) or (2) of section 2903.11 of the 549  
Revised Code and also is convicted of or pleads guilty to a 550  
specification of the type described in section 2941.1425 of the 551  
Revised Code, the court shall impose on the offender a mandatory 552  
prison term of six years if either of the following applies: 553

(i) The violation is a violation of division (A) (1) of 554  
section 2903.11 of the Revised Code and the specification 555  
charges that the offender used an accelerant in committing the 556  
violation and the serious physical harm to another or to 557  
another's unborn caused by the violation resulted in a 558  
permanent, serious disfigurement or permanent, substantial 559  
incapacity; 560

(ii) The violation is a violation of division (A) (2) of 561  
section 2903.11 of the Revised Code and the specification 562  
charges that the offender used an accelerant in committing the 563  
violation, that the violation caused physical harm to another or 564  
to another's unborn, and that the physical harm resulted in a 565  
permanent, serious disfigurement or permanent, substantial 566  
incapacity. 567

(b) If a court imposes a prison term on an offender under 568  
division (B) (9) (a) of this section, the prison term shall not be 569  
reduced pursuant to section 2929.20, division (A) (2) or (3) of 570  
section 2967.193 or 2967.194, or any other provision of Chapter 571  
2967. or Chapter 5120. of the Revised Code. A court shall not 572  
impose more than one prison term on an offender under division 573  
(B) (9) of this section for felonies committed as part of the 574  
same act. 575

(c) The provisions of divisions (B) (9) and (C) (6) of this 576  
section and of division (D) (2) of section 2903.11, division (F) 577  
(20) of section 2929.13, and section 2941.1425 of the Revised 578  
Code shall be known as "Judy's Law." 579

(10) If an offender is convicted of or pleads guilty to a 580  
violation of division (A) of section 2903.11 of the Revised Code 581  
and also is convicted of or pleads guilty to a specification of 582  
the type described in section 2941.1426 of the Revised Code that 583  
charges that the victim of the offense suffered permanent 584  
disabling harm as a result of the offense and that the victim 585  
was under ten years of age at the time of the offense, 586  
regardless of whether the offender knew the age of the victim, 587  
the court shall impose upon the offender an additional definite 588  
prison term of six years. A prison term imposed on an offender 589  
under division (B) (10) of this section shall not be reduced 590

pursuant to section 2929.20, division (A) (2) or (3) of section 591  
2967.193 or 2967.194, or any other provision of Chapter 2967. or 592  
Chapter 5120. of the Revised Code. If a court imposes an 593  
additional prison term on an offender under this division 594  
relative to a violation of division (A) of section 2903.11 of 595  
the Revised Code, the court shall not impose any other 596  
additional prison term on the offender relative to the same 597  
offense. 598

(11) If an offender is convicted of or pleads guilty to a 599  
felony violation of section 2925.03 or 2925.05 of the Revised 600  
Code or a felony violation of section 2925.11 of the Revised 601  
Code for which division (C) (11) of that section applies in 602  
determining the sentence for the violation, if the drug involved 603  
in the violation is a fentanyl-related compound or a compound, 604  
mixture, preparation, or substance containing a fentanyl-related 605  
compound, and if the offender also is convicted of or pleads 606  
guilty to a specification of the type described in division (B) 607  
of section 2941.1410 of the Revised Code that charges that the 608  
offender is a major drug offender, in addition to any other 609  
penalty imposed for the violation, the court shall impose on the 610  
offender a mandatory prison term of three, four, five, six, 611  
seven, or eight years. If a court imposes a prison term on an 612  
offender under division (B) (11) of this section, the prison term 613  
shall not be reduced pursuant to section 2929.20, division (A) 614  
(2) or (3) of section 2967.193 or 2967.194, or any other 615  
provision of Chapter 2967. or 5120. of the Revised Code. A court 616  
shall not impose more than one prison term on an offender under 617  
division (B) (11) of this section for felonies committed as part 618  
of the same act. 619

(C) (1) (a) Subject to division (C) (1) (b) of this section, 620  
if a mandatory prison term is imposed upon an offender pursuant 621

to division (B) (1) (a) of this section for having a firearm on or 622  
about the offender's person or under the offender's control 623  
while committing a felony, if a mandatory prison term is imposed 624  
upon an offender pursuant to division (B) (1) (c) of this section 625  
for committing a felony specified in that division by 626  
discharging a firearm from a motor vehicle, or if both types of 627  
mandatory prison terms are imposed, the offender shall serve any 628  
mandatory prison term imposed under either division 629  
consecutively to any other mandatory prison term imposed under 630  
either division or under division (B) (1) (d) of this section, 631  
consecutively to and prior to any prison term imposed for the 632  
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 633  
this section or any other section of the Revised Code, and 634  
consecutively to any other prison term or mandatory prison term 635  
previously or subsequently imposed upon the offender. 636

(b) If a mandatory prison term is imposed upon an offender 637  
pursuant to division (B) (1) (d) of this section for wearing or 638  
carrying body armor while committing an offense of violence that 639  
is a felony, the offender shall serve the mandatory term so 640  
imposed consecutively to any other mandatory prison term imposed 641  
under that division or under division (B) (1) (a) or (c) of this 642  
section, consecutively to and prior to any prison term imposed 643  
for the underlying felony under division (A), (B) (2), or (B) (3) 644  
of this section or any other section of the Revised Code, and 645  
consecutively to any other prison term or mandatory prison term 646  
previously or subsequently imposed upon the offender. 647

(c) If a mandatory prison term is imposed upon an offender 648  
pursuant to division (B) (1) (f) of this section, the offender 649  
shall serve the mandatory prison term so imposed consecutively 650  
to and prior to any prison term imposed for the underlying 651  
felony under division (A), (B) (2), or (B) (3) of this section or 652

any other section of the Revised Code, and consecutively to any 653  
other prison term or mandatory prison term previously or 654  
subsequently imposed upon the offender. 655

(d) If a mandatory prison term is imposed upon an offender 656  
pursuant to division (B) (7) or (8) of this section, the offender 657  
shall serve the mandatory prison term so imposed consecutively 658  
to any other mandatory prison term imposed under that division 659  
or under any other provision of law and consecutively to any 660  
other prison term or mandatory prison term previously or 661  
subsequently imposed upon the offender. 662

(e) If a mandatory prison term is imposed upon an offender 663  
pursuant to division (B) (11) of this section, the offender shall 664  
serve the mandatory prison term consecutively to any other 665  
mandatory prison term imposed under that division, consecutively 666  
to and prior to any prison term imposed for the underlying 667  
felony, and consecutively to any other prison term or mandatory 668  
prison term previously or subsequently imposed upon the 669  
offender. 670

(2) If an offender who is an inmate in a jail, prison, or 671  
other residential detention facility violates section 2917.02, 672  
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 673  
(2) of section 2921.34 of the Revised Code, if an offender who 674  
is under detention at a detention facility commits a felony 675  
violation of section 2923.131 of the Revised Code, or if an 676  
offender who is an inmate in a jail, prison, or other 677  
residential detention facility or is under detention at a 678  
detention facility commits another felony while the offender is 679  
an escapee in violation of division (A) (1) or (2) of section 680  
2921.34 of the Revised Code, any prison term imposed upon the 681  
offender for one of those violations shall be served by the 682

offender consecutively to the prison term or term of 683  
imprisonment the offender was serving when the offender 684  
committed that offense and to any other prison term previously 685  
or subsequently imposed upon the offender. 686

(3) If a prison term is imposed for a violation of 687  
division (B) of section 2911.01 of the Revised Code, a violation 688  
of division (A) of section 2913.02 of the Revised Code in which 689  
the stolen property is a firearm or dangerous ordnance, or a 690  
felony violation of division (B) of section 2921.331 of the 691  
Revised Code, the offender shall serve that prison term 692  
consecutively to any other prison term or mandatory prison term 693  
previously or subsequently imposed upon the offender. 694

(4) If multiple prison terms are imposed on an offender 695  
for convictions of multiple offenses, the court may require the 696  
offender to serve the prison terms consecutively if the court 697  
finds that the consecutive service is necessary to protect the 698  
public from future crime or to punish the offender and that 699  
consecutive sentences are not disproportionate to the 700  
seriousness of the offender's conduct and to the danger the 701  
offender poses to the public, and if the court also finds any of 702  
the following: 703

(a) The offender committed one or more of the multiple 704  
offenses while the offender was awaiting trial or sentencing, 705  
was under a sanction imposed pursuant to section 2929.16, 706  
2929.17, or 2929.18 of the Revised Code, or was under post- 707  
release control for a prior offense. 708

(b) At least two of the multiple offenses were committed 709  
as part of one or more courses of conduct, and the harm caused 710  
by two or more of the multiple offenses so committed was so 711  
great or unusual that no single prison term for any of the 712



offenses committed as part of any of the courses of conduct 713  
adequately reflects the seriousness of the offender's conduct. 714

(c) The offender's history of criminal conduct 715  
demonstrates that consecutive sentences are necessary to protect 716  
the public from future crime by the offender. 717

(5) If a mandatory prison term is imposed upon an offender 718  
pursuant to division (B) (5) or (6) of this section, the offender 719  
shall serve the mandatory prison term consecutively to and prior 720  
to any prison term imposed for the underlying violation of 721  
division (A) (1) or (2) of section 2903.06 of the Revised Code 722  
pursuant to division (A) of this section or section 2929.142 of 723  
the Revised Code. If a mandatory prison term is imposed upon an 724  
offender pursuant to division (B) (5) of this section, and if a 725  
mandatory prison term also is imposed upon the offender pursuant 726  
to division (B) (6) of this section in relation to the same 727  
violation, the offender shall serve the mandatory prison term 728  
imposed pursuant to division (B) (5) of this section 729  
consecutively to and prior to the mandatory prison term imposed 730  
pursuant to division (B) (6) of this section and consecutively to 731  
and prior to any prison term imposed for the underlying 732  
violation of division (A) (1) or (2) of section 2903.06 of the 733  
Revised Code pursuant to division (A) of this section or section 734  
2929.142 of the Revised Code. 735

(6) If a mandatory prison term is imposed on an offender 736  
pursuant to division (B) (9) of this section, the offender shall 737  
serve the mandatory prison term consecutively to and prior to 738  
any prison term imposed for the underlying violation of division 739  
(A) (1) or (2) of section 2903.11 of the Revised Code and 740  
consecutively to and prior to any other prison term or mandatory 741  
prison term previously or subsequently imposed on the offender. 742

(7) If a mandatory prison term is imposed on an offender 743  
pursuant to division (B)(10) of this section, the offender shall 744  
serve that mandatory prison term consecutively to and prior to 745  
any prison term imposed for the underlying felonious assault. 746  
Except as otherwise provided in division (C) of this section, 747  
any other prison term or mandatory prison term previously or 748  
subsequently imposed upon the offender may be served 749  
concurrently with, or consecutively to, the prison term imposed 750  
pursuant to division (B)(10) of this section. 751

(8) Any prison term imposed for a violation of section 752  
2903.04 of the Revised Code that is based on a violation of 753  
section 2925.03 or 2925.11 of the Revised Code or on a violation 754  
of section 2925.05 of the Revised Code that is not funding of 755  
marihuana trafficking shall run consecutively to any prison term 756  
imposed for the violation of section 2925.03 or 2925.11 of the 757  
Revised Code or for the violation of section 2925.05 of the 758  
Revised Code that is not funding of marihuana trafficking. 759

(9) When consecutive prison terms are imposed pursuant to 760  
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 761  
division (H)(1) or (2) of this section, subject to division (C) 762  
(10) of this section, the term to be served is the aggregate of 763  
all of the terms so imposed. 764

(10) When a court sentences an offender to a non-life 765  
felony indefinite prison term, any definite prison term or 766  
mandatory definite prison term previously or subsequently 767  
imposed on the offender in addition to that indefinite sentence 768  
that is required to be served consecutively to that indefinite 769  
sentence shall be served prior to the indefinite sentence. 770

(11) If a court is sentencing an offender for a felony of 771  
the first or second degree, if division (A)(1)(a) or (2)(a) of 772

this section applies with respect to the sentencing for the 773  
offense, and if the court is required under the Revised Code 774  
section that sets forth the offense or any other Revised Code 775  
provision to impose a mandatory prison term for the offense, the 776  
court shall impose the required mandatory prison term as the 777  
minimum term imposed under division (A)(1)(a) or (2)(a) of this 778  
section, whichever is applicable. 779

(D)(1) If a court imposes a prison term, other than a term 780  
of life imprisonment, for a felony of the first degree, for a 781  
felony of the second degree, for a felony sex offense, or for a 782  
felony of the third degree that is an offense of violence and 783  
that is not a felony sex offense, it shall include in the 784  
sentence a requirement that the offender be subject to a period 785  
of post-release control after the offender's release from 786  
imprisonment, in accordance with section 2967.28 of the Revised 787  
Code. If a court imposes a sentence including a prison term of a 788  
type described in this division on or after July 11, 2006, the 789  
failure of a court to include a post-release control requirement 790  
in the sentence pursuant to this division does not negate, 791  
limit, or otherwise affect the mandatory period of post-release 792  
control that is required for the offender under division (B) of 793  
section 2967.28 of the Revised Code. Section 2929.191 of the 794  
Revised Code applies if, prior to July 11, 2006, a court imposed 795  
a sentence including a prison term of a type described in this 796  
division and failed to include in the sentence pursuant to this 797  
division a statement regarding post-release control. 798

(2) If a court imposes a prison term for a felony of the 799  
third, fourth, or fifth degree that is not subject to division 800  
(D)(1) of this section, it shall include in the sentence a 801  
requirement that the offender be subject to a period of post- 802  
release control after the offender's release from imprisonment, 803

in accordance with that division, if the parole board determines 804  
that a period of post-release control is necessary. Section 805  
2929.191 of the Revised Code applies if, prior to July 11, 2006, 806  
a court imposed a sentence including a prison term of a type 807  
described in this division and failed to include in the sentence 808  
pursuant to this division a statement regarding post-release 809  
control. 810

(E) The court shall impose sentence upon the offender in 811  
accordance with section 2971.03 of the Revised Code, and Chapter 812  
2971. of the Revised Code applies regarding the prison term or 813  
term of life imprisonment without parole imposed upon the 814  
offender and the service of that term of imprisonment if any of 815  
the following apply: 816

(1) A person is convicted of or pleads guilty to a violent 817  
sex offense or a designated homicide, assault, or kidnapping 818  
offense, and, in relation to that offense, the offender is 819  
adjudicated a sexually violent predator. 820

(2) A person is convicted of or pleads guilty to a 821  
violation of division (A) (1) (b) of section 2907.02 of the 822  
Revised Code committed on or after January 2, 2007, and either 823  
the court does not impose a sentence of life without parole when 824  
authorized pursuant to division (B) of section 2907.02 of the 825  
Revised Code, or division (B) of section 2907.02 of the Revised 826  
Code provides that the court shall not sentence the offender 827  
pursuant to section 2971.03 of the Revised Code. 828

(3) A person is convicted of or pleads guilty to attempted 829  
rape committed on or after January 2, 2007, and a specification 830  
of the type described in section 2941.1418, 2941.1419, or 831  
2941.1420 of the Revised Code. 832

(4) A person is convicted of or pleads guilty to a 833  
violation of section 2905.01 of the Revised Code committed on or 834  
after January 1, 2008, and that section requires the court to 835  
sentence the offender pursuant to section 2971.03 of the Revised 836  
Code. 837

(5) A person is convicted of or pleads guilty to 838  
aggravated murder committed on or after January 1, 2008, and 839  
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 840  
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 841  
(a) (iv) of section 2929.03, or division (A) or (B) of section 842  
2929.06 of the Revised Code requires the court to sentence the 843  
offender pursuant to division (B) (3) of section 2971.03 of the 844  
Revised Code. 845

(6) A person is convicted of or pleads guilty to murder 846  
committed on or after January 1, 2008, and division (B) (2) of 847  
section 2929.02 of the Revised Code requires the court to 848  
sentence the offender pursuant to section 2971.03 of the Revised 849  
Code. 850

(F) If a person who has been convicted of or pleaded 851  
guilty to a felony is sentenced to a prison term or term of 852  
imprisonment under this section, sections 2929.02 to 2929.06 of 853  
the Revised Code, section 2929.142 of the Revised Code, section 854  
2971.03 of the Revised Code, or any other provision of law, 855  
section 5120.163 of the Revised Code applies regarding the 856  
person while the person is confined in a state correctional 857  
institution. 858

(G) If an offender who is convicted of or pleads guilty to 859  
a felony that is an offense of violence also is convicted of or 860  
pleads guilty to a specification of the type described in 861  
section 2941.142 of the Revised Code that charges the offender 862

with having committed the felony while participating in a 863  
criminal gang, the court shall impose upon the offender an 864  
additional prison term of one, two, or three years. 865

(H) (1) If an offender who is convicted of or pleads guilty 866  
to aggravated murder, murder, or a felony of the first, second, 867  
or third degree that is an offense of violence also is convicted 868  
of or pleads guilty to a specification of the type described in 869  
section 2941.143 of the Revised Code that charges the offender 870  
with having committed the offense in a school safety zone or 871  
towards a person in a school safety zone, the court shall impose 872  
upon the offender an additional prison term of two years. The 873  
offender shall serve the additional two years consecutively to 874  
and prior to the prison term imposed for the underlying offense. 875

(2) (a) If an offender is convicted of or pleads guilty to 876  
a felony violation of section 2907.22, 2907.24, 2907.241, or 877  
2907.25 of the Revised Code and to a specification of the type 878  
described in section 2941.1421 of the Revised Code and if the 879  
court imposes a prison term on the offender for the felony 880  
violation, the court may impose upon the offender an additional 881  
prison term as follows: 882

(i) Subject to division (H) (2) (a) (ii) of this section, an 883  
additional prison term of one, two, three, four, five, or six 884  
months; 885

(ii) If the offender previously has been convicted of or 886  
pleaded guilty to one or more felony or misdemeanor violations 887  
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 888  
the Revised Code and also was convicted of or pleaded guilty to 889  
a specification of the type described in section 2941.1421 of 890  
the Revised Code regarding one or more of those violations, an 891  
additional prison term of one, two, three, four, five, six, 892

seven, eight, nine, ten, eleven, or twelve months. 893

(b) In lieu of imposing an additional prison term under 894  
division (H)(2)(a) of this section, the court may directly 895  
impose on the offender a sanction that requires the offender to 896  
wear a real-time processing, continual tracking electronic 897  
monitoring device during the period of time specified by the 898  
court. The period of time specified by the court shall equal the 899  
duration of an additional prison term that the court could have 900  
imposed upon the offender under division (H)(2)(a) of this 901  
section. A sanction imposed under this division shall commence 902  
on the date specified by the court, provided that the sanction 903  
shall not commence until after the offender has served the 904  
prison term imposed for the felony violation of section 2907.22, 905  
2907.24, 2907.241, or 2907.25 of the Revised Code and any 906  
residential sanction imposed for the violation under section 907  
2929.16 of the Revised Code. A sanction imposed under this 908  
division shall be considered to be a community control sanction 909  
for purposes of section 2929.15 of the Revised Code, and all 910  
provisions of the Revised Code that pertain to community control 911  
sanctions shall apply to a sanction imposed under this division, 912  
except to the extent that they would by their nature be clearly 913  
inapplicable. The offender shall pay all costs associated with a 914  
sanction imposed under this division, including the cost of the 915  
use of the monitoring device. 916

(I) At the time of sentencing, the court may recommend the 917  
offender for placement in a program of shock incarceration under 918  
section 5120.031 of the Revised Code or for placement in an 919  
intensive program prison under section 5120.032 of the Revised 920  
Code, disapprove placement of the offender in a program of shock 921  
incarceration or an intensive program prison of that nature, or 922  
make no recommendation on placement of the offender. In no case 923

shall the department of rehabilitation and correction place the 924  
offender in a program or prison of that nature unless the 925  
department determines as specified in section 5120.031 or 926  
5120.032 of the Revised Code, whichever is applicable, that the 927  
offender is eligible for the placement. 928

If the court disapproves placement of the offender in a 929  
program or prison of that nature, the department of 930  
rehabilitation and correction shall not place the offender in 931  
any program of shock incarceration or intensive program prison. 932

If the court recommends placement of the offender in a 933  
program of shock incarceration or in an intensive program 934  
prison, and if the offender is subsequently placed in the 935  
recommended program or prison, the department shall notify the 936  
court of the placement and shall include with the notice a brief 937  
description of the placement. 938

If the court recommends placement of the offender in a 939  
program of shock incarceration or in an intensive program prison 940  
and the department does not subsequently place the offender in 941  
the recommended program or prison, the department shall send a 942  
notice to the court indicating why the offender was not placed 943  
in the recommended program or prison. 944

If the court does not make a recommendation under this 945  
division with respect to an offender and if the department 946  
determines as specified in section 5120.031 or 5120.032 of the 947  
Revised Code, whichever is applicable, that the offender is 948  
eligible for placement in a program or prison of that nature, 949  
the department shall screen the offender and determine if there 950  
is an available program of shock incarceration or an intensive 951  
program prison for which the offender is suited. If there is an 952  
available program of shock incarceration or an intensive program 953



prison for which the offender is suited, the department shall 954  
notify the court of the proposed placement of the offender as 955  
specified in section 5120.031 or 5120.032 of the Revised Code 956  
and shall include with the notice a brief description of the 957  
placement. The court shall have ten days from receipt of the 958  
notice to disapprove the placement. 959

(J) If a person is convicted of or pleads guilty to 960  
aggravated vehicular homicide in violation of division (A) (1) of 961  
section 2903.06 of the Revised Code and division (B) (2) (c) of 962  
that section applies, the person shall be sentenced pursuant to 963  
section 2929.142 of the Revised Code. 964

(K) (1) The court shall impose an additional mandatory 965  
prison term of two, three, four, five, six, seven, eight, nine, 966  
ten, or eleven years on an offender who is convicted of or 967  
pleads guilty to a violent felony offense if the offender also 968  
is convicted of or pleads guilty to a specification of the type 969  
described in section 2941.1424 of the Revised Code that charges 970  
that the offender is a violent career criminal and had a firearm 971  
on or about the offender's person or under the offender's 972  
control while committing the presently charged violent felony 973  
offense and displayed or brandished the firearm, indicated that 974  
the offender possessed a firearm, or used the firearm to 975  
facilitate the offense. The offender shall serve the prison term 976  
imposed under this division consecutively to and prior to the 977  
prison term imposed for the underlying offense. The prison term 978  
shall not be reduced pursuant to section 2929.20, division (A) 979  
(2) or (3) of section 2967.193 or 2967.194, or any other 980  
provision of Chapter 2967. or 5120. of the Revised Code. A court 981  
may not impose more than one sentence under division (B) (2) (a) 982  
of this section and this division for acts committed as part of 983  
the same act or transaction. 984

(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. 2941.1414.** (A) Imposition of a five-year mandatory  
prison term upon an offender under division (B) (5) of section  
2929.14 of the Revised Code is precluded unless the offender is  
convicted of or pleads guilty to violating division (A) (1) or  
(2) of section 2903.06 of the Revised Code and unless the  
indictment, count in the indictment, or information charging the  
offense specifies that the victim of the offense is a peace  
officer, an investigator of the bureau of criminal  
identification and investigation, a firefighter, or an emergency  
medical worker. The specification shall be stated at the end of  
the body of the indictment, count, or information and shall be  
stated in substantially the following form:

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The  
Grand Jurors (or insert the person's or the prosecuting  
attorney's name when appropriate) further find and specify that  
(set forth that the victim of the offense is a peace officer, an  
investigator of the bureau of criminal identification and  
investigation, a firefighter, or an emergency medical worker)."

(B) The specification described in division (A) of this  
section may be used in a delinquent child proceeding in the

manner and for the purpose described in section 2152.17 of the Revised Code. 1015  
1016

(C) As used in this section: 1017

(1) "Peace officer" has the same meaning as in section 1018  
2935.01 of the Revised Code. 1019

(2) "Investigator of the bureau of criminal identification and investigation" has the same meaning as in section 2903.11 of the Revised Code. 1020  
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(3) "Firefighter" ~~and "emergency means a firefighter,~~ 1023  
whether paid or volunteer, of a lawfully constituted fire 1024  
department. 1025

(4) ~~"Emergency medical worker" have the same meanings as in section 4123.026 of the Revised Code~~ 1026  
means a first responder, 1027  
emergency medical technician-basic, emergency medical 1028  
technician-intermediate, or emergency medical technician- 1029  
paramedic, certified under Chapter 4765. of the Revised Code, 1030  
whether paid or volunteer. 1031

**Sec. 4123.026.** (A) The administrator of workers' 1032  
compensation, a self-insuring public employer for the peace 1033  
officers, firefighters, and emergency medical workers employed 1034  
by or volunteering for that self-insuring public employer, or a 1035  
detention facility that is a self-insuring employer for the 1036  
facility's employees, including corrections officers, shall pay 1037  
the costs of conducting post-exposure medical diagnostic 1038  
services, consistent with the standards of medical care existing 1039  
at the time of the exposure, to investigate whether an injury or 1040  
occupational disease was sustained by a peace officer, 1041  
firefighter, emergency medical worker, or detention facility 1042  
employee, including a corrections officer, when coming into 1043

contact with the blood or other body fluid of another person in 1044  
the course of and arising out of the peace officer's, 1045  
firefighter's, emergency medical worker's, or detention facility 1046  
employee's employment, or when responding to an inherently 1047  
dangerous situation in the manner described in, and in 1048  
accordance with the conditions specified under, division (A)(1) 1049  
(a) of section 4123.01 of the Revised Code, through any of the 1050  
following means: 1051

(1) Splash or spatter in the eye or mouth, including when 1052  
received in the course of conducting mouth-to-mouth 1053  
resuscitation; 1054

(2) A puncture in the skin; 1055

(3) A cut in the skin or another opening in the skin such 1056  
as an open sore, wound, lesion, abrasion, or ulcer. 1057

(B) The administrator, a self-insuring public employer, or 1058  
a detention facility that is a self-insuring employer shall pay 1059  
the costs of conducting post-exposure medical diagnostic 1060  
services to investigate whether an employee described in 1061  
division (A) of this section sustained an injury or occupational 1062  
disease if both of the following apply: 1063

(1) In the course of employment the employee is exposed to 1064  
a drug or other chemical substance. 1065

(2) The post-exposure medical diagnostic service is 1066  
consistent with the standards of medical care existing at the 1067  
time of exposure. 1068

(C) As used in this section: 1069

(1) "Peace officer" has the same meaning as in section 1070  
2935.01 of the Revised Code. 1071

(2) "Firefighter" means a firefighter, whether paid or volunteer, of a lawfully constituted fire department. 1072  
1073

(3) "Emergency medical worker" means ~~a~~either of the following: 1074  
1075

(a) A first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic, certified under Chapter 4765. of the Revised Code, whether paid or volunteer; 1076  
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(b) Any of the following when staffing a rotorcraft or fixed wing air ambulance on behalf of a licensed air medical service organization in accordance with section 4766.17 of the Revised Code, including transporting a patient from an incident scene or medical facility into the air ambulance, or when transporting a patient from an air ambulance to the entrance of a hospital: 1080  
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(i) A physician who holds a current, valid license issued under Chapter 4731. of the Revised Code; 1087  
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(ii) A registered nurse who holds a current, valid license issued under Chapter 4723. of the Revised Code; 1089  
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(iii) Any other person holding a current, valid certificate or license to practice a health care profession in this state. 1091  
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(4) "Corrections officer" means a person employed by a detention facility as a corrections officer. 1094  
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(5) "Detention facility" means any public or private place used for the confinement of a person charged with or convicted of any crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child 1096  
1097  
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or unruly child in this state or another state or under the laws 1100  
of the United States. 1101

**Sec. 4123.651.** (A) The employer of a claimant who is 1102  
injured or disabled in the course of ~~his~~ the claimant's 1103  
employment may require, without the approval of the 1104  
administrator or the industrial commission, that the claimant be 1105  
examined by a physician of the employer's choice one time upon 1106  
any issue asserted by the employee or a physician of the 1107  
employee's choice or which is to be considered by the 1108  
commission. Any further requests for medical examinations shall 1109  
be made to the commission which shall consider and rule on the 1110  
request. The employer shall pay the cost of any examinations 1111  
initiated by the employer. 1112

(B) The bureau of workers' compensation shall prepare or 1113  
adopt a form for the release of medical information, records, 1114  
and reports relative to the issues necessary for the 1115  
administration of a claim under this chapter. The claimant 1116  
promptly shall provide a current signed ~~release form, or an~~ 1117  
equivalent form such as the standard form under section 3798.10 1118  
of the Revised Code, for the release of the information, 1119  
records, and reports when requested by the employer. The 1120  
employer promptly shall provide copies of all medical 1121  
information, records, and reports to the bureau and to the 1122  
claimant or ~~his~~ the claimant's representative upon request. 1123

Medical information, records, and reports shall be related 1124  
causally or historically to physical, psychological, or 1125  
psychiatric injuries relevant to the claimant's workers' 1126  
compensation claim. 1127

(C) If, without good cause, an employee refuses to submit 1128  
to any examination scheduled under this section or refuses to 1129

release or execute a release for any medical information, 1130  
record, or report that is required to be released under this 1131  
section and involves an issue pertinent to the condition alleged 1132  
in the claim, ~~his~~ the employee's right to have ~~his~~ the 1133  
employee's claim for compensation or benefits considered, if ~~his~~ 1134  
the employee's claim is pending before the administrator, 1135  
commission, or a district or staff hearing officer, or to 1136  
receive any payment for compensation or benefits previously 1137  
granted, is suspended during the period of refusal. 1138

(D) No bureau or commission employee shall alter any 1139  
medical report obtained from a health care provider the bureau 1140  
or commission has selected or cause or request the health care 1141  
provider to alter or change a report. The bureau and commission 1142  
shall make any request for clarification of a health care 1143  
provider's report in writing and shall provide a copy of the 1144  
request to the affected parties and their representatives at the 1145  
time of making the request. 1146

**Section 2.** That existing sections 2929.14, 2941.1414, 1147  
4123.026, and 4123.651 of the Revised Code are hereby repealed. 1148

**Section 3.** The amendment by this act to section 4123.026 1149  
of the Revised Code applies to claims arising on or after the 1150  
effective date of this section. 1151