

As Reported by the House Insurance Committee

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

A BILL

To amend sections 2929.14, 2941.1414, 4123.026, and 1
4123.651 of the Revised Code regarding workers' 2
compensation coverage for testing when certain 3
medical professionals are exposed to chemical 4
substances or bodily fluids in the course of 5
employment and regarding medical release forms 6
for workers' compensation claims. 7

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

Section 1. That sections 2929.14, 2941.1414, 4123.026, and 8
4123.651 of the Revised Code be amended to read as follows: 9

Sec. 2929.14. (A) Except as provided in division (B) (1), 10
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 11
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 12
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 346
Revised Code that the offender is a repeat violent offender. 347

(ii) The offender within the preceding twenty years has 348

been convicted of or pleaded guilty to three or more offenses 349
described in division (CC) (1) of section 2929.01 of the Revised 350
Code, including all offenses described in that division of which 351
the offender is convicted or to which the offender pleads guilty 352
in the current prosecution and all offenses described in that 353
division of which the offender previously has been convicted or 354
to which the offender previously pleaded guilty, whether 355
prosecuted together or separately. 356

(iii) The offense or offenses of which the offender 357
currently is convicted or to which the offender currently pleads 358
guilty is aggravated murder and the court does not impose a 359
sentence of death or life imprisonment without parole, murder, 360
terrorism and the court does not impose a sentence of life 361
imprisonment without parole, any felony of the first degree that 362
is an offense of violence and the court does not impose a 363
sentence of life imprisonment without parole, or any felony of 364
the second degree that is an offense of violence and the trier 365
of fact finds that the offense involved an attempt to cause or a 366
threat to cause serious physical harm to a person or resulted in 367
serious physical harm to a person. 368

(c) For purposes of division (B) (2) (b) of this section, 369
two or more offenses committed at the same time or as part of 370
the same act or event shall be considered one offense, and that 371
one offense shall be the offense with the greatest penalty. 372

(d) A sentence imposed under division (B) (2) (a) or (b) of 373
this section shall not be reduced pursuant to section 2929.20, 374
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 375
other provision of Chapter 2967. or Chapter 5120. of the Revised 376
Code. The offender shall serve an additional prison term imposed 377
under division (B) (2) (a) or (b) of this section consecutively to 378

and prior to the prison term imposed for the underlying offense. 379

(e) When imposing a sentence pursuant to division (B) (2) 380
(a) or (b) of this section, the court shall state its findings 381
explaining the imposed sentence. 382

(3) Except when an offender commits a violation of section 383
2903.01 or 2907.02 of the Revised Code and the penalty imposed 384
for the violation is life imprisonment or commits a violation of 385
section 2903.02 of the Revised Code, if the offender commits a 386
violation of section 2925.03 or 2925.11 of the Revised Code and 387
that section classifies the offender as a major drug offender, 388
if the offender commits a violation of section 2925.05 of the 389
Revised Code and division (E) (1) of that section classifies the 390
offender as a major drug offender, if the offender commits a 391
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 392
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 393
division (C) or (D) of section 3719.172, division (E) of section 394
4729.51, or division (J) of section 4729.54 of the Revised Code 395
that includes the sale, offer to sell, or possession of a 396
schedule I or II controlled substance, with the exception of 397
marihuana, and the court imposing sentence upon the offender 398
finds that the offender is guilty of a specification of the type 399
described in division (A) of section 2941.1410 of the Revised 400
Code charging that the offender is a major drug offender, if the 401
court imposing sentence upon an offender for a felony finds that 402
the offender is guilty of corrupt activity with the most serious 403
offense in the pattern of corrupt activity being a felony of the 404
first degree, or if the offender is guilty of an attempted 405
violation of section 2907.02 of the Revised Code and, had the 406
offender completed the violation of section 2907.02 of the 407
Revised Code that was attempted, the offender would have been 408
subject to a sentence of life imprisonment or life imprisonment 409

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 imposed as the mandatory prison term shall equal a definite term in the range of six months to thirty months for a fourth degree

felony OVI offense and shall equal one of the authorized prison 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
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(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
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(3) "Emergency medical worker" means ~~a~~either of the following: 1074
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(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
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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