

**As Reported by the House Homeland Security Committee**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. S. B. No. 37**

**Senators Blessing, Ingram**

**Cosponsors: Senators Antonio, Cirino, Craig, DeMora, Hicks-Hudson, Manning,  
Reineke, Reynolds, Smith, Sykes, Wilkin**

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**A BILL**

To amend sections 109.804, 124.11, 124.30, 2925.02, 1  
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2  
2925.11, 2925.12, 2925.13, 2925.14, 2925.22, 3  
2925.23, 2925.31, 2925.32, 2925.36, 2925.37, 4  
2935.26, 2935.27, 2937.40, 3123.54, 3123.56, 5  
3123.58, 3321.13, 3321.191, 4501.06, 4503.038, 6  
4503.10, 4503.102, 4503.12, 4503.19, 4503.20, 7  
4503.39, 4507.212, 4509.101, 4509.45, 4509.66, 8  
4509.67, 4509.69, 4509.77, 4510.101, 4510.111, 9  
4510.16, 4510.17, 4511.62, 4511.63, 4511.64, and 10  
5502.68; to enact sections 109.791, 341.261, 11  
737.061, 753.321, 2929.33, 4503.261, 4503.262, 12  
4765.163, and 5120.631; and to repeal sections 13  
2937.221 and 4510.32 of the Revised Code to make 14  
changes to the laws governing public safety and 15  
transportation. 16

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

**Section 1.** That sections 109.804, 124.11, 124.30, 2925.02, 17  
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 18

2925.13, 2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, 19  
2925.37, 2935.26, 2935.27, 2937.40, 3123.54, 3123.56, 3123.58, 20  
3321.13, 3321.191, 4501.06, 4503.038, 4503.10, 4503.102, 21  
4503.12, 4503.19, 4503.20, 4503.39, 4507.212, 4509.101, 4509.45, 22  
4509.66, 4509.67, 4509.69, 4509.77, 4510.101, 4510.111, 4510.16, 23  
4510.17, 4511.62, 4511.63, 4511.64, and 5502.68 be amended and 24  
sections 109.791, 341.261, 737.061, 753.321, 2929.33, 4503.261, 25  
4503.262, 4765.163, and 5120.631 of the Revised Code be enacted 26  
to read as follows: 27

Sec. 109.791. The Ohio peace officer training commission 28  
may establish and conduct police officer training courses in 29  
addition to those specified in section 109.79 of the Revised 30  
Code to be offered to a law enforcement officer at or above the 31  
rank of sergeant. 32

**Sec. 109.804.** (A) (1) The Ohio peace officer training 33  
commission shall develop and ~~conduct~~ provide a chief of police 34  
training course lasting forty hours for newly appointed chiefs 35  
of police appointed on or after January 1, 2018. The commission 36  
shall determine the course topics, which shall include diversity 37  
training with an emphasis on historical perspectives and 38  
community-police relations, and shall establish criteria for 39  
what constitutes successful completion of the course. The 40  
commission shall conduct the course at ~~the Ohio peace officer~~ 41  
~~training academy~~ locations determined by the commission and in a 42  
manner prescribed by the commission. The commission shall offer 43  
the course at least semiannually. 44

(2) The executive director of the commission shall issue a 45  
certificate of completion of a training program required under 46  
this section in accordance with Chapter 4796. of the Revised 47  
Code to a newly appointed chief of police if either of the 48

following applies: 49

(a) The person holds a certificate of completion of such a 50  
program in another state. 51

(b) The person has satisfactory work experience, a 52  
government certification, or a private certification as 53  
described in that chapter as a chief of police in a state that 54  
does not require completion of such a training program. 55

(B) A newly appointed chief of police may request an 56  
equivalency exemption from ~~a portion eight hours~~ of the forty 57  
hours of the chief of police training course, on topics approved 58  
by the executive director, by submitting to the Ohio peace 59  
officer training commission, ~~not more than ten calendar days~~ 60  
~~following the person's appointment as a chief of police,~~ 61  
evidence of training or qualification in the subject area of the 62  
exempted ~~portion~~topics. 63

A request for equivalency exemption by the newly appointed 64  
chief of police shall be provided to the commission not later 65  
than fourteen calendar days before the beginning of the course. 66

(C) Upon presentation of evidence by a newly appointed 67  
chief of police that because of a medical disability or other 68  
good cause the newly appointed chief of police is unable to 69  
complete the chief of police training course, the Ohio peace 70  
officer training commission may defer the requirement for the 71  
newly appointed chief of police to complete the chief of police 72  
training course until the disability or cause terminates. 73

(D) A newly appointed chief of police appointed on or 74  
after January 1, 2018, shall attend a chief of police training 75  
course conducted by the Ohio peace officer training commission 76  
pursuant to division (A) of this section not later than six 77

months after the person's appointment as a chief of police. 78  
While attending the chief of police training course, a newly 79  
appointed chief of police shall receive compensation in the same 80  
manner and amounts as if carrying out the powers and duties of 81  
the office of chief of police. The costs of conducting the chief 82  
of police training course shall be paid from state funds 83  
appropriated to the attorney general. The cost of meals, 84  
lodging, and travel of a newly appointed chief of police 85  
attending the chief of police training course shall be paid from 86  
the budget of the entity for which the newly appointed chief of 87  
police was appointed. 88

(E) As used in this section: 89

"Newly appointed chief of police" means a person appointed 90  
chief of police under section 505.49, 737.05, or 737.15 of the 91  
Revised Code or any administrative official that is responsible 92  
for the daily administration and supervision of peace officers 93  
in a law enforcement agency who ~~did not hold the office~~ has 94  
never held the full-time position of chief of police ~~on the date~~ 95  
before the person was appointed chief of police. 96

"Law enforcement agency" means a municipal or township 97  
police department, or any other entity authorized by statute to 98  
appoint peace officers to enforce criminal laws and who have the 99  
statutory power of arrest. "Law enforcement agency" does not 100  
include a county sheriff's office, the state highway patrol, or 101  
the bureau of criminal identification and investigation. 102

**Sec. 124.11.** The civil service of the state and the 103  
several counties, cities, civil service townships, city health 104  
districts, general health districts, and city school districts 105  
of the state shall be divided into the unclassified service and 106  
the classified service. 107

(A) The unclassified service shall comprise the following 108  
positions, which shall not be included in the classified 109  
service, and which shall be exempt from all examinations 110  
required by this chapter: 111

(1) All officers elected by popular vote or persons 112  
appointed to fill vacancies in those offices; 113

(2) All election officers as defined in section 3501.01 of 114  
the Revised Code; 115

(3) (a) The members of all boards and commissions, and 116  
heads of principal departments, boards, and commissions 117  
appointed by the governor or by and with the governor's consent; 118

(b) The heads of all departments appointed by a board of 119  
county commissioners; 120

(c) The members of all boards and commissions and all 121  
heads of departments appointed by the mayor, or, if there is no 122  
mayor, such other similar chief appointing authority of any city 123  
or city school district; 124

Except as otherwise provided in division (A) (17) or (C) of 125  
this section, this chapter does not exempt the chiefs of police 126  
departments and chiefs of fire departments of cities or civil 127  
service townships from the competitive classified service. 128

(4) The members of county or district licensing boards or 129  
commissions and boards of revision, and not more than five 130  
deputy county auditors; 131

(5) All officers and employees elected or appointed by 132  
either or both branches of the general assembly, and employees 133  
of the city legislative authority engaged in legislative duties; 134

(6) All commissioned, warrant, and noncommissioned 135

officers and enlisted persons in the Ohio organized militia, 136  
including military appointees in the adjutant general's 137  
department; 138

(7) (a) All presidents, business managers, administrative 139  
officers, superintendents, assistant superintendents, 140  
principals, deans, assistant deans, instructors, teachers, and 141  
such employees as are engaged in educational or research duties 142  
connected with the public school system, colleges, and 143  
universities, as determined by the governing body of the public 144  
school system, colleges, and universities; 145

(b) The library staff of any library in the state 146  
supported wholly or in part at public expense. 147

(8) Four clerical and administrative support employees for 148  
each of the elective state officers, four clerical and 149  
administrative support employees for each board of county 150  
commissioners and one such employee for each county 151  
commissioner, and four clerical and administrative support 152  
employees for other elective officers and each of the principal 153  
appointive executive officers, boards, or commissions, except 154  
for civil service commissions, that are authorized to appoint 155  
such clerical and administrative support employees; 156

(9) The deputies and assistants of state agencies 157  
authorized to act for and on behalf of the agency, or holding a 158  
fiduciary or administrative relation to that agency and those 159  
persons employed by and directly responsible to elected county 160  
officials or a county administrator and holding a fiduciary or 161  
administrative relationship to such elected county officials or 162  
county administrator, and the employees of such county officials 163  
whose fitness would be impracticable to determine by competitive 164  
examination, provided that division (A) (9) of this section shall 165

not affect those persons in county employment in the classified 166  
service as of September 19, 1961. Nothing in division (A) (9) of 167  
this section applies to any position in a county department of 168  
job and family services created pursuant to Chapter 329. of the 169  
Revised Code. 170

(10) Bailiffs, constables, official stenographers, and 171  
commissioners of courts of record, deputies of clerks of the 172  
courts of common pleas who supervise or who handle public moneys 173  
or secured documents, and such officers and employees of courts 174  
of record and such deputies of clerks of the courts of common 175  
pleas as the appointing authority finds it impracticable to 176  
determine their fitness by competitive examination; 177

(11) Assistants to the attorney general, special counsel 178  
appointed or employed by the attorney general, assistants to 179  
county prosecuting attorneys, and assistants to city directors 180  
of law; 181

(12) Such teachers and employees in the agricultural 182  
experiment stations; such students in normal schools, colleges, 183  
and universities of the state who are employed by the state or a 184  
political subdivision of the state in student or intern 185  
classifications; and such unskilled labor positions as the 186  
director of administrative services, with respect to positions 187  
in the service of the state, or any municipal civil service 188  
commission may find it impracticable to include in the 189  
competitive classified service; provided such exemptions shall 190  
be by order of the commission or the director, duly entered on 191  
the record of the commission or the director with the reasons 192  
for each such exemption; 193

(13) Any physician or dentist who is a full-time employee 194  
of the department of mental health and addiction services, the 195

department of developmental disabilities, or an institution 196  
under the jurisdiction of either department; and physicians who 197  
are in residency programs at the institutions; 198

(14) Up to twenty positions at each institution under the 199  
jurisdiction of the department of mental health and addiction 200  
services or the department of developmental disabilities that 201  
the department director determines to be primarily 202  
administrative or managerial; and up to fifteen positions in any 203  
division of either department, excluding administrative 204  
assistants to the director and division chiefs, which are within 205  
the immediate staff of a division chief and which the director 206  
determines to be primarily and distinctively administrative and 207  
managerial; 208

(15) Noncitizens of the United States employed by the 209  
state, or its counties or cities, as physicians or nurses who 210  
are duly licensed to practice their respective professions under 211  
the laws of this state, or medical assistants, in mental or 212  
chronic disease hospitals, or institutions; 213

(16) Employees of the governor's office; 214

(17) Fire chiefs and chiefs of police in civil service 215  
townships appointed by boards of township trustees under section 216  
505.38 or 505.49 of the Revised Code; 217

(18) Executive directors, deputy directors, and program 218  
directors employed by boards of alcohol, drug addiction, and 219  
mental health services under Chapter 340. of the Revised Code, 220  
and secretaries of the executive directors, deputy directors, 221  
and program directors; 222

(19) Superintendents, and management employees as defined 223  
in section 5126.20 of the Revised Code, of county boards of 224



developmental disabilities;	225
(20) Physicians, nurses, and other employees of a county hospital who are appointed pursuant to sections 339.03 and 339.06 of the Revised Code;	226 227 228
(21) The executive director of the state medical board, who is appointed pursuant to division (B) of section 4731.05 of the Revised Code;	229 230 231
(22) County directors of job and family services as provided in section 329.02 of the Revised Code and administrators appointed under section 329.021 of the Revised Code;	232 233 234 235
(23) A director of economic development who is hired pursuant to division (A) of section 307.07 of the Revised Code;	236 237
(24) Chiefs of construction and compliance, of operations and maintenance, of worker protection, and of licensing and certification in the division of industrial compliance in the department of commerce;	238 239 240 241
(25) The executive director of a county transit system appointed under division (A) of section 306.04 of the Revised Code;	242 243 244
(26) Up to five positions at each of the administrative departments listed in section 121.02 of the Revised Code and at the department of taxation, department of the adjutant general, department of education, Ohio board of regents, bureau of workers' compensation, industrial commission, state lottery commission, opportunities for Ohioans with disabilities agency, and public utilities commission of Ohio that the head of that administrative department or of that other state agency determines to be involved in policy development and	245 246 247 248 249 250 251 252 253

implementation. The head of the administrative department or 254  
other state agency shall set the compensation for employees in 255  
these positions at a rate that is not less than the minimum 256  
compensation specified in pay range 41 but not more than the 257  
maximum compensation specified in pay range 47 of salary 258  
schedule E-2 in section 124.152 of the Revised Code. The 259  
authority to establish positions in the unclassified service 260  
under division (A) (26) of this section is in addition to and 261  
does not limit any other authority that an administrative 262  
department or state agency has under the Revised Code to 263  
establish positions, appoint employees, or set compensation. 264

(27) Employees of the department of agriculture employed 265  
under section 901.09 of the Revised Code; 266

(28) For cities, counties, civil service townships, city 267  
health districts, general health districts, and city school 268  
districts, the deputies and assistants of elective or principal 269  
executive officers authorized to act for and in the place of 270  
their principals or holding a fiduciary relation to their 271  
principals; 272

(29) Employees who receive intermittent or temporary 273  
appointments under division ~~(B)~~ (C) of section 124.30 of the 274  
Revised Code; 275

(30) Employees appointed to administrative staff positions 276  
for which an appointing authority is given specific statutory 277  
authority to set compensation; 278

(31) Employees appointed to highway patrol cadet or 279  
highway patrol cadet candidate classifications; 280

(32) Employees appointed to participate in a prospective 281  
law enforcement training school under section 737.061 of the 282

<u>Revised Code;</u>	283
<u>(33)</u> Employees placed in the unclassified service by	284
another section of the Revised Code.	285
(B) The classified service shall comprise all persons in	286
the employ of the state and the several counties, cities, city	287
health districts, general health districts, and city school	288
districts of the state, not specifically included in the	289
unclassified service. Upon the creation by the board of trustees	290
of a civil service township civil service commission, the	291
classified service shall also comprise, except as otherwise	292
provided in division (A) (17) or (C) of this section, all persons	293
in the employ of a civil service township police or fire	294
department having ten or more full-time paid employees. The	295
classified service consists of two classes, which shall be	296
designated as the competitive class and the unskilled labor	297
class.	298
(1) The competitive class shall include all positions and	299
employments in the state and the counties, cities, city health	300
districts, general health districts, and city school districts	301
of the state, and, upon the creation by the board of trustees of	302
a civil service township of a township civil service commission,	303
all positions in a civil service township police or fire	304
department having ten or more full-time paid employees, for	305
which it is practicable to determine the merit and fitness of	306
applicants by competitive examinations. Appointments shall be	307
made to, or employment shall be given in, all positions in the	308
competitive class that are not filled by promotion,	309
reinstatement, transfer, or reduction, as provided in this	310
chapter, and the rules of the director of administrative	311
services, by appointment from those certified to the appointing	312

officer in accordance with this chapter. 313

(2) The unskilled labor class shall include ordinary 314  
unskilled laborers. Vacancies in the labor class for positions 315  
in service of the state shall be filled by appointment from 316  
lists of applicants registered by the director or the director's 317  
designee. Vacancies in the labor class for all other positions 318  
shall be filled by appointment from lists of applicants 319  
registered by a commission. The director or the commission, as 320  
applicable, by rule, shall require an applicant for registration 321  
in the labor class to furnish evidence or take tests as the 322  
director or commission considers proper with respect to age, 323  
residence, physical condition, ability to labor, honesty, 324  
sobriety, industry, capacity, and experience in the work or 325  
employment for which application is made. Laborers who fulfill 326  
the requirements shall be placed on the eligible list for the 327  
kind of labor or employment sought, and preference shall be 328  
given in employment in accordance with the rating received from 329  
that evidence or in those tests. Upon the request of an 330  
appointing officer, stating the kind of labor needed, the pay 331  
and probable length of employment, and the number to be 332  
employed, the director or commission, as applicable, shall 333  
certify from the highest on the list double the number to be 334  
employed; from this number, the appointing officer shall appoint 335  
the number actually needed for the particular work. If more than 336  
one applicant receives the same rating, priority in time of 337  
application shall determine the order in which their names shall 338  
be certified for appointment. 339

(C) A municipal or civil service township civil service 340  
commission may place volunteer firefighters who are paid on a 341  
fee-for-service basis in either the classified or the 342  
unclassified civil service. 343

(D) (1) This division does not apply to persons in the 344  
unclassified service who have the right to resume positions in 345  
the classified service under sections 4121.121, 5119.18, 346  
5120.38, 5120.381, 5120.382, 5123.08, and 5139.02 of the Revised 347  
Code or to cities, counties, or political subdivisions of the 348  
state. 349

(2) A person who holds a position in the classified 350  
service of the state and who is appointed to a position in the 351  
unclassified service shall retain the right to resume the 352  
position and status held by the person in the classified service 353  
immediately prior to the person's appointment to the position in 354  
the unclassified service, regardless of the number of positions 355  
the person held in the unclassified service. An employee's right 356  
to resume a position in the classified service may only be 357  
exercised when an appointing authority demotes the employee to a 358  
pay range lower than the employee's current pay range or revokes 359  
the employee's appointment to the unclassified service and any 360  
of the following apply: 361

(a) That person held a certified position prior to July 1, 362  
2007, in the classified service within the appointing 363  
authority's agency; 364

(b) That person held a permanent position on or after July 365  
1, 2007, in the classified service within the appointing 366  
authority's agency, and was appointed to the position in the 367  
unclassified service prior to January 1, 2016; 368

(c) That person held a permanent position on or after 369  
January 1, 2016, in the classified service within the appointing 370  
authority's agency, and is within five years from the effective 371  
date of the person's appointment in the unclassified service. 372

(3) An employee forfeits the right to resume a position in the classified service when:

(a) The employee is removed from the position in the unclassified service due to incompetence, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of this chapter or the rules of the director of administrative services, any other failure of good behavior, any other acts of misfeasance, malfeasance, or nonfeasance in office, or conviction of a felony while employed in the civil service; or

(b) Upon transfer to a different agency.

(4) Reinstatement to a position in the classified service shall be to a position substantially equal to that position in the classified service held previously, as certified by the director of administrative services. If the position the person previously held in the classified service has been placed in the unclassified service or is otherwise unavailable, the person shall be appointed to a position in the classified service within the appointing authority's agency that the director of administrative services certifies is comparable in compensation to the position the person previously held in the classified service. Service in the position in the unclassified service shall be counted as service in the position in the classified service held by the person immediately prior to the person's appointment to the position in the unclassified service. When a person is reinstated to a position in the classified service as provided in this division, the person is entitled to all rights, status, and benefits accruing to the position in the classified service during the person's time of service in the position in the unclassified service.

**Sec. 124.30.** (A) Classified positions in the civil service 403  
may be filled without competition as follows: 404

(1) Whenever there are urgent reasons for filling a 405  
vacancy in any position in the classified civil service and the 406  
director of administrative services is unable to certify to the 407  
appointing authority, upon its request, a list of persons 408  
eligible for appointment to the position after a competitive 409  
examination, the appointing authority may fill the position by 410  
noncompetitive examination. 411

A temporary appointment may be made without regard to the 412  
rules of sections 124.01 to 124.64 of the Revised Code. Except 413  
as otherwise provided in this division, the temporary 414  
appointment may not continue longer than one hundred twenty 415  
days, and in no case shall successive temporary appointments be 416  
made. A temporary appointment longer than one hundred twenty 417  
days may be made if necessary by reason of sickness, disability, 418  
or other approved leave of absence of regular officers or 419  
employees, in which case it may continue during the period of 420  
sickness, disability, or other approved leave of absence, 421  
subject to the rules of the director. 422

(2) In case of a vacancy in a position in the classified 423  
civil service where peculiar and exceptional qualifications of a 424  
scientific, managerial, professional, or educational character 425  
are required, and upon satisfactory evidence that for specified 426  
reasons competition in this special case is impracticable and 427  
that the position can best be filled by a selection of some 428  
designated person of high and recognized attainments in those 429  
qualities, the director may suspend the provisions of sections 430  
124.01 to 124.64 of the Revised Code that require competition in 431  
this special case, but no suspension shall be general in its 432

application. All such cases of suspension shall be reported in 433  
the annual report of the director with the reasons for each 434  
suspension. The director shall suspend the provisions when 435  
either of the following applies: 436

(a) The director of job and family services provides the 437  
certification under section 5101.051 of the Revised Code that a 438  
position with the department of job and family services can best 439  
be filled if the provisions are suspended; 440

(b) The medicaid director provides the certification under 441  
section 5160.051 of the Revised Code that a position with the 442  
department of medicaid can best be filled if the provisions are 443  
suspended. 444

(3) Except as provided in division (D) of this section, in 445  
case of a vacancy in a position in the classified civil service 446  
in a police department, on satisfactory evidence that for 447  
specified reasons competition in this special case is 448  
impracticable and that the position can best be filled by a 449  
selection of some designated person holding a specialized 450  
certification, possessing peculiar and exceptional 451  
qualifications, or having completed a police cadet training 452  
program through the police department, the director of 453  
administrative services may suspend the provisions of sections 454  
124.01 to 124.64 of the Revised Code that require competition in 455  
this special case, but no suspension shall be general in its 456  
application. 457

(B) The acceptance or refusal by an eligible person of a 458  
temporary appointment under division (A) (1) of this section 459  
shall not affect the person's standing on the eligible list for 460  
permanent appointment, nor shall the period of temporary service 461  
be counted as a part of the probationary service in case of 462



subsequent appointment to a permanent position. 463

~~(B)~~ (C) Persons who receive temporary or intermittent 464  
appointments under division (A)(1) of this section are in the 465  
unclassified civil service and serve at the pleasure of their 466  
appointing authority. 467

(D) Division (A)(3) of this section does not apply to a 468  
vacancy in a position in the classified civil service in a 469  
police department that must be filled by promotion as prescribed 470  
in section 124.44 of the Revised Code. 471

**Sec. 341.261.** (A) As used in this section: 472

(1) "County correctional facility" means a county jail, 473  
county workhouse, minimum security jail, joint city and county 474  
workhouse, municipal-county correctional center, multicounty- 475  
municipal correctional center, municipal-county jail or 476  
workhouse, or multicounty-municipal jail or workhouse. 477

(2) "Emergency" includes any of the following: 478

(a) Riots or inmate uprisings; 479

(b) Escapes or attempted escapes; 480

(c) Staff shortages or strikes; 481

(d) Outbreaks of contagious diseases; 482

(e) Incidents of suicide or self-harm; 483

(f) Gang-related violence or conflicts within the inmate 484  
population; 485

(g) Natural disasters; 486

(h) Hostage situations. 487

(3) "Female" means of or denoting the sex that can bear 488

offspring or produce eggs and has XX chromosomes, distinguished 489  
biologically by the production of gametes or ova that can be 490  
fertilized by male gametes. 491

(4) "Feminine hygiene products" means tampons and sanitary 492  
napkins that are used for the menstrual cycle. 493

(B) Each county correctional facility housing female 494  
inmates shall provide inmates experiencing a menstrual cycle 495  
with an adequate supply based on individualized need, in 496  
perpetuity and without reprimand, of feminine hygiene products 497  
in a variety of sizes at no cost to the inmates. 498

(C) Each county correctional facility housing female 499  
inmates shall have a written policy and procedure in place that 500  
does all of the following: 501

(1) Protects inmates from the denial of feminine hygiene 502  
products based on race, sex, income status, degree of charge, 503  
disability status, or any other type of discriminatory identity; 504

(2) Establishes proper methods of storing, administering, 505  
and disposing of feminine hygiene products; 506

(3) Establishes sanitary and safe procedures for hand 507  
washing and cleaning of surfaces between restrooms and the 508  
designated area for disposal bins. 509

(D) Each county correctional facility housing female 510  
inmates shall provide a separate disposal container with a lid 511  
in a safe, designated area for use by inmates experiencing a 512  
menstrual cycle within the facility to dispose of used, soiled, 513  
or damaged feminine hygiene products. 514

(E) No county correctional facility housing female inmates 515  
shall deny inmates access to feminine hygiene products. 516

(F) Except when the county correctional facility is 517  
experiencing an emergency, each county correctional facility 518  
housing female inmates shall provide inmates experiencing 519  
menstruation a minimum of one shower per day with access to hot 520  
water for washing, regardless of whether the inmates are 521  
separated from the general population for disciplinary status. 522

**Sec. 737.061.** (A) The chief of police of a municipal 523  
corporation may conduct training schools for prospective law 524  
enforcement officers. The training school programs shall align 525  
with Ohio peace officer training academy standards and cadet 526  
qualifications. The prospective officers, during the period of 527  
training and as members of the training school, may be paid a 528  
reasonable salary. The chief of police may furnish the necessary 529  
supplies and equipment for the use of the prospective officers 530  
during the training period. 531

(B) The chief of police may establish rules governing the 532  
qualifications for admission to training schools for prospective 533  
officers and provide for competitive examinations to determine 534  
the fitness of the students and prospective officers, not 535  
inconsistent with the rules of the director of administrative 536  
services. 537

(C) Upon completion of a training school program 538  
established under this section, a program graduate may be hired 539  
directly by the relevant department, provided the graduate also 540  
satisfies the requirements for original appointment under 541  
section 109.77 of the Revised Code. 542

**Sec. 753.321.** (A) As used in this section: 543

(1) "Emergency" has the same meaning as in section 341.261 544  
of the Revised Code. 545

(2) "Female" means of or denoting the sex that can bear 546  
offspring or produce eggs and has XX chromosomes, distinguished 547  
biologically by the production of gametes or ova that can be 548  
fertilized by male gametes. 549

(3) "Feminine hygiene products" means tampons and sanitary 550  
napkins that are used for the menstrual cycle. 551

(4) "Municipal correctional facility" means a municipal 552  
jail, municipal workhouse, minimum security jail, joint city and 553  
county workhouse, municipal-county correctional center, 554  
multicounty-municipal correctional center, municipal-county jail 555  
or workhouse, or multicounty-municipal jail or workhouse. 556

(B) Each municipal correctional facility housing female 557  
inmates shall provide inmates experiencing a menstrual cycle 558  
with an adequate supply based on individualized need, in 559  
perpetuity and without reprimand, of feminine hygiene products 560  
in a variety of sizes at no cost to the inmates. 561

(C) Each municipal correctional facility housing female 562  
inmates shall have a written policy and procedure in place that 563  
does all of the following: 564

(1) Protects inmates from the denial of feminine hygiene 565  
products based on race, sex, income status, degree of charge, 566  
disability status, or any other type of discriminatory identity; 567

(2) Establishes proper methods of storing, administering, 568  
and disposing of feminine hygiene products; 569

(3) Establishes sanitary and safe procedures for hand 570  
washing and cleaning of surfaces between restrooms and the 571  
designated area for disposal bins. 572

(D) Each municipal correctional facility housing female 573

inmates shall provide a separate disposal container with a lid 574  
in a safe, designated area for use by inmates experiencing a 575  
menstrual cycle within the facility to dispose of used, soiled, 576  
or damaged feminine hygiene products. 577

(E) No municipal correctional facility housing female 578  
inmates shall deny inmates access to feminine hygiene products. 579

(F) Except when the municipal correctional facility is 580  
experiencing an emergency, each municipal correctional facility 581  
housing female inmates shall provide inmates experiencing 582  
menstruation a minimum of one shower per day with access to hot 583  
water for washing, regardless of whether the inmates are 584  
separated from the general population for disciplinary status. 585

**Sec. 2925.02.** (A) No person shall knowingly do any of the 586  
following: 587

(1) By force, threat, or deception, administer to another 588  
or induce or cause another to use a controlled substance; 589

(2) By any means, administer or furnish to another or 590  
induce or cause another to use a controlled substance with 591  
purpose to cause serious physical harm to the other person, or 592  
with purpose to cause the other person to become a person with 593  
drug dependency; 594

(3) By any means, administer or furnish to another or 595  
induce or cause another to use a controlled substance, and 596  
thereby cause serious physical harm to the other person, or 597  
cause the other person to become a person with drug dependency; 598

(4) By any means, do any of the following: 599

(a) Furnish or administer a controlled substance to a 600  
juvenile who is at least two years the offender's junior, when 601

the offender knows the age of the juvenile or is reckless in 602  
that regard; 603

(b) Induce or cause a juvenile who is at least two years 604  
the offender's junior to use a controlled substance, when the 605  
offender knows the age of the juvenile or is reckless in that 606  
regard; 607

(c) Induce or cause a juvenile who is at least two years 608  
the offender's junior to commit a felony drug abuse offense, 609  
when the offender knows the age of the juvenile or is reckless 610  
in that regard; 611

(d) Use a juvenile, whether or not the offender knows the 612  
age of the juvenile, to perform any surveillance activity that 613  
is intended to prevent the detection of the offender or any 614  
other person in the commission of a felony drug abuse offense or 615  
to prevent the arrest of the offender or any other person for 616  
the commission of a felony drug abuse offense. 617

(5) By any means, furnish or administer a controlled 618  
substance to a pregnant woman or induce or cause a pregnant 619  
woman to use a controlled substance, when the offender knows 620  
that the woman is pregnant or is reckless in that regard. 621

(B) Division (A) (1), (3), (4), or (5) of this section does 622  
not apply to manufacturers, wholesalers, licensed health 623  
professionals authorized to prescribe drugs, pharmacists, owners 624  
of pharmacies, and other persons whose conduct is in accordance 625  
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 626  
4741. of the Revised Code. 627

(C) Whoever violates this section is guilty of corrupting 628  
another with drugs. The penalty for the offense shall be 629  
determined as follows: 630

(1) If the offense is a violation of division (A) (1), (2), (3), or (4) of this section and the drug involved is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, the offender shall be punished as follows:

(a) Except as otherwise provided in division (C) (1) (b) of this section, corrupting another with drugs committed in those circumstances is a felony of the second degree and, subject to division (E) of this section, the court shall impose as a mandatory prison term a second degree felony mandatory prison term.

(b) If the offense was committed in the vicinity of a school, corrupting another with drugs committed in those circumstances is a felony of the first degree, and, subject to division (E) of this section, the court shall impose as a mandatory prison term a first degree felony mandatory prison term.

(2) If the offense is a violation of division (A) (1), (2), (3), or (4) of this section and the drug involved is any compound, mixture, preparation, or substance included in schedule III, IV, or V, the offender shall be punished as follows:

(a) Except as otherwise provided in division (C) (2) (b) of this section, corrupting another with drugs committed in those circumstances is a felony of the second degree and there is a presumption for a prison term for the offense.

(b) If the offense was committed in the vicinity of a school, corrupting another with drugs committed in those circumstances is a felony of the second degree and the court shall impose as a mandatory prison term a second degree felony mandatory prison term.

(3) If the offense is a violation of division (A) (1), (2), (3), or (4) of this section and the drug involved is marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, the offender shall be punished as follows:

(a) Except as otherwise provided in division (C) (3) (b) of this section, corrupting another with drugs committed in those circumstances is a felony of the fourth degree and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) If the offense was committed in the vicinity of a school, corrupting another with drugs committed in those circumstances is a felony of the third degree and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(4) If the offense is a violation of division (A) (5) of this section and the drug involved is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, corrupting another with drugs is a



felony of the first degree and, subject to division (E) of this 691  
section, the court shall impose as a mandatory prison term a 692  
first degree felony mandatory prison term. 693

(5) If the offense is a violation of division (A) (5) of 694  
this section and the drug involved is any compound, mixture, 695  
preparation, or substance included in schedule III, IV, or V, 696  
corrupting another with drugs is a felony of the second degree 697  
and the court shall impose as a mandatory prison term a second 698  
degree felony mandatory prison term. 699

(6) If the offense is a violation of division (A) (5) of 700  
this section and the drug involved is marihuana, 1-Pentyl-3-(1- 701  
naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 702  
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 703  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5- 704  
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, 705  
corrupting another with drugs is a felony of the third degree 706  
and division (C) of section 2929.13 of the Revised Code applies 707  
in determining whether to impose a prison term on the offender. 708

(D) In addition to any prison term authorized or required 709  
by division (C) or (E) of this section and sections 2929.13 and 710  
2929.14 of the Revised Code and in addition to any other 711  
sanction imposed for the offense under this section or sections 712  
2929.11 to 2929.18 of the Revised Code, the court that sentences 713  
an offender who is convicted of or pleads guilty to a violation 714  
of division (A) of this section ~~may suspend for not more than~~ 715  
~~five years the offender's driver's or commercial driver's~~ 716  
~~license or permit. However, if the offender pleaded guilty to or~~ 717  
~~was convicted of a violation of section 4511.19 of the Revised~~ 718  
~~Code or a substantially similar municipal ordinance or the law~~ 719  
~~of another state or the United States arising out of the same~~ 720

~~set of circumstances as the violation, the court shall suspend~~ 721  
~~the offender's driver's or commercial driver's license or permit~~ 722  
~~for not more than five years. The court also shall do all of the~~ 723  
following that are applicable regarding the offender: 724

(1) (a) If the violation is a felony of the first, second, 725  
or third degree, the court shall impose upon the offender the 726  
mandatory fine specified for the offense under division (B) (1) 727  
of section 2929.18 of the Revised Code unless, as specified in 728  
that division, the court determines that the offender is 729  
indigent. 730

(b) Notwithstanding any contrary provision of section 731  
3719.21 of the Revised Code, any mandatory fine imposed pursuant 732  
to division (D) (1) (a) of this section and any fine imposed for a 733  
violation of this section pursuant to division (A) of section 734  
2929.18 of the Revised Code shall be paid by the clerk of the 735  
court in accordance with and subject to the requirements of, and 736  
shall be used as specified in, division (F) of section 2925.03 737  
of the Revised Code. 738

(c) If a person is charged with any violation of this 739  
section that is a felony of the first, second, or third degree, 740  
posts bail, and forfeits the bail, the forfeited bail shall be 741  
paid by the clerk of the court pursuant to division (D) (1) (b) of 742  
this section as if it were a fine imposed for a violation of 743  
this section. 744

(2) If the offender is a professionally licensed person, 745  
in addition to any other sanction imposed for a violation of 746  
this section, the court immediately shall comply with section 747  
2925.38 of the Revised Code. 748

(3) If the offender has a driver's or commercial driver's 749

license or permit, section 2929.33 of the Revised Code applies. 750

(E) Notwithstanding the prison term otherwise authorized 751  
or required for the offense under division (C) of this section 752  
and sections 2929.13 and 2929.14 of the Revised Code, if the 753  
violation of division (A) of this section involves the sale, 754  
offer to sell, or possession of a schedule I or II controlled 755  
substance, with the exception of marihuana, 1-Pentyl-3-(1- 756  
naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 757  
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 758  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5- 759  
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 760  
if the court imposing sentence upon the offender finds that the 761  
offender as a result of the violation is a major drug offender 762  
and is guilty of a specification of the type described in 763  
division (A) of section 2941.1410 of the Revised Code, the 764  
court, in lieu of the prison term that otherwise is authorized 765  
or required, shall impose upon the offender the mandatory prison 766  
term specified in division (B) (3) (a) of section 2929.14 of the 767  
Revised Code. 768

~~(F) (1) If the sentencing court suspends the offender's 769  
driver's or commercial driver's license or permit under division- 770  
(D) of this section, the offender, at any time after the 771  
expiration of two years from the day on which the offender's 772  
sentence was imposed or from the day on which the offender 773  
finally was released from a prison term under the sentence, 774  
whichever is later, may file a motion with the sentencing court 775  
requesting termination of the suspension. Upon the filing of the 776  
motion and the court's finding of good cause for the 777  
determination, the court may terminate the suspension.~~ 778

~~(2)~~ (F) Any offender who received a mandatory suspension 779

of the offender's driver's or commercial driver's license or 780  
permit under this section prior to September 13, 2016, may file 781  
a motion with the sentencing court requesting the termination of 782  
the suspension. However, an offender who pleaded guilty to or 783  
was convicted of a violation of section 4511.19 of the Revised 784  
Code or a substantially similar municipal ordinance or law of 785  
another state or the United States that arose out of the same 786  
set of circumstances as the violation for which the offender's 787  
license or permit was suspended under this section shall not 788  
file such a motion. 789

Upon the filing of a motion under division ~~(F)(2)~~ (F) of 790  
this section, the sentencing court, in its discretion, may 791  
terminate the suspension. 792

**Sec. 2925.03.** (A) No person shall knowingly do any of the 793  
following: 794

(1) Sell or offer to sell a controlled substance or a 795  
controlled substance analog; 796

(2) Prepare for shipment, ship, transport, deliver, 797  
prepare for distribution, or distribute a controlled substance 798  
or a controlled substance analog, when the offender knows or has 799  
reasonable cause to believe that the controlled substance or a 800  
controlled substance analog is intended for sale or resale by 801  
the offender or another person. 802

(B) This section does not apply to any of the following: 803

(1) Manufacturers, licensed health professionals 804  
authorized to prescribe drugs, pharmacists, owners of 805  
pharmacies, and other persons whose conduct is in accordance 806  
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 807  
4741. of the Revised Code; 808

(2) If the offense involves an anabolic steroid, any 809  
person who is conducting or participating in a research project 810  
involving the use of an anabolic steroid if the project has been 811  
approved by the United States food and drug administration; 812

(3) Any person who sells, offers for sale, prescribes, 813  
dispenses, or administers for livestock or other nonhuman 814  
species an anabolic steroid that is expressly intended for 815  
administration through implants to livestock or other nonhuman 816  
species and approved for that purpose under the "Federal Food, 817  
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, 818  
as amended, and is sold, offered for sale, prescribed, 819  
dispensed, or administered for that purpose in accordance with 820  
that act. 821

(C) Whoever violates division (A) of this section is 822  
guilty of one of the following: 823

(1) If the drug involved in the violation is any compound, 824  
mixture, preparation, or substance included in schedule I or 825  
schedule II, with the exception of marihuana, cocaine, L.S.D., 826  
heroin, any fentanyl-related compound, hashish, and any 827  
controlled substance analog, whoever violates division (A) of 828  
this section is guilty of aggravated trafficking in drugs. The 829  
penalty for the offense shall be determined as follows: 830

(a) Except as otherwise provided in division (C) (1) (b), 831  
(c), (d), (e), or (f) of this section, aggravated trafficking in 832  
drugs is a felony of the fourth degree, and division (C) of 833  
section 2929.13 of the Revised Code applies in determining 834  
whether to impose a prison term on the offender. 835

(b) Except as otherwise provided in division (C) (1) (c), 836  
(d), (e), or (f) of this section, if the offense was committed 837

in the vicinity of a school, in the vicinity of a juvenile, or 838  
in the vicinity of a substance addiction services provider or a 839  
recovering addict, aggravated trafficking in drugs is a felony 840  
of the third degree, and division (C) of section 2929.13 of the 841  
Revised Code applies in determining whether to impose a prison 842  
term on the offender. 843

(c) Except as otherwise provided in this division, if the 844  
amount of the drug involved equals or exceeds the bulk amount 845  
but is less than five times the bulk amount, aggravated 846  
trafficking in drugs is a felony of the third degree, and, 847  
except as otherwise provided in this division, there is a 848  
presumption for a prison term for the offense. If aggravated 849  
trafficking in drugs is a felony of the third degree under this 850  
division and if the offender two or more times previously has 851  
been convicted of or pleaded guilty to a felony drug abuse 852  
offense, the court shall impose as a mandatory prison term one 853  
of the prison terms prescribed for a felony of the third degree. 854  
If the amount of the drug involved is within that range and if 855  
the offense was committed in the vicinity of a school, in the 856  
vicinity of a juvenile, or in the vicinity of a substance 857  
addiction services provider or a recovering addict, aggravated 858  
trafficking in drugs is a felony of the second degree, and the 859  
court shall impose as a mandatory prison term a second degree 860  
felony mandatory prison term. 861

(d) Except as otherwise provided in this division, if the 862  
amount of the drug involved equals or exceeds five times the 863  
bulk amount but is less than fifty times the bulk amount, 864  
aggravated trafficking in drugs is a felony of the second 865  
degree, and the court shall impose as a mandatory prison term a 866  
second degree felony mandatory prison term. If the amount of the 867  
drug involved is within that range and if the offense was 868

committed in the vicinity of a school, in the vicinity of a 869  
juvenile, or in the vicinity of a substance addiction services 870  
provider or a recovering addict, aggravated trafficking in drugs 871  
is a felony of the first degree, and the court shall impose as a 872  
mandatory prison term a first degree felony mandatory prison 873  
term. 874

(e) If the amount of the drug involved equals or exceeds 875  
fifty times the bulk amount but is less than one hundred times 876  
the bulk amount and regardless of whether the offense was 877  
committed in the vicinity of a school, in the vicinity of a 878  
juvenile, or in the vicinity of a substance addiction services 879  
provider or a recovering addict, aggravated trafficking in drugs 880  
is a felony of the first degree, and the court shall impose as a 881  
mandatory prison term a first degree felony mandatory prison 882  
term. 883

(f) If the amount of the drug involved equals or exceeds 884  
one hundred times the bulk amount and regardless of whether the 885  
offense was committed in the vicinity of a school, in the 886  
vicinity of a juvenile, or in the vicinity of a substance 887  
addiction services provider or a recovering addict, aggravated 888  
trafficking in drugs is a felony of the first degree, the 889  
offender is a major drug offender, and the court shall impose as 890  
a mandatory prison term a maximum first degree felony mandatory 891  
prison term. 892

(2) If the drug involved in the violation is any compound, 893  
mixture, preparation, or substance included in schedule III, IV, 894  
or V, whoever violates division (A) of this section is guilty of 895  
trafficking in drugs. The penalty for the offense shall be 896  
determined as follows: 897

(a) Except as otherwise provided in division (C) (2) (b), 898

(c), (d), or (e) of this section, trafficking in drugs is a 899  
felony of the fifth degree, and division (B) of section 2929.13 900  
of the Revised Code applies in determining whether to impose a 901  
prison term on the offender. 902

(b) Except as otherwise provided in division (C) (2) (c), 903  
(d), or (e) of this section, if the offense was committed in the 904  
vicinity of a school or in the vicinity of a juvenile, 905  
trafficking in drugs is a felony of the fourth degree, and 906  
division (C) of section 2929.13 of the Revised Code applies in 907  
determining whether to impose a prison term on the offender. 908

(c) Except as otherwise provided in this division, if the 909  
amount of the drug involved equals or exceeds the bulk amount 910  
but is less than five times the bulk amount, trafficking in 911  
drugs is a felony of the fourth degree, and division (B) of 912  
section 2929.13 of the Revised Code applies in determining 913  
whether to impose a prison term for the offense. If the amount 914  
of the drug involved is within that range and if the offense was 915  
committed in the vicinity of a school or in the vicinity of a 916  
juvenile, trafficking in drugs is a felony of the third degree, 917  
and there is a presumption for a prison term for the offense. 918

(d) Except as otherwise provided in this division, if the 919  
amount of the drug involved equals or exceeds five times the 920  
bulk amount but is less than fifty times the bulk amount, 921  
trafficking in drugs is a felony of the third degree, and there 922  
is a presumption for a prison term for the offense. If the 923  
amount of the drug involved is within that range and if the 924  
offense was committed in the vicinity of a school or in the 925  
vicinity of a juvenile, trafficking in drugs is a felony of the 926  
second degree, and there is a presumption for a prison term for 927  
the offense. 928



(e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty times the bulk amount, trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of the drug involved equals or exceeds fifty times the bulk amount and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term.

(3) If the drug involved in the violation is marihuana or a compound, mixture, preparation, or substance containing marihuana other than hashish, whoever violates division (A) of this section is guilty of trafficking in marihuana. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C) (3) (b), (c), (d), (e), (f), (g), or (h) of this section, trafficking in marihuana is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) Except as otherwise provided in division (C) (3) (c), (d), (e), (f), (g), or (h) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds two hundred grams but is less than one thousand grams, trafficking in marihuana is

a felony of the fourth degree, and division (B) of section 959  
2929.13 of the Revised Code applies in determining whether to 960  
impose a prison term on the offender. If the amount of the drug 961  
involved is within that range and if the offense was committed 962  
in the vicinity of a school or in the vicinity of a juvenile, 963  
trafficking in marihuana is a felony of the third degree, and 964  
division (C) of section 2929.13 of the Revised Code applies in 965  
determining whether to impose a prison term on the offender. 966

(d) Except as otherwise provided in this division, if the 967  
amount of the drug involved equals or exceeds one thousand grams 968  
but is less than five thousand grams, trafficking in marihuana 969  
is a felony of the third degree, and division (C) of section 970  
2929.13 of the Revised Code applies in determining whether to 971  
impose a prison term on the offender. If the amount of the drug 972  
involved is within that range and if the offense was committed 973  
in the vicinity of a school or in the vicinity of a juvenile, 974  
trafficking in marihuana is a felony of the second degree, and 975  
there is a presumption that a prison term shall be imposed for 976  
the offense. 977

(e) Except as otherwise provided in this division, if the 978  
amount of the drug involved equals or exceeds five thousand 979  
grams but is less than twenty thousand grams, trafficking in 980  
marihuana is a felony of the third degree, and there is a 981  
presumption that a prison term shall be imposed for the offense. 982  
If the amount of the drug involved is within that range and if 983  
the offense was committed in the vicinity of a school or in the 984  
vicinity of a juvenile, trafficking in marihuana is a felony of 985  
the second degree, and there is a presumption that a prison term 986  
shall be imposed for the offense. 987

(f) Except as otherwise provided in this division, if the 988

amount of the drug involved equals or exceeds twenty thousand 989  
grams but is less than forty thousand grams, trafficking in 990  
marihuana is a felony of the second degree, and the court shall 991  
impose as a mandatory prison term a second degree felony 992  
mandatory prison term of five, six, seven, or eight years. If 993  
the amount of the drug involved is within that range and if the 994  
offense was committed in the vicinity of a school or in the 995  
vicinity of a juvenile, trafficking in marihuana is a felony of 996  
the first degree, and the court shall impose as a mandatory 997  
prison term a maximum first degree felony mandatory prison term. 998

(g) Except as otherwise provided in this division, if the 999  
amount of the drug involved equals or exceeds forty thousand 1000  
grams, trafficking in marihuana is a felony of the second 1001  
degree, and the court shall impose as a mandatory prison term a 1002  
maximum second degree felony mandatory prison term. If the 1003  
amount of the drug involved equals or exceeds forty thousand 1004  
grams and if the offense was committed in the vicinity of a 1005  
school or in the vicinity of a juvenile, trafficking in 1006  
marihuana is a felony of the first degree, and the court shall 1007  
impose as a mandatory prison term a maximum first degree felony 1008  
mandatory prison term. 1009

(h) Except as otherwise provided in this division, if the 1010  
offense involves a gift of twenty grams or less of marihuana, 1011  
trafficking in marihuana is a minor misdemeanor upon a first 1012  
offense and a misdemeanor of the third degree upon a subsequent 1013  
offense. If the offense involves a gift of twenty grams or less 1014  
of marihuana and if the offense was committed in the vicinity of 1015  
a school or in the vicinity of a juvenile, trafficking in 1016  
marihuana is a misdemeanor of the third degree. 1017

(4) If the drug involved in the violation is cocaine or a 1018

compound, mixture, preparation, or substance containing cocaine, 1019  
whoever violates division (A) of this section is guilty of 1020  
trafficking in cocaine. The penalty for the offense shall be 1021  
determined as follows: 1022

(a) Except as otherwise provided in division (C) (4) (b), 1023  
(c), (d), (e), (f), or (g) of this section, trafficking in 1024  
cocaine is a felony of the fifth degree, and division (B) of 1025  
section 2929.13 of the Revised Code applies in determining 1026  
whether to impose a prison term on the offender. 1027

(b) Except as otherwise provided in division (C) (4) (c), 1028  
(d), (e), (f), or (g) of this section, if the offense was 1029  
committed in the vicinity of a school, in the vicinity of a 1030  
juvenile, or in the vicinity of a substance addiction services 1031  
provider or a recovering addict, trafficking in cocaine is a 1032  
felony of the fourth degree, and division (C) of section 2929.13 1033  
of the Revised Code applies in determining whether to impose a 1034  
prison term on the offender. 1035

(c) Except as otherwise provided in this division, if the 1036  
amount of the drug involved equals or exceeds five grams but is 1037  
less than ten grams of cocaine, trafficking in cocaine is a 1038  
felony of the fourth degree, and division (B) of section 2929.13 1039  
of the Revised Code applies in determining whether to impose a 1040  
prison term for the offense. If the amount of the drug involved 1041  
is within that range and if the offense was committed in the 1042  
vicinity of a school, in the vicinity of a juvenile, or in the 1043  
vicinity of a substance addiction services provider or a 1044  
recovering addict, trafficking in cocaine is a felony of the 1045  
third degree, and there is a presumption for a prison term for 1046  
the offense. 1047

(d) Except as otherwise provided in this division, if the 1048

amount of the drug involved equals or exceeds ten grams but is 1049  
less than twenty grams of cocaine, trafficking in cocaine is a 1050  
felony of the third degree, and, except as otherwise provided in 1051  
this division, there is a presumption for a prison term for the 1052  
offense. If trafficking in cocaine is a felony of the third 1053  
degree under this division and if the offender two or more times 1054  
previously has been convicted of or pleaded guilty to a felony 1055  
drug abuse offense, the court shall impose as a mandatory prison 1056  
term one of the prison terms prescribed for a felony of the 1057  
third degree. If the amount of the drug involved is within that 1058  
range and if the offense was committed in the vicinity of a 1059  
school, in the vicinity of a juvenile, or in the vicinity of a 1060  
substance addiction services provider or a recovering addict, 1061  
trafficking in cocaine is a felony of the second degree, and the 1062  
court shall impose as a mandatory prison term a second degree 1063  
felony mandatory prison term. 1064

(e) Except as otherwise provided in this division, if the 1065  
amount of the drug involved equals or exceeds twenty grams but 1066  
is less than twenty-seven grams of cocaine, trafficking in 1067  
cocaine is a felony of the second degree, and the court shall 1068  
impose as a mandatory prison term a second degree felony 1069  
mandatory prison term. If the amount of the drug involved is 1070  
within that range and if the offense was committed in the 1071  
vicinity of a school, in the vicinity of a juvenile, or in the 1072  
vicinity of a substance addiction services provider or a 1073  
recovering addict, trafficking in cocaine is a felony of the 1074  
first degree, and the court shall impose as a mandatory prison 1075  
term a first degree felony mandatory prison term. 1076

(f) If the amount of the drug involved equals or exceeds 1077  
twenty-seven grams but is less than one hundred grams of cocaine 1078  
and regardless of whether the offense was committed in the 1079

vicinity of a school, in the vicinity of a juvenile, or in the 1080  
vicinity of a substance addiction services provider or a 1081  
recovering addict, trafficking in cocaine is a felony of the 1082  
first degree, and the court shall impose as a mandatory prison 1083  
term a first degree felony mandatory prison term. 1084

(g) If the amount of the drug involved equals or exceeds 1085  
one hundred grams of cocaine and regardless of whether the 1086  
offense was committed in the vicinity of a school, in the 1087  
vicinity of a juvenile, or in the vicinity of a substance 1088  
addiction services provider or a recovering addict, trafficking 1089  
in cocaine is a felony of the first degree, the offender is a 1090  
major drug offender, and the court shall impose as a mandatory 1091  
prison term a maximum first degree felony mandatory prison term. 1092

(5) If the drug involved in the violation is L.S.D. or a 1093  
compound, mixture, preparation, or substance containing L.S.D., 1094  
whoever violates division (A) of this section is guilty of 1095  
trafficking in L.S.D. The penalty for the offense shall be 1096  
determined as follows: 1097

(a) Except as otherwise provided in division (C) (5) (b), 1098  
(c), (d), (e), (f), or (g) of this section, trafficking in 1099  
L.S.D. is a felony of the fifth degree, and division (B) of 1100  
section 2929.13 of the Revised Code applies in determining 1101  
whether to impose a prison term on the offender. 1102

(b) Except as otherwise provided in division (C) (5) (c), 1103  
(d), (e), (f), or (g) of this section, if the offense was 1104  
committed in the vicinity of a school, in the vicinity of a 1105  
juvenile, or in the vicinity of a substance addiction services 1106  
provider or a recovering addict, trafficking in L.S.D. is a 1107  
felony of the fourth degree, and division (C) of section 2929.13 1108  
of the Revised Code applies in determining whether to impose a 1109

prison term on the offender. 1110

(c) Except as otherwise provided in this division, if the 1111  
amount of the drug involved equals or exceeds ten unit doses but 1112  
is less than fifty unit doses of L.S.D. in a solid form or 1113  
equals or exceeds one gram but is less than five grams of L.S.D. 1114  
in a liquid concentrate, liquid extract, or liquid distillate 1115  
form, trafficking in L.S.D. is a felony of the fourth degree, 1116  
and division (B) of section 2929.13 of the Revised Code applies 1117  
in determining whether to impose a prison term for the offense. 1118  
If the amount of the drug involved is within that range and if 1119  
the offense was committed in the vicinity of a school, in the 1120  
vicinity of a juvenile, or in the vicinity of a substance 1121  
addiction services provider or a recovering addict, trafficking 1122  
in L.S.D. is a felony of the third degree, and there is a 1123  
presumption for a prison term for the offense. 1124

(d) Except as otherwise provided in this division, if the 1125  
amount of the drug involved equals or exceeds fifty unit doses 1126  
but is less than two hundred fifty unit doses of L.S.D. in a 1127  
solid form or equals or exceeds five grams but is less than 1128  
twenty-five grams of L.S.D. in a liquid concentrate, liquid 1129  
extract, or liquid distillate form, trafficking in L.S.D. is a 1130  
felony of the third degree, and, except as otherwise provided in 1131  
this division, there is a presumption for a prison term for the 1132  
offense. If trafficking in L.S.D. is a felony of the third 1133  
degree under this division and if the offender two or more times 1134  
previously has been convicted of or pleaded guilty to a felony 1135  
drug abuse offense, the court shall impose as a mandatory prison 1136  
term one of the prison terms prescribed for a felony of the 1137  
third degree. If the amount of the drug involved is within that 1138  
range and if the offense was committed in the vicinity of a 1139  
school, in the vicinity of a juvenile, or in the vicinity of a 1140

substance addiction services provider or a recovering addict, 1141  
trafficking in L.S.D. is a felony of the second degree, and the 1142  
court shall impose as a mandatory prison term a second degree 1143  
felony mandatory prison term. 1144

(e) Except as otherwise provided in this division, if the 1145  
amount of the drug involved equals or exceeds two hundred fifty 1146  
unit doses but is less than one thousand unit doses of L.S.D. in 1147  
a solid form or equals or exceeds twenty-five grams but is less 1148  
than one hundred grams of L.S.D. in a liquid concentrate, liquid 1149  
extract, or liquid distillate form, trafficking in L.S.D. is a 1150  
felony of the second degree, and the court shall impose as a 1151  
mandatory prison term a second degree felony mandatory prison 1152  
term. If the amount of the drug involved is within that range 1153  
and if the offense was committed in the vicinity of a school, in 1154  
the vicinity of a juvenile, or in the vicinity of a substance 1155  
addiction services provider or a recovering addict, trafficking 1156  
in L.S.D. is a felony of the first degree, and the court shall 1157  
impose as a mandatory prison term a first degree felony 1158  
mandatory prison term. 1159

(f) If the amount of the drug involved equals or exceeds 1160  
one thousand unit doses but is less than five thousand unit 1161  
doses of L.S.D. in a solid form or equals or exceeds one hundred 1162  
grams but is less than five hundred grams of L.S.D. in a liquid 1163  
concentrate, liquid extract, or liquid distillate form and 1164  
regardless of whether the offense was committed in the vicinity 1165  
of a school, in the vicinity of a juvenile, or in the vicinity 1166  
of a substance addiction services provider or a recovering 1167  
addict, trafficking in L.S.D. is a felony of the first degree, 1168  
and the court shall impose as a mandatory prison term a first 1169  
degree felony mandatory prison term. 1170



(g) If the amount of the drug involved equals or exceeds 1171  
five thousand unit doses of L.S.D. in a solid form or equals or 1172  
exceeds five hundred grams of L.S.D. in a liquid concentrate, 1173  
liquid extract, or liquid distillate form and regardless of 1174  
whether the offense was committed in the vicinity of a school, 1175  
in the vicinity of a juvenile, or in the vicinity of a substance 1176  
addiction services provider or a recovering addict, trafficking 1177  
in L.S.D. is a felony of the first degree, the offender is a 1178  
major drug offender, and the court shall impose as a mandatory 1179  
prison term a maximum first degree felony mandatory prison term. 1180

(6) If the drug involved in the violation is heroin or a 1181  
compound, mixture, preparation, or substance containing heroin, 1182  
whoever violates division (A) of this section is guilty of 1183  
trafficking in heroin. The penalty for the offense shall be 1184  
determined as follows: 1185

(a) Except as otherwise provided in division (C) (6) (b), 1186  
(c), (d), (e), (f), or (g) of this section, trafficking in 1187  
heroin is a felony of the fifth degree, and division (B) of 1188  
section 2929.13 of the Revised Code applies in determining 1189  
whether to impose a prison term on the offender. 1190

(b) Except as otherwise provided in division (C) (6) (c), 1191  
(d), (e), (f), or (g) of this section, if the offense was 1192  
committed in the vicinity of a school, in the vicinity of a 1193  
juvenile, or in the vicinity of a substance addiction services 1194  
provider or a recovering addict, trafficking in heroin is a 1195  
felony of the fourth degree, and division (C) of section 2929.13 1196  
of the Revised Code applies in determining whether to impose a 1197  
prison term on the offender. 1198

(c) Except as otherwise provided in this division, if the 1199  
amount of the drug involved equals or exceeds ten unit doses but 1200

is less than fifty unit doses or equals or exceeds one gram but 1201  
is less than five grams, trafficking in heroin is a felony of 1202  
the fourth degree, and division (B) of section 2929.13 of the 1203  
Revised Code applies in determining whether to impose a prison 1204  
term for the offense. If the amount of the drug involved is 1205  
within that range and if the offense was committed in the 1206  
vicinity of a school, in the vicinity of a juvenile, or in the 1207  
vicinity of a substance addiction services provider or a 1208  
recovering addict, trafficking in heroin is a felony of the 1209  
third degree, and there is a presumption for a prison term for 1210  
the offense. 1211

(d) Except as otherwise provided in this division, if the 1212  
amount of the drug involved equals or exceeds fifty unit doses 1213  
but is less than one hundred unit doses or equals or exceeds 1214  
five grams but is less than ten grams, trafficking in heroin is 1215  
a felony of the third degree, and there is a presumption for a 1216  
prison term for the offense. If the amount of the drug involved 1217  
is within that range and if the offense was committed in the 1218  
vicinity of a school, in the vicinity of a juvenile, or in the 1219  
vicinity of a substance addiction services provider or a 1220  
recovering addict, trafficking in heroin is a felony of the 1221  
second degree, and there is a presumption for a prison term for 1222  
the offense. 1223

(e) Except as otherwise provided in this division, if the 1224  
amount of the drug involved equals or exceeds one hundred unit 1225  
doses but is less than five hundred unit doses or equals or 1226  
exceeds ten grams but is less than fifty grams, trafficking in 1227  
heroin is a felony of the second degree, and the court shall 1228  
impose as a mandatory prison term a second degree felony 1229  
mandatory prison term. If the amount of the drug involved is 1230  
within that range and if the offense was committed in the 1231

vicinity of a school, in the vicinity of a juvenile, or in the 1232  
vicinity of a substance addiction services provider or a 1233  
recovering addict, trafficking in heroin is a felony of the 1234  
first degree, and the court shall impose as a mandatory prison 1235  
term a first degree felony mandatory prison term. 1236

(f) If the amount of the drug involved equals or exceeds 1237  
five hundred unit doses but is less than one thousand unit doses 1238  
or equals or exceeds fifty grams but is less than one hundred 1239  
grams and regardless of whether the offense was committed in the 1240  
vicinity of a school, in the vicinity of a juvenile, or in the 1241  
vicinity of a substance addiction services provider or a 1242  
recovering addict, trafficking in heroin is a felony of the 1243  
first degree, and the court shall impose as a mandatory prison 1244  
term a first degree felony mandatory prison term. 1245

(g) If the amount of the drug involved equals or exceeds 1246  
one thousand unit doses or equals or exceeds one hundred grams 1247  
and regardless of whether the offense was committed in the 1248  
vicinity of a school, in the vicinity of a juvenile, or in the 1249  
vicinity of a substance addiction services provider or a 1250  
recovering addict, trafficking in heroin is a felony of the 1251  
first degree, the offender is a major drug offender, and the 1252  
court shall impose as a mandatory prison term a maximum first 1253  
degree felony mandatory prison term. 1254

(7) If the drug involved in the violation is hashish or a 1255  
compound, mixture, preparation, or substance containing hashish, 1256  
whoever violates division (A) of this section is guilty of 1257  
trafficking in hashish. The penalty for the offense shall be 1258  
determined as follows: 1259

(a) Except as otherwise provided in division (C) (7) (b), 1260  
(c), (d), (e), (f), or (g) of this section, trafficking in 1261

hashish is a felony of the fifth degree, and division (B) of 1262  
section 2929.13 of the Revised Code applies in determining 1263  
whether to impose a prison term on the offender. 1264

(b) Except as otherwise provided in division (C) (7) (c), 1265  
(d), (e), (f), or (g) of this section, if the offense was 1266  
committed in the vicinity of a school, in the vicinity of a 1267  
juvenile, or in the vicinity of a substance addiction services 1268  
provider or a recovering addict, trafficking in hashish is a 1269  
felony of the fourth degree, and division (B) of section 2929.13 1270  
of the Revised Code applies in determining whether to impose a 1271  
prison term on the offender. 1272

(c) Except as otherwise provided in this division, if the 1273  
amount of the drug involved equals or exceeds ten grams but is 1274  
less than fifty grams of hashish in a solid form or equals or 1275  
exceeds two grams but is less than ten grams of hashish in a 1276  
liquid concentrate, liquid extract, or liquid distillate form, 1277  
trafficking in hashish is a felony of the fourth degree, and 1278  
division (B) of section 2929.13 of the Revised Code applies in 1279  
determining whether to impose a prison term on the offender. If 1280  
the amount of the drug involved is within that range and if the 1281  
offense was committed in the vicinity of a school, in the 1282  
vicinity of a juvenile, or in the vicinity of a substance 1283  
addiction services provider or a recovering addict, trafficking 1284  
in hashish is a felony of the third degree, and division (C) of 1285  
section 2929.13 of the Revised Code applies in determining 1286  
whether to impose a prison term on the offender. 1287

(d) Except as otherwise provided in this division, if the 1288  
amount of the drug involved equals or exceeds fifty grams but is 1289  
less than two hundred fifty grams of hashish in a solid form or 1290  
equals or exceeds ten grams but is less than fifty grams of 1291

hashish in a liquid concentrate, liquid extract, or liquid 1292  
distillate form, trafficking in hashish is a felony of the third 1293  
degree, and division (C) of section 2929.13 of the Revised Code 1294  
applies in determining whether to impose a prison term on the 1295  
offender. If the amount of the drug involved is within that 1296  
range and if the offense was committed in the vicinity of a 1297  
school, in the vicinity of a juvenile, or in the vicinity of a 1298  
substance addiction services provider or a recovering addict, 1299  
trafficking in hashish is a felony of the second degree, and 1300  
there is a presumption that a prison term shall be imposed for 1301  
the offense. 1302

(e) Except as otherwise provided in this division, if the 1303  
amount of the drug involved equals or exceeds two hundred fifty 1304  
grams but is less than one thousand grams of hashish in a solid 1305  
form or equals or exceeds fifty grams but is less than two 1306  
hundred grams of hashish in a liquid concentrate, liquid 1307  
extract, or liquid distillate form, trafficking in hashish is a 1308  
felony of the third degree, and there is a presumption that a 1309  
prison term shall be imposed for the offense. If the amount of 1310  
the drug involved is within that range and if the offense was 1311  
committed in the vicinity of a school, in the vicinity of a 1312  
juvenile, or in the vicinity of a substance addiction services 1313  
provider or a recovering addict, trafficking in hashish is a 1314  
felony of the second degree, and there is a presumption that a 1315  
prison term shall be imposed for the offense. 1316

(f) Except as otherwise provided in this division, if the 1317  
amount of the drug involved equals or exceeds one thousand grams 1318  
but is less than two thousand grams of hashish in a solid form 1319  
or equals or exceeds two hundred grams but is less than four 1320  
hundred grams of hashish in a liquid concentrate, liquid 1321  
extract, or liquid distillate form, trafficking in hashish is a 1322

felony of the second degree, and the court shall impose as a 1323  
mandatory prison term a second degree felony mandatory prison 1324  
term of five, six, seven, or eight years. If the amount of the 1325  
drug involved is within that range and if the offense was 1326  
committed in the vicinity of a school, in the vicinity of a 1327  
juvenile, or in the vicinity of a substance addiction services 1328  
provider or a recovering addict, trafficking in hashish is a 1329  
felony of the first degree, and the court shall impose as a 1330  
mandatory prison term a maximum first degree felony mandatory 1331  
prison term. 1332

(g) Except as otherwise provided in this division, if the 1333  
amount of the drug involved equals or exceeds two thousand grams 1334  
of hashish in a solid form or equals or exceeds four hundred 1335  
grams of hashish in a liquid concentrate, liquid extract, or 1336  
liquid distillate form, trafficking in hashish is a felony of 1337  
the second degree, and the court shall impose as a mandatory 1338  
prison term a maximum second degree felony mandatory prison 1339  
term. If the amount of the drug involved equals or exceeds two 1340  
thousand grams of hashish in a solid form or equals or exceeds 1341  
four hundred grams of hashish in a liquid concentrate, liquid 1342  
extract, or liquid distillate form and if the offense was 1343  
committed in the vicinity of a school, in the vicinity of a 1344  
juvenile, or in the vicinity of a substance addiction services 1345  
provider or a recovering addict, trafficking in hashish is a 1346  
felony of the first degree, and the court shall impose as a 1347  
mandatory prison term a maximum first degree felony mandatory 1348  
prison term. 1349

(8) If the drug involved in the violation is a controlled 1350  
substance analog or compound, mixture, preparation, or substance 1351  
that contains a controlled substance analog, whoever violates 1352  
division (A) of this section is guilty of trafficking in a 1353

controlled substance analog. The penalty for the offense shall 1354  
be determined as follows: 1355

(a) Except as otherwise provided in division (C) (8) (b), 1356  
(c), (d), (e), (f), or (g) of this section, trafficking in a 1357  
controlled substance analog is a felony of the fifth degree, and 1358  
division (C) of section 2929.13 of the Revised Code applies in 1359  
determining whether to impose a prison term on the offender. 1360

(b) Except as otherwise provided in division (C) (8) (c), 1361  
(d), (e), (f), or (g) of this section, if the offense was 1362  
committed in the vicinity of a school, in the vicinity of a 1363  
juvenile, or in the vicinity of a substance addiction services 1364  
provider or a recovering addict, trafficking in a controlled 1365  
substance analog is a felony of the fourth degree, and division 1366  
(C) of section 2929.13 of the Revised Code applies in 1367  
determining whether to impose a prison term on the offender. 1368

(c) Except as otherwise provided in this division, if the 1369  
amount of the drug involved equals or exceeds ten grams but is 1370  
less than twenty grams, trafficking in a controlled substance 1371  
analog is a felony of the fourth degree, and division (B) of 1372  
section 2929.13 of the Revised Code applies in determining 1373  
whether to impose a prison term for the offense. If the amount 1374  
of the drug involved is within that range and if the offense was 1375  
committed in the vicinity of a school, in the vicinity of a 1376  
juvenile, or in the vicinity of a substance addiction services 1377  
provider or a recovering addict, trafficking in a controlled 1378  
substance analog is a felony of the third degree, and there is a 1379  
presumption for a prison term for the offense. 1380

(d) Except as otherwise provided in this division, if the 1381  
amount of the drug involved equals or exceeds twenty grams but 1382  
is less than thirty grams, trafficking in a controlled substance 1383

analog is a felony of the third degree, and there is a 1384  
presumption for a prison term for the offense. If the amount of 1385  
the drug involved is within that range and if the offense was 1386  
committed in the vicinity of a school, in the vicinity of a 1387  
juvenile, or in the vicinity of a substance addiction services 1388  
provider or a recovering addict, trafficking in a controlled 1389  
substance analog is a felony of the second degree, and there is 1390  
a presumption for a prison term for the offense. 1391

(e) Except as otherwise provided in this division, if the 1392  
amount of the drug involved equals or exceeds thirty grams but 1393  
is less than forty grams, trafficking in a controlled substance 1394  
analog is a felony of the second degree, and the court shall 1395  
impose as a mandatory prison term a second degree felony 1396  
mandatory prison term. If the amount of the drug involved is 1397  
within that range and if the offense was committed in the 1398  
vicinity of a school, in the vicinity of a juvenile, or in the 1399  
vicinity of a substance addiction services provider or a 1400  
recovering addict, trafficking in a controlled substance analog 1401  
is a felony of the first degree, and the court shall impose as a 1402  
mandatory prison term a first degree felony mandatory prison 1403  
term. 1404

(f) If the amount of the drug involved equals or exceeds 1405  
forty grams but is less than fifty grams and regardless of 1406  
whether the offense was committed in the vicinity of a school, 1407  
in the vicinity of a juvenile, or in the vicinity of a substance 1408  
addiction services provider or a recovering addict, trafficking 1409  
in a controlled substance analog is a felony of the first 1410  
degree, and the court shall impose as a mandatory prison term a 1411  
first degree felony mandatory prison term. 1412

(g) If the amount of the drug involved equals or exceeds 1413



fifty grams and regardless of whether the offense was committed 1414  
in the vicinity of a school, in the vicinity of a juvenile, or 1415  
in the vicinity of a substance addiction services provider or a 1416  
recovering addict, trafficking in a controlled substance analog 1417  
is a felony of the first degree, the offender is a major drug 1418  
offender, and the court shall impose as a mandatory prison term 1419  
a maximum first degree felony mandatory prison term. 1420

(9) If the drug involved in the violation is a fentanyl- 1421  
related compound or a compound, mixture, preparation, or 1422  
substance containing a fentanyl-related compound and division 1423  
(C)(10)(a) of this section does not apply to the drug involved, 1424  
whoever violates division (A) of this section is guilty of 1425  
trafficking in a fentanyl-related compound. The penalty for the 1426  
offense shall be determined as follows: 1427

(a) Except as otherwise provided in division (C)(9)(b), 1428  
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 1429  
a fentanyl-related compound is a felony of the fifth degree, and 1430  
division (B) of section 2929.13 of the Revised Code applies in 1431  
determining whether to impose a prison term on the offender. 1432

(b) Except as otherwise provided in division (C)(9)(c), 1433  
(d), (e), (f), (g), or (h) of this section, if the offense was 1434  
committed in the vicinity of a school, in the vicinity of a 1435  
juvenile, or in the vicinity of a substance addiction services 1436  
provider or a recovering addict, trafficking in a fentanyl- 1437  
related compound is a felony of the fourth degree, and division 1438  
(C) of section 2929.13 of the Revised Code applies in 1439  
determining whether to impose a prison term on the offender. 1440

(c) Except as otherwise provided in this division, if the 1441  
amount of the drug involved equals or exceeds ten unit doses but 1442  
is less than fifty unit doses or equals or exceeds one gram but 1443

is less than five grams, trafficking in a fentanyl-related 1444  
compound is a felony of the fourth degree, and division (B) of 1445  
section 2929.13 of the Revised Code applies in determining 1446  
whether to impose a prison term for the offense. If the amount 1447  
of the drug involved is within that range and if the offense was 1448  
committed in the vicinity of a school, in the vicinity of a 1449  
juvenile, or in the vicinity of a substance addiction services 1450  
provider or a recovering addict, trafficking in a fentanyl- 1451  
related compound is a felony of the third degree, and there is a 1452  
presumption for a prison term for the offense. 1453

(d) Except as otherwise provided in this division, if the 1454  
amount of the drug involved equals or exceeds fifty unit doses 1455  
but is less than one hundred unit doses or equals or exceeds 1456  
five grams but is less than ten grams, trafficking in a 1457  
fentanyl-related compound is a felony of the third degree, and 1458  
there is a presumption for a prison term for the offense. If the 1459  
amount of the drug involved is within that range and if the 1460  
offense was committed in the vicinity of a school, in the 1461  
vicinity of a juvenile, or in the vicinity of a substance 1462  
addiction services provider or a recovering addict, trafficking 1463  
in a fentanyl-related compound is a felony of the second degree, 1464  
and there is a presumption for a prison term for the offense. 1465

(e) Except as otherwise provided in this division, if the 1466  
amount of the drug involved equals or exceeds one hundred unit 1467  
doses but is less than two hundred unit doses or equals or 1468  
exceeds ten grams but is less than twenty grams, trafficking in 1469  
a fentanyl-related compound is a felony of the second degree, 1470  
and the court shall impose as a mandatory prison term one of the 1471  
prison terms prescribed for a felony of the second degree. If 1472  
the amount of the drug involved is within that range and if the 1473  
offense was committed in the vicinity of a school, in the 1474

vicinity of a juvenile, or in the vicinity of a substance 1475  
addiction services provider or a recovering addict, trafficking 1476  
in a fentanyl-related compound is a felony of the first degree, 1477  
and the court shall impose as a mandatory prison term one of the 1478  
prison terms prescribed for a felony of the first degree. 1479

(f) If the amount of the drug involved equals or exceeds 1480  
two hundred unit doses but is less than five hundred unit doses 1481  
or equals or exceeds twenty grams but is less than fifty grams 1482  
and regardless of whether the offense was committed in the 1483  
vicinity of a school, in the vicinity of a juvenile, or in the 1484  
vicinity of a substance addiction services provider or a 1485  
recovering addict, trafficking in a fentanyl-related compound is 1486  
a felony of the first degree, and the court shall impose as a 1487  
mandatory prison term one of the prison terms prescribed for a 1488  
felony of the first degree. 1489

(g) If the amount of the drug involved equals or exceeds 1490  
five hundred unit doses but is less than one thousand unit doses 1491  
or equals or exceeds fifty grams but is less than one hundred 1492  
grams and regardless of whether the offense was committed in the 1493  
vicinity of a school, in the vicinity of a juvenile, or in the 1494  
vicinity of a substance addiction services provider or a 1495  
recovering addict, trafficking in a fentanyl-related compound is 1496  
a felony of the first degree, and the court shall impose as a 1497  
mandatory prison term the maximum prison term prescribed for a 1498  
felony of the first degree. 1499

(h) If the amount of the drug involved equals or exceeds 1500  
one thousand unit doses or equals or exceeds one hundred grams 1501  
and regardless of whether the offense was committed in the 1502  
vicinity of a school, in the vicinity of a juvenile, or in the 1503  
vicinity of a substance addiction services provider or a 1504

recovering addict, trafficking in a fentanyl-related compound is 1505  
a felony of the first degree, the offender is a major drug 1506  
offender, and the court shall impose as a mandatory prison term 1507  
the maximum prison term prescribed for a felony of the first 1508  
degree. 1509

(10) If the drug involved in the violation is a compound, 1510  
mixture, preparation, or substance that is a combination of a 1511  
fentanyl-related compound and marihuana, one of the following 1512  
applies: 1513

(a) Except as otherwise provided in division (C) (10) (b) of 1514  
this section, the offender is guilty of trafficking in marihuana 1515  
and shall be punished under division (C) (3) of this section. The 1516  
offender is not guilty of trafficking in a fentanyl-related 1517  
compound and shall not be charged with, convicted of, or 1518  
punished under division (C) (9) of this section for trafficking 1519  
in a fentanyl-related compound. 1520

(b) If the offender knows or has reason to know that the 1521  
compound, mixture, preparation, or substance that is the drug 1522  
involved contains a fentanyl-related compound, the offender is 1523  
guilty of trafficking in a fentanyl-related compound and shall 1524  
be punished under division (C) (9) of this section. 1525

(D) In addition to any prison term authorized or required 1526  
by division (C) of this section and sections 2929.13 and 2929.14 1527  
of the Revised Code, and in addition to any other sanction 1528  
imposed for the offense under this section or sections 2929.11 1529  
to 2929.18 of the Revised Code, ~~the court that sentences an~~ 1530  
~~offender who is convicted of or pleads guilty to a violation of~~ 1531  
~~division (A) of this section may suspend the driver's or~~ 1532  
~~commercial driver's license or permit of the offender in~~ 1533  
~~accordance with division (G) of this section. However, if the~~ 1534

~~offender pleaded guilty to or was convicted of a violation of~~ 1535  
~~section 4511.19 of the Revised Code or a substantially similar~~ 1536  
~~municipal ordinance or the law of another state or the United~~ 1537  
~~States arising out of the same set of circumstances as the~~ 1538  
~~violation, the court shall suspend the offender's driver's or~~ 1539  
~~commercial driver's license or permit in accordance with~~ 1540  
~~division (G) of this section. If if applicable, the court also~~ 1541  
shall do the following: 1542

(1) If the violation of division (A) of this section is a 1543  
felony of the first, second, or third degree, the court shall 1544  
impose upon the offender the mandatory fine specified for the 1545  
offense under division (B)(1) of section 2929.18 of the Revised 1546  
Code unless, as specified in that division, the court determines 1547  
that the offender is indigent. Except as otherwise provided in 1548  
division (H)(1) of this section, a mandatory fine or any other 1549  
fine imposed for a violation of this section is subject to 1550  
division (F) of this section. If a person is charged with a 1551  
violation of this section that is a felony of the first, second, 1552  
or third degree, posts bail, and forfeits the bail, the clerk of 1553  
the court shall pay the forfeited bail pursuant to divisions (D) 1554  
(1) and (F) of this section, as if the forfeited bail was a fine 1555  
imposed for a violation of this section. If any amount of the 1556  
forfeited bail remains after that payment and if a fine is 1557  
imposed under division (H)(1) of this section, the clerk of the 1558  
court shall pay the remaining amount of the forfeited bail 1559  
pursuant to divisions (H)(2) and (3) of this section, as if that 1560  
remaining amount was a fine imposed under division (H)(1) of 1561  
this section. 1562

(2) If the offender is a professionally licensed person, 1563  
the court immediately shall comply with section 2925.38 of the 1564  
Revised Code. 1565

(3) If the offender has a driver's or commercial driver's license or permit, section 2929.33 of the Revised Code applies. 1566  
1567

(E) When a person is charged with the sale of or offer to 1568  
sell a bulk amount or a multiple of a bulk amount of a 1569  
controlled substance, the jury, or the court trying the accused, 1570  
shall determine the amount of the controlled substance involved 1571  
at the time of the offense and, if a guilty verdict is returned, 1572  
shall return the findings as part of the verdict. In any such 1573  
case, it is unnecessary to find and return the exact amount of 1574  
the controlled substance involved, and it is sufficient if the 1575  
finding and return is to the effect that the amount of the 1576  
controlled substance involved is the requisite amount, or that 1577  
the amount of the controlled substance involved is less than the 1578  
requisite amount. 1579

(F) (1) Notwithstanding any contrary provision of section 1580  
3719.21 of the Revised Code and except as provided in division 1581  
(H) of this section, the clerk of the court shall pay any 1582  
mandatory fine imposed pursuant to division (D) (1) of this 1583  
section and any fine other than a mandatory fine that is imposed 1584  
for a violation of this section pursuant to division (A) or (B) 1585  
(5) of section 2929.18 of the Revised Code to the county, 1586  
township, municipal corporation, park district, as created 1587  
pursuant to section 511.18 or 1545.04 of the Revised Code, or 1588  
state law enforcement agencies in this state that primarily were 1589  
responsible for or involved in making the arrest of, and in 1590  
prosecuting, the offender. However, the clerk shall not pay a 1591  
mandatory fine so imposed to a law enforcement agency unless the 1592  
agency has adopted a written internal control policy under 1593  
division (F) (2) of this section that addresses the use of the 1594  
fine moneys that it receives. Each agency shall use the 1595  
mandatory fines so paid to subsidize the agency's law 1596

enforcement efforts that pertain to drug offenses, in accordance 1597  
with the written internal control policy adopted by the 1598  
recipient agency under division (F) (2) of this section. 1599

(2) Prior to receiving any fine moneys under division (F) 1600  
(1) of this section or division (B) of section 2925.42 of the 1601  
Revised Code, a law enforcement agency shall adopt a written 1602  
internal control policy that addresses the agency's use and 1603  
disposition of all fine moneys so received and that provides for 1604  
the keeping of detailed financial records of the receipts of 1605  
those fine moneys, the general types of expenditures made out of 1606  
those fine moneys, and the specific amount of each general type 1607  
of expenditure. The policy shall not provide for or permit the 1608  
identification of any specific expenditure that is made in an 1609  
ongoing investigation. All financial records of the receipts of 1610  
those fine moneys, the general types of expenditures made out of 1611  
those fine moneys, and the specific amount of each general type 1612  
of expenditure by an agency are public records open for 1613  
inspection under section 149.43 of the Revised Code. 1614  
Additionally, a written internal control policy adopted under 1615  
this division is such a public record, and the agency that 1616  
adopted it shall comply with it. 1617

(3) As used in division (F) of this section: 1618

(a) "Law enforcement agencies" includes, but is not 1619  
limited to, the state board of pharmacy and the office of a 1620  
prosecutor. 1621

(b) "Prosecutor" has the same meaning as in section 1622  
2935.01 of the Revised Code. 1623

~~(G) (1) If the sentencing court suspends the offender's~~ 1624  
~~driver's or commercial driver's license or permit under division~~ 1625

~~(D) of this section or any other provision of this chapter, the~~ 1626  
~~court shall suspend the license, by order, for not more than~~ 1627  
~~five years. If an offender's driver's or commercial driver's~~ 1628  
~~license or permit is suspended pursuant to this division, the~~ 1629  
~~offender, at any time after the expiration of two years from the~~ 1630  
~~day on which the offender's sentence was imposed or from the day~~ 1631  
~~on which the offender finally was released from a prison term~~ 1632  
~~under the sentence, whichever is later, may file a motion with~~ 1633  
~~the sentencing court requesting termination of the suspension;~~ 1634  
~~upon the filing of such a motion and the court's finding of good~~ 1635  
~~cause for the termination, the court may terminate the~~ 1636  
~~suspension.~~ 1637

~~(2)~~ (G) Any offender who received a mandatory suspension 1638  
of the offender's driver's or commercial driver's license or 1639  
permit under this section prior to September 13, 2016, may file 1640  
a motion with the sentencing court requesting the termination of 1641  
the suspension. However, an offender who pleaded guilty to or 1642  
was convicted of a violation of section 4511.19 of the Revised 1643  
Code or a substantially similar municipal ordinance or law of 1644  
another state or the United States that arose out of the same 1645  
set of circumstances as the violation for which the offender's 1646  
license or permit was suspended under this section shall not 1647  
file such a motion. 1648

Upon the filing of a motion under division ~~(G) (2)~~ (G) of 1649  
this section, the sentencing court, in its discretion, may 1650  
terminate the suspension. 1651

(H) (1) In addition to any prison term authorized or 1652  
required by division (C) of this section and sections 2929.13 1653  
and 2929.14 of the Revised Code, in addition to any other 1654  
penalty or sanction imposed for the offense under this section 1655



or sections 2929.11 to 2929.18 of the Revised Code, and in 1656  
addition to the forfeiture of property in connection with the 1657  
offense as prescribed in Chapter 2981. of the Revised Code, the 1658  
court that sentences an offender who is convicted of or pleads 1659  
guilty to a violation of division (A) of this section may impose 1660  
upon the offender an additional fine specified for the offense 1661  
in division (B) (4) of section 2929.18 of the Revised Code. A 1662  
fine imposed under division (H) (1) of this section is not 1663  
subject to division (F) of this section and shall be used solely 1664  
for the support of one or more eligible community addiction 1665  
services providers in accordance with divisions (H) (2) and (3) 1666  
of this section. 1667

(2) The court that imposes a fine under division (H) (1) of 1668  
this section shall specify in the judgment that imposes the fine 1669  
one or more eligible community addiction services providers for 1670  
the support of which the fine money is to be used. No community 1671  
addiction services provider shall receive or use money paid or 1672  
collected in satisfaction of a fine imposed under division (H) 1673  
(1) of this section unless the services provider is specified in 1674  
the judgment that imposes the fine. No community addiction 1675  
services provider shall be specified in the judgment unless the 1676  
services provider is an eligible community addiction services 1677  
provider and, except as otherwise provided in division (H) (2) of 1678  
this section, unless the services provider is located in the 1679  
county in which the court that imposes the fine is located or in 1680  
a county that is immediately contiguous to the county in which 1681  
that court is located. If no eligible community addiction 1682  
services provider is located in any of those counties, the 1683  
judgment may specify an eligible community addiction services 1684  
provider that is located anywhere within this state. 1685

(3) Notwithstanding any contrary provision of section 1686

3719.21 of the Revised Code, the clerk of the court shall pay 1687  
any fine imposed under division (H) (1) of this section to the 1688  
eligible community addiction services provider specified 1689  
pursuant to division (H) (2) of this section in the judgment. The 1690  
eligible community addiction services provider that receives the 1691  
fine moneys shall use the moneys only for the alcohol and drug 1692  
addiction services identified in the application for 1693  
certification of services under section 5119.36 of the Revised 1694  
Code or in the application for a license under section 5119.37 1695  
of the Revised Code filed with the department of mental health 1696  
and addiction services by the community addiction services 1697  
provider specified in the judgment. 1698

(4) Each community addiction services provider that 1699  
receives in a calendar year any fine moneys under division (H) 1700  
(3) of this section shall file an annual report covering that 1701  
calendar year with the court of common pleas and the board of 1702  
county commissioners of the county in which the services 1703  
provider is located, with the court of common pleas and the 1704  
board of county commissioners of each county from which the 1705  
services provider received the moneys if that county is 1706  
different from the county in which the services provider is 1707  
located, and with the attorney general. The community addiction 1708  
services provider shall file the report no later than the first 1709  
day of March in the calendar year following the calendar year in 1710  
which the services provider received the fine moneys. The report 1711  
shall include statistics on the number of persons served by the 1712  
community addiction services provider, identify the types of 1713  
alcohol and drug addiction services provided to those persons, 1714  
and include a specific accounting of the purposes for which the 1715  
fine moneys received were used. No information contained in the 1716  
report shall identify, or enable a person to determine the 1717

identity of, any person served by the community addiction 1718  
services provider. Each report received by a court of common 1719  
pleas, a board of county commissioners, or the attorney general 1720  
is a public record open for inspection under section 149.43 of 1721  
the Revised Code. 1722

(5) As used in divisions (H) (1) to (5) of this section: 1723

(a) "Community addiction services provider" and "alcohol 1724  
and drug addiction services" have the same meanings as in 1725  
section 5119.01 of the Revised Code. 1726

(b) "Eligible community addiction services provider" means 1727  
a community addiction services provider, including a community 1728  
addiction services provider that operates an opioid treatment 1729  
program licensed under section 5119.37 of the Revised Code. 1730

(I) As used in this section, "drug" includes any substance 1731  
that is represented to be a drug. 1732

(J) It is an affirmative defense to a charge of 1733  
trafficking in a controlled substance analog under division (C) 1734  
(8) of this section that the person charged with violating that 1735  
offense sold or offered to sell, or prepared for shipment, 1736  
shipped, transported, delivered, prepared for distribution, or 1737  
distributed one of the following items that are excluded from 1738  
the meaning of "controlled substance analog" under section 1739  
3719.01 of the Revised Code: 1740

(1) A controlled substance; 1741

(2) Any substance for which there is an approved new drug 1742  
application; 1743

(3) With respect to a particular person, any substance if 1744  
an exemption is in effect for investigational use for that 1745

person pursuant to federal law to the extent that conduct with 1746  
respect to that substance is pursuant to that exemption. 1747

**Sec. 2925.04.** (A) No person shall knowingly cultivate 1748  
marihuana or knowingly manufacture or otherwise engage in any 1749  
part of the production of a controlled substance. 1750

(B) This section does not apply to any person listed in 1751  
division (B) (1), (2), or (3) of section 2925.03 of the Revised 1752  
Code to the extent and under the circumstances described in 1753  
those divisions. 1754

(C) (1) Whoever commits a violation of division (A) of this 1755  
section that involves any drug other than marihuana is guilty of 1756  
illegal manufacture of drugs, and whoever commits a violation of 1757  
division (A) of this section that involves marihuana is guilty 1758  
of illegal cultivation of marihuana. 1759

(2) Except as otherwise provided in this division, if the 1760  
drug involved in the violation of division (A) of this section 1761  
is any compound, mixture, preparation, or substance included in 1762  
schedule I or II, with the exception of methamphetamine or 1763  
marihuana, illegal manufacture of drugs is a felony of the 1764  
second degree, and, subject to division (E) of this section, the 1765  
court shall impose as a mandatory prison term a second degree 1766  
felony mandatory prison term. 1767

If the drug involved in the violation is any compound, 1768  
mixture, preparation, or substance included in schedule I or II, 1769  
with the exception of methamphetamine or marihuana, and if the 1770  
offense was committed in the vicinity of a juvenile or in the 1771  
vicinity of a school, illegal manufacture of drugs is a felony 1772  
of the first degree, and, subject to division (E) of this 1773  
section, the court shall impose as a mandatory prison term a 1774

first degree felony mandatory prison term. 1775

(3) If the drug involved in the violation of division (A) 1776  
of this section is methamphetamine, the penalty for the 1777  
violation shall be determined as follows: 1778

(a) Except as otherwise provided in division (C) (3) (b) of 1779  
this section, if the drug involved in the violation is 1780  
methamphetamine, illegal manufacture of drugs is a felony of the 1781  
second degree, and, subject to division (E) of this section, the 1782  
court shall impose a mandatory prison term on the offender 1783  
determined in accordance with this division. Except as otherwise 1784  
provided in this division, the court shall impose as a mandatory 1785  
prison term a second degree felony mandatory prison term that is 1786  
not less than three years. If the offender previously has been 1787  
convicted of or pleaded guilty to a violation of division (A) of 1788  
this section, a violation of division (B) (6) of section 2919.22 1789  
of the Revised Code, or a violation of division (A) of section 1790  
2925.041 of the Revised Code, the court shall impose as a 1791  
mandatory prison term a second degree felony mandatory prison 1792  
term that is not less than five years. 1793

(b) If the drug involved in the violation is 1794  
methamphetamine and if the offense was committed in the vicinity 1795  
of a juvenile, in the vicinity of a school, or on public 1796  
premises, illegal manufacture of drugs is a felony of the first 1797  
degree, and, subject to division (E) of this section, the court 1798  
shall impose a mandatory prison term on the offender determined 1799  
in accordance with this division. Except as otherwise provided 1800  
in this division, the court shall impose as a mandatory prison 1801  
term a first degree felony mandatory prison term that is not 1802  
less than four years. If the offender previously has been 1803  
convicted of or pleaded guilty to a violation of division (A) of 1804

this section, a violation of division (B) (6) of section 2919.22 1805  
of the Revised Code, or a violation of division (A) of section 1806  
2925.041 of the Revised Code, the court shall impose as a 1807  
mandatory prison term a first degree felony mandatory prison 1808  
term that is not less than five years. 1809

(4) If the drug involved in the violation of division (A) 1810  
of this section is any compound, mixture, preparation, or 1811  
substance included in schedule III, IV, or V, illegal 1812  
manufacture of drugs is a felony of the third degree or, if the 1813  
offense was committed in the vicinity of a school or in the 1814  
vicinity of a juvenile, a felony of the second degree, and there 1815  
is a presumption for a prison term for the offense. 1816

(5) If the drug involved in the violation is marihuana, 1817  
the penalty for the offense shall be determined as follows: 1818

(a) Except as otherwise provided in division (C) (5) (b), 1819  
(c), (d), (e), or (f) of this section, illegal cultivation of 1820  
marihuana is a minor misdemeanor or, if the offense was 1821  
committed in the vicinity of a school or in the vicinity of a 1822  
juvenile, a misdemeanor of the fourth degree. 1823

(b) If the amount of marihuana involved equals or exceeds 1824  
one hundred grams but is less than two hundred grams, illegal 1825  
cultivation of marihuana is a misdemeanor of the fourth degree 1826  
or, if the offense was committed in the vicinity of a school or 1827  
in the vicinity of a juvenile, a misdemeanor of the third 1828  
degree. 1829

(c) If the amount of marihuana involved equals or exceeds 1830  
two hundred grams but is less than one thousand grams, illegal 1831  
cultivation of marihuana is a felony of the fifth degree or, if 1832  
the offense was committed in the vicinity of a school or in the 1833

vicinity of a juvenile, a felony of the fourth degree, and 1834  
division (B) of section 2929.13 of the Revised Code applies in 1835  
determining whether to impose a prison term on the offender. 1836

(d) If the amount of marihuana involved equals or exceeds 1837  
one thousand grams but is less than five thousand grams, illegal 1838  
cultivation of marihuana is a felony of the third degree or, if 1839  
the offense was committed in the vicinity of a school or in the 1840  
vicinity of a juvenile, a felony of the second degree, and 1841  
division (C) of section 2929.13 of the Revised Code applies in 1842  
determining whether to impose a prison term on the offender. 1843

(e) If the amount of marihuana involved equals or exceeds 1844  
five thousand grams but is less than twenty thousand grams, 1845  
illegal cultivation of marihuana is a felony of the third degree 1846  
or, if the offense was committed in the vicinity of a school or 1847  
in the vicinity of a juvenile, a felony of the second degree, 1848  
and there is a presumption for a prison term for the offense. 1849

(f) Except as otherwise provided in this division, if the 1850  
amount of marihuana involved equals or exceeds twenty thousand 1851  
grams, illegal cultivation of marihuana is a felony of the 1852  
second degree, and the court shall impose as a mandatory prison 1853  
term a maximum second degree felony mandatory prison term. If 1854  
the amount of the drug involved equals or exceeds twenty 1855  
thousand grams and if the offense was committed in the vicinity 1856  
of a school or in the vicinity of a juvenile, illegal 1857  
cultivation of marihuana is a felony of the first degree, and 1858  
the court shall impose as a mandatory prison term a maximum 1859  
first degree felony mandatory prison term. 1860

(D) In addition to any prison term authorized or required 1861  
by division (C) or (E) of this section and sections 2929.13 and 1862  
2929.14 of the Revised Code and in addition to any other 1863

sanction imposed for the offense under this section or sections 1864  
2929.11 to 2929.18 of the Revised Code, ~~the court that sentences~~ 1865  
~~an offender who is convicted of or pleads guilty to a violation~~ 1866  
~~of division (A) of this section may suspend the offender's~~ 1867  
~~driver's or commercial driver's license or permit in accordance~~ 1868  
~~with division (G) of section 2925.03 of the Revised Code.~~ 1869  
~~However, if the offender pleaded guilty to or was convicted of a~~ 1870  
~~violation of section 4511.19 of the Revised Code or a~~ 1871  
~~substantially similar municipal ordinance or the law of another~~ 1872  
~~state or the United States arising out of the same set of~~ 1873  
~~circumstances as the violation, the court shall suspend the~~ 1874  
~~offender's driver's or commercial driver's license or permit in~~ 1875  
~~accordance with division (G) of section 2925.03 of the Revised~~ 1876  
~~Code. If if applicable, the court also shall do the following:~~ 1877

(1) If the violation of division (A) of this section is a 1878  
felony of the first, second, or third degree, the court shall 1879  
impose upon the offender the mandatory fine specified for the 1880  
offense under division (B) (1) of section 2929.18 of the Revised 1881  
Code unless, as specified in that division, the court determines 1882  
that the offender is indigent. The clerk of the court shall pay 1883  
a mandatory fine or other fine imposed for a violation of this 1884  
section pursuant to division (A) of section 2929.18 of the 1885  
Revised Code in accordance with and subject to the requirements 1886  
of division (F) of section 2925.03 of the Revised Code. The 1887  
agency that receives the fine shall use the fine as specified in 1888  
division (F) of section 2925.03 of the Revised Code. If a person 1889  
is charged with a violation of this section that is a felony of 1890  
the first, second, or third degree, posts bail, and forfeits the 1891  
bail, the clerk shall pay the forfeited bail as if the forfeited 1892  
bail were a fine imposed for a violation of this section. 1893

(2) If the offender is a professionally licensed person, 1894



the court immediately shall comply with section 2925.38 of the Revised Code.

(3) If the offender has a driver's or commercial driver's license or permit, section 2929.33 of the Revised Code applies.

(E) Notwithstanding the prison term otherwise authorized or required for the offense under division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, if the violation of division (A) of this section involves the sale, offer to sell, or possession of a schedule I or II controlled substance, with the exception of marihuana, and if the court imposing sentence upon the offender finds that the offender as a result of the violation is a major drug offender and is guilty of a specification of the type described in division (A) of section 2941.1410 of the Revised Code, the court, in lieu of the prison term otherwise authorized or required, shall impose upon the offender the mandatory prison term specified in division (B) (3) of section 2929.14 of the Revised Code.

(F) It is an affirmative defense, as provided in section 2901.05 of the Revised Code, to a charge under this section for a fifth degree felony violation of illegal cultivation of marihuana that the marihuana that gave rise to the charge is in an amount, is in a form, is prepared, compounded, or mixed with substances that are not controlled substances in a manner, or is possessed or cultivated under any other circumstances that indicate that the marihuana was solely for personal use.

Notwithstanding any contrary provision of division (F) of this section, if, in accordance with section 2901.05 of the Revised Code, a person who is charged with a violation of illegal cultivation of marihuana that is a felony of the fifth degree sustains the burden of going forward with evidence of and

establishes by a preponderance of the evidence the affirmative 1925  
defense described in this division, the person may be prosecuted 1926  
for and may be convicted of or plead guilty to a misdemeanor 1927  
violation of illegal cultivation of marihuana. 1928

(G) Arrest or conviction for a minor misdemeanor violation 1929  
of this section does not constitute a criminal record and need 1930  
not be reported by the person so arrested or convicted in 1931  
response to any inquiries about the person's criminal record, 1932  
including any inquiries contained in an application for 1933  
employment, a license, or any other right or privilege or made 1934  
in connection with the person's appearance as a witness. 1935

~~(H) (1) If the sentencing court suspends the offender's 1936  
driver's or commercial driver's license or permit under this 1937  
section in accordance with division (G) of section 2925.03 of 1938  
the Revised Code, the offender may request termination of, and 1939  
the court may terminate, the suspension of the offender in 1940  
accordance with that division. 1941~~

~~(2)~~ (H) Any offender who received a mandatory suspension 1942  
of the offender's driver's or commercial driver's license or 1943  
permit under this section prior to September 13, 2016, may file 1944  
a motion with the sentencing court requesting the termination of 1945  
the suspension. However, an offender who pleaded guilty to or 1946  
was convicted of a violation of section 4511.19 of the Revised 1947  
Code or a substantially similar municipal ordinance or law of 1948  
another state or the United States that arose out of the same 1949  
set of circumstances as the violation for which the offender's 1950  
license or permit was suspended under this section shall not 1951  
file such a motion. 1952

Upon the filing of a motion under division ~~(H) (2)~~ (H) of 1953  
this section, the sentencing court, in its discretion, may 1954

terminate the suspension. 1955

**Sec. 2925.041.** (A) No person shall knowingly assemble or 1956  
possess one or more chemicals that may be used to manufacture a 1957  
controlled substance in schedule I or II with the intent to 1958  
manufacture a controlled substance in schedule I or II in 1959  
violation of section 2925.04 of the Revised Code. 1960

(B) In a prosecution under this section, it is not 1961  
necessary to allege or prove that the offender assembled or 1962  
possessed all chemicals necessary to manufacture a controlled 1963  
substance in schedule I or II. The assembly or possession of a 1964  
single chemical that may be used in the manufacture of a 1965  
controlled substance in schedule I or II, with the intent to 1966  
manufacture a controlled substance in either schedule, is 1967  
sufficient to violate this section. 1968

(C) Whoever violates this section is guilty of illegal 1969  
assembly or possession of chemicals for the manufacture of 1970  
drugs. Except as otherwise provided in this division, illegal 1971  
assembly or possession of chemicals for the manufacture of drugs 1972  
is a felony of the third degree, and, except as otherwise 1973  
provided in division (C)(1) or (2) of this section, division (C) 1974  
of section 2929.13 of the Revised Code applies in determining 1975  
whether to impose a prison term on the offender. If the offense 1976  
was committed in the vicinity of a juvenile or in the vicinity 1977  
of a school, illegal assembly or possession of chemicals for the 1978  
manufacture of drugs is a felony of the second degree, and, 1979  
except as otherwise provided in division (C)(1) or (2) of this 1980  
section, division (C) of section 2929.13 of the Revised Code 1981  
applies in determining whether to impose a prison term on the 1982  
offender. If the violation of division (A) of this section is a 1983  
felony of the third degree under this division and if the 1984

chemical or chemicals assembled or possessed in violation of 1985  
division (A) of this section may be used to manufacture 1986  
methamphetamine, there either is a presumption for a prison term 1987  
for the offense or the court shall impose a mandatory prison 1988  
term on the offender, determined as follows: 1989

(1) Except as otherwise provided in this division, there 1990  
is a presumption for a prison term for the offense. If the 1991  
offender two or more times previously has been convicted of or 1992  
pleaded guilty to a felony drug abuse offense, except as 1993  
otherwise provided in this division, the court shall impose as a 1994  
mandatory prison term one of the prison terms prescribed for a 1995  
felony of the third degree that is not less than two years. If 1996  
the offender two or more times previously has been convicted of 1997  
or pleaded guilty to a felony drug abuse offense and if at least 1998  
one of those previous convictions or guilty pleas was to a 1999  
violation of division (A) of this section, a violation of 2000  
division (B) (6) of section 2919.22 of the Revised Code, or a 2001  
violation of division (A) of section 2925.04 of the Revised 2002  
Code, the court shall impose as a mandatory prison term one of 2003  
the prison terms prescribed for a felony of the third degree 2004  
that is not less than five years. 2005

(2) If the violation of division (A) of this section is a 2006  
felony of the second degree under division (C) of this section 2007  
and the chemical or chemicals assembled or possessed in 2008  
committing the violation may be used to manufacture 2009  
methamphetamine, the court shall impose as a mandatory prison 2010  
term a second degree felony mandatory prison term that is not 2011  
less than three years. If the violation of division (A) of this 2012  
section is a felony of the second degree under division (C) of 2013  
this section, if the chemical or chemicals assembled or 2014  
possessed in committing the violation may be used to manufacture 2015

methamphetamine, and if the offender previously has been 2016  
convicted of or pleaded guilty to a violation of division (A) of 2017  
this section, a violation of division (B) (6) of section 2919.22 2018  
of the Revised Code, or a violation of division (A) of section 2019  
2925.04 of the Revised Code, the court shall impose as a 2020  
mandatory prison term a second degree felony mandatory prison 2021  
term that is not less than five years. 2022

(D) In addition to any prison term authorized by division 2023  
(C) of this section and sections 2929.13 and 2929.14 of the 2024  
Revised Code and in addition to any other sanction imposed for 2025  
the offense under this section or sections 2929.11 to 2929.18 of 2026  
the Revised Code, ~~the court that sentences an offender who is~~ 2027  
~~convicted of or pleads guilty to a violation of this section may~~ 2028  
~~suspend the offender's driver's or commercial driver's license~~ 2029  
~~or permit in accordance with division (G) of section 2925.03 of~~ 2030  
~~the Revised Code. However, if the offender pleaded guilty to or~~ 2031  
~~was convicted of a violation of section 4511.19 of the Revised~~ 2032  
~~Code or a substantially similar municipal ordinance or the law~~ 2033  
~~of another state or the United States arising out of the same~~ 2034  
~~set of circumstances as the violation, the court shall suspend~~ 2035  
~~the offender's driver's or commercial driver's license or permit~~ 2036  
~~in accordance with division (G) of section 2925.03 of the~~ 2037  
Revised Code. ~~If~~ if applicable, the court also shall do the 2038  
following: 2039

(1) The court shall impose upon the offender the mandatory 2040  
fine specified for the offense under division (B) (1) of section 2041  
2929.18 of the Revised Code unless, as specified in that 2042  
division, the court determines that the offender is indigent. 2043  
The clerk of the court shall pay a mandatory fine or other fine 2044  
imposed for a violation of this section under division (A) of 2045  
section 2929.18 of the Revised Code in accordance with and 2046

subject to the requirements of division (F) of section 2925.03 2047  
of the Revised Code. The agency that receives the fine shall use 2048  
the fine as specified in division (F) of section 2925.03 of the 2049  
Revised Code. If a person charged with a violation of this 2050  
section posts bail and forfeits the bail, the clerk shall pay 2051  
the forfeited bail as if the forfeited bail were a fine imposed 2052  
for a violation of this section. 2053

(2) If the offender is a professionally licensed person or 2054  
a person who has been admitted to the bar by order of the 2055  
supreme court in compliance with its prescribed and published 2056  
rules, the court shall comply with section 2925.38 of the 2057  
Revised Code. 2058

(3) If the offender has a driver's or commercial driver's 2059  
license or permit, section 2929.33 of the Revised Code applies. 2060

~~(E)(1) If the sentencing court suspends the offender's~~ 2061  
~~driver's or commercial driver's license or permit under this~~ 2062  
~~section in accordance with division (G) of section 2925.03 of~~ 2063  
~~the Revised Code, the offender may request termination of, and~~ 2064  
~~the court may terminate, the suspension of the offender in~~ 2065  
~~accordance with that division.~~ 2066

~~(2)~~ (E) Any offender who received a mandatory suspension 2067  
of the offender's driver's or commercial driver's license or 2068  
permit under this section prior to September 13, 2016, may file 2069  
a motion with the sentencing court requesting the termination of 2070  
the suspension. However, an offender who pleaded guilty to or 2071  
was convicted of a violation of section 4511.19 of the Revised 2072  
Code or a substantially similar municipal ordinance or law of 2073  
another state or the United States that arose out of the same 2074  
set of circumstances as the violation for which the offender's 2075  
license or permit was suspended under this section shall not 2076

file such a motion. 2077

Upon the filing of a motion under division ~~(E)(2)~~ (E) of 2078  
this section, the sentencing court, in its discretion, may 2079  
terminate the suspension. 2080

**Sec. 2925.05.** (A) No person shall knowingly provide money 2081  
or other items of value to another person with the purpose that 2082  
the recipient of the money or items of value use them to obtain 2083  
any controlled substance for the purpose of violating section 2084  
2925.04 of the Revised Code or for the purpose of selling or 2085  
offering to sell the controlled substance in the following 2086  
amount: 2087

(1) If the drug to be sold or offered for sale is any 2088  
compound, mixture, preparation, or substance included in 2089  
schedule I or II, with the exception of marihuana, cocaine, 2090  
L.S.D., heroin, any fentanyl-related compound, and hashish, or 2091  
schedule III, IV, or V, an amount of the drug that equals or 2092  
exceeds the bulk amount of the drug; 2093

(2) If the drug to be sold or offered for sale is 2094  
marihuana or a compound, mixture, preparation, or substance 2095  
other than hashish containing marihuana, an amount of the 2096  
marihuana that equals or exceeds two hundred grams; 2097

(3) If the drug to be sold or offered for sale is cocaine 2098  
or a compound, mixture, preparation, or substance containing 2099  
cocaine, an amount of the cocaine that equals or exceeds five 2100  
grams; 2101

(4) If the drug to be sold or offered for sale is L.S.D. 2102  
or a compound, mixture, preparation, or substance containing 2103  
L.S.D., an amount of the L.S.D. that equals or exceeds ten unit 2104  
doses if the L.S.D. is in a solid form or equals or exceeds one 2105

gram if the L.S.D. is in a liquid concentrate, liquid extract, 2106  
or liquid distillate form; 2107

(5) If the drug to be sold or offered for sale is heroin 2108  
or a fentanyl-related compound, or a compound, mixture, 2109  
preparation, or substance containing heroin or a fentanyl- 2110  
related compound, an amount that equals or exceeds ten unit 2111  
doses or equals or exceeds one gram; 2112

(6) If the drug to be sold or offered for sale is hashish 2113  
or a compound, mixture, preparation, or substance containing 2114  
hashish, an amount of the hashish that equals or exceeds ten 2115  
grams if the hashish is in a solid form or equals or exceeds two 2116  
grams if the hashish is in a liquid concentrate, liquid extract, 2117  
or liquid distillate form. 2118

(B) This section does not apply to any person listed in 2119  
division (B) (1), (2), or (3) of section 2925.03 of the Revised 2120  
Code to the extent and under the circumstances described in 2121  
those divisions. 2122

(C) (1) If the drug involved in the violation is any 2123  
compound, mixture, preparation, or substance included in 2124  
schedule I or II, with the exception of marihuana, whoever 2125  
violates division (A) of this section is guilty of aggravated 2126  
funding of drug trafficking, a felony of the first degree, and, 2127  
subject to division (E) of this section, the court shall impose 2128  
as a mandatory prison term a first degree felony mandatory 2129  
prison term. 2130

(2) If the drug involved in the violation is any compound, 2131  
mixture, preparation, or substance included in schedule III, IV, 2132  
or V, whoever violates division (A) of this section is guilty of 2133  
funding of drug trafficking, a felony of the second degree, and 2134



the court shall impose as a mandatory prison term a second 2135  
degree felony mandatory prison term. 2136

(3) If the drug involved in the violation is marihuana, 2137  
whoever violates division (A) of this section is guilty of 2138  
funding of marihuana trafficking, a felony of the third degree, 2139  
and, except as otherwise provided in this division, there is a 2140  
presumption for a prison term for the offense. If funding of 2141  
marihuana trafficking is a felony of the third degree under this 2142  
division and if the offender two or more times previously has 2143  
been convicted of or pleaded guilty to a felony drug abuse 2144  
offense, the court shall impose as a mandatory prison term one 2145  
of the prison terms prescribed for a felony of the third degree. 2146

(D) In addition to any prison term authorized or required 2147  
by division (C) or (E) of this section and sections 2929.13 and 2148  
2929.14 of the Revised Code and in addition to any other 2149  
sanction imposed for the offense under this section or sections 2150  
2929.11 to 2929.18 of the Revised Code, ~~the court that sentences~~ 2151  
~~an offender who is convicted of or pleads guilty to a violation~~ 2152  
~~of division (A) of this section may suspend the offender's~~ 2153  
~~driver's or commercial driver's license or permit in accordance~~ 2154  
~~with division (G) of section 2925.03 of the Revised Code.~~ 2155  
~~However, if the offender pleaded guilty to or was convicted of a~~ 2156  
~~violation of section 4511.19 of the Revised Code or a~~ 2157  
~~substantially similar municipal ordinance or the law of another~~ 2158  
~~state or the United States arising out of the same set of~~ 2159  
~~circumstances as the violation, the court shall suspend the~~ 2160  
~~offender's driver's or commercial driver's license or permit in~~ 2161  
~~accordance with division (G) of section 2925.03 of the Revised~~ 2162  
~~Code. If if applicable, the court also shall do the following:~~ 2163

(1) The court shall impose the mandatory fine specified 2164

for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. The clerk of the court shall pay a mandatory fine or other fine imposed for a violation of this section pursuant to division (A) of section 2929.18 of the Revised Code in accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine in accordance with division (F) of section 2925.03 of the Revised Code. If a person is charged with a violation of this section, posts bail, and forfeits the bail, the forfeited bail shall be paid as if the forfeited bail were a fine imposed for a violation of this section.

(2) If the offender is a professionally licensed person, the court immediately shall comply with section 2925.38 of the Revised Code.

(3) If the offender has a driver's or commercial driver's license or permit, section 2929.33 of the Revised Code applies.

(E) Notwithstanding the prison term otherwise authorized or required for the offense under division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, if the violation of division (A) of this section involves the sale, offer to sell, or possession of a schedule I or II controlled substance, with the exception of marihuana, one of the following applies:

(1) If the drug involved in the violation is a fentanyl-related compound, the offense is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree.

(2) If division (E) (1) of this section does not apply and  
the court imposing sentence upon the offender finds that the  
offender as a result of the violation is a major drug offender  
and is guilty of a specification of the type described in  
division (A) of section 2941.1410 of the Revised Code, the  
court, in lieu of the prison term otherwise authorized or  
required, shall impose upon the offender the mandatory prison  
term specified in division (B) (3) of section 2929.14 of the  
Revised Code.

~~(F) (1) If the sentencing court suspends the offender's  
driver's or commercial driver's license or permit under this  
section in accordance with division (C) of section 2925.03 of  
the Revised Code, the offender may request termination of, and  
the court may terminate, the suspension in accordance with that  
division.~~

~~(2) (F)~~ Any offender who received a mandatory suspension  
of the offender's driver's or commercial driver's license or  
permit under this section prior to September 13, 2016, may file  
a motion with the sentencing court requesting the termination of  
the suspension. However, an offender who pleaded guilty to or  
was convicted of a violation of section 4511.19 of the Revised  
Code or a substantially similar municipal ordinance or law of  
another state or the United States that arose out of the same  
set of circumstances as the violation for which the offender's  
license or permit was suspended under this section shall not  
file such a motion.

Upon the filing of a motion under division ~~(F) (2)~~ (F) of  
this section, the sentencing court, in its discretion, may  
terminate the suspension.

**Sec. 2925.06.** (A) No person shall knowingly administer to

a human being, or prescribe or dispense for administration to a 2225  
human being, any anabolic steroid not approved by the United 2226  
States food and drug administration for administration to human 2227  
beings. 2228

(B) This section does not apply to any person listed in 2229  
division (B) (1), (2), or (3) of section 2925.03 of the Revised 2230  
Code to the extent and under the circumstances described in 2231  
those divisions. 2232

(C) Whoever violates division (A) of this section is 2233  
guilty of illegal administration or distribution of anabolic 2234  
steroids, a felony of the fourth degree, and division (C) of 2235  
section 2929.13 of the Revised Code applies in determining 2236  
whether to impose a prison term on the offender. 2237

(D) (1) In addition to any prison term authorized or 2238  
required by division (C) of this section and sections 2929.13 2239  
and 2929.14 of the Revised Code and in addition to any other 2240  
sanction imposed for the offense under this section or sections 2241  
2929.11 to 2929.18 of the Revised Code, ~~the court that sentences~~ 2242  
~~an offender who is convicted of or pleads guilty to a violation~~ 2243  
~~of division (A) of this section may suspend the offender's~~ 2244  
~~driver's or commercial driver's license or permit in accordance~~ 2245  
~~with division (G) of section 2925.03 of the Revised Code.~~ 2246  
However, if the offender pleaded guilty to or was convicted of a 2247  
violation of section 4511.19 of the Revised Code or a 2248  
substantially similar municipal ordinance or the law of another 2249  
state or the United States arising out of the same set of 2250  
circumstances as the violation, the court shall suspend the 2251  
offender's driver's or commercial driver's license or permit in 2252  
accordance with division (G) of section 2925.03 of the Revised 2253  
Code. If an offender's driver's or commercial driver's license 2254

~~or permit is suspended in accordance with that division, the~~ 2255  
~~offender may request termination of, and the court may~~ 2256  
~~terminate, the suspension in accordance with that division.~~ 2257

~~If~~ if the offender is a professionally licensed person, 2258  
the court immediately shall comply with section 2925.38 of the 2259  
Revised Code. 2260

If the offender has a driver's or commercial driver's 2261  
license or permit, section 2929.33 of the Revised Code applies. 2262

(2) Any offender who received a mandatory suspension of 2263  
the offender's driver's or commercial driver's license or permit 2264  
under this section prior to ~~the effective date of this amendment~~ 2265  
September 13, 2016, may file a motion with the sentencing court 2266  
requesting the termination of the suspension. However, an 2267  
offender who pleaded guilty to or was convicted of a violation 2268  
of section 4511.19 of the Revised Code or a substantially 2269  
similar municipal ordinance or law of another state or the 2270  
United States that arose out of the same set of circumstances as 2271  
the violation for which the offender's license or permit was 2272  
suspended under this section shall not file such a motion. 2273

Upon the filing of a motion under division (D)(2) of this 2274  
section, the sentencing court, in its discretion, may terminate 2275  
the suspension. 2276

(E) If a person commits any act that constitutes a 2277  
violation of division (A) of this section and that also 2278  
constitutes a violation of any other provision of the Revised 2279  
Code, the prosecutor, as defined in section 2935.01 of the 2280  
Revised Code, using customary prosecutorial discretion, may 2281  
prosecute the person for a violation of the appropriate 2282  
provision of the Revised Code. 2283

<b>Sec. 2925.11.</b> (A) No person shall knowingly obtain,	2284
possess, or use a controlled substance or a controlled substance	2285
analog.	2286
(B) (1) This section does not apply to any of the	2287
following:	2288
(a) Manufacturers, licensed health professionals	2289
authorized to prescribe drugs, pharmacists, owners of	2290
pharmacies, and other persons whose conduct was in accordance	2291
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and	2292
4741. of the Revised Code;	2293
(b) If the offense involves an anabolic steroid, any	2294
person who is conducting or participating in a research project	2295
involving the use of an anabolic steroid if the project has been	2296
approved by the United States food and drug administration;	2297
(c) Any person who sells, offers for sale, prescribes,	2298
dispenses, or administers for livestock or other nonhuman	2299
species an anabolic steroid that is expressly intended for	2300
administration through implants to livestock or other nonhuman	2301
species and approved for that purpose under the "Federal Food,	2302
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301,	2303
as amended, and is sold, offered for sale, prescribed,	2304
dispensed, or administered for that purpose in accordance with	2305
that act;	2306
(d) Any person who obtained the controlled substance	2307
pursuant to a prescription issued by a licensed health	2308
professional authorized to prescribe drugs if the prescription	2309
was issued for a legitimate medical purpose and not altered,	2310
forged, or obtained through deception or commission of a theft	2311
offense.	2312

As used in division (B) (1) (d) of this section, "deception"	2313
and "theft offense" have the same meanings as in section 2913.01	2314
of the Revised Code.	2315
(2) (a) As used in division (B) (2) of this section:	2316
(i) "Community addiction services provider" has the same	2317
meaning as in section 5119.01 of the Revised Code.	2318
(ii) "Community control sanction" has the same meaning as	2319
in section 2929.01 of the Revised Code.	2320
(iii) "Health care facility" has the same meaning as in	2321
section 2919.16 of the Revised Code.	2322
(iv) "Minor drug possession offense" means a violation of	2323
this section that is a misdemeanor or a felony of the fifth	2324
degree.	2325
(v) "Post-release control sanction" has the same meaning	2326
as in section 2967.28 of the Revised Code.	2327
(vi) "Peace officer" has the same meaning as in section	2328
2935.01 of the Revised Code.	2329
(vii) "Public agency" has the same meaning as in section	2330
2930.01 of the Revised Code.	2331
(viii) "Qualified individual" means a person who is acting	2332
in good faith who seeks or obtains medical assistance for	2333
another person who is experiencing a drug overdose, a person who	2334
experiences a drug overdose and who seeks medical assistance for	2335
that overdose, or a person who is the subject of another person	2336
seeking or obtaining medical assistance for that overdose as	2337
described in division (B) (2) (b) of this section.	2338
(ix) "Seek or obtain medical assistance" includes, but is	2339

not limited to making a 9-1-1 call, contacting in person or by 2340  
telephone call an on-duty peace officer, or transporting or 2341  
presenting a person to a health care facility. 2342

(b) Subject to division (B) (2) (e) of this section, a 2343  
qualified individual shall not be arrested, charged, prosecuted, 2344  
convicted, or penalized pursuant to this chapter for a minor 2345  
drug possession offense or a violation of section 2925.12, 2346  
division (C) (1) of section 2925.14, or section 2925.141 of the 2347  
Revised Code if all of the following apply: 2348

(i) The evidence of the obtaining, possession, or use of 2349  
the controlled substance or controlled substance analog, drug 2350  
abuse instruments, or drug paraphernalia that would be the basis 2351  
of the offense was obtained as a result of the qualified 2352  
individual seeking the medical assistance or experiencing an 2353  
overdose and needing medical assistance. 2354

(ii) Subject to division (B) (2) (f) of this section, within 2355  
thirty days after seeking or obtaining the medical assistance, 2356  
the qualified individual seeks and obtains a screening and 2357  
receives a referral for treatment from a community addiction 2358  
services provider or a properly credentialed addiction treatment 2359  
professional. 2360

(iii) Subject to division (B) (2) (f) of this section, the 2361  
qualified individual who obtains a screening and receives a 2362  
referral for treatment under division (B) (2) (b) (ii) of this 2363  
section, upon the request of any prosecuting attorney, submits 2364  
documentation to the prosecuting attorney that verifies that the 2365  
qualified individual satisfied the requirements of that 2366  
division. The documentation shall be limited to the date and 2367  
time of the screening obtained and referral received. 2368



(c) If a person who is serving a community control 2369  
sanction or is under a sanction on post-release control acts 2370  
pursuant to division (B) (2) (b) of this section, then division 2371  
(B) of section 2929.141, division (B) (2) of section 2929.15, 2372  
division (D) (3) of section 2929.25, or division (F) (3) of 2373  
section 2967.28 of the Revised Code applies to the person with 2374  
respect to any violation of the sanction or post-release control 2375  
sanction based on a minor drug possession offense, as defined in 2376  
section 2925.11 of the Revised Code, or a violation of section 2377  
2925.12, division (C) (1) of section 2925.14, or section 2925.141 2378  
of the Revised Code. 2379

(d) Nothing in division (B) (2) (b) of this section shall be 2380  
construed to do any of the following: 2381

(i) Limit the admissibility of any evidence in connection 2382  
with the investigation or prosecution of a crime with regards to 2383  
a defendant who does not qualify for the protections of division 2384  
(B) (2) (b) of this section or with regards to any crime other 2385  
than a minor drug possession offense or a violation of section 2386  
2925.12, division (C) (1) of section 2925.14, or section 2925.141 2387  
of the Revised Code committed by a person who qualifies for 2388  
protection pursuant to division (B) (2) (b) of this section; 2389

(ii) Limit any seizure of evidence or contraband otherwise 2390  
permitted by law; 2391

(iii) Limit or abridge the authority of a peace officer to 2392  
detain or take into custody a person in the course of an 2393  
investigation or to effectuate an arrest for any offense except 2394  
as provided in that division; 2395

(iv) Limit, modify, or remove any immunity from liability 2396  
available pursuant to law in effect prior to September 13, 2016, 2397

to any public agency or to an employee of any public agency. 2398

(e) Division (B) (2) (b) of this section does not apply to 2399  
any person who twice previously has been granted an immunity 2400  
under division (B) (2) (b) of this section. No person shall be 2401  
granted an immunity under division (B) (2) (b) of this section 2402  
more than two times. 2403

(f) Nothing in this section shall compel any qualified 2404  
individual to disclose protected health information in a way 2405  
that conflicts with the requirements of the "Health Insurance 2406  
Portability and Accountability Act of 1996," 104 Pub. L. No. 2407  
191, 110 Stat. 2021, 42 U.S.C. 1320d et seq., as amended, and 2408  
regulations promulgated by the United States department of 2409  
health and human services to implement the act or the 2410  
requirements of 42 C.F.R. Part 2. 2411

(C) Whoever violates division (A) of this section is 2412  
guilty of one of the following: 2413

(1) If the drug involved in the violation is a compound, 2414  
mixture, preparation, or substance included in schedule I or II, 2415  
with the exception of marihuana, cocaine, L.S.D., heroin, any 2416  
fentanyl-related compound, hashish, and any controlled substance 2417  
analog, whoever violates division (A) of this section is guilty 2418  
of aggravated possession of drugs. The penalty for the offense 2419  
shall be determined as follows: 2420

(a) Except as otherwise provided in division (C) (1) (b), 2421  
(c), (d), or (e) of this section, aggravated possession of drugs 2422  
is a felony of the fifth degree, and division (B) of section 2423  
2929.13 of the Revised Code applies in determining whether to 2424  
impose a prison term on the offender. 2425

(b) If the amount of the drug involved equals or exceeds 2426

the bulk amount but is less than five times the bulk amount, 2427  
aggravated possession of drugs is a felony of the third degree, 2428  
and there is a presumption for a prison term for the offense. 2429

(c) If the amount of the drug involved equals or exceeds 2430  
five times the bulk amount but is less than fifty times the bulk 2431  
amount, aggravated possession of drugs is a felony of the second 2432  
degree, and the court shall impose as a mandatory prison term a 2433  
second degree felony mandatory prison term. 2434

(d) If the amount of the drug involved equals or exceeds 2435  
fifty times the bulk amount but is less than one hundred times 2436  
the bulk amount, aggravated possession of drugs is a felony of 2437  
the first degree, and the court shall impose as a mandatory 2438  
prison term a first degree felony mandatory prison term. 2439

(e) If the amount of the drug involved equals or exceeds 2440  
one hundred times the bulk amount, aggravated possession of 2441  
drugs is a felony of the first degree, the offender is a major 2442  
drug offender, and the court shall impose as a mandatory prison 2443  
term a maximum first degree felony mandatory prison term. 2444

(2) If the drug involved in the violation is a compound, 2445  
mixture, preparation, or substance included in schedule III, IV, 2446  
or V, whoever violates division (A) of this section is guilty of 2447  
possession of drugs. The penalty for the offense shall be 2448  
determined as follows: 2449

(a) Except as otherwise provided in division (C) (2) (b), 2450  
(c), or (d) of this section, possession of drugs is a 2451  
misdemeanor of the first degree or, if the offender previously 2452  
has been convicted of a drug abuse offense, a felony of the 2453  
fifth degree. 2454

(b) If the amount of the drug involved equals or exceeds 2455

the bulk amount but is less than five times the bulk amount, 2456  
possession of drugs is a felony of the fourth degree, and 2457  
division (C) of section 2929.13 of the Revised Code applies in 2458  
determining whether to impose a prison term on the offender. 2459

(c) If the amount of the drug involved equals or exceeds 2460  
five times the bulk amount but is less than fifty times the bulk 2461  
amount, possession of drugs is a felony of the third degree, and 2462  
there is a presumption for a prison term for the offense. 2463

(d) If the amount of the drug involved equals or exceeds 2464  
fifty times the bulk amount, possession of drugs is a felony of 2465  
the second degree, and the court shall impose upon the offender 2466  
as a mandatory prison term a second degree felony mandatory 2467  
prison term. 2468

(3) If the drug involved in the violation is marihuana or 2469  
a compound, mixture, preparation, or substance containing 2470  
marihuana other than hashish, whoever violates division (A) of 2471  
this section is guilty of possession of marihuana. The penalty 2472  
for the offense shall be determined as follows: 2473

(a) Except as otherwise provided in division (C) (3) (b), 2474  
(c), (d), (e), (f), or (g) of this section, possession of 2475  
marihuana is a minor misdemeanor. 2476

(b) If the amount of the drug involved equals or exceeds 2477  
one hundred grams but is less than two hundred grams, possession 2478  
of marihuana is a misdemeanor of the fourth degree. 2479

(c) If the amount of the drug involved equals or exceeds 2480  
two hundred grams but is less than one thousand grams, 2481  
possession of marihuana is a felony of the fifth degree, and 2482  
division (B) of section 2929.13 of the Revised Code applies in 2483  
determining whether to impose a prison term on the offender. 2484

(d) If the amount of the drug involved equals or exceeds 2485  
one thousand grams but is less than five thousand grams, 2486  
possession of marihuana is a felony of the third degree, and 2487  
division (C) of section 2929.13 of the Revised Code applies in 2488  
determining whether to impose a prison term on the offender. 2489

(e) If the amount of the drug involved equals or exceeds 2490  
five thousand grams but is less than twenty thousand grams, 2491  
possession of marihuana is a felony of the third degree, and 2492  
there is a presumption that a prison term shall be imposed for 2493  
the offense. 2494

(f) If the amount of the drug involved equals or exceeds 2495  
twenty thousand grams but is less than forty thousand grams, 2496  
possession of marihuana is a felony of the second degree, and 2497  
the court shall impose as a mandatory prison term a second 2498  
degree felony mandatory prison term of five, six, seven, or 2499  
eight years. 2500

(g) If the amount of the drug involved equals or exceeds 2501  
forty thousand grams, possession of marihuana is a felony of the 2502  
second degree, and the court shall impose as a mandatory prison 2503  
term a maximum second degree felony mandatory prison term. 2504

(4) If the drug involved in the violation is cocaine or a 2505  
compound, mixture, preparation, or substance containing cocaine, 2506  
whoever violates division (A) of this section is guilty of 2507  
possession of cocaine. The penalty for the offense shall be 2508  
determined as follows: 2509

(a) Except as otherwise provided in division (C) (4) (b), 2510  
(c), (d), (e), or (f) of this section, possession of cocaine is 2511  
a felony of the fifth degree, and division (B) of section 2512  
2929.13 of the Revised Code applies in determining whether to 2513

impose a prison term on the offender. 2514

(b) If the amount of the drug involved equals or exceeds 2515  
five grams but is less than ten grams of cocaine, possession of 2516  
cocaine is a felony of the fourth degree, and division (B) of 2517  
section 2929.13 of the Revised Code applies in determining 2518  
whether to impose a prison term on the offender. 2519

(c) If the amount of the drug involved equals or exceeds 2520  
ten grams but is less than twenty grams of cocaine, possession 2521  
of cocaine is a felony of the third degree, and, except as 2522  
otherwise provided in this division, there is a presumption for 2523  
a prison term for the offense. If possession of cocaine is a 2524  
felony of the third degree under this division and if the 2525  
offender two or more times previously has been convicted of or 2526  
pleaded guilty to a felony drug abuse offense, the court shall 2527  
impose as a mandatory prison term one of the prison terms 2528  
prescribed for a felony of the third degree. 2529

(d) If the amount of the drug involved equals or exceeds 2530  
twenty grams but is less than twenty-seven grams of cocaine, 2531  
possession of cocaine is a felony of the second degree, and the 2532  
court shall impose as a mandatory prison term a second degree 2533  
felony mandatory prison term. 2534

(e) If the amount of the drug involved equals or exceeds 2535  
twenty-seven grams but is less than one hundred grams of 2536  
cocaine, possession of cocaine is a felony of the first degree, 2537  
and the court shall impose as a mandatory prison term a first 2538  
degree felony mandatory prison term. 2539

(f) If the amount of the drug involved equals or exceeds 2540  
one hundred grams of cocaine, possession of cocaine is a felony 2541  
of the first degree, the offender is a major drug offender, and 2542

the court shall impose as a mandatory prison term a maximum 2543  
first degree felony mandatory prison term. 2544

(5) If the drug involved in the violation is L.S.D., 2545  
whoever violates division (A) of this section is guilty of 2546  
possession of L.S.D. The penalty for the offense shall be 2547  
determined as follows: 2548

(a) Except as otherwise provided in division (C) (5) (b), 2549  
(c), (d), (e), or (f) of this section, possession of L.S.D. is a 2550  
felony of the fifth degree, and division (B) of section 2929.13 2551  
of the Revised Code applies in determining whether to impose a 2552  
prison term on the offender. 2553

(b) If the amount of L.S.D. involved equals or exceeds ten 2554  
unit doses but is less than fifty unit doses of L.S.D. in a 2555  
solid form or equals or exceeds one gram but is less than five 2556  
grams of L.S.D. in a liquid concentrate, liquid extract, or 2557  
liquid distillate form, possession of L.S.D. is a felony of the 2558  
fourth degree, and division (C) of section 2929.13 of the 2559  
Revised Code applies in determining whether to impose a prison 2560  
term on the offender. 2561

(c) If the amount of L.S.D. involved equals or exceeds 2562  
fifty unit doses, but is less than two hundred fifty unit doses 2563  
of L.S.D. in a solid form or equals or exceeds five grams but is 2564  
less than twenty-five grams of L.S.D. in a liquid concentrate, 2565  
liquid extract, or liquid distillate form, possession of L.S.D. 2566  
is a felony of the third degree, and there is a presumption for 2567  
a prison term for the offense. 2568

(d) If the amount of L.S.D. involved equals or exceeds two 2569  
hundred fifty unit doses but is less than one thousand unit 2570  
doses of L.S.D. in a solid form or equals or exceeds twenty-five 2571

grams but is less than one hundred grams of L.S.D. in a liquid 2572  
concentrate, liquid extract, or liquid distillate form, 2573  
possession of L.S.D. is a felony of the second degree, and the 2574  
court shall impose as a mandatory prison term a second degree 2575  
felony mandatory prison term. 2576

(e) If the amount of L.S.D. involved equals or exceeds one 2577  
thousand unit doses but is less than five thousand unit doses of 2578  
L.S.D. in a solid form or equals or exceeds one hundred grams 2579  
but is less than five hundred grams of L.S.D. in a liquid 2580  
concentrate, liquid extract, or liquid distillate form, 2581  
possession of L.S.D. is a felony of the first degree, and the 2582  
court shall impose as a mandatory prison term a first degree 2583  
felony mandatory prison term. 2584

(f) If the amount of L.S.D. involved equals or exceeds 2585  
five thousand unit doses of L.S.D. in a solid form or equals or 2586  
exceeds five hundred grams of L.S.D. in a liquid concentrate, 2587  
liquid extract, or liquid distillate form, possession of L.S.D. 2588  
is a felony of the first degree, the offender is a major drug 2589  
offender, and the court shall impose as a mandatory prison term 2590  
a maximum first degree felony mandatory prison term. 2591

(6) If the drug involved in the violation is heroin or a 2592  
compound, mixture, preparation, or substance containing heroin, 2593  
whoever violates division (A) of this section is guilty of 2594  
possession of heroin. The penalty for the offense shall be 2595  
determined as follows: 2596

(a) Except as otherwise provided in division (C) (6) (b), 2597  
(c), (d), (e), or (f) of this section, possession of heroin is a 2598  
felony of the fifth degree, and division (B) of section 2929.13 2599  
of the Revised Code applies in determining whether to impose a 2600  
prison term on the offender. 2601



(b) If the amount of the drug involved equals or exceeds 2602  
ten unit doses but is less than fifty unit doses or equals or 2603  
exceeds one gram but is less than five grams, possession of 2604  
heroin is a felony of the fourth degree, and division (C) of 2605  
section 2929.13 of the Revised Code applies in determining 2606  
whether to impose a prison term on the offender. 2607

(c) If the amount of the drug involved equals or exceeds 2608  
fifty unit doses but is less than one hundred unit doses or 2609  
equals or exceeds five grams but is less than ten grams, 2610  
possession of heroin is a felony of the third degree, and there 2611  
is a presumption for a prison term for the offense. 2612

(d) If the amount of the drug involved equals or exceeds 2613  
one hundred unit doses but is less than five hundred unit doses 2614  
or equals or exceeds ten grams but is less than fifty grams, 2615  
possession of heroin is a felony of the second degree, and the 2616  
court shall impose as a mandatory prison term a second degree 2617  
felony mandatory prison term. 2618

(e) If the amount of the drug involved equals or exceeds 2619  
five hundred unit doses but is less than one thousand unit doses 2620  
or equals or exceeds fifty grams but is less than one hundred 2621  
grams, possession of heroin is a felony of the first degree, and 2622  
the court shall impose as a mandatory prison term a first degree 2623  
felony mandatory prison term. 2624

(f) If the amount of the drug involved equals or exceeds 2625  
one thousand unit doses or equals or exceeds one hundred grams, 2626  
possession of heroin is a felony of the first degree, the 2627  
offender is a major drug offender, and the court shall impose as 2628  
a mandatory prison term a maximum first degree felony mandatory 2629  
prison term. 2630

(7) If the drug involved in the violation is hashish or a compound, mixture, preparation, or substance containing hashish, whoever violates division (A) of this section is guilty of possession of hashish. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C) (7) (b), (c), (d), (e), (f), or (g) of this section, possession of hashish is a minor misdemeanor.

(b) If the amount of the drug involved equals or exceeds five grams but is less than ten grams of hashish in a solid form or equals or exceeds one gram but is less than two grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a misdemeanor of the fourth degree.

(c) If the amount of the drug involved equals or exceeds ten grams but is less than fifty grams of hashish in a solid form or equals or exceeds two grams but is less than ten grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(d) If the amount of the drug involved equals or exceeds fifty grams but is less than two hundred fifty grams of hashish in a solid form or equals or exceeds ten grams but is less than fifty grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(e) If the amount of the drug involved equals or exceeds 2661  
two hundred fifty grams but is less than one thousand grams of 2662  
hashish in a solid form or equals or exceeds fifty grams but is 2663  
less than two hundred grams of hashish in a liquid concentrate, 2664  
liquid extract, or liquid distillate form, possession of hashish 2665  
is a felony of the third degree, and there is a presumption that 2666  
a prison term shall be imposed for the offense. 2667

(f) If the amount of the drug involved equals or exceeds 2668  
one thousand grams but is less than two thousand grams of 2669  
hashish in a solid form or equals or exceeds two hundred grams 2670  
but is less than four hundred grams of hashish in a liquid 2671  
concentrate, liquid extract, or liquid distillate form, 2672  
possession of hashish is a felony of the second degree, and the 2673  
court shall impose as a mandatory prison term a second degree 2674  
felony mandatory prison term of five, six, seven, or eight 2675  
years. 2676

(g) If the amount of the drug involved equals or exceeds 2677  
two thousand grams of hashish in a solid form or equals or 2678  
exceeds four hundred grams of hashish in a liquid concentrate, 2679  
liquid extract, or liquid distillate form, possession of hashish 2680  
is a felony of the second degree, and the court shall impose as 2681  
a mandatory prison term a maximum second degree felony mandatory 2682  
prison term. 2683

(8) If the drug involved is a controlled substance analog 2684  
or compound, mixture, preparation, or substance that contains a 2685  
controlled substance analog, whoever violates division (A) of 2686  
this section is guilty of possession of a controlled substance 2687  
analog. The penalty for the offense shall be determined as 2688  
follows: 2689

(a) Except as otherwise provided in division (C) (8) (b), 2690

(c), (d), (e), or (f) of this section, possession of a 2691  
controlled substance analog is a felony of the fifth degree, and 2692  
division (B) of section 2929.13 of the Revised Code applies in 2693  
determining whether to impose a prison term on the offender. 2694

(b) If the amount of the drug involved equals or exceeds 2695  
ten grams but is less than twenty grams, possession of a 2696  
controlled substance analog is a felony of the fourth degree, 2697  
and there is a presumption for a prison term for the offense. 2698

(c) If the amount of the drug involved equals or exceeds 2699  
twenty grams but is less than thirty grams, possession of a 2700  
controlled substance analog is a felony of the third degree, and 2701  
there is a presumption for a prison term for the offense. 2702

(d) If the amount of the drug involved equals or exceeds 2703  
thirty grams but is less than forty grams, possession of a 2704  
controlled substance analog is a felony of the second degree, 2705  
and the court shall impose as a mandatory prison term a second 2706  
degree felony mandatory prison term. 2707

(e) If the amount of the drug involved equals or exceeds 2708  
forty grams but is less than fifty grams, possession of a 2709  
controlled substance analog is a felony of the first degree, and 2710  
the court shall impose as a mandatory prison term a first degree 2711  
felony mandatory prison term. 2712

(f) If the amount of the drug involved equals or exceeds 2713  
fifty grams, possession of a controlled substance analog is a 2714  
felony of the first degree, the offender is a major drug 2715  
offender, and the court shall impose as a mandatory prison term 2716  
a maximum first degree felony mandatory prison term. 2717

(9) If the drug involved in the violation is a compound, 2718  
mixture, preparation, or substance that is a combination of a 2719

fentanyl-related compound and marihuana, one of the following 2720  
applies: 2721

(a) Except as otherwise provided in division (C) (9) (b) of 2722  
this section, the offender is guilty of possession of marihuana 2723  
and shall be punished as provided in division (C) (3) of this 2724  
section. Except as otherwise provided in division (C) (9) (b) of 2725  
this section, the offender is not guilty of possession of a 2726  
fentanyl-related compound under division (C) (11) of this section 2727  
and shall not be charged with, convicted of, or punished under 2728  
division (C) (11) of this section for possession of a fentanyl- 2729  
related compound. 2730

(b) If the offender knows or has reason to know that the 2731  
compound, mixture, preparation, or substance that is the drug 2732  
involved contains a fentanyl-related compound, the offender is 2733  
guilty of possession of a fentanyl-related compound and shall be 2734  
punished under division (C) (11) of this section. 2735

(10) If the drug involved in the violation is a compound, 2736  
mixture, preparation, or substance that is a combination of a 2737  
fentanyl-related compound and any schedule III, schedule IV, or 2738  
schedule V controlled substance that is not a fentanyl-related 2739  
compound, one of the following applies: 2740

(a) Except as otherwise provided in division (C) (10) (b) of 2741  
this section, the offender is guilty of possession of drugs and 2742  
shall be punished as provided in division (C) (2) of this 2743  
section. Except as otherwise provided in division (C) (10) (b) of 2744  
this section, the offender is not guilty of possession of a 2745  
fentanyl-related compound under division (C) (11) of this section 2746  
and shall not be charged with, convicted of, or punished under 2747  
division (C) (11) of this section for possession of a fentanyl- 2748  
related compound. 2749

(b) If the offender knows or has reason to know that the compound, mixture, preparation, or substance that is the drug involved contains a fentanyl-related compound, the offender is guilty of possession of a fentanyl-related compound and shall be punished under division (C)(11) of this section.

(11) If the drug involved in the violation is a fentanyl-related compound and neither division (C)(9)(a) nor division (C)(10)(a) of this section applies to the drug involved, or is a compound, mixture, preparation, or substance that contains a fentanyl-related compound or is a combination of a fentanyl-related compound and any other controlled substance and neither division (C)(9)(a) nor division (C)(10)(a) of this section applies to the drug involved, whoever violates division (A) of this section is guilty of possession of a fentanyl-related compound. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(11)(b), (c), (d), (e), (f), or (g) of this section, possession of a fentanyl-related compound is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) If the amount of the drug involved equals or exceeds ten unit doses but is less than fifty unit doses or equals or exceeds one gram but is less than five grams, possession of a fentanyl-related compound is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(c) If the amount of the drug involved equals or exceeds fifty unit doses but is less than one hundred unit doses or equals or exceeds five grams but is less than ten grams,

possession of a fentanyl-related compound is a felony of the 2780  
third degree, and there is a presumption for a prison term for 2781  
the offense. 2782

(d) If the amount of the drug involved equals or exceeds 2783  
one hundred unit doses but is less than two hundred unit doses 2784  
or equals or exceeds ten grams but is less than twenty grams, 2785  
possession of a fentanyl-related compound is a felony of the 2786  
second degree, and the court shall impose as a mandatory prison 2787  
term one of the prison terms prescribed for a felony of the 2788  
second degree. 2789

(e) If the amount of the drug involved equals or exceeds 2790  
two hundred unit doses but is less than five hundred unit doses 2791  
or equals or exceeds twenty grams but is less than fifty grams, 2792  
possession of a fentanyl-related compound is a felony of the 2793  
first degree, and the court shall impose as a mandatory prison 2794  
term one of the prison terms prescribed for a felony of the 2795  
first degree. 2796

(f) If the amount of the drug involved equals or exceeds 2797  
five hundred unit doses but is less than one thousand unit doses 2798  
or equals or exceeds fifty grams but is less than one hundred 2799  
grams, possession of a fentanyl-related compound is a felony of 2800  
the first degree, and the court shall impose as a mandatory 2801  
prison term the maximum prison term prescribed for a felony of 2802  
the first degree. 2803

(g) If the amount of the drug involved equals or exceeds 2804  
one thousand unit doses or equals or exceeds one hundred grams, 2805  
possession of a fentanyl-related compound is a felony of the 2806  
first degree, the offender is a major drug offender, and the 2807  
court shall impose as a mandatory prison term the maximum prison 2808  
term prescribed for a felony of the first degree. 2809

(D) Arrest or conviction for a minor misdemeanor violation 2810  
of this section does not constitute a criminal record and need 2811  
not be reported by the person so arrested or convicted in 2812  
response to any inquiries about the person's criminal record, 2813  
including any inquiries contained in any application for 2814  
employment, license, or other right or privilege, or made in 2815  
connection with the person's appearance as a witness. 2816

(E) In addition to any prison term or jail term authorized 2817  
or required by division (C) of this section and sections 2818  
2929.13, 2929.14, 2929.22, 2929.24, and 2929.25 of the Revised 2819  
Code and in addition to any other sanction that is imposed for 2820  
the offense under this section, sections 2929.11 to 2929.18, or 2821  
sections 2929.21 to 2929.28 of the Revised Code, ~~the court that~~ 2822  
~~sentences an offender who is convicted of or pleads guilty to a~~ 2823  
~~violation of division (A) of this section may suspend the~~ 2824  
~~offender's driver's or commercial driver's license or permit for~~ 2825  
~~not more than five years. However, if the offender pleaded~~ 2826  
~~guilty to or was convicted of a violation of section 4511.19 of~~ 2827  
~~the Revised Code or a substantially similar municipal ordinance~~ 2828  
~~or the law of another state or the United States arising out of~~ 2829  
~~the same set of circumstances as the violation, the court shall~~ 2830  
~~suspend the offender's driver's or commercial driver's license~~ 2831  
~~or permit for not more than five years. If if applicable, the~~ 2832  
court also shall do the following: 2833

(1) (a) If the violation is a felony of the first, second, 2834  
or third degree, the court shall impose upon the offender the 2835  
mandatory fine specified for the offense under division (B) (1) 2836  
of section 2929.18 of the Revised Code unless, as specified in 2837  
that division, the court determines that the offender is 2838  
indigent. 2839



(b) Notwithstanding any contrary provision of section 2840  
3719.21 of the Revised Code, the clerk of the court shall pay a 2841  
mandatory fine or other fine imposed for a violation of this 2842  
section pursuant to division (A) of section 2929.18 of the 2843  
Revised Code in accordance with and subject to the requirements 2844  
of division (F) of section 2925.03 of the Revised Code. The 2845  
agency that receives the fine shall use the fine as specified in 2846  
division (F) of section 2925.03 of the Revised Code. 2847

(c) If a person is charged with a violation of this 2848  
section that is a felony of the first, second, or third degree, 2849  
posts bail, and forfeits the bail, the clerk shall pay the 2850  
forfeited bail pursuant to division (E)(1)(b) of this section as 2851  
if it were a mandatory fine imposed under division (E)(1)(a) of 2852  
this section. 2853

(2) If the offender is a professionally licensed person, 2854  
in addition to any other sanction imposed for a violation of 2855  
this section, the court immediately shall comply with section 2856  
2925.38 of the Revised Code. 2857

(3) If the offender has a driver's or commercial driver's 2858  
license or permit, section 2929.33 of the Revised Code applies. 2859

(F) It is an affirmative defense, as provided in section 2860  
2901.05 of the Revised Code, to a charge of a fourth degree 2861  
felony violation under this section that the controlled 2862  
substance that gave rise to the charge is in an amount, is in a 2863  
form, is prepared, compounded, or mixed with substances that are 2864  
not controlled substances in a manner, or is possessed under any 2865  
other circumstances, that indicate that the substance was 2866  
possessed solely for personal use. Notwithstanding any contrary 2867  
provision of this section, if, in accordance with section 2868  
2901.05 of the Revised Code, an accused who is charged with a 2869

fourth degree felony violation of division (C) (2), (4), (5), or 2870  
(6) of this section sustains the burden of going forward with 2871  
evidence of and establishes by a preponderance of the evidence 2872  
the affirmative defense described in this division, the accused 2873  
may be prosecuted for and may plead guilty to or be convicted of 2874  
a misdemeanor violation of division (C) (2) of this section or a 2875  
fifth degree felony violation of division (C) (4), (5), or (6) of 2876  
this section respectively. 2877

(G) When a person is charged with possessing a bulk amount 2878  
or multiple of a bulk amount, division (E) of section 2925.03 of 2879  
the Revised Code applies regarding the determination of the 2880  
amount of the controlled substance involved at the time of the 2881  
offense. 2882

(H) It is an affirmative defense to a charge of possession 2883  
of a controlled substance analog under division (C) (8) of this 2884  
section that the person charged with violating that offense 2885  
obtained, possessed, or used one of the following items that are 2886  
excluded from the meaning of "controlled substance analog" under 2887  
section 3719.01 of the Revised Code: 2888

(1) A controlled substance; 2889

(2) Any substance for which there is an approved new drug 2890  
application; 2891

(3) With respect to a particular person, any substance if 2892  
an exemption is in effect for investigational use for that 2893  
person pursuant to federal law to the extent that conduct with 2894  
respect to that substance is pursuant to that exemption. 2895

(I) Any offender who received a mandatory suspension of 2896  
the offender's driver's or commercial driver's license or permit 2897  
under this section prior to September 13, 2016, may file a 2898

motion with the sentencing court requesting the termination of 2899  
the suspension. However, an offender who pleaded guilty to or 2900  
was convicted of a violation of section 4511.19 of the Revised 2901  
Code or a substantially similar municipal ordinance or law of 2902  
another state or the United States that arose out of the same 2903  
set of circumstances as the violation for which the offender's 2904  
license or permit was suspended under this section shall not 2905  
file such a motion. 2906

Upon the filing of a motion under division (I) of this 2907  
section, the sentencing court, in its discretion, may terminate 2908  
the suspension. 2909

**Sec. 2925.12.** (A) No person shall knowingly make, obtain, 2910  
possess, or use any instrument, article, or thing the customary 2911  
and primary purpose of which is for the administration or use of 2912  
a dangerous drug, other than marihuana, when the instrument 2913  
involved is a hypodermic or syringe, whether or not of crude or 2914  
extemporized manufacture or assembly, and the instrument, 2915  
article, or thing involved has been used by the offender to 2916  
unlawfully administer or use a dangerous drug, other than 2917  
marihuana, or to prepare a dangerous drug, other than marihuana, 2918  
for unlawful administration or use. 2919

(B) (1) This section does not apply to manufacturers, 2920  
licensed health professionals authorized to prescribe drugs, 2921  
pharmacists, owners of pharmacies, and other persons whose 2922  
conduct was in accordance with Chapters 3719., 4715., 4723., 2923  
4729., 4730., 4731., and 4741. of the Revised Code. 2924

(2) Division (B) (2) of section 2925.11 of the Revised Code 2925  
applies with respect to a violation of this section when a 2926  
person seeks or obtains medical assistance for another person 2927  
who is experiencing a drug overdose, a person experiences a drug 2928

overdose and seeks medical assistance for that overdose, or a 2929  
person is the subject of another person seeking or obtaining 2930  
medical assistance for that overdose. 2931

(C) Whoever violates this section is guilty of possessing 2932  
drug abuse instruments, a misdemeanor of the second degree. If 2933  
the offender previously has been convicted of a drug abuse 2934  
offense, a violation of this section is a misdemeanor of the 2935  
first degree. 2936

~~(D) (1) In addition to any other sanction imposed upon an 2937  
offender for a violation of this section, the court may suspend 2938  
for not more than five years the offender's driver's or 2939  
commercial driver's license or permit. However, if the offender 2940  
pleaded guilty to or was convicted of a violation of section 2941  
4511.19 of the Revised Code or a substantially similar municipal 2942  
ordinance or the law of another state or the United States 2943  
arising out of the same set of circumstances as the violation, 2944  
the court shall suspend the offender's driver's or commercial 2945  
driver's license or permit for not more than five years. If the 2946  
offender is a professionally licensed person, in addition to any 2947  
other sanction imposed for a violation of this section, the 2948  
court immediately shall comply with section 2925.38 of the 2949  
Revised Code. 2950~~

If the offender has a driver's or commercial driver's 2951  
license or permit, section 2929.33 of the Revised Code applies. 2952

(2) Any offender who received a mandatory suspension of 2953  
the offender's driver's or commercial driver's license or permit 2954  
under this section prior to September 13, 2016, may file a 2955  
motion with the sentencing court requesting the termination of 2956  
the suspension. However, an offender who pleaded guilty to or 2957  
was convicted of a violation of section 4511.19 of the Revised 2958

Code or a substantially similar municipal ordinance or law of 2959  
another state or the United States that arose out of the same 2960  
set of circumstances as the violation for which the offender's 2961  
license or permit was suspended under this section shall not 2962  
file such a motion. 2963

Upon the filing of a motion under division (D)(2) of this 2964  
section, the sentencing court, in its discretion, may terminate 2965  
the suspension. 2966

**Sec. 2925.13.** (A) No person who is the owner, operator, or 2967  
person in charge of a locomotive, watercraft, aircraft, or other 2968  
vehicle, as defined in division (A) of section 4501.01 of the 2969  
Revised Code, shall knowingly permit the vehicle to be used for 2970  
the commission of a felony drug abuse offense. 2971

(B) No person who is the owner, lessee, or occupant, or 2972  
who has custody, control, or supervision, of premises or real 2973  
estate, including vacant land, shall knowingly permit the 2974  
premises or real estate, including vacant land, to be used for 2975  
the commission of a felony drug abuse offense by another person. 2976

(C)(1) Whoever violates this section is guilty of 2977  
permitting drug abuse. 2978

(2) Except as provided in division (C)(3) of this section, 2979  
permitting drug abuse is a misdemeanor of the first degree. 2980

(3) Permitting drug abuse is a felony of the fifth degree, 2981  
and division (C) of section 2929.13 of the Revised Code applies 2982  
in determining whether to impose a prison term on the offender, 2983  
if either of the following applies: 2984

(a) The felony drug abuse offense in question is a 2985  
violation of section 2925.02, 2925.03, or 2925.04 of the Revised 2986  
Code. 2987

(b) The felony drug abuse offense in question is a 2988  
violation of section 2925.041 of the Revised Code and the 2989  
offender had actual knowledge, at the time the offender 2990  
permitted the vehicle, premises, or real estate to be used as 2991  
described in division (A) or (B) of this section, that the 2992  
person who assembled or possessed the chemicals in question in 2993  
violation of section 2925.041 of the Revised Code had assembled 2994  
or possessed them with the intent to manufacture a controlled 2995  
substance in schedule I or II in violation of section 2925.04 of 2996  
the Revised Code. 2997

~~(D) (1) In addition to any prison term authorized or 2998  
required by division (C) of this section and sections 2929.13- 2999  
and 2929.14 of the Revised Code and in addition to any other 3000  
sanction imposed for the offense under this section or sections- 3001  
2929.11 to 2929.18 of the Revised Code, the court that sentences- 3002  
a person who is convicted of or pleads guilty to a violation of 3003  
division (A) of this section may suspend for not more than five- 3004  
years the offender's driver's or commercial driver's license or 3005  
permit. However, if the offender pleaded guilty to or was- 3006  
convicted of a violation of section 4511.19 of the Revised Code- 3007  
or a substantially similar municipal ordinance or the law of- 3008  
another state or the United States arising out of the same set- 3009  
of circumstances as the violation, the court shall suspend the 3010  
offender's driver's or commercial driver's license or permit for- 3011  
not more than five years. 3012~~

If the offender is a professionally licensed person, in 3013  
addition to any other sanction imposed for a violation of this 3014  
section, the court immediately shall comply with section 2925.38 3015  
of the Revised Code. 3016

If the offender has a driver's or commercial driver's 3017

license or permit, section 2929.33 of the Revised Code applies. 3018

(2) Any offender who received a mandatory suspension of 3019  
the offender's driver's or commercial driver's license or permit 3020  
under this section prior to September 13, 2016, may file a 3021  
motion with the sentencing court requesting the termination of 3022  
the suspension. However, an offender who pleaded guilty to or 3023  
was convicted of a violation of section 4511.19 of the Revised 3024  
Code or a substantially similar municipal ordinance or law of 3025  
another state or the United States that arose out of the same 3026  
set of circumstances as the violation for which the offender's 3027  
license or permit was suspended under this section shall not 3028  
file such a motion. 3029

Upon the filing of a motion under division (D) (2) of this 3030  
section, the sentencing court, in its discretion, may terminate 3031  
the suspension. 3032

(E) Notwithstanding any contrary provision of section 3033  
3719.21 of the Revised Code, the clerk of the court shall pay a 3034  
fine imposed for a violation of this section pursuant to 3035  
division (A) of section 2929.18 of the Revised Code in 3036  
accordance with and subject to the requirements of division (F) 3037  
of section 2925.03 of the Revised Code. The agency that receives 3038  
the fine shall use the fine as specified in division (F) of 3039  
section 2925.03 of the Revised Code. 3040

(F) Any premises or real estate that is permitted to be 3041  
used in violation of division (B) of this section constitutes a 3042  
nuisance subject to abatement pursuant to Chapter 3767. of the 3043  
Revised Code. 3044

**Sec. 2925.14.** (A) As used in this section, "drug 3045  
paraphernalia" means any equipment, product, or material of any 3046

kind that is used by the offender, intended by the offender for use, or designed for use, in propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body, a controlled substance in violation of this chapter. "Drug paraphernalia" includes, but is not limited to, any of the following equipment, products, or materials that are used by the offender, intended by the offender for use, or designed by the offender for use, in any of the following manners:

(1) A kit for propagating, cultivating, growing, or harvesting any species of a plant that is a controlled substance or from which a controlled substance can be derived;

(2) A kit for manufacturing, compounding, converting, producing, processing, or preparing a controlled substance;

(3) Any object, instrument, or device for manufacturing, compounding, converting, producing, processing, or preparing methamphetamine;

(4) An isomerization device for increasing the potency of any species of a plant that is a controlled substance;

(5) Testing equipment for identifying, or analyzing the strength, effectiveness, or purity of, a controlled substance, except for those exempted in division (D)(4) of this section;

(6) A scale or balance for weighing or measuring a controlled substance;

(7) A diluent or adulterant, such as quinine hydrochloride, mannitol, mannite, dextrose, or lactose, for cutting a controlled substance;



(8) A separation gin or sifter for removing twigs and seeds from, or otherwise cleaning or refining, marihuana;	3076 3077
(9) A blender, bowl, container, spoon, or mixing device for compounding a controlled substance;	3078 3079
(10) A capsule, balloon, envelope, or container for packaging small quantities of a controlled substance;	3080 3081
(11) A container or device for storing or concealing a controlled substance;	3082 3083
(12) A hypodermic syringe, needle, or instrument for parenterally injecting a controlled substance into the human body;	3084 3085 3086
(13) An object, instrument, or device for ingesting, inhaling, or otherwise introducing into the human body, marihuana, cocaine, hashish, or hashish oil, such as a metal, wooden, acrylic, glass, stone, plastic, or ceramic pipe, with or without a screen, permanent screen, hashish head, or punctured metal bowl; water pipe; carburetion tube or device; smoking or carburetion mask; roach clip or similar object used to hold burning material, such as a marihuana cigarette, that has become too small or too short to be held in the hand; miniature cocaine spoon, or cocaine vial; chamber pipe; carburetor pipe; electric pipe; air driver pipe; chillum; bong; or ice pipe or chiller.	3087 3088 3089 3090 3091 3092 3093 3094 3095 3096 3097
(B) In determining if any equipment, product, or material is drug paraphernalia, a court or law enforcement officer shall consider, in addition to other relevant factors, the following:	3098 3099 3100
(1) Any statement by the owner, or by anyone in control, of the equipment, product, or material, concerning its use;	3101 3102
(2) The proximity in time or space of the equipment,	3103

product, or material, or of the act relating to the equipment,	3104
product, or material, to a violation of any provision of this	3105
chapter;	3106
(3) The proximity of the equipment, product, or material	3107
to any controlled substance;	3108
(4) The existence of any residue of a controlled substance	3109
on the equipment, product, or material;	3110
(5) Direct or circumstantial evidence of the intent of the	3111
owner, or of anyone in control, of the equipment, product, or	3112
material, to deliver it to any person whom the owner or person	3113
in control of the equipment, product, or material knows intends	3114
to use the object to facilitate a violation of any provision of	3115
this chapter. A finding that the owner, or anyone in control, of	3116
the equipment, product, or material, is not guilty of a	3117
violation of any other provision of this chapter does not	3118
prevent a finding that the equipment, product, or material was	3119
intended or designed by the offender for use as drug	3120
paraphernalia.	3121
(6) Any oral or written instruction provided with the	3122
equipment, product, or material concerning its use;	3123
(7) Any descriptive material accompanying the equipment,	3124
product, or material and explaining or depicting its use;	3125
(8) National or local advertising concerning the use of	3126
the equipment, product, or material;	3127
(9) The manner and circumstances in which the equipment,	3128
product, or material is displayed for sale;	3129
(10) Direct or circumstantial evidence of the ratio of the	3130
sales of the equipment, product, or material to the total sales	3131

of the business enterprise; 3132

(11) The existence and scope of legitimate uses of the 3133  
equipment, product, or material in the community; 3134

(12) Expert testimony concerning the use of the equipment, 3135  
product, or material. 3136

(C) (1) Subject to divisions (D) (2), (3), and (4) of this 3137  
section, no person shall knowingly use, or possess with purpose 3138  
to use, drug paraphernalia. 3139

(2) No person shall knowingly sell, or possess or 3140  
manufacture with purpose to sell, drug paraphernalia, if the 3141  
person knows or reasonably should know that the equipment, 3142  
product, or material will be used as drug paraphernalia. 3143

(3) No person shall place an advertisement in any 3144  
newspaper, magazine, handbill, or other publication that is 3145  
published and printed and circulates primarily within this 3146  
state, if the person knows that the purpose of the advertisement 3147  
is to promote the illegal sale in this state of the equipment, 3148  
product, or material that the offender intended or designed for 3149  
use as drug paraphernalia. 3150

(D) (1) This section does not apply to manufacturers, 3151  
licensed health professionals authorized to prescribe drugs, 3152  
pharmacists, owners of pharmacies, and other persons whose 3153  
conduct is in accordance with Chapters 3719., 4715., 4723., 3154  
4729., 4730., 4731., and 4741. of the Revised Code. This section 3155  
shall not be construed to prohibit the possession or use of a 3156  
hypodermic as authorized by section 3719.172 of the Revised 3157  
Code. 3158

(2) Division (C) (1) of this section does not apply to a 3159  
person's use, or possession with purpose to use, any drug 3160

paraphernalia that is equipment, a product, or material of any 3161  
kind that is used by the person, intended by the person for use, 3162  
or designed for use in storing, containing, concealing, 3163  
injecting, ingesting, inhaling, or otherwise introducing into 3164  
the human body marihuana. 3165

(3) Division (B) (2) of section 2925.11 of the Revised Code 3166  
applies with respect to a violation of division (C) (1) of this 3167  
section when a person seeks or obtains medical assistance for 3168  
another person who is experiencing a drug overdose, a person 3169  
experiences a drug overdose and seeks medical assistance for 3170  
that overdose, or a person is the subject of another person 3171  
seeking or obtaining medical assistance for that overdose. 3172

(4) Division (C) (1) of this section does not apply to a 3173  
person's use, or possession with purpose to use, any drug 3174  
testing strips to determine the presence of fentanyl or a 3175  
fentanyl-related compound. 3176

(E) Notwithstanding Chapter 2981. of the Revised Code, any 3177  
drug paraphernalia that was used, possessed, sold, or 3178  
manufactured in a violation of this section shall be seized, 3179  
after a conviction for that violation shall be forfeited, and 3180  
upon forfeiture shall be disposed of pursuant to division (B) of 3181  
section 2981.12 of the Revised Code. 3182

(F) (1) Whoever violates division (C) (1) of this section is 3183  
guilty of illegal use or possession of drug paraphernalia, a 3184  
misdemeanor of the fourth degree. 3185

(2) Except as provided in division (F) (3) of this section, 3186  
whoever violates division (C) (2) of this section is guilty of 3187  
dealing in drug paraphernalia, a misdemeanor of the second 3188  
degree. 3189

(3) Whoever violates division (C) (2) of this section by 3190  
selling drug paraphernalia to a juvenile is guilty of selling 3191  
drug paraphernalia to juveniles, a misdemeanor of the first 3192  
degree. 3193

(4) Whoever violates division (C) (3) of this section is 3194  
guilty of illegal advertising of drug paraphernalia, a 3195  
misdemeanor of the second degree. 3196

~~(G) (1) In addition to any other sanction imposed upon an 3197  
offender for a violation of this section, the court may suspend 3198  
for not more than five years the offender's driver's or 3199  
commercial driver's license or permit. However, if the offender 3200  
pleaded guilty to or was convicted of a violation of section 3201  
4511.19 of the Revised Code or a substantially similar municipal 3202  
ordinance or the law of another state or the United States 3203  
arising out of the same set of circumstances as the violation, 3204  
the court shall suspend the offender's driver's or commercial 3205  
driver's license or permit for not more than five years. If the 3206  
offender is a professionally licensed person, in addition to any 3207  
other sanction imposed for a violation of this section, the 3208  
court immediately shall comply with section 2925.38 of the 3209  
Revised Code. 3210~~

If the offender has a driver's or commercial driver's 3211  
license or permit, section 2929.33 of the Revised Code applies. 3212

(2) Any offender who received a mandatory suspension of 3213  
the offender's driver's or commercial driver's license or permit 3214  
under this section prior to September 13, 2016, may file a 3215  
motion with the sentencing court requesting the termination of 3216  
the suspension. However, an offender who pleaded guilty to or 3217  
was convicted of a violation of section 4511.19 of the Revised 3218  
Code or a substantially similar municipal ordinance or law of 3219

another state or the United States that arose out of the same 3220  
set of circumstances as the violation for which the offender's 3221  
license or permit was suspended under this section shall not 3222  
file such a motion. 3223

Upon the filing of a motion under division (G)(2) of this 3224  
section, the sentencing court, in its discretion, may terminate 3225  
the suspension. 3226

**Sec. 2925.22.** (A) No person, by deception, shall procure 3227  
the administration of, a prescription for, or the dispensing of, 3228  
a dangerous drug or shall possess an uncompleted preprinted 3229  
prescription blank used for writing a prescription for a 3230  
dangerous drug. 3231

(B) Whoever violates this section is guilty of deception 3232  
to obtain a dangerous drug. The penalty for the offense shall be 3233  
determined as follows: 3234

(1) If the person possesses an uncompleted preprinted 3235  
prescription blank used for writing a prescription for a 3236  
dangerous drug or if the drug involved is a dangerous drug, 3237  
except as otherwise provided in division (B)(2) or (3) of this 3238  
section, deception to obtain a dangerous drug is a felony of the 3239  
fifth degree or, if the offender previously has been convicted 3240  
of or pleaded guilty to a drug abuse offense, a felony of the 3241  
fourth degree. Division (C) of section 2929.13 of the Revised 3242  
Code applies in determining whether to impose a prison term on 3243  
the offender pursuant to this division. 3244

(2) If the drug involved is a compound, mixture, 3245  
preparation, or substance included in schedule I or II, with the 3246  
exception of marihuana, the penalty for deception to obtain 3247  
drugs is one of the following: 3248

(a) Except as otherwise provided in division (B) (2) (b), 3249  
(c), or (d) of this section, it is a felony of the fourth 3250  
degree, and division (C) of section 2929.13 of the Revised Code 3251  
applies in determining whether to impose a prison term on the 3252  
offender. 3253

(b) If the amount of the drug involved equals or exceeds 3254  
the bulk amount but is less than five times the bulk amount, or 3255  
if the amount of the drug involved that could be obtained 3256  
pursuant to the prescription would equal or exceed the bulk 3257  
amount but would be less than five times the bulk amount, it is 3258  
a felony of the third degree, and there is a presumption for a 3259  
prison term for the offense. 3260

(c) If the amount of the drug involved equals or exceeds 3261  
five times the bulk amount but is less than fifty times the bulk 3262  
amount, or if the amount of the drug involved that could be 3263  
obtained pursuant to the prescription would equal or exceed five 3264  
times the bulk amount but would be less than fifty times the 3265  
bulk amount, it is a felony of the second degree, and there is a 3266  
presumption for a prison term for the offense. 3267

(d) If the amount of the drug involved equals or exceeds 3268  
fifty times the bulk amount, or if the amount of the drug 3269  
involved that could be obtained pursuant to the prescription 3270  
would equal or exceed fifty times the bulk amount, it is a 3271  
felony of the first degree, and there is a presumption for a 3272  
prison term for the offense. 3273

(3) If the drug involved is a compound, mixture, 3274  
preparation, or substance included in schedule III, IV, or V or 3275  
is marihuana, the penalty for deception to obtain a dangerous 3276  
drug is one of the following: 3277

(a) Except as otherwise provided in division (B) (3) (b), 3278  
(c), or (d) of this section, it is a felony of the fifth degree, 3279  
and division (C) of section 2929.13 of the Revised Code applies 3280  
in determining whether to impose a prison term on the offender. 3281

(b) If the amount of the drug involved equals or exceeds 3282  
the bulk amount but is less than five times the bulk amount, or 3283  
if the amount of the drug involved that could be obtained 3284  
pursuant to the prescription would equal or exceed the bulk 3285  
amount but would be less than five times the bulk amount, it is 3286  
a felony of the fourth degree, and division (C) of section 3287  
2929.13 of the Revised Code applies in determining whether to 3288  
impose a prison term on the offender. 3289

(c) If the amount of the drug involved equals or exceeds 3290  
five times the bulk amount but is less than fifty times the bulk 3291  
amount, or if the amount of the drug involved that could be 3292  
obtained pursuant to the prescription would equal or exceed five 3293  
times the bulk amount but would be less than fifty times the 3294  
bulk amount, it is a felony of the third degree, and there is a 3295  
presumption for a prison term for the offense. 3296

(d) If the amount of the drug involved equals or exceeds 3297  
fifty times the bulk amount, or if the amount of the drug 3298  
involved that could be obtained pursuant to the prescription 3299  
would equal or exceed fifty times the bulk amount, it is a 3300  
felony of the second degree, and there is a presumption for a 3301  
prison term for the offense. 3302

~~(C) (1) In addition to any prison term authorized or 3303  
required by division (B) of this section and sections 2929.13- 3304  
and 2929.14 of the Revised Code and in addition to any other 3305  
sanction imposed for the offense under this section or sections- 3306  
2929.11 to 2929.18 of the Revised Code, the court that sentences- 3307~~



~~an offender who is convicted of or pleads guilty to a violation of division (A) of this section may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years.~~

If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with section 2925.38 of the Revised Code.

If the offender has a driver's or commercial driver's license or permit, section 2929.33 of the Revised Code applies.

(2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to ~~the effective date of this amendment~~ September 13, 2016, may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion.

Upon the filing of a motion under division (C) (2) of this section, the sentencing court, in its discretion, may terminate the suspension.

(D) Notwithstanding any contrary provision of section 3338  
3719.21 of the Revised Code, the clerk of the court shall pay a 3339  
fine imposed for a violation of this section pursuant to 3340  
division (A) of section 2929.18 of the Revised Code in 3341  
accordance with and subject to the requirements of division (F) 3342  
of section 2925.03 of the Revised Code. The agency that receives 3343  
the fine shall use the fine as specified in division (F) of 3344  
section 2925.03 of the Revised Code. 3345

**Sec. 2925.23.** (A) No person shall knowingly make a false 3346  
statement in any prescription, order, report, or record required 3347  
by Chapter 3719. or 4729. of the Revised Code. 3348

(B) No person shall intentionally make, utter, or sell, or 3349  
knowingly possess any of the following that is a false or 3350  
forged: 3351

(1) Prescription; 3352

(2) Uncompleted preprinted prescription blank used for 3353  
writing a prescription; 3354

(3) Official written order; 3355

(4) License for a terminal distributor of dangerous drugs, 3356  
as defined in section 4729.01 of the Revised Code; 3357

(5) License for a manufacturer of dangerous drugs, 3358  
outsourcing facility, third-party logistics provider, repackager 3359  
of dangerous drugs, or wholesale distributor of dangerous drugs, 3360  
as defined in section 4729.01 of the Revised Code. 3361

(C) No person, by theft as defined in section 2913.02 of 3362  
the Revised Code, shall acquire any of the following: 3363

(1) A prescription; 3364

(2) An uncompleted preprinted prescription blank used for writing a prescription;	3365 3366
(3) An official written order;	3367
(4) A blank official written order;	3368
(5) A license or blank license for a terminal distributor of dangerous drugs, as defined in section 4729.01 of the Revised Code;	3369 3370 3371
(6) A license or blank license for a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, or wholesale distributor of dangerous drugs, as defined in section 4729.01 of the Revised Code.	3372 3373 3374 3375 3376
(D) No person shall knowingly make or affix any false or forged label to a package or receptacle containing any dangerous drugs.	3377 3378 3379
(E) Divisions (A) and (D) of this section do not apply to licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4725., 4729., 4730., 4731., and 4741. of the Revised Code.	3380 3381 3382 3383 3384
(F) Whoever violates this section is guilty of illegal processing of drug documents. If the offender violates division (B) (2), (4), or (5) or division (C) (2), (4), (5), or (6) of this section, illegal processing of drug documents is a felony of the fifth degree. If the offender violates division (A), division (B) (1) or (3), division (C) (1) or (3), or division (D) of this section, the penalty for illegal processing of drug documents shall be determined as follows:	3385 3386 3387 3388 3389 3390 3391 3392

(1) If the drug involved is a compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, illegal processing of drug documents is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(2) If the drug involved is a dangerous drug or a compound, mixture, preparation, or substance included in schedule III, IV, or V or is marihuana, illegal processing of drug documents is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

~~(G) (1) In addition to any prison term authorized or required by division (F) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to any violation of divisions (A) to (D) of this section may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years.~~

If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with section 2925.38

of the Revised Code. 3423

If the offender has a driver's or commercial driver's 3424  
license or permit, section 2929.33 of the Revised Code applies. 3425

(2) Any offender who received a mandatory suspension of 3426  
the offender's driver's or commercial driver's license or permit 3427  
under this section prior to September 13, 2016,—may file a 3428  
motion with the sentencing court requesting the termination of 3429  
the suspension. However, an offender who pleaded guilty to or 3430  
was convicted of a violation of section 4511.19 of the Revised 3431  
Code or a substantially similar municipal ordinance or law of 3432  
another state or the United States that arose out of the same 3433  
set of circumstances as the violation for which the offender's 3434  
license or permit was suspended under this section shall not 3435  
file such a motion. 3436

Upon the filing of a motion under division (G)(2) of this 3437  
section, the sentencing court, in its discretion, may terminate 3438  
the suspension. 3439

(H) Notwithstanding any contrary provision of section 3440  
3719.21 of the Revised Code, the clerk of court shall pay a fine 3441  
imposed for a violation of this section pursuant to division (A) 3442  
of section 2929.18 of the Revised Code in accordance with and 3443  
subject to the requirements of division (F) of section 2925.03 3444  
of the Revised Code. The agency that receives the fine shall use 3445  
the fine as specified in division (F) of section 2925.03 of the 3446  
Revised Code. 3447

**Sec. 2925.31.** (A) Except for lawful research, clinical, 3448  
medical, dental, or veterinary purposes, no person, with purpose 3449  
to induce intoxication or similar physiological effects, shall 3450  
obtain, possess, or use a harmful intoxicant. 3451

(B) Whoever violates this section is guilty of abusing 3452  
harmful intoxicants, a misdemeanor of the first degree. If the 3453  
offender previously has been convicted of a drug abuse offense, 3454  
abusing harmful intoxicants is a felony of the fifth degree. 3455

(C) (1) ~~In addition to any other sanction imposed upon an 3456  
offender for a violation of this section, the court may suspend 3457  
for not more than five years the offender's driver's or 3458  
commercial driver's license or permit. However, if the offender 3459  
pleaded guilty to or was convicted of a violation of section 3460  
4511.19 of the Revised Code or a substantially similar municipal 3461  
ordinance or the law of another state or the United States 3462  
arising out of the same set of circumstances as the violation, 3463  
the court shall suspend the offender's driver's or commercial 3464  
driver's license or permit for not more than five years. If 3465~~

the offender is a professionally licensed person, in 3466  
addition to any other sanction imposed for a violation of this 3467  
section, the court immediately shall comply with section 2925.38 3468  
of the Revised Code. 3469

If the offender has a driver's or commercial driver's 3470  
license or permit, section 2929.33 of the Revised Code applies. 3471

(2) Any offender who received a mandatory suspension of 3472  
the offender's driver's or commercial driver's license or permit 3473  
under this section prior to ~~the effective date of this amendment 3474  
September 13, 2016,~~ may file a motion with the sentencing court 3475  
requesting the termination of the suspension. However, an 3476  
offender who pleaded guilty to or was convicted of a violation 3477  
of section 4511.19 of the Revised Code or a substantially 3478  
similar municipal ordinance or law of another state or the 3479  
United States that arose out of the same set of circumstances as 3480  
the violation for which the offender's license or permit was 3481

suspended under this section shall not file such a motion. 3482

Upon the filing of a motion under division (C) (2) of this 3483  
section, the sentencing court, in its discretion, may terminate 3484  
the suspension. 3485

**Sec. 2925.32.** (A) Divisions (A) (1) and (2) of this section 3486  
do not apply to the dispensing or distributing of nitrous oxide. 3487

(1) No person shall knowingly dispense or distribute a 3488  
harmful intoxicant to a person age eighteen or older if the 3489  
person who dispenses or distributes it knows or has reason to 3490  
believe that the harmful intoxicant will be used in violation of 3491  
section 2925.31 of the Revised Code. 3492

(2) No person shall knowingly dispense or distribute a 3493  
harmful intoxicant to a person under age eighteen if the person 3494  
who dispenses or distributes it knows or has reason to believe 3495  
that the harmful intoxicant will be used in violation of section 3496  
2925.31 of the Revised Code. Division (A) (2) of this section 3497  
does not prohibit either of the following: 3498

(a) Dispensing or distributing a harmful intoxicant to a 3499  
person under age eighteen if a written order from the juvenile's 3500  
parent or guardian is provided to the dispenser or distributor; 3501

(b) Dispensing or distributing gasoline or diesel fuel to 3502  
a person under age eighteen if the dispenser or distributor does 3503  
not know or have reason to believe the product will be used in 3504  
violation of section 2925.31 of the Revised Code. Division (A) 3505  
(2) (a) of this section does not require a person to obtain a 3506  
written order from the parent or guardian of a person under age 3507  
eighteen in order to distribute or dispense gasoline or diesel 3508  
fuel to the person. 3509

(B) (1) No person shall knowingly dispense or distribute 3510

nitrous oxide to a person age twenty-one or older if the person 3511  
who dispenses or distributes it knows or has reason to believe 3512  
the nitrous oxide will be used in violation of section 2925.31 3513  
of the Revised Code. 3514

(2) Except for lawful medical, dental, or clinical 3515  
purposes, no person shall knowingly dispense or distribute 3516  
nitrous oxide to a person under age twenty-one. 3517

(3) No person, at the time a cartridge of nitrous oxide is 3518  
sold to another person, shall sell a device that allows the 3519  
purchaser to inhale nitrous oxide from cartridges or to hold 3520  
nitrous oxide released from cartridges for purposes of 3521  
inhalation. The sale of any such device constitutes a rebuttable 3522  
presumption that the person knew or had reason to believe that 3523  
the purchaser intended to abuse the nitrous oxide. 3524

(4) No person who dispenses or distributes nitrous oxide 3525  
in cartridges shall fail to comply with either of the following: 3526

(a) The record-keeping requirements established under 3527  
division (F) of this section; 3528

(b) The labeling and transaction identification 3529  
requirements established under division (G) of this section. 3530

(C) This section does not apply to products used in 3531  
making, fabricating, assembling, transporting, or constructing a 3532  
product or structure by manual labor or machinery for sale or 3533  
lease to another person, or to the mining, refining, or 3534  
processing of natural deposits. 3535

(D) (1) (a) Whoever violates division (A) (1) or (2) or 3536  
division (B) (1), (2), or (3) of this section is guilty of 3537  
trafficking in harmful intoxicants, a felony of the fifth 3538  
degree. If the offender previously has been convicted of a drug 3539



abuse offense, trafficking in harmful intoxicants is a felony of 3540  
the fourth degree. ~~In addition to any other sanction imposed~~ 3541  
~~upon an offender for trafficking in harmful intoxicants, the~~ 3542  
~~court may suspend for not more than five years the offender's~~ 3543  
~~driver's or commercial driver's license or permit. However, if~~ 3544  
~~the offender pleaded guilty to or was convicted of a violation~~ 3545  
~~of section 4511.19 of the Revised Code or a substantially~~ 3546  
~~similar municipal ordinance or the law of another state or the~~ 3547  
~~United States arising out of the same set of circumstances as~~ 3548  
~~the violation, the court shall suspend the offender's driver's~~ 3549  
~~or commercial driver's license or permit for not more than five~~ 3550  
~~years. If~~ 3551

If the offender is a professionally licensed person, in 3552  
addition to any other sanction imposed for trafficking in 3553  
harmful intoxicants, the court immediately shall comply with 3554  
section 2925.38 of the Revised Code. 3555

If the offender has a driver's or commercial driver's 3556  
license or permit, section 2929.33 of the Revised Code applies. 3557

(b) Any offender who received a mandatory suspension of 3558  
the offender's driver's or commercial driver's license or permit 3559  
under this section prior to ~~the effective date of this amendment~~ 3560  
September 13, 2016, may file a motion with the sentencing court 3561  
requesting the termination of the suspension. However, an 3562  
offender who pleaded guilty to or was convicted of a violation 3563  
of section 4511.19 of the Revised Code or a substantially 3564  
similar municipal ordinance or law of another state or the 3565  
United States that arose out of the same set of circumstances as 3566  
the violation for which the offender's license or permit was 3567  
suspended under this section shall not file such a motion. 3568

Upon the filing of a motion under division (D) (1) (b) of 3569

this section, the sentencing court, in its discretion, may 3570  
terminate the suspension. 3571

(2) Whoever violates division (B) (4) (a) or (b) of this 3572  
section is guilty of improperly dispensing or distributing 3573  
nitrous oxide, a misdemeanor of the fourth degree. 3574

(E) It is an affirmative defense to a charge of a 3575  
violation of division (A) (2) or (B) (2) of this section that: 3576

(1) An individual exhibited to the defendant or an officer 3577  
or employee of the defendant, for purposes of establishing the 3578  
individual's age, a driver's license or permit issued by this 3579  
state, a commercial driver's license or permit issued by this 3580  
state, an identification card issued pursuant to section 4507.50 3581  
of the Revised Code, for another document that purports to be a 3582  
license, permit, or identification card described in this 3583  
division; 3584

(2) The document exhibited appeared to be a genuine, 3585  
unaltered document, to pertain to the individual, and to 3586  
establish the individual's age; 3587

(3) The defendant or the officer or employee of the 3588  
defendant otherwise did not have reasonable cause to believe 3589  
that the individual was under the age represented. 3590

(F) Beginning July 1, 2001, a person who dispenses or 3591  
distributes nitrous oxide shall record each transaction 3592  
involving the dispensing or distributing of the nitrous oxide on 3593  
a separate card. The person shall require the purchaser to sign 3594  
the card and provide a complete residence address. The person 3595  
dispensing or distributing the nitrous oxide shall sign and date 3596  
the card. The person shall retain the card recording a 3597  
transaction for one year from the date of the transaction. The 3598

person shall maintain the cards at the person's business address 3599  
and make them available during normal business hours for 3600  
inspection and copying by officers or employees of the state 3601  
board of pharmacy or of other law enforcement agencies of this 3602  
state or the United States that are authorized to investigate 3603  
violations of Chapter 2925., 3719., or 4729. of the Revised Code 3604  
or the federal drug abuse control laws. 3605

The cards used to record each transaction shall inform the 3606  
purchaser of the following: 3607

(1) That nitrous oxide cartridges are to be used only for 3608  
purposes of preparing food; 3609

(2) That inhalation of nitrous oxide can have dangerous 3610  
health effects; 3611

(3) That it is a violation of state law to distribute or 3612  
dispense cartridges of nitrous oxide to any person under age 3613  
twenty-one, punishable as a felony of the fifth degree. 3614

(G) (1) Each cartridge of nitrous oxide dispensed or 3615  
distributed in this state shall bear the following printed 3616  
warning: 3617

"Nitrous oxide cartridges are to be used only for purposes 3618  
of preparing food. Nitrous oxide cartridges may not be sold to 3619  
persons under age twenty-one. Do not inhale contents. Misuse can 3620  
be dangerous to your health." 3621

(2) Each time a person dispenses or distributes one or 3622  
more cartridges of nitrous oxide, the person shall mark the 3623  
packaging containing the cartridges with a label or other device 3624  
that identifies the person who dispensed or distributed the 3625  
nitrous oxide and the person's business address. 3626

**Sec. 2925.36.** (A) No person shall knowingly furnish 3627  
another a sample drug. 3628

(B) Division (A) of this section does not apply to 3629  
manufacturers, wholesalers, pharmacists, owners of pharmacies, 3630  
licensed health professionals authorized to prescribe drugs, and 3631  
other persons whose conduct is in accordance with Chapters 3632  
3719., 4715., 4723., 4725., 4729., 4730., 4731., and 4741. of 3633  
the Revised Code. 3634

(C) (1) Whoever violates this section is guilty of illegal 3635  
dispensing of drug samples. 3636

(2) If the drug involved in the offense is a compound, 3637  
mixture, preparation, or substance included in schedule I or II, 3638  
with the exception of marihuana, the penalty for the offense 3639  
shall be determined as follows: 3640

(a) Except as otherwise provided in division (C) (2) (b) of 3641  
this section, illegal dispensing of drug samples is a felony of 3642  
the fifth degree, and, subject to division (E) of this section, 3643  
division (C) of section 2929.13 of the Revised Code applies in 3644  
determining whether to impose a prison term on the offender. 3645

(b) If the offense was committed in the vicinity of a 3646  
school or in the vicinity of a juvenile, illegal dispensing of 3647  
drug samples is a felony of the fourth degree, and, subject to 3648  
division (E) of this section, division (C) of section 2929.13 of 3649  
the Revised Code applies in determining whether to impose a 3650  
prison term on the offender. 3651

(3) If the drug involved in the offense is a dangerous 3652  
drug or a compound, mixture, preparation, or substance included 3653  
in schedule III, IV, or V, or is marihuana, the penalty for the 3654  
offense shall be determined as follows: 3655

(a) Except as otherwise provided in division (C) (3) (b) of 3656  
this section, illegal dispensing of drug samples is a 3657  
misdemeanor of the second degree. 3658

(b) If the offense was committed in the vicinity of a 3659  
school or in the vicinity of a juvenile, illegal dispensing of 3660  
drug samples is a misdemeanor of the first degree. 3661

~~(D) (1) In addition to any prison term authorized or 3662  
required by division (C) or (E) of this section and sections 3663  
2929.13 and 2929.14 of the Revised Code and in addition to any 3664  
other sanction imposed for the offense under this section or 3665  
sections 2929.11 to 2929.18 of the Revised Code, the court that 3666  
sentences an offender who is convicted of or pleads guilty to a 3667  
violation of division (A) of this section may suspend for not 3668  
more than five years the offender's driver's or commercial 3669  
driver's license or permit. However, if the offender pleaded 3670  
guilty to or was convicted of a violation of section 4511.19 of 3671  
the Revised Code or a substantially similar municipal ordinance 3672  
or the law of another state or the United States arising out of 3673  
the same set of circumstances as the violation, the court shall 3674  
suspend the offender's driver's or commercial driver's license 3675  
or permit for not more than five years. 3676~~

If the offender is a professionally licensed person, in 3677  
addition to any other sanction imposed for a violation of this 3678  
section, the court immediately shall comply with section 2925.38 3679  
of the Revised Code. 3680

If the offender has a driver's or commercial driver's 3681  
license or permit, section 2929.33 of the Revised Code applies. 3682

(2) Any offender who received a mandatory suspension of 3683  
the offender's driver's or commercial driver's license or permit 3684

under this section prior to September 13, 2016, may file a 3685  
motion with the sentencing court requesting the termination of 3686  
the suspension. However, an offender who pleaded guilty to or 3687  
was convicted of a violation of section 4511.19 of the Revised 3688  
Code or a substantially similar municipal ordinance or law of 3689  
another state or the United States that arose out of the same 3690  
set of circumstances as the violation for which the offender's 3691  
license or permit was suspended under this section shall not 3692  
file such a motion. 3693

Upon the filing of a motion under division (D) (2) of this 3694  
section, the sentencing court, in its discretion, may terminate 3695  
the suspension. 3696

(E) Notwithstanding the prison term authorized or required 3697  
by division (C) of this section and sections 2929.13 and 2929.14 3698  
of the Revised Code, if the violation of division (A) of this 3699  
section involves the sale, offer to sell, or possession of a 3700  
schedule I or II controlled substance, with the exception of 3701  
marihuana, and if the court imposing sentence upon the offender 3702  
finds that the offender as a result of the violation is a major 3703  
drug offender and is guilty of a specification of the type 3704  
described in division (A) of section 2941.1410 of the Revised 3705  
Code, the court, in lieu of the prison term otherwise authorized 3706  
or required, shall impose upon the offender the mandatory prison 3707  
term specified in division (B) (3) (a) of section 2929.14 of the 3708  
Revised Code. 3709

(F) Notwithstanding any contrary provision of section 3710  
3719.21 of the Revised Code, the clerk of the court shall pay a 3711  
fine imposed for a violation of this section pursuant to 3712  
division (A) of section 2929.18 of the Revised Code in 3713  
accordance with and subject to the requirements of division (F) 3714

of section 2925.03 of the Revised Code. The agency that receives 3715  
the fine shall use the fine as specified in division (F) of 3716  
section 2925.03 of the Revised Code. 3717

**Sec. 2925.37.** (A) No person shall knowingly possess any 3718  
counterfeit controlled substance. 3719

(B) No person shall knowingly make, sell, offer to sell, 3720  
or deliver any substance that the person knows is a counterfeit 3721  
controlled substance. 3722

(C) No person shall make, possess, sell, offer to sell, or 3723  
deliver any punch, die, plate, stone, or other device knowing or 3724  
having reason to know that it will be used to print or reproduce 3725  
a trademark, trade name, or other identifying mark upon a 3726  
counterfeit controlled substance. 3727

(D) No person shall sell, offer to sell, give, or deliver 3728  
any counterfeit controlled substance to a juvenile. 3729

(E) No person shall directly or indirectly represent a 3730  
counterfeit controlled substance as a controlled substance by 3731  
describing its effects as the physical or psychological effects 3732  
associated with use of a controlled substance. 3733

(F) No person shall directly or indirectly falsely 3734  
represent or advertise a counterfeit controlled substance as a 3735  
controlled substance. As used in this division, "advertise" 3736  
means engaging in "advertisement," as defined in section 3715.01 3737  
of the Revised Code. 3738

(G) Whoever violates division (A) of this section is 3739  
guilty of possession of counterfeit controlled substances, a 3740  
misdemeanor of the first degree. 3741

(H) Whoever violates division (B) or (C) of this section 3742

is guilty of trafficking in counterfeit controlled substances. 3743  
Except as otherwise provided in this division, trafficking in 3744  
counterfeit controlled substances is a felony of the fifth 3745  
degree, and division (C) of section 2929.13 of the Revised Code 3746  
applies in determining whether to impose a prison term on the 3747  
offender. If the offense was committed in the vicinity of a 3748  
school or in the vicinity of a juvenile, trafficking in 3749  
counterfeit controlled substances is a felony of the fourth 3750  
degree, and division (C) of section 2929.13 of the Revised Code 3751  
applies in determining whether to impose a prison term on the 3752  
offender. 3753

(I) Whoever violates division (D) of this section is 3754  
guilty of aggravated trafficking in counterfeit controlled 3755  
substances. Except as otherwise provided in this division, 3756  
aggravated trafficking in counterfeit controlled substances is a 3757  
felony of the fourth degree, and division (C) of section 2929.13 3758  
of the Revised Code applies in determining whether to impose a 3759  
prison term on the offender. 3760

(J) Whoever violates division (E) of this section is 3761  
guilty of promoting and encouraging drug abuse. Except as 3762  
otherwise provided in this division, promoting and encouraging 3763  
drug abuse is a felony of the fifth degree, and division (C) of 3764  
section 2929.13 of the Revised Code applies in determining 3765  
whether to impose a prison term on the offender. If the offense 3766  
was committed in the vicinity of a school or in the vicinity of 3767  
a juvenile, promoting and encouraging drug abuse is a felony of 3768  
the fourth degree, and division (C) of section 2929.13 of the 3769  
Revised Code applies in determining whether to impose a prison 3770  
term on the offender. 3771

(K) Whoever violates division (F) of this section is 3772



guilty of fraudulent drug advertising. Except as otherwise 3773  
provided in this division, fraudulent drug advertising is a 3774  
felony of the fifth degree, and division (C) of section 2929.13 3775  
of the Revised Code applies in determining whether to impose a 3776  
prison term on the offender. If the offense was committed in the 3777  
vicinity of a school or in the vicinity of a juvenile, 3778  
fraudulent drug advertising is a felony of the fourth degree, 3779  
and division (C) of section 2929.13 of the Revised Code applies 3780  
in determining whether to impose a prison term on the offender. 3781

~~(L) (1) In addition to any prison term authorized or 3782  
required by divisions (H) to (K) of this section and sections 3783  
2929.13 and 2929.14 of the Revised Code and in addition to any 3784  
other sanction imposed for the offense under this section or 3785  
sections 2929.11 to 2929.18 of the Revised Code, the court that 3786  
sentences an offender who is convicted of or pleads guilty to a 3787  
violation of division (B), (C), (D), (E), or (F) of this section 3788  
may suspend for not more than five years the offender's driver's 3789  
or commercial driver's license or permit. However, if the 3790  
offender pleaded guilty to or was convicted of a violation of 3791  
section 4511.19 of the Revised Code or a substantially similar 3792  
municipal ordinance or the law of another state or the United 3793  
States arising out of the same set of circumstances as the 3794  
violation, the court shall suspend the offender's driver's or 3795  
commercial driver's license or permit for not more than five 3796  
years. 3797~~

If the offender is a professionally licensed person, in 3798  
addition to any other sanction imposed for a violation of this 3799  
section, the court immediately shall comply with section 2925.38 3800  
of the Revised Code. 3801

If the offender has a driver's or commercial driver's 3802

license or permit, section 2929.33 of the Revised Code applies. 3803

(2) Any offender who received a mandatory suspension of 3804  
the offender's driver's or commercial driver's license or permit 3805  
under this section prior to ~~the effective date of this amendment~~ 3806  
September 13, 2016, may file a motion with the sentencing court 3807  
requesting the termination of the suspension. However, an 3808  
offender who pleaded guilty to or was convicted of a violation 3809  
of section 4511.19 of the Revised Code or a substantially 3810  
similar municipal ordinance or law of another state or the 3811  
United States that arose out of the same set of circumstances as 3812  
the violation for which the offender's license or permit was 3813  
suspended under this section shall not file such a motion. 3814

Upon the filing of a motion under division (L)(2) of this 3815  
section, the sentencing court, in its discretion, may terminate 3816  
the suspension. 3817

(M) Notwithstanding any contrary provision of section 3818  
3719.21 of the Revised Code, the clerk of the court shall pay a 3819  
fine imposed for a violation of this section pursuant to 3820  
division (A) of section 2929.18 of the Revised Code in 3821  
accordance with and subject to the requirements of division (F) 3822  
of section 2925.03 of the Revised Code. The agency that receives 3823  
the fine shall use the fine as specified in division (F) of 3824  
section 2925.03 of the Revised Code. 3825

**Sec. 2929.33.** (A) As used in this section, "drug abuse 3826  
offense" means a violation of section 2925.02, 2925.03, 2925.04, 3827  
2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 3828  
2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the 3829  
Revised Code. 3830

(B)(1) Except as provided in division (B)(2) of this 3831

section, a court that sentences an offender who is convicted of 3832  
or pleads guilty to a drug abuse offense and who used a vehicle 3833  
to further the commission of the offense may suspend the 3834  
driver's or commercial driver's license or permit of the 3835  
offender in accordance with division (C) of this section. 3836

(2) If an offender pleaded guilty to or was convicted of a 3837  
violation of section 4511.19 of the Revised Code or a 3838  
substantially similar municipal ordinance or the law of another 3839  
state or the United States arising out of the same set of 3840  
circumstances as the drug abuse offense, the court shall suspend 3841  
the offender's driver's or commercial driver's license or permit 3842  
in accordance with division (C) of this section. 3843

(C) (1) If the sentencing court suspends the offender's 3844  
driver's or commercial driver's license or permit under division 3845  
(B) of this section, the court shall suspend the license, by 3846  
order, for not more than five years. 3847

(2) If an offender's driver's or commercial driver's 3848  
license or permit is suspended pursuant to this section, the 3849  
offender, at any time after the expiration of two years from the 3850  
day on which the offender's sentence was imposed or from the day 3851  
on which the offender finally was released from a jail or prison 3852  
term under the sentence, whichever is later, may file a motion 3853  
with the sentencing court requesting termination of the 3854  
suspension. Upon the filing of such a motion and the court's 3855  
finding of good cause for the termination, the court may 3856  
terminate the suspension. 3857

**Sec. 2935.26.** (A) Notwithstanding any other provision of 3858  
the Revised Code, when a law enforcement officer is otherwise 3859  
authorized to arrest a person for the commission of a minor 3860  
misdemeanor, the officer shall not arrest the person, but shall 3861

issue a citation, unless one of the following applies:	3862
(1) The offender requires medical care or is unable to provide for <del>his</del> <u>the offender's</u> own safety.	3863 3864
(2) The offender cannot or will not offer satisfactory evidence of <del>his</del> <u>the offender's</u> identity.	3865 3866
(3) The offender refuses to sign the citation.	3867
(4) The offender has previously been issued a citation for the commission of that misdemeanor and has failed to do one of the following:	3868 3869 3870
(a) Appear at the time and place stated in the citation;	3871
(b) Comply with division (C) of this section.	3872
(B) The citation shall contain all of the following:	3873
(1) The name and address of the offender;	3874
(2) A description of the offense and the numerical designation of the applicable statute or ordinance;	3875 3876
(3) The name of the person issuing the citation;	3877
(4) An order for the offender to appear at a stated time and place;	3878 3879
(5) A notice that the offender may comply with division (C) of this section in lieu of appearing at the stated time and place;	3880 3881 3882
(6) A notice that the offender is required to do one of the following and that <del>he</del> <u>the offender</u> may be arrested if <del>he</del> <u>the offender</u> fails to do one of them:	3883 3884 3885
(a) Appear at the time and place stated in the citation;	3886

(b) Comply with division (C) of this section.	3887
(C) In lieu of appearing at the time and place stated in the citation, the offender may, within seven days after the date of issuance of the citation, do either of the following:	3888 3889 3890
(1) Appear in person at the office of the clerk of the court stated in the citation, sign a plea of guilty and a waiver of trial provision that is on the citation, and <u>either pay the total amount of the fine and costs or enter into an installment payment plan with the clerk of the court;</u>	3891 3892 3893 3894 3895
(2) Sign the guilty plea and waiver of trial provision of the citation, and mail the citation and a check or money order for the total amount of the fine and costs to the office of the clerk of the court stated in the citation.	3896 3897 3898 3899
Remittance by mail of the fine and costs to the office of the clerk of the court stated in the citation constitutes a guilty plea and waiver of trial whether or not the guilty plea and waiver of trial provision of the citation are signed by the defendant.	3900 3901 3902 3903 3904
(D) A law enforcement officer who issues a citation shall complete and sign the citation form, serve a copy of the completed form upon the offender and, without unnecessary delay, file the original citation with the court having jurisdiction over the offense.	3905 3906 3907 3908 3909
(E) Each court shall establish a fine schedule that shall list the fine for each minor misdemeanor, and state the court costs. The fine schedule shall be prominently posted in the place where minor misdemeanor fines are paid.	3910 3911 3912 3913
(F) If an offender fails to appear and does not comply with division (C) of this section, the court <del>may</del> <u>shall</u> issue a	3914 3915

supplemental citation, ~~or~~. If an offender still fails to appear 3916  
and does not comply with division (C) of this section within the 3917  
thirty days after issuance of the supplemental citation, the 3918  
court may issue a summons or warrant for the arrest of the 3919  
offender pursuant to the Criminal Rules. Supplemental citations 3920  
shall be in the form prescribed by division (B) of this section, 3921  
but shall be issued and signed by the clerk of the court at 3922  
which the citation directed the offender to appear and ~~shall may~~ 3923  
be sent to the offender through electronic means or may be 3924  
served in the same manner as a summons. 3925

(G) A summons or warrant for the arrest of an offender who 3926  
failed to comply with division (C) of this section shall be 3927  
cancelled by the court if the offender enters into an 3928  
installment payment plan with the clerk of the court that issued 3929  
the summons or warrant for the payment of the fine and costs. 3930

**Sec. 2935.27.** (A) (1) If a law enforcement officer issues a 3931  
citation to a person pursuant to section 2935.26 of the Revised 3932  
Code and if the minor misdemeanor offense for which the citation 3933  
is issued is an act prohibited by Chapter 4511., 4513., or 4549. 3934  
of the Revised Code or an act prohibited by any municipal 3935  
ordinance that is substantially similar to any section contained 3936  
in Chapter 4511., 4513., or 4549. of the Revised Code, the 3937  
officer shall inform the person, if the person has a current 3938  
valid Ohio driver's or commercial driver's license, of the 3939  
possible consequences of the person's actions as required under 3940  
division (E) of this section, and also shall inform the person 3941  
that the person is required either to appear at the time and 3942  
place stated in the citation or to comply with division (C) of 3943  
section 2935.26 of the Revised Code. 3944

~~(2) If the person is an Ohio resident but does not have a~~ 3945

~~current valid Ohio driver's or commercial driver's license or if~~ 3946  
~~the person is a resident of a state that is not a member of the~~ 3947  
~~nonresident violator compact of which this state is a member~~ 3948  
~~pursuant to section 4510.71 of the Revised Code, and if the~~ 3949  
~~court, by local rule, has prescribed a procedure for the setting~~ 3950  
~~of a reasonable security pursuant to division (F) of this~~ 3951  
~~section, security shall be set in accordance with that local~~ 3952  
~~rule and that division.~~ 3953

A court by local rule may prescribe a procedure for the 3954  
setting of reasonable security as described in this division. ~~As~~ 3955  
A court setting security under this division shall do so in 3956  
conformity with sections 2937.22 and 2937.23 of the Revised Code 3957  
and the Rules of Criminal Procedure. 3958

As an alternative to this procedure, a court by local rule 3959  
may prescribe a procedure for the setting of a reasonable 3960  
security by the person without the person appearing before the 3961  
court. 3962

(B) A person who has security set under division (A) (2) of 3963  
this section shall be given a receipt or other evidence of the 3964  
deposit of the security by the court. 3965

(C) Upon compliance with division (C) of section 2935.26 3966  
of the Revised Code by a person who was issued a citation, the 3967  
clerk of the court shall notify the court. The court shall 3968  
immediately return any sum of money, ~~license,~~ or other security 3969  
deposited in relation to the citation to the person, or to any 3970  
other person who deposited the security. 3971

(D) If a person who has a current valid Ohio driver's or 3972  
commercial driver's license and who was issued a citation fails 3973  
to appear at the time and place specified on the citation, fails 3974

to comply with division (C) of section 2935.26 of the Revised Code, or fails to comply with or satisfy any judgment of the court within the time allowed by the court, the court shall declare the forfeiture of the person's license. Thirty days after the declaration of forfeiture, the court shall enter information relative to the forfeiture on a form approved and furnished by the registrar of motor vehicles, and forward the form to the registrar. The registrar shall suspend the person's driver's or commercial driver's license, send written notification of the suspension to the person at the person's last known address, and order the person to surrender the person's driver's or commercial driver's license to the registrar within forty-eight hours. No valid driver's or commercial driver's license shall be granted to the person until the court having jurisdiction of the offense that led to the forfeiture orders that the forfeiture be terminated. The court shall so order if the person, after having failed to appear in court at the required time and place to answer the charge or after having pleaded guilty to or been found guilty of the violation and having failed within the time allowed by the court to pay the fine imposed by the court, thereafter appears to answer the charge and pays any fine imposed by the court or pays the fine originally imposed by the court. The court shall inform the registrar of the termination of the forfeiture by entering information relative to the termination on a form approved and furnished by the registrar and sending the form to the registrar as provided in this division. The person shall pay to the bureau of motor vehicles a fifteen-dollar reinstatement fee to cover the costs of the bureau in administering this section. The registrar shall deposit the fees so paid into the public safety - highway purposes fund created by section 4501.06 of the Revised Code.



In addition, upon receipt of the copy of the declaration 4007  
of forfeiture from the court, neither the registrar nor any 4008  
deputy registrar shall accept any application for the 4009  
registration or transfer of registration of any motor vehicle 4010  
owned or leased by the person named in the declaration of 4011  
forfeiture until the court having jurisdiction of the offense 4012  
that led to the forfeiture orders that the forfeiture be 4013  
terminated. However, for a motor vehicle leased by a person 4014  
named in a declaration of forfeiture, the registrar shall not 4015  
implement the preceding sentence until the registrar adopts 4016  
procedures for that implementation under section 4503.39 of the 4017  
Revised Code. Upon receipt by the registrar of an order 4018  
terminating the forfeiture, the registrar shall take such 4019  
measures as may be necessary to permit the person to register a 4020  
motor vehicle owned or leased by the person or to transfer the 4021  
registration of such a motor vehicle, if the person later makes 4022  
application to take such action and the person otherwise is 4023  
eligible to register the motor vehicle or to transfer the 4024  
registration of it. 4025

The registrar is not required to give effect to any 4026  
declaration of forfeiture or order terminating a forfeiture 4027  
unless the order is transmitted to the registrar by means of an 4028  
electronic transfer system. The registrar shall not restore the 4029  
person's driving or vehicle registration privileges until the 4030  
person pays the reinstatement fee as provided in this division. 4031

If the person who was issued the citation fails to appear 4032  
at the time and place specified on the citation and fails to 4033  
comply with division (C) of section 2935.26 of the Revised Code 4034  
and the person has deposited a sum of money or other security in 4035  
relation to the citation under division (A) (2) of this section, 4036  
the deposit immediately shall be forfeited to the court. 4037

This section does not preclude further action as 4038  
authorized by division (F) of section 2935.26 of the Revised 4039  
Code. 4040

(E) A law enforcement officer who issues a person a minor 4041  
misdemeanor citation for an act prohibited by Chapter 4511., 4042  
4513., or 4549. of the Revised Code or an act prohibited by a 4043  
municipal ordinance that is substantially similar to any section 4044  
contained in Chapter 4511., 4513., or 4549. of the Revised Code 4045  
shall inform the person that if the person does not appear at 4046  
the time and place stated on the citation or does not comply 4047  
with division (C) of section 2935.26 of the Revised Code, the 4048  
person's driver's or commercial driver's license will be 4049  
suspended, the person will not be eligible for the reissuance of 4050  
the license or the issuance of a new license or the issuance of 4051  
a certificate of registration for a motor vehicle owned or 4052  
leased by the person, until the person appears and complies with 4053  
all orders of the court. The person also is subject to any 4054  
applicable criminal penalties. 4055

~~(F) A court setting security under division (A) (2) of this 4056  
section shall do so in conformity with sections 2937.22 and 4057  
2937.23 of the Revised Code and the Rules of Criminal Procedure. 4058~~

**Sec. 2937.40.** (A) Bail of any type that is deposited under 4059  
section 2937.011 or sections 2937.22 to 2937.45 of the Revised 4060  
Code by a person other than the accused shall be discharged and 4061  
released, and sureties on recognizances shall be released, in 4062  
any of the following ways: 4063

(1) When a surety on a recognizance or the depositor of 4064  
cash or securities as bail for an accused desires to surrender 4065  
the accused before the appearance date, the surety is discharged 4066  
from further responsibility or the deposit is redeemed in either 4067

of the following ways: 4068

(a) By delivery of the accused into open court; 4069

(b) When, on the written request of the surety or 4070  
depositor, the clerk of the court to which recognizance is 4071  
returnable or in which deposit is made issues to the sheriff a 4072  
warrant for the arrest of the accused and the sheriff indicates 4073  
on the return that the sheriff holds the accused in the 4074  
sheriff's jail. 4075

(2) By appearance of the accused in accordance with the 4076  
terms of the recognizance or deposit and the entry of judgment 4077  
by the court or magistrate; 4078

(3) By payment into court, after default, of the sum fixed 4079  
in the recognizance or the sum fixed in the order of forfeiture, 4080  
if it is less. 4081

(B) When cash or securities have been deposited as bail by 4082  
a person other than the accused and the bail is discharged and 4083  
released pursuant to division (A) of this section, or when 4084  
property has been pledged by a surety on recognizance and the 4085  
surety on recognizance has been released pursuant to division 4086  
(A) of this section, the court shall not deduct any amount from 4087  
the cash or securities or declare forfeited and levy or execute 4088  
against pledged property. The court shall not apply any of the 4089  
deposited cash or securities toward, or declare forfeited and 4090  
levy or execute against property pledged for a recognizance for, 4091  
the satisfaction of any penalty or fine, and court costs, 4092  
assessed against the accused upon the accused's conviction or 4093  
guilty plea, except upon express approval of the person who 4094  
deposited the cash or securities or the surety. 4095

(C) Bail of any type that is deposited under section 4096

2937.011 or sections 2937.22 to 2937.45 of the Revised Code by 4097  
an accused shall be discharged and released to the accused, and 4098  
property pledged by an accused for a recognizance shall be 4099  
discharged, upon the appearance of the accused in accordance 4100  
with the terms of the recognizance or deposit and the entry of 4101  
judgment by the court or magistrate, except that, if the 4102  
defendant is not indigent, the court may apply deposited bail 4103  
toward the satisfaction of a penalty or fine, and court costs, 4104  
assessed against the accused upon the accused's conviction or 4105  
guilty plea, and may declare forfeited and levy or execute 4106  
against pledged property for the satisfaction of a penalty or 4107  
fine, and court costs, assessed against the accused upon the 4108  
accused's conviction or guilty plea. 4109

~~(D) Notwithstanding any other provision of this section,~~ 4110  
~~an Ohio driver's or commercial driver's license that is~~ 4111  
~~deposited as bond may be forfeited and otherwise handled as~~ 4112  
~~provided in section 2937.221 of the Revised Code.~~ 4113

**Sec. 3123.54.** If a child support enforcement agency, 4114  
pursuant to section 3123.53 of the Revised Code, determines that 4115  
an individual holds a license, endorsement, or permit or has 4116  
applied for, or is likely to apply for, a license, endorsement, 4117  
or permit, it shall send the notice described in section 3123.55 4118  
of the Revised Code to the individual. The Not earlier than 4119  
thirty days after the agency sends the notice to the individual, 4120  
the agency also may send a notice to the registrar of motor 4121  
vehicles that gives the name and social security number or other 4122  
identifying number of the individual and states that a court or 4123  
agency has determined that the individual is in default under a 4124  
child support order or has failed to comply with a warrant or 4125  
subpoena issued by a court or agency with respect to a 4126  
proceeding to enforce a child support order. 4127

An individual who receives a notice under this section may 4128  
cooperate with the agency to satisfy one or more of the 4129  
conditions described in divisions (A) to (E) of section 3123.56 4130  
of the Revised Code to prevent notice being sent to the 4131  
registrar and the resulting driver's license suspension. 4132

**Sec. 3123.56.** A child support enforcement agency that sent 4133  
a notice under section 3123.54 of the Revised Code of an 4134  
individual's default under a child support order shall send to 4135  
the registrar of motor vehicles a notice that the individual is 4136  
not in default if it determines that the individual is not in 4137  
default or any of the following occurs: 4138

(A) The individual makes full payment to the office of 4139  
child support or, pursuant to sections 3125.27 to 3125.30 of the 4140  
Revised Code, to the child support enforcement agency of the 4141  
arrearage as of the date the payment is made. 4142

(B) If division (A) of this section is not possible, the 4143  
individual has presented to the agency sufficient evidence of 4144  
current employment or of an account in a financial institution, 4145  
the agency has confirmed the individual's employment or the 4146  
existence of the account, and an appropriate withholding or 4147  
deduction notice described in section 3121.03 of the Revised 4148  
Code has been issued to collect current support and any 4149  
arrearage due under the child support order that was in default. 4150

(C) If divisions (A) and (B) of this section are not 4151  
possible, the individual presents evidence to the agency 4152  
sufficient to establish ~~that the~~ either one of the following: 4153

(1) The individual is unable to work due to circumstances 4154  
beyond the individual's control. 4155

(2) The imposition of a suspension on the individual's 4156

driver's license or commercial driver's license, motorcycle 4157  
operator's license or endorsement, or temporary instruction 4158  
permit or commercial driver's temporary instruction permit would 4159  
effectively prevent the individual from paying child support or 4160  
any arrearage due under the child support order that was in 4161  
default. 4162

(D) If divisions (A), (B), and (C) of this section are not 4163  
possible, the individual enters into and complies with a written 4164  
agreement with the agency that requires the obligor to comply 4165  
with either of the following: 4166

(1) A family support program administered or approved by 4167  
the agency; 4168

(2) A program to establish compliance with a seek work 4169  
order issued pursuant to section ~~3123.03~~ 3121.03 of the Revised 4170  
Code. 4171

(E) If divisions (A), (B), (C), and (D) of this section 4172  
are not possible, the individual pays the balance of the total 4173  
monthly obligation due for the ninety-day period preceding the 4174  
date the agency sent the notice described in section 3123.55 of 4175  
the Revised Code. 4176

The agency shall send the notice under this section not 4177  
later than seven days after it determines the individual is not 4178  
in default or that any of the circumstances specified in this 4179  
section has occurred. 4180

**Sec. 3123.58.** (A) On receipt of a notice pursuant to 4181  
section 3123.54 of the Revised Code, the registrar of motor 4182  
vehicles shall determine whether the individual named in the 4183  
notice holds or has applied for a driver's license or commercial 4184  
driver's license, motorcycle operator's license or endorsement, 4185

or temporary instruction permit or commercial driver's temporary 4186  
instruction permit. If the registrar determines that the 4187  
individual holds or has applied for a license, permit, or 4188  
endorsement and the individual is the individual named in the 4189  
notice and does not receive a notice pursuant to section 3123.56 4190  
or 3123.57 of the Revised Code, the registrar immediately shall 4191  
provide notice of the determination to each deputy registrar. 4192  
The registrar or a deputy registrar may not issue to the 4193  
individual a driver's or commercial driver's license, motorcycle 4194  
operator's license or endorsement, or temporary instruction 4195  
permit or commercial driver's temporary instruction permit and 4196  
may not renew for the individual a driver's or commercial 4197  
driver's license, motorcycle operator's license or endorsement, 4198  
or commercial driver's temporary instruction permit. The 4199  
registrar or a deputy registrar also shall impose a class F 4200  
suspension of the license, permit, or endorsement held by the 4201  
individual under division (B) (6) of section 4510.02 of the 4202  
Revised Code. 4203

(B) (1) A court with jurisdiction over the child support 4204  
order may grant an individual whose license, permit, or 4205  
endorsement is suspended under this section limited driving 4206  
privileges in accordance with division (B) of section 4510.021 4207  
of the Revised Code pursuant to a ~~request made during an action~~ 4208  
~~for contempt initiated under section 2705.031 of the Revised~~ 4209  
~~Code~~ motion by that individual for limited driving privileges, 4210  
unless that individual's driver's license is suspended for an 4211  
offense that prevents the granting of limited driving 4212  
privileges. Prior to granting privileges under this division, 4213  
the court shall request the ~~accused individual~~ to provide the 4214  
court with a ~~recent~~ current noncertified copy of a driver's 4215  
abstract from the registrar of motor vehicles ~~and~~. The court 4216

shall request the child support enforcement agency that issued 4217  
the notice pursuant to section 3123.54 of the Revised Code 4218  
relative to the individual to advise the court, either in person 4219  
through a representative testifying at a hearing or through a 4220  
written document, the position of the agency relative to the 4221  
issue of the granting of privileges to the individual. The 4222  
court, in determining whether to grant the individual privileges 4223  
under this division, shall take into consideration the position 4224  
of the agency, but the court is not bound by the position of the 4225  
agency. 4226

(2) A court that grants limited driving privileges to a 4227  
person under division (B) (1) of this section shall include in 4228  
the order any conditions the person shall comply with in order 4229  
to retain the privileges and deliver to the person a permit card 4230  
or other written document, in a form to be prescribed by the 4231  
court, setting forth the date on which the limited privileges 4232  
will become effective, the purposes for which the person may 4233  
drive, the times and places at which the person may drive, and 4234  
any other conditions imposed upon the person's use of a motor 4235  
vehicle. 4236

(3) The court immediately shall notify the registrar, in 4237  
writing, of a grant of limited driving privileges under division 4238  
(B) (1) of this section. The notification shall specify the date 4239  
on which the limited driving privileges will become effective, 4240  
the purposes for which the person may drive, and any other 4241  
conditions imposed upon the person's use of a motor vehicle. 4242

(C) If a person who has been granted limited driving 4243  
privileges under division (B) (1) of this section is convicted 4244  
of, pleads guilty to, or is adjudicated in juvenile court of 4245  
having committed a violation of Chapter 4510. of the Revised 4246



Code or any similar municipal ordinance during the period of 4247  
which the person was granted limited driving privileges, the 4248  
person's limited driving privileges shall be suspended 4249  
immediately pending a reinstatement hearing. 4250

**Sec. 3321.13.** (A) Whenever any child of compulsory school 4251  
age withdraws from school the teacher of that child shall 4252  
ascertain the reason for withdrawal. The fact of the withdrawal 4253  
and the reason for it shall be immediately transmitted by the 4254  
teacher to the superintendent of the city, local, or exempted 4255  
village school district. If the child who has withdrawn from 4256  
school has done so because of change of residence, the next 4257  
residence shall be ascertained and shall be included in the 4258  
notice thus transmitted. The superintendent shall thereupon 4259  
forward a card showing the essential facts regarding the child 4260  
and stating the place of the child's new residence to the 4261  
superintendent of schools of the district to which the child has 4262  
moved. 4263

The department of education and workforce may prescribe 4264  
the forms to be used in the operation of this division. 4265

(B) (1) Upon receipt of information that a child of 4266  
compulsory school age has withdrawn from school for a reason 4267  
other than because of change of residence or for the purpose of 4268  
home education pursuant to section 3321.042 of the Revised Code 4269  
and is not enrolled in and attending in accordance with school 4270  
policy an approved program to obtain a diploma or its 4271  
equivalent, the superintendent shall notify ~~the registrar of~~ 4272  
~~motor vehicles and~~ the juvenile judge of the county in which the 4273  
district is located of the withdrawal and failure to enroll in 4274  
and attend an approved program to obtain a diploma or its 4275  
equivalent. A notification to ~~the registrar required by this~~ 4276

~~division shall be given in the manner the registrar by rule~~ 4277  
~~requires and a notification to the juvenile judge required by~~ 4278  
this division shall be given in writing. Each notification shall 4279  
be given within two weeks after the withdrawal and failure to 4280  
enroll in and attend an approved program or its equivalent. 4281

(2) The board of education of a school district may adopt 4282  
a resolution providing that the provisions of division (B) (2) of 4283  
this section apply within the district. The provisions of 4284  
division (B) (2) of this section do not apply within any school 4285  
district, and no superintendent of a school district shall send 4286  
a notification of the type described in division (B) (2) of this 4287  
section to ~~the registrar of motor vehicles or the juvenile judge~~ 4288  
of the county in which the district is located, unless the board 4289  
of education of the district has adopted such a resolution. If 4290  
the board of education of a school district adopts a resolution 4291  
providing that the provisions of division (B) (2) of this section 4292  
apply within the district, and if the superintendent of schools 4293  
of that district receives information that, during any semester 4294  
or term, a child of compulsory school age has been absent 4295  
without legitimate excuse from the school the child is supposed 4296  
to attend for more than sixty consecutive hours in a single 4297  
month or for at least ninety hours in a school year, the 4298  
superintendent shall notify the child and the child's parent, 4299  
guardian, or custodian, in writing, that the information has 4300  
been provided to the superintendent, that as a result of that 4301  
information ~~the child's temporary instruction permit or driver's~~ 4302  
~~license will be suspended or the opportunity to obtain such a~~ 4303  
~~permit or license will be denied, and that the child and the~~ 4304  
child's parent, guardian, or custodian may participate in a 4305  
hearing at a scheduled date, time, and place conducted by the 4306  
superintendent or a designee to challenge the information 4307

provided to the superintendent. The hearing may be conducted by 4308  
electronic means if requested by the child's parent, guardian, 4309  
or custodian. 4310

The notification to the child and the child's parent, 4311  
guardian, or custodian required by division (B)(2) of this 4312  
section shall set forth the information received by the 4313  
superintendent and shall inform the child and the child's 4314  
parent, guardian, or custodian of the scheduled date, time, and 4315  
participation method of the hearing before the superintendent or 4316  
a designee. The date scheduled for the hearing shall be no 4317  
earlier than three and no later than five days after the 4318  
notification is given, provided that an extension may be granted 4319  
upon request of the child or the child's parent, guardian, or 4320  
custodian. If an extension is granted, the superintendent shall 4321  
schedule a new date, time, and method for the hearing and shall 4322  
inform the child and the child's parent, guardian, or custodian 4323  
of the new date, time, and method. 4324

If the child and the child's parent, guardian, or 4325  
custodian do not appear before the superintendent or a designee 4326  
on the scheduled date and for the scheduled hearing, or if the 4327  
child and the child's parent, guardian, or custodian appear 4328  
before the superintendent or a designee on the scheduled date 4329  
and at the scheduled time but the superintendent or a designee 4330  
determines that the information the superintendent received 4331  
indicating that, during the semester or term, the child had been 4332  
absent without legitimate excuse from the school the child was 4333  
supposed to attend for more than sixty consecutive hours or for 4334  
at least ninety total hours, the superintendent shall notify ~~the~~ 4335  
~~registrar of motor vehicles and~~ the juvenile judge of the county 4336  
in which the district is located that the child has been absent 4337  
for that period of time and that the child does not have any 4338

legitimate excuse for the habitual absence. A notification to 4339  
~~the registrar required by this division shall be given in the~~ 4340  
~~manner the registrar by rule requires and a notification to the~~ 4341  
juvenile judge required by this division shall be given in 4342  
writing. Each notification shall be given within two weeks after 4343  
the receipt of the information of the habitual absence from 4344  
school without legitimate excuse, or, if the child and the 4345  
child's parent, guardian, or custodian appear before the 4346  
superintendent or a designee to challenge the information, 4347  
within two weeks after the hearing. 4348

For purposes of division (B) (2) of this section, a 4349  
legitimate excuse for absence from school includes, but is not 4350  
limited to, the fact that the child in question has enrolled in 4351  
another school or school district in this or another state, the 4352  
fact that the child in question was excused from attendance for 4353  
any of the reasons specified in section 3321.04 or exempt under 4354  
section 3321.042 of the Revised Code, or the fact that the child 4355  
in question has received an age and schooling certificate in 4356  
accordance with section 3331.01 of the Revised Code. 4357

(3) Whenever a pupil is suspended or expelled from school 4358  
pursuant to section 3313.66 of the Revised Code and the reason 4359  
for the suspension or expulsion is the use or possession of 4360  
alcohol, a drug of abuse, or alcohol and a drug of abuse, the 4361  
superintendent of schools of that district may notify ~~the~~ 4362  
~~registrar and~~ the juvenile judge of the county in which the 4363  
district is located of such suspension or expulsion. Any such 4364  
notification of suspension or expulsion shall be given to ~~the~~ 4365  
~~registrar, in the manner the registrar by rule requires and~~ 4366  
~~shall be given to~~ the juvenile judge in writing. The 4367  
notifications shall be given within two weeks after the 4368  
suspension or expulsion. 4369

(4) Whenever a pupil is suspended, expelled, removed, or permanently excluded from a school for misconduct included in a policy that the board of education of a city, exempted village, or local school district has adopted under division (A) of section 3313.661 of the Revised Code, and the misconduct involves a firearm or a knife or other weapon as defined in that policy, the superintendent of schools of that district shall notify ~~the registrar and~~ the juvenile judge of the county in which the district is located of the suspension, expulsion, removal, or permanent exclusion. The notification shall be given to ~~the registrar in the manner the registrar, by rule, requires~~ and shall be given to the juvenile judge in writing. The notifications shall be given within two weeks after the suspension, expulsion, removal, or permanent exclusion.

(C) A notification of withdrawal, habitual absence without legitimate excuse, suspension, or expulsion given to ~~the registrar or~~ a juvenile judge under division (B) (1), (2), (3), or (4) of this section shall contain the name, address, date of birth, school, and school district of the child. If the superintendent finds, after giving a notification of withdrawal, habitual absence without legitimate excuse, suspension, or expulsion to ~~the registrar and~~ the juvenile judge under division (B) (1), (2), (3), or (4) of this section, that the notification was given in error, the superintendent immediately shall notify ~~the registrar and~~ the juvenile judge of that fact.

**Sec. 3321.191.** (A) Effective beginning with the 2017-2018 school year, the board of education of each city, exempted village, local, joint vocational, and cooperative education school district and the governing board of each educational service center shall adopt a new or amended policy to guide employees of the school district or service center in addressing

and ameliorating student absences. In developing the policy, the 4401  
appropriate board shall consult with the judge of the juvenile 4402  
court of the county or counties in which the district or service 4403  
center is located, with the parents, guardians, or other persons 4404  
having care of the pupils attending school in the district, and 4405  
with appropriate state and local agencies. 4406

(B) The policy developed under division (A) of this 4407  
section shall include as an intervention strategy all of the 4408  
following actions, if applicable: 4409

(1) Providing a truancy intervention plan for any student 4410  
who is excessively absent from school, as described in the first 4411  
paragraph of division (C) of this section; 4412

(2) Providing counseling for an habitual truant; 4413

(3) Requesting or requiring a parent, guardian, or other 4414  
person having care of an habitual truant to attend parental 4415  
involvement programs, including programs adopted under section 4416  
3313.472 or 3313.663 of the Revised Code; 4417

(4) Requesting or requiring a parent, guardian, or other 4418  
person having care of an habitual truant to attend truancy 4419  
prevention mediation programs; 4420

~~(5) Notification of the registrar of motor vehicles under~~ 4421  
~~section 3321.13 of the Revised Code;~~ 4422

~~(6) Taking legal action under section 2919.222, 3321.20,~~ 4423  
~~or 3321.38 of the Revised Code.~~ 4424

(C) (1) In the event that a child of compulsory school age 4425  
is absent with a nonmedical excuse or without legitimate excuse 4426  
from the public school the child is supposed to attend for 4427  
thirty-eight or more hours in one school month, or sixty-five or 4428

more hours in a school year, the attendance officer of that 4429  
school shall notify the child's parent, guardian, or custodian 4430  
of the child's absences, in writing, within seven days after the 4431  
date after the absence that triggered the notice requirement. At 4432  
the time notice is given, the school also may take any 4433  
appropriate action as an intervention strategy contained in the 4434  
policy developed by the board pursuant to division (A) of this 4435  
section. 4436

(2) (a) If the absences of a student surpass the threshold 4437  
for an habitual truant as set forth in section 2151.011 of the 4438  
Revised Code, the principal or chief administrator of the school 4439  
or the superintendent of the school district shall assign the 4440  
student to an absence intervention team. Within fourteen school 4441  
days after the assignment of a student to an absence 4442  
intervention team, the team shall develop an intervention plan 4443  
for that student in an effort to reduce or eliminate further 4444  
absences. Each intervention plan shall vary based on the 4445  
individual needs of the student, but the plan shall state that 4446  
the attendance officer shall file a complaint not later than 4447  
sixty-one days after the date the plan was implemented, if the 4448  
child has refused to participate in, or failed to make 4449  
satisfactory progress on, the intervention plan or an 4450  
alternative to adjudication under division (C) (2) (b) of section 4451  
3321.191 of the Revised Code. Within seven days after the 4452  
development of the plan, the school district or school shall 4453  
make reasonable efforts to provide the student's parent, 4454  
guardian, custodian, guardian ad litem, or temporary custodian 4455  
with written notice of the plan. 4456

(b) As part of the absence intervention plan described in 4457  
division (C) (2) of this section, the school district or school, 4458  
in its discretion, may contact the appropriate juvenile court 4459

and ask to have a student informally enrolled in any alternative 4460  
to adjudication described in division (G) of section 2151.27 of 4461  
the Revised Code. If the school district or school chooses to 4462  
have students informally enrolled in an alternative to 4463  
adjudication, the school district or school shall develop a 4464  
written policy regarding the use of, and selection process for, 4465  
offering alternatives to adjudication to ensure fairness. 4466

(c) The superintendent of each school district, or the 4467  
superintendent's designee, shall establish an absence 4468  
intervention team for the district to be used by any schools of 4469  
the district that do not establish their own absence 4470  
intervention team as permitted under division (C)(2)(d) of this 4471  
section. Membership of each absence intervention team may vary 4472  
based on the needs of each individual student but shall include 4473  
a representative from the child's school district or school, 4474  
another representative from the child's school district or 4475  
school who knows the child, and the child's parent or parent's 4476  
designee, or the child's guardian, custodian, guardian ad litem, 4477  
or temporary custodian. The team also may include a school 4478  
psychologist, counselor, social worker, or representative of a 4479  
public or nonprofit agency designed to assist students and their 4480  
families in reducing absences. 4481

(d) The principal or chief administrator of each school 4482  
may establish an absence intervention team or series of teams to 4483  
be used in lieu of the district team established pursuant to 4484  
division (C)(2)(c) of this section. Membership of each absence 4485  
intervention team may vary based on the needs of each individual 4486  
student but shall include a representative from the child's 4487  
school district or school, another representative from the 4488  
child's school district or school who knows the child, and the 4489  
child's parent or parent's designee, or the child's guardian, 4490



custodian, guardian ad litem, or temporary custodian. The team 4491  
also may include a school psychologist, counselor, social 4492  
worker, or representative of a public or nonprofit agency 4493  
designed to assist students and their families in reducing 4494  
absences. 4495

(e) A superintendent, as described in division (C) (2) (c) 4496  
of this section, or principal or chief administrator, as 4497  
described in division (C) (2) (d) of this section, shall select 4498  
the members of an absence intervention team within seven school 4499  
days of the triggering event described in division (C) (2) (a) of 4500  
this section. The superintendent, principal, or chief 4501  
administrator, within the same period of seven school days, 4502  
shall make at least three meaningful, good faith attempts to 4503  
secure the participation of the student's parent, guardian, 4504  
custodian, guardian ad litem, or temporary custodian on that 4505  
team. If the student's parent responds to any of those attempts, 4506  
but is unable to participate for any reason, the representative 4507  
of the school district shall inform the parent of the parent's 4508  
right to appear by designee. If seven school days elapse and the 4509  
student's parent, guardian, custodian, guardian ad litem, or 4510  
temporary custodian fails to respond to the attempts to secure 4511  
participation, the school district or school shall do both of 4512  
the following: 4513

(i) Investigate whether the failure to respond triggers 4514  
mandatory reporting to the public children services agency for 4515  
the county in which the child resides in the manner described in 4516  
section 2151.421 of the Revised Code; 4517

(ii) Instruct the absence intervention team to develop an 4518  
intervention plan for the child notwithstanding the absence of 4519  
the child's parent, guardian, custodian, guardian ad litem, or 4520

temporary custodian. 4521

(f) In the event that a student becomes habitually truant 4522  
within twenty-one school days prior to the last day of 4523  
instruction of a school year, the school district or school may, 4524  
in its discretion, assign one school official to work with the 4525  
child's parent, guardian, custodian, guardian ad litem, or 4526  
temporary custodian to develop an absence intervention plan 4527  
during the summer. If the school district or school selects this 4528  
method, the plan shall be implemented not later than seven days 4529  
prior to the first day of instruction of the next school year. 4530  
In the alternative, the school district or school may toll the 4531  
time periods to accommodate for the summer months and reconvene 4532  
the absence intervention process upon the first day of 4533  
instruction of the next school year. 4534

(3) For purposes of divisions (C) (2) (c) and (d) of this 4535  
section, the department of education and workforce shall develop 4536  
a format for parental permission to ensure compliance with the 4537  
"Family Educational Rights and Privacy Act of 1974," 88 Stat. 4538  
571, 20 U.S.C. 1232g, as amended, and any regulations 4539  
promulgated under that act, and section 3319.321 of the Revised 4540  
Code. 4541

(D) Each school district or school may consult or partner 4542  
with public and nonprofit agencies to provide assistance as 4543  
appropriate to students and their families in reducing absences. 4544

(E) Beginning with the 2017-2018 school year, each school 4545  
district shall report to the department, as soon as practicable, 4546  
and in a format and manner determined by the department, any of 4547  
the following occurrences: 4548

(1) When a notice required by division (C) (1) of this 4549

section is submitted to a parent, guardian, or custodian; 4550

(2) When a child of compulsory school age has been absent 4551  
without legitimate excuse from the public school the child is 4552  
supposed to attend for thirty or more consecutive hours, forty- 4553  
two or more hours in one school month, or seventy-two or more 4554  
hours in a school year; 4555

(3) When a child of compulsory school age who has been 4556  
adjudicated an unruly child for being an habitual truant 4557  
violates the court order regarding that adjudication; 4558

(4) When an absence intervention plan has been implemented 4559  
for a child under this section. 4560

(F) Nothing in this section shall be construed to limit 4561  
the duty or authority of a district board of education or 4562  
governing body of an educational service center to develop other 4563  
policies related to truancy or to limit the duty or authority of 4564  
any employee of the school district or service center to respond 4565  
to pupil truancy. However, a board shall be subject to the 4566  
prohibition against suspending, expelling, or otherwise 4567  
preventing a student from attending school for excessive 4568  
absences as prescribed by section 3313.668 of the Revised Code. 4569

**Sec. 4501.06.** The taxes, fees, and fines levied, charged, 4570  
or referred to in Chapters 4501., 4503., 4504., 4505., 4506., 4571  
4507., 4509., 4510., 4511., 4517., 4519., and 4521., division 4572  
(A) of section 4508.06, and sections 2935.27, ~~2937.221~~, 3123.59, 4573  
4508.05, 4513.53, 4738.06, 4738.13, and 5502.12 of the Revised 4574  
Code, unless otherwise designated by law, shall be deposited in 4575  
the state treasury to the credit of the public safety - highway 4576  
purposes fund, which is hereby created. Money credited to the 4577  
fund shall be used for the purpose of enforcing and paying the 4578

expenses of administering the laws relative to the registration 4579  
and operation of motor vehicles on the public roads or highways 4580  
and to the powers and duties of the registrar of motor vehicles. 4581  
Amounts credited to the fund may also be used to pay the 4582  
expenses of administering and enforcing the laws under which 4583  
such fees were collected. All investment earnings of the public 4584  
safety - highway purposes fund shall be credited to the fund. 4585

**Sec. 4503.038.** (A) ~~Not later than ninety days after July~~ 4586  
~~3, 2019, the~~ The registrar of motor vehicles shall adopt rules 4587  
in accordance with Chapter 119. of the Revised Code establishing 4588  
a service fee that applies for purposes of sections 4503.03, 4589  
4503.036, 4503.042, 4503.10, 4503.102, 4503.12, 4503.182, 4590  
4503.24, 4503.261, 4503.44, 4503.65, 4505.061, 4506.08, 4507.24, 4591  
4507.50, 4507.52, 4509.05, 4519.03, 4519.05, 4519.10, 4519.56, 4592  
and 4519.69 of the Revised Code. The service fee shall be five 4593  
dollars. 4594

(B) ~~Not later than ninety days after July 3, 2019, the~~ The 4595  
registrar shall adopt rules in accordance with Chapter 119. of 4596  
the Revised Code establishing prorated service fees that apply 4597  
for purposes of multi-year registrations authorized under 4598  
section 4503.103 of the Revised Code. 4599

**Sec. 4503.10.** (A) The owner of every snowmobile, off- 4600  
highway motorcycle, and all-purpose vehicle required to be 4601  
registered under section 4519.02 of the Revised Code shall file 4602  
an application for registration under section 4519.03 of the 4603  
Revised Code. The owner of a motor vehicle, other than a 4604  
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 4605  
is not designed and constructed by the manufacturer for 4606  
operation on a street or highway may not register it under this 4607  
chapter except upon certification of inspection pursuant to 4608

section 4513.02 of the Revised Code by the sheriff, or the chief 4609  
of police of the municipal corporation or township, with 4610  
jurisdiction over the political subdivision in which the owner 4611  
of the motor vehicle resides. Except as provided in sections 4612  
4503.103 and 4503.107 of the Revised Code, every owner of every 4613  
other motor vehicle not previously described in this section and 4614  
every person mentioned as owner in the last certificate of title 4615  
of a motor vehicle that is operated or driven upon the public 4616  
roads or highways shall cause to be filed each year, by mail or 4617  
otherwise, in the office of the registrar of motor vehicles or a 4618  
deputy registrar, a written or electronic application or a 4619  
preprinted registration renewal notice issued under section 4620  
4503.102 of the Revised Code, the form of which shall be 4621  
prescribed by the registrar, for registration for the following 4622  
registration year, which shall begin on the first day of January 4623  
of every calendar year and end on the thirty-first day of 4624  
December in the same year. Applications for registration and 4625  
registration renewal notices shall be filed at the times 4626  
established by the registrar pursuant to section 4503.101 of the 4627  
Revised Code. A motor vehicle owner also may elect to apply for 4628  
or renew a motor vehicle registration by electronic means using 4629  
electronic signature in accordance with rules adopted by the 4630  
registrar. Except as provided in division (J) of this section, 4631  
applications for registration shall be made on blanks furnished 4632  
by the registrar for that purpose, containing the following 4633  
information: 4634

(1) A brief description of the motor vehicle to be 4635  
registered, including the year, make, model, and vehicle 4636  
identification number, and, in the case of commercial cars, the 4637  
gross weight of the vehicle fully equipped computed in the 4638  
manner prescribed in section 4503.08 of the Revised Code; 4639

- (2) The name and residence address of the owner, and the township and municipal corporation in which the owner resides; 4640  
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- (3) The district of registration, which shall be determined as follows: 4642  
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- (a) In case the motor vehicle to be registered is used for hire or principally in connection with any established business or branch business, conducted at a particular place, the district of registration is the municipal corporation in which that place is located or, if not located in any municipal corporation, the county and township in which that place is located. 4644  
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- (b) In case the vehicle is not so used, the district of registration is the municipal corporation or county in which the owner resides at the time of making the application. 4651  
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- (4) Whether the motor vehicle is a new or used motor vehicle; 4654  
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- (5) The date of purchase of the motor vehicle; 4656
- (6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature. If the owner elects to apply for or renew the motor vehicle registration with the registrar by electronic means, the owner's manual signature is not required. 4657  
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- (7) The owner's social security number, driver's license 4668

number, or state identification number, or, where a motor 4669  
vehicle to be registered is used for hire or principally in 4670  
connection with any established business, the owner's federal 4671  
taxpayer identification number. The bureau of motor vehicles 4672  
shall retain in its records all social security numbers provided 4673  
under this section, but the bureau shall not place social 4674  
security numbers on motor vehicle certificates of registration. 4675

(8) Whether the applicant wishes to certify willingness to 4676  
make an anatomical gift if an applicant has not so certified 4677  
under section 2108.05 of the Revised Code. The applicant's 4678  
response shall not be considered in the decision of whether to 4679  
approve the application for registration. 4680

(B) (1) When an applicant first registers a motor vehicle 4681  
in the applicant's name, the applicant shall provide proof of 4682  
ownership of that motor vehicle. Proof of ownership may include 4683  
any of the following: 4684

(a) The applicant may present for inspection a physical 4685  
certificate of title or memorandum certificate showing title to 4686  
the motor vehicle to be registered in the name of the applicant. 4687

(b) The applicant may present for inspection an electronic 4688  
certificate of title for the applicant's motor vehicle in a 4689  
manner prescribed by rules adopted by the registrar. 4690

(c) The registrar or deputy registrar may electronically 4691  
confirm the applicant's ownership of the motor vehicle. 4692

An applicant is not required to present a certificate of 4693  
title to an electronic motor vehicle dealer acting as a limited 4694  
authority deputy registrar in accordance with rules adopted by 4695  
the registrar. 4696

(2) When a motor vehicle inspection and maintenance 4697

program is in effect under section 3704.14 of the Revised Code 4698  
and rules adopted under it, each application for registration 4699  
for a vehicle required to be inspected under that section and 4700  
those rules shall be accompanied by an inspection certificate 4701  
for the motor vehicle issued in accordance with that section. 4702

(3) An application for registration shall be refused if 4703  
any of the following applies: 4704

(a) The application is not in proper form. 4705

(b) The application is prohibited from being accepted by 4706  
division (D) of section 2935.27, ~~division (A) of section~~ 4707  
~~2937.221,~~ division (A) of section 4503.13, division (B) of 4708  
section 4510.22, division (D) of section 4503.234, division (B) 4709  
(1) of section 4521.10, or division (B) of section 5537.041 of 4710  
the Revised Code. 4711

(c) Proof of ownership is required but is not presented or 4712  
confirmed in accordance with division (B) (1) of this section. 4713

(d) All registration and transfer fees for the motor 4714  
vehicle, for the preceding year or the preceding period of the 4715  
current registration year, have not been paid. 4716

(e) The owner or lessee does not have an inspection 4717  
certificate for the motor vehicle as provided in section 3704.14 4718  
of the Revised Code, and rules adopted under it, if that section 4719  
is applicable. 4720

(4) This section does not require the payment of license 4721  
or registration taxes on a motor vehicle for any preceding year, 4722  
or for any preceding period of a year, if the motor vehicle was 4723  
not taxable for that preceding year or period under sections 4724  
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 4725  
of the Revised Code. 4726



(5) When a certificate of registration is issued upon the 4727  
first registration of a motor vehicle by or on behalf of the 4728  
owner, the official issuing the certificate shall indicate the 4729  
issuance with a stamp on the certificate of title or memorandum 4730  
certificate or, in the case of an electronic certificate of 4731  
title or electronic verification of ownership, an electronic 4732  
stamp or other notation as specified in rules adopted by the 4733  
registrar, and with a stamp on the inspection certificate for 4734  
the motor vehicle, if any. 4735

(6) The official also shall indicate, by a stamp or by 4736  
other means the registrar prescribes, on the registration 4737  
certificate issued upon the first registration of a motor 4738  
vehicle by or on behalf of the owner the odometer reading of the 4739  
motor vehicle as shown in the odometer statement included in or 4740  
attached to the certificate of title. Upon each subsequent 4741  
registration of the motor vehicle by or on behalf of the same 4742  
owner, the official also shall so indicate the odometer reading 4743  
of the motor vehicle as shown on the immediately preceding 4744  
certificate of registration. 4745

(7) The registrar shall include in the permanent 4746  
registration record of any vehicle required to be inspected 4747  
under section 3704.14 of the Revised Code the inspection 4748  
certificate number from the inspection certificate that is 4749  
presented at the time of registration of the vehicle as required 4750  
under this division. 4751

(C) (1) Except as otherwise provided in division (C) (1) of 4752  
this section, the registrar and each deputy registrar shall 4753  
collect an additional fee of eleven dollars for each application 4754  
for registration and registration renewal received. For vehicles 4755  
specified in divisions (A) (1) to (21) of section 4503.042 of the 4756

Revised Code, the registrar and deputy registrar shall collect 4757  
an additional fee of thirty dollars for each application for 4758  
registration and registration renewal received. No additional 4759  
fee shall be charged for vehicles registered under section 4760  
4503.65 of the Revised Code. The additional fee is for the 4761  
purpose of defraying the department of public safety's costs 4762  
associated with the administration and enforcement of the motor 4763  
vehicle and traffic laws of Ohio. Each deputy registrar shall 4764  
transmit the fees collected under divisions (C) (1) and (3) of 4765  
this section in the time and manner provided in this section. 4766  
The registrar shall deposit all moneys received under division 4767  
(C) (1) of this section into the public safety - highway purposes 4768  
fund established in section 4501.06 of the Revised Code. 4769

(2) In addition, a charge of twenty-five cents shall be 4770  
made for each reflectorized safety license plate issued, and a 4771  
single charge of twenty-five cents shall be made for each county 4772  
identification sticker or each set of county identification 4773  
stickers issued, as the case may be, to cover the cost of 4774  
producing the license plates and stickers, including material, 4775  
manufacturing, and administrative costs. Those fees shall be in 4776  
addition to the license tax. If the total cost of producing the 4777  
plates is less than twenty-five cents per plate, or if the total 4778  
cost of producing the stickers is less than twenty-five cents 4779  
per sticker or per set issued, any excess moneys accruing from 4780  
the fees shall be distributed in the same manner as provided by 4781  
section 4501.04 of the Revised Code for the distribution of 4782  
license tax moneys. If the total cost of producing the plates 4783  
exceeds twenty-five cents per plate, or if the total cost of 4784  
producing the stickers exceeds twenty-five cents per sticker or 4785  
per set issued, the difference shall be paid from the license 4786  
tax moneys collected pursuant to section 4503.02 of the Revised 4787

Code. 4788

(3) The registrar and each deputy registrar shall collect 4789  
the following additional fee, as applicable, for each 4790  
application for registration or registration renewal received 4791  
for any hybrid motor vehicle, plug-in hybrid electric motor 4792  
vehicle, or battery electric motor vehicle: 4793

(a) One hundred dollars for a hybrid motor vehicle; 4794

(b) One hundred fifty dollars for a plug-in hybrid 4795  
electric motor vehicle; 4796

(c) Two hundred dollars for a battery electric motor 4797  
vehicle. 4798

Each fee imposed under this division shall be prorated 4799  
based on the number of months for which the vehicle is 4800  
registered. The registrar shall transmit all money arising from 4801  
each fee to the treasurer of state for distribution in 4802  
accordance with division (E) of section 5735.051 of the Revised 4803  
Code, subject to division (D) of section 5735.05 of the Revised 4804  
Code. 4805

(D) Each deputy registrar shall be allowed a fee equal to 4806  
the amount established under section 4503.038 of the Revised 4807  
Code for each application for registration and registration 4808  
renewal notice the deputy registrar receives, which shall be for 4809  
the purpose of compensating the deputy registrar for the deputy 4810  
registrar's services, and such office and rental expenses, as 4811  
may be necessary for the proper discharge of the deputy 4812  
registrar's duties in the receiving of applications and renewal 4813  
notices and the issuing of registrations. 4814

(E) Upon the certification of the registrar, the county 4815  
sheriff or local police officials shall recover license plates 4816

erroneously or fraudulently issued. 4817

(F) Each deputy registrar, upon receipt of any application 4818  
for registration or registration renewal notice, together with 4819  
the license fee and any local motor vehicle license tax levied 4820  
pursuant to Chapter 4504. of the Revised Code, shall transmit 4821  
that fee and tax, if any, in the manner provided in this 4822  
section, together with the original and duplicate copy of the 4823  
application, to the registrar. The registrar, subject to the 4824  
approval of the director of public safety, may deposit the funds 4825  
collected by those deputies in a local bank or depository to the 4826  
credit of the "state of Ohio, bureau of motor vehicles." Where a 4827  
local bank or depository has been designated by the registrar, 4828  
each deputy registrar shall deposit all moneys collected by the 4829  
deputy registrar into that bank or depository not more than one 4830  
business day after their collection and shall make reports to 4831  
the registrar of the amounts so deposited, together with any 4832  
other information, some of which may be prescribed by the 4833  
treasurer of state, as the registrar may require and as 4834  
prescribed by the registrar by rule. The registrar, within three 4835  
days after receipt of notification of the deposit of funds by a 4836  
deputy registrar in a local bank or depository, shall draw on 4837  
that account in favor of the treasurer of state. The registrar, 4838  
subject to the approval of the director and the treasurer of 4839  
state, may make reasonable rules necessary for the prompt 4840  
transmittal of fees and for safeguarding the interests of the 4841  
state and of counties, townships, municipal corporations, and 4842  
transportation improvement districts levying local motor vehicle 4843  
license taxes. The registrar may pay service charges usually 4844  
collected by banks and depositories for such service. If deputy 4845  
registrars are located in communities where banking facilities 4846  
are not available, they shall transmit the fees forthwith, by 4847

money order or otherwise, as the registrar, by rule approved by 4848  
the director and the treasurer of state, may prescribe. The 4849  
registrar may pay the usual and customary fees for such service. 4850

(G) This section does not prevent any person from making 4851  
an application for a motor vehicle license directly to the 4852  
registrar by mail, by electronic means, or in person at any of 4853  
the registrar's offices, upon payment of a service fee equal to 4854  
the amount established under section 4503.038 of the Revised 4855  
Code for each application. 4856

(H) No person shall make a false statement as to the 4857  
district of registration in an application required by division 4858  
(A) of this section. Violation of this division is falsification 4859  
under section 2921.13 of the Revised Code and punishable as 4860  
specified in that section. 4861

(I) (1) Where applicable, the requirements of division (B) 4862  
of this section relating to the presentation of an inspection 4863  
certificate issued under section 3704.14 of the Revised Code and 4864  
rules adopted under it for a motor vehicle, the refusal of a 4865  
license for failure to present an inspection certificate, and 4866  
the stamping of the inspection certificate by the official 4867  
issuing the certificate of registration apply to the 4868  
registration of and issuance of license plates for a motor 4869  
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 4870  
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 4871  
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 4872  
Code. 4873

(2) (a) The registrar shall adopt rules ensuring that each 4874  
owner registering a motor vehicle in a county where a motor 4875  
vehicle inspection and maintenance program is in effect under 4876  
section 3704.14 of the Revised Code and rules adopted under it 4877

receives information about the requirements established in that 4878  
section and those rules and about the need in those counties to 4879  
present an inspection certificate with an application for 4880  
registration or preregistration. 4881

(b) Upon request, the registrar shall provide the director 4882  
of environmental protection, or any person that has been awarded 4883  
a contract under section 3704.14 of the Revised Code, an on-line 4884  
computer data link to registration information for all passenger 4885  
cars, noncommercial motor vehicles, and commercial cars that are 4886  
subject to that section. The registrar also shall provide to the 4887  
director of environmental protection a magnetic data tape 4888  
containing registration information regarding passenger cars, 4889  
noncommercial motor vehicles, and commercial cars for which a 4890  
multi-year registration is in effect under section 4503.103 of 4891  
the Revised Code or rules adopted under it, including, without 4892  
limitation, the date of issuance of the multi-year registration, 4893  
the registration deadline established under rules adopted under 4894  
section 4503.101 of the Revised Code that was applicable in the 4895  
year in which the multi-year registration was issued, and the 4896  
registration deadline for renewal of the multi-year 4897  
registration. 4898

(J) Subject to division (K) of this section, application 4899  
for registration under the international registration plan, as 4900  
set forth in sections 4503.60 to 4503.66 of the Revised Code, 4901  
shall be made to the registrar on forms furnished by the 4902  
registrar. In accordance with international registration plan 4903  
guidelines and pursuant to rules adopted by the registrar, the 4904  
forms shall include the following: 4905

(1) A uniform mileage schedule; 4906

(2) The gross vehicle weight of the vehicle or combined 4907

gross vehicle weight of the combination vehicle as declared by 4908  
the registrant; 4909

(3) Any other information the registrar requires by rule. 4910

(K) The registrar shall determine the feasibility of 4911  
implementing an electronic commercial fleet licensing and 4912  
management program that will enable the owners of commercial 4913  
tractors, commercial trailers, and commercial semitrailers to 4914  
conduct electronic transactions by July 1, 2010, or sooner. If 4915  
the registrar determines that implementing such a program is 4916  
feasible, the registrar shall adopt new rules under this 4917  
division or amend existing rules adopted under this division as 4918  
necessary in order to respond to advances in technology. 4919

If international registration plan guidelines and 4920  
provisions allow member jurisdictions to permit applications for 4921  
registrations under the international registration plan to be 4922  
made via the internet, the rules the registrar adopts under this 4923  
division shall permit such action. 4924

**Sec. 4503.102.** (A) The registrar of motor vehicles shall 4925  
adopt rules to establish a centralized system of motor vehicle 4926  
registration renewal by mail or by electronic means. Any person 4927  
owning a motor vehicle that was registered in the person's name 4928  
during the preceding registration year shall renew the 4929  
registration of the motor vehicle not more than ninety days 4930  
prior to the expiration date of the registration either by mail 4931  
or by electronic means through the centralized system of 4932  
registration established under this section, or in person at any 4933  
office of the registrar or at a deputy registrar's office. 4934

(B) (1) Except as provided in division (B) (2) of this 4935  
section, no less than forty-five days prior to the expiration 4936

date of any motor vehicle registration, the registrar shall mail 4937  
a renewal notice to the person in whose name the motor vehicle 4938  
is registered. The renewal notice shall clearly state that the 4939  
registration of the motor vehicle may be renewed by mail or 4940  
electronic means through the centralized system of registration 4941  
or in person at any office of the registrar or at a deputy 4942  
registrar's office and shall be preprinted with information 4943  
including, but not limited to, the owner's name and residence 4944  
address as shown in the records of the bureau of motor vehicles, 4945  
a brief description of the motor vehicle to be registered, 4946  
notice of the license taxes and fees due on the motor vehicle, 4947  
the toll-free telephone number of the registrar as required 4948  
under division (D) (1) of section 4503.031 of the Revised Code, a 4949  
statement that payment for a renewal may be made by financial 4950  
transaction device using the toll-free telephone number, and any 4951  
additional information the registrar may require by rule. The 4952  
renewal notice shall not include the social security number of 4953  
either the owner of the motor vehicle or the person in whose 4954  
name the motor vehicle is registered. The renewal notice shall 4955  
be sent by regular mail to the owner's last known address as 4956  
shown in the records of the bureau of motor vehicles. 4957

(2) The registrar is not required to mail a renewal notice 4958  
if either of the following applies: 4959

(a) The owner of the vehicle has consented to receiving 4960  
the renewal notice by electronic means only. 4961

(b) The application for renewal of the registration of a 4962  
motor vehicle is prohibited from being accepted by the registrar 4963  
or a deputy registrar by division (D) of section 2935.27, 4964  
~~division (A) of section 2937.221,~~ division (A) of section 4965  
4503.13, division (B) of section 4510.22, ~~or~~ division (D) of 4966



section 4503.234, division (B) (1) of section 4521.10, or 4967  
division (B) of section 5537.041 -of the Revised Code. 4968

(3) If the owner of a motor vehicle has consented to 4969  
receiving a renewal notice by electronic means only, the 4970  
registrar shall send an electronic renewal notice to the owner 4971  
that contains the information specified in division (B) (1) of 4972  
this section at the time specified under that division. 4973

(C) The owner of the motor vehicle shall verify the 4974  
information contained in the notice, sign it either manually or 4975  
by electronic means, and return it, either by mail or electronic 4976  
means, or the owner may take it in person to any office of the 4977  
registrar or of a deputy registrar. The owner shall include with 4978  
the notice a financial transaction device number when renewing 4979  
in person or by electronic means but not by mail, check, or 4980  
money order in the amount of the registration taxes and fees 4981  
payable on the motor vehicle and a service fee equal to the 4982  
amount established under section 4503.038 of the Revised Code, 4983  
plus postage as indicated on the notice if the registration is 4984  
renewed or fulfilled by mail, and an inspection certificate for 4985  
the motor vehicle as provided in section 3704.14 of the Revised 4986  
Code. For purposes of the centralized system of motor vehicle 4987  
registration, the registrar shall accept payments via the toll- 4988  
free telephone number established under division (D) (1) of 4989  
section 4503.031 of the Revised Code for renewals made by mail. 4990  
If the motor vehicle owner chooses to renew the motor vehicle 4991  
registration by electronic means, the owner shall proceed in 4992  
accordance with the rules the registrar adopts. 4993

(D) If all registration and transfer fees for the motor 4994  
vehicle for the preceding year or the preceding period of the 4995  
current registration year have not been paid, if division (D) of 4996

section 2935.27, ~~division (A) of section 2937.221,~~ division (A) 4997  
of section 4503.13, division (B) of section 4510.22, ~~or~~ division 4998  
(D) of section 4503.234, division (B) (1) of section 4521.10, or 4999  
division (B) of section 5537.041 of the Revised Code prohibits 5000  
acceptance of the renewal notice, or if the owner or lessee does 5001  
not have an inspection certificate for the motor vehicle as 5002  
provided in section 3704.14 of the Revised Code, if that section 5003  
is applicable, the license shall be refused, and the registrar 5004  
or deputy registrar shall so notify the owner. This section does 5005  
not require the payment of license or registration taxes on a 5006  
motor vehicle for any preceding year, or for any preceding 5007  
period of a year, if the motor vehicle was not taxable for that 5008  
preceding year or period under section 4503.02, 4503.04, 5009  
4503.11, 4503.12, or 4503.16 or Chapter 4504. of the Revised 5010  
Code. 5011

(E) (1) Failure to receive a renewal notice does not 5012  
relieve a motor vehicle owner from the responsibility to renew 5013  
the registration for the motor vehicle. Any person who has a 5014  
motor vehicle registered in this state and who does not receive 5015  
a renewal notice as provided in division (B) of this section 5016  
prior to the expiration date of the registration shall request 5017  
an application for registration from the registrar or a deputy 5018  
registrar and sign the application manually or by electronic 5019  
means and submit the application and pay any applicable license 5020  
taxes and fees to the registrar or deputy registrar. 5021

(2) If the owner of a motor vehicle submits an application 5022  
for registration and the registrar is prohibited by division (D) 5023  
of section 2935.27, ~~division (A) of section 2937.221,~~ division 5024  
(A) of section 4503.13, division (B) of section 4510.22, ~~or~~ 5025  
division (D) of section 4503.234, division (B) (1) of section 5026  
4521.10, or division (B) of section 5537.041 of the Revised Code 5027

from accepting the application, the registrar shall return the 5028  
application and the payment to the owner. If the owner of a 5029  
motor vehicle submits a registration renewal application to the 5030  
registrar by electronic means and the registrar is prohibited 5031  
from accepting the application as provided in this division, the 5032  
registrar shall notify the owner of this fact and deny the 5033  
application and return the payment or give a credit on the 5034  
financial transaction device account of the owner in the manner 5035  
the registrar prescribes by rule adopted pursuant to division 5036  
(A) of this section. 5037

(F) Every deputy registrar shall post in a prominent place 5038  
at the deputy's office a notice informing the public of the mail 5039  
registration system required by this section and also shall post 5040  
a notice that every owner of a motor vehicle and every chauffeur 5041  
holding a certificate of registration is required to notify the 5042  
registrar in writing of any change of residence within ten days 5043  
after the change occurs. The notice shall be in such form as the 5044  
registrar prescribes by rule. 5045

(G) The service fee equal to the amount established under 5046  
section 4503.038 of the Revised Code that is collected from a 5047  
person who renews a motor vehicle registration by electronic 5048  
means or by mail, plus postage collected by the registrar and 5049  
any financial transaction device surcharge collected by the 5050  
registrar, shall be paid to the credit of the public safety - 5051  
highway purposes fund established by section 4501.06 of the 5052  
Revised Code. 5053

(H) (1) Pursuant to section 113.40 of the Revised Code, the 5054  
registrar shall implement a program permitting payment of motor 5055  
vehicle registration taxes and fees, driver's license and 5056  
commercial driver's license fees, and any other taxes, fees, 5057

penalties, or charges imposed or levied by the state by means of 5058  
a financial transaction device for transactions occurring 5059  
online, at any office of the registrar, and at all deputy 5060  
registrar locations. The program shall take effect not later 5061  
than July 1, 2016. The registrar shall adopt rules as necessary 5062  
for this purpose, but all such rules are subject to any action, 5063  
policy, or procedure of the board of deposit or treasurer of 5064  
state taken or adopted under section 113.40 of the Revised Code. 5065

(2) The rules adopted under division (H) (1) of this 5066  
section shall require a deputy registrar to accept payments by 5067  
means of a financial transaction device beginning on the 5068  
effective date of the rules unless the deputy registrar contract 5069  
entered into by the deputy registrar prohibits the acceptance of 5070  
such payments by financial transaction device. However, 5071  
commencing with deputy registrar contract awards that have a 5072  
start date of July 1, 2016, and for all contract awards 5073  
thereafter, the registrar shall require that the proposer accept 5074  
payment by means of a financial transaction device, including 5075  
credit cards and debit cards, for all department of public 5076  
safety transactions conducted at that deputy registrar location. 5077

The bureau and deputy registrars are not required to pay 5078  
any costs that result from accepting payment by means of a 5079  
financial transaction device. A deputy registrar may charge a 5080  
person who tenders payment for a department transaction by means 5081  
of a financial transaction device any cost the deputy registrar 5082  
incurs from accepting payment by the financial transaction 5083  
device, but the deputy registrar shall not require the person to 5084  
pay any additional fee of any kind in connection with the use by 5085  
the person of the financial transaction device. 5086

(3) In accordance with division (H) (1) of this section and 5087

rules adopted by the registrar under that division, a county auditor or clerk of a court of common pleas that is designated a deputy registrar shall accept payment by means of a financial transaction device, including credit cards and debit cards, for all department transactions conducted at the office of the county auditor or clerk in the county auditor's or clerk's capacity as deputy registrar. The bureau is not required to pay any costs incurred by a county auditor or clerk that result from accepting payment by means of a financial transaction device for any department transaction.

(I) For persons who reside in counties where tailpipe emissions inspections are required under the motor vehicle inspection and maintenance program, the notice required by division (B) of this section shall also include the toll-free telephone number maintained by the Ohio environmental protection agency to provide information concerning the locations of emissions testing centers. The registrar also shall include a statement in the notice that a battery electric motor vehicle is not required to undergo emissions inspection under the motor vehicle inspection and maintenance program established under section 3704.14 of the Revised Code.

**Sec. 4503.12.** (A) Upon the transfer of ownership of a motor vehicle, the registration of the motor vehicle expires, and the original owner immediately shall remove the license plates from the motor vehicle, except that:

(1) If a statutory merger or consolidation results in the transfer of ownership of a motor vehicle from a constituent corporation to the surviving corporation, or if the incorporation of a proprietorship or partnership results in the transfer of ownership of a motor vehicle from the proprietorship

or partnership to the corporation, the registration shall be 5118  
continued upon the filing by the surviving or new corporation, 5119  
within thirty days of such transfer, of an application for an 5120  
amended certificate of registration. Upon a proper filing, the 5121  
registrar of motor vehicles shall issue an amended certificate 5122  
of registration in the name of the new owner. 5123

(2) If the death of the owner of a motor vehicle results 5124  
in the transfer of ownership of the motor vehicle to the 5125  
surviving spouse of the owner or if a motor vehicle is owned by 5126  
two persons under joint ownership with right of survivorship 5127  
established under section 2131.12 of the Revised Code and one of 5128  
those persons dies, the registration shall be continued upon the 5129  
filing by the survivor of an application for an amended 5130  
certificate of registration. In relation to a motor vehicle that 5131  
is owned by two persons under joint ownership with right of 5132  
survivorship established under section 2131.12 of the Revised 5133  
Code, the application shall be accompanied by a copy of the 5134  
certificate of title that specifies that the vehicle is owned 5135  
under joint ownership with right of survivorship. Upon a proper 5136  
filing, the registrar shall issue an amended certificate of 5137  
registration in the name of the survivor. 5138

(3) If the death of the owner of a motor vehicle results 5139  
in the transfer of ownership of the motor vehicle to a transfer- 5140  
on-death beneficiary or beneficiaries designated under section 5141  
2131.13 of the Revised Code, the registration shall be continued 5142  
upon the filing by the transfer-on-death beneficiary or 5143  
beneficiaries of an application for an amended certificate of 5144  
registration. The application shall be accompanied by a copy of 5145  
the certificate of title that specifies that the owner of the 5146  
motor vehicle has designated the motor vehicle in beneficiary 5147  
form under section 2131.13 of the Revised Code. Upon a proper 5148

filing, the registrar shall issue an amended certificate of 5149  
registration in the name of the transfer-on-death beneficiary or 5150  
beneficiaries. 5151

(4) If the original owner of a motor vehicle that has been 5152  
transferred makes application for the registration of another 5153  
motor vehicle at any time during the remainder of the 5154  
registration period for which the transferred motor vehicle was 5155  
registered, the owner may file an application for transfer of 5156  
the registration and, where applicable, the license plates. The 5157  
transfer of the registration and, where applicable, the license 5158  
plates from the motor vehicle for which they originally were 5159  
issued to a succeeding motor vehicle purchased by the same 5160  
person in whose name the original registration and license 5161  
plates were issued shall be done within a period not to exceed 5162  
thirty days. During that thirty-day period, the license plates 5163  
from the motor vehicle for which they originally were issued may 5164  
be displayed on the succeeding motor vehicle, and the succeeding 5165  
motor vehicle may be operated on the public roads and highways 5166  
in this state. 5167

At the time of application for transfer, the registrar 5168  
shall compute and collect the amount of tax due on the 5169  
succeeding motor vehicle, based upon the amount that would be 5170  
due on a new registration as of the date on which the transfer 5171  
is made less a credit for the unused portion of the original 5172  
registration beginning on that date. If the credit exceeds the 5173  
amount of tax due on the new registration, no refund shall be 5174  
made. In computing the amount of tax due and credits to be 5175  
allowed under this division, the provisions of division (B) (1) 5176  
(a) and (b) of section 4503.11 of the Revised Code shall apply. 5177  
As to passenger cars, noncommercial vehicles, motor homes, and 5178  
motorcycles, transfers within or between these classes of motor 5179

vehicles only shall be allowed. If the succeeding motor vehicle 5180  
is of a different class than the motor vehicle for which the 5181  
registration originally was issued, new license plates also 5182  
shall be issued upon the surrender of the license plates 5183  
originally issued and payment of the fees provided in divisions 5184  
(C) and (D) of section 4503.10 of the Revised Code. 5185

(5) The owner of a commercial car having a gross vehicle 5186  
weight or combined gross vehicle weight of more than ten 5187  
thousand pounds may transfer the registration of that commercial 5188  
car to another commercial car the owner owns without 5189  
transferring ownership of the first commercial car. At any time 5190  
during the remainder of the registration period for which the 5191  
first commercial car was registered, the owner may file an 5192  
application for the transfer of the registration and, where 5193  
applicable, the license plates, accompanied by the certificate 5194  
of registration of the first commercial car. The amount of any 5195  
tax due or credit to be allowed for a transfer of registration 5196  
under this division shall be computed in accordance with 5197  
division (A) (4) of this section. 5198

No commercial car to which a registration is transferred 5199  
under this division shall be operated on a public road or 5200  
highway in this state until after the transfer of registration 5201  
is completed in accordance with this division. 5202

(6) Upon application to the registrar or a deputy 5203  
registrar, a person who owns or leases a motor vehicle may 5204  
transfer special license plates assigned to that vehicle to any 5205  
other vehicle that the person owns or leases or that is owned or 5206  
leased by the person's spouse. As appropriate, the application 5207  
also shall be accompanied by a power of attorney for the 5208  
registration of a leased vehicle and a written statement 5209



releasing the special plates to the applicant. Upon a proper 5210  
filing, the registrar or deputy registrar shall assign the 5211  
special license plates to the motor vehicle owned or leased by 5212  
the applicant and issue a new certificate of registration for 5213  
that motor vehicle. 5214

(7) If a corporation transfers the ownership of a motor 5215  
vehicle to an affiliated corporation, the affiliated corporation 5216  
may apply to the registrar for the transfer of the registration 5217  
and any license plates. The registrar may require the applicant 5218  
to submit documentation of the corporate relationship and shall 5219  
determine whether the application for registration transfer is 5220  
made in good faith and not for the purposes of circumventing the 5221  
provisions of this chapter. Upon a proper filing, the registrar 5222  
shall issue an amended certificate of registration in the name 5223  
of the new owner. 5224

(B) An application under division (A) of this section 5225  
shall be accompanied by a service fee equal to the amount 5226  
established under section 4503.038 of the Revised Code, a 5227  
transfer fee of one dollar, and the original certificate of 5228  
registration, if applicable. 5229

(C) Neither the registrar nor a deputy registrar shall 5230  
transfer a registration under division (A) of this section if 5231  
the registration is prohibited by division (D) of section 5232  
2935.27, ~~division (A) of section 2937.221,~~ division (A) of 5233  
section 4503.13, division (D) of section 4503.234, division (B) 5234  
of section 4510.22, division (B) (1) of section 4521.10, or 5235  
division (B) of section 5537.041 of the Revised Code. 5236

(D) Whoever violates division (A) of this section is 5237  
guilty of a misdemeanor of the fourth degree. 5238

(E) As used in division (A) (6) of this section, "special license plates" means either of the following: 5239  
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(1) Any license plates for which the person to whom the license plates are issued must pay an additional fee in excess of the fees prescribed in section 4503.04 of the Revised Code, Chapter 4504. of the Revised Code, and the service fee prescribed in division (D) or (G) of section 4503.10 of the Revised Code; 5241  
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(2) License plates issued under section 4503.44 of the Revised Code. 5247  
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**Sec. 4503.19.** (A) (1) Upon the filing of an application for registration and the payment of the tax for registration, the registrar of motor vehicles or a deputy registrar shall determine whether the owner previously has been issued a license plate for the motor vehicle described in the application. If no license plate previously has been issued to the owner for that motor vehicle, the registrar or deputy registrar shall assign to the motor vehicle a distinctive number and issue and deliver to the owner in the manner that the registrar may select a certificate of registration, in the form that the registrar shall prescribe. The registrar or deputy registrar also shall charge the owner any fees required under division (C) of section 4503.10 of the Revised Code and, if applicable, any fees and contribution required in accordance with section 4503.261 of the Revised Code. 5249  
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(2) The registrar or deputy registrar then shall deliver a license plate and, when required, a validation sticker, or a validation sticker alone, to be attached to the number plate as provided in section 4503.191 of the Revised Code. 5264  
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If an owner wishes to have two license plates, the 5268  
registrar or deputy registrar shall deliver two license plates, 5269  
duplicates of each other, and, when required, a validation 5270  
sticker, or a validation sticker alone, to be attached to the 5271  
number plates as provided in section 4503.191 of the Revised 5272  
Code. The owner shall display the license plate and, when 5273  
required, the validation sticker on the rear of the vehicle. 5274  
However, a commercial tractor shall display the license plate on 5275  
the front of the commercial tractor and a chauffeured limousine 5276  
shall display a livery sticker along with a validation sticker 5277  
as provided in section 4503.24 of the Revised Code. 5278

(3) The registrar or deputy registrar shall not issue a 5279  
license plate for a school bus. A school bus shall display 5280  
identifying numbers in the manner prescribed by section 4511.764 5281  
of the Revised Code. 5282

(4) The certificate of registration shall be issued and 5283  
delivered to the owner in person, by mail, or by electronic 5284  
delivery. The license plate and, when required, validation 5285  
sticker, or validation sticker alone, shall be issued and 5286  
delivered to the owner in person or by mail. 5287

(5) In the event of the loss, mutilation, or destruction 5288  
of any certificate of registration, or of any license plate or 5289  
validation sticker, or if the owner chooses to replace a license 5290  
plate previously issued for a motor vehicle, or if the 5291  
registration certificate and license plate have been impounded 5292  
as provided by division (B) (1) of section 4507.02 and section 5293  
4507.16 of the Revised Code, the owner of a motor vehicle, or 5294  
manufacturer or dealer, may obtain from the registrar, or from a 5295  
deputy registrar if authorized by the registrar, a duplicate 5296  
thereof or a new license plate bearing a different number, if 5297

the registrar considers it advisable, upon filing an application 5298  
prescribed by the registrar, and upon paying a fee of one dollar 5299  
for such certificate of registration. The registrar shall 5300  
deposit the one dollar fee into the state treasury to the credit 5301  
of the public safety - highway purposes fund created in section 5302  
4501.06 of the Revised Code. The registrar or deputy registrar 5303  
shall charge a fee of seven dollars and fifty cents for each set 5304  
of two license plates or six dollars and fifty cents for each 5305  
single license plate or validation sticker issued, which the 5306  
registrar shall deposit into the state treasury to the credit of 5307  
the public safety - highway purposes fund. 5308

(6) Each applicant for a replacement certificate of 5309  
registration, license plate, or validation sticker also shall 5310  
pay the fees provided in divisions (C) and (D) of section 5311  
4503.10 of the Revised Code ~~and,~~ any applicable fee under 5312  
section 4503.192 of the Revised Code, and any applicable fee or 5313  
contribution under section 4503.261 of the Revised Code. 5314

Additionally, the registrar and each deputy registrar who 5315  
either issues a license plate and a validation sticker for use 5316  
on any vehicle other than a commercial tractor, semitrailer, or 5317  
apportioned vehicle, or who issues a validation sticker alone 5318  
for use on such a vehicle and the owner has changed the owner's 5319  
county of residence since the owner last was issued a county 5320  
identification sticker, also shall issue and deliver to the 5321  
owner a county identification sticker, which shall be attached 5322  
to the license plate in a manner prescribed by the director of 5323  
public safety. The county identification sticker shall identify 5324  
prominently by name or number the county in which the owner of 5325  
the vehicle resides at the time of registration. 5326

(B) A certificate of registration issued under this 5327

section shall have a portion that contains all the information 5328  
contained in the main portion of the certificate except for the 5329  
address of the person to whom the certificate is issued. Except 5330  
as provided in this division, whenever a reference is made in 5331  
the Revised Code to a motor vehicle certificate of registration 5332  
that is issued under this section, the reference shall be deemed 5333  
to refer to either the main portion of the certificate or the 5334  
portion containing all information in the main portion except 5335  
the address of the person to whom the certificate is issued. If 5336  
a reference is made in the Revised Code to the seizure or 5337  
surrender of a motor vehicle certificate of registration that is 5338  
issued under this section, the reference shall be deemed to 5339  
refer to both the main portion of the certificate and the 5340  
portion containing all information in the main portion except 5341  
the address of the person to whom the certificate is issued. 5342

(C) Whoever violates this section is guilty of a minor 5343  
misdemeanor. 5344

**Sec. 4503.20.** (A) As used in this section: 5345

(1) "Dealer engaged in the business of leasing motor 5346  
vehicles" means any person engaged in the business of regularly 5347  
making available, offering to make available, or arranging for 5348  
another person to use a motor vehicle pursuant to a bailment, 5349  
lease, or other contractual arrangement. 5350

(2) "Motor vehicle" has the meaning set forth in section 5351  
4509.01 of the Revised Code. 5352

(B) An application for the registration of a motor vehicle 5353  
shall contain a statement, to be signed by the applicant either 5354  
manually or by electronic signature, that does all of the 5355  
following: 5356

(1) States that the applicant maintains, or has maintained on the applicant's behalf, proof of financial responsibility at the time of application, and will not operate a motor vehicle in this state, unless the applicant maintains, with respect to that motor vehicle or the operation of such vehicle, proof of financial responsibility;

(2) Contains a brief summary of the purposes and operation of section 4509.101 of the Revised Code, the rights and duties of the applicant under that section, and the penalties for violation of that section;

(3) Warns the applicant that the financial responsibility law does not prevent the possibility that the applicant may be involved in an accident with an owner or operator of a motor vehicle who is without proof of financial responsibility.

(C) (1) A person who purchases any motor vehicle from a licensed motor vehicle dealer who agrees to make application for registration of the motor vehicle on behalf of the purchaser shall sign statements that comply with divisions (B) and (F) of this section. The dealer shall submit the statements to the deputy registrar where the dealer has agreed to make application for registration on behalf of the person.

(2) In the case of a person who leases any motor vehicle from a dealer engaged in the business of leasing motor vehicles who agrees to make application for registration of the motor vehicle on behalf of the lessee, the person shall sign a statement that complies with division (B) of this section, and the dealer shall do either of the following:

(a) Submit the statement signed by the person to the deputy registrar where the dealer has agreed to make application

for registration on behalf of the person; 5386

(b) Sign and submit a statement to the deputy registrar 5387  
that certifies that a statement has been signed and filed with 5388  
the dealer or incorporated into the lease. 5389

The dealer shall submit to the registrar or deputy 5390  
registrar to whom the dealer submits the application for 5391  
registration a statement signed by the person that complies with 5392  
division (F) of this section. 5393

(D) The registrar of motor vehicles shall prescribe the 5394  
form of the statements required under divisions (B), (C), and 5395  
(F) of this section, and the manner or manners in which the 5396  
statements required under divisions (B) and (F) of this section 5397  
shall be presented to the applicant. Any statement that is 5398  
required under divisions (B), (C), and (F) of this section shall 5399  
be designed to enable the applicant to retain a copy of it. 5400

(E) Nothing within this section shall be construed to 5401  
excuse a violation of section 4509.101 of the Revised Code. A 5402  
motor vehicle dealer who makes application for the registration 5403  
of a motor vehicle on behalf of the purchaser or lessee of the 5404  
motor vehicle is not liable in damages in any civil action on 5405  
account of the act of making such application for registration 5406  
or the content of any such application for registration. 5407

(F) In addition to the statements required by divisions 5408  
(B) and (C) of this section, a person who makes application for 5409  
registration of a motor vehicle shall be furnished with a form 5410  
that lists in plain language all the possible penalties to which 5411  
a person could be subject for a violation of the financial 5412  
responsibility law, including driver's license suspensions~~r~~ and 5413  
all fees, including nonvoluntary compliance and reinstatement 5414

fees, ~~and vehicle immobilization or impoundment~~. The person 5415  
shall read the form and either manually or by electronic 5416  
signature sign the form, which shall be submitted along with the 5417  
application for registration as provided in this section. The 5418  
form shall be retained by the registrar or deputy registrar who 5419  
issues the motor vehicle registration or the registrar's or 5420  
deputy registrar's successor for a period of two years from the 5421  
date of issuance of the registration. 5422

(G) Upon the registration of a motor vehicle, the owner of 5423  
the motor vehicle is deemed to have agreed to the production of 5424  
proof of financial responsibility by the owner or the operator 5425  
of the motor vehicle, upon the request of a peace officer or 5426  
state highway patrol trooper made in accordance with division 5427  
(D) (2) of section 4509.101 of the Revised Code. 5428

(H) The registrar shall adopt rules governing the renewal 5429  
of motor vehicle registrations by electronic means and the 5430  
completion and submission of statements that comply with 5431  
divisions (B) and (F) of this section. The registrar shall adopt 5432  
the rules prescribed by this division in accordance with Chapter 5433  
119. of the Revised Code. 5434

Sec. 4503.261. (A) (1) The registrar of motor vehicles 5435  
shall use a competitive selection process to select a vendor for 5436  
a contract to operate a specialty license plate program. 5437

(2) Beginning nine months after the effective date of this 5438  
section, the vendor shall design and market specialty license 5439  
plates, including specialty license plates required to be issued 5440  
by the registrar under this chapter. Under the program, the 5441  
registrar remains responsible for the issuance of any specialty 5442  
license plate and validation sticker and the collection of taxes 5443  
and fees related to a specialty license plate. The contract 5444



shall be for a period not to exceed two years and may be 5445  
extended for additional two-year terms. 5446

(3) A vendor selected under division (A) (1) of this 5447  
section is exempt from section 4503.106 of the Revised Code. 5448

(B) Any contract entered into under this section shall 5449  
include, at a minimum, all of the following: 5450

(1) A requirement that the vendor utilize electronic 5451  
infrastructure that is compatible with infrastructure used by 5452  
the bureau of motor vehicles; 5453

(2) Provisions concerning the security of the information 5454  
exchanged through the electronic infrastructure utilized by the 5455  
registrar, the vendor, and any other third parties; 5456

(3) Provisions allowing an owner or lessee to select the 5457  
combination of letters and numbers appearing on a license plate 5458  
in accordance with section 4503.40 or 4503.42 of the Revised 5459  
Code, subject to approval by the registrar; 5460

(4) Subject to division (C) of this section, provisions 5461  
allowing an owner or lessee purchasing a specialty license plate 5462  
created by the vendor to select various design features of the 5463  
license plate; 5464

(5) Subject to division (C) of this section, provisions 5465  
allowing the vendor to enter into an agreement with any person 5466  
for the marketing and sale of a specialty license plate that is 5467  
not offered by the registrar under this chapter. A person or 5468  
entity that has sponsored a specialty license plate offered by 5469  
the registrar under this chapter may create a new specialty 5470  
license plate through the private vendor. 5471

(6) Provisions specifying that the vendor shall comply 5472

with all applicable copyright and trademark laws; 5473

(7) A requirement that the registrar collect the following 5474  
fees and contribution related to the issuance of license plates 5475  
under the program that are in addition to any applicable motor 5476  
vehicle registration taxes and fees levied under Chapters 4503. 5477  
and 4504. of the Revised Code: 5478

(a) A fee to compensate the registrar for costs associated 5479  
with program administration and license plate production and 5480  
design. Fees collected under division (B)(7)(a) of this section 5481  
shall be deposited in the public safety-highway purposes fund 5482  
created in section 4501.06 of the Revised Code. 5483

(b) A fee to compensate the vendor for the performance of 5484  
its duties under the contract. Fees collected under division (B) 5485  
(7)(b) of this section shall be deposited in the public safety 5486  
license plate contract fund created in section 4503.262 of the 5487  
Revised Code. 5488

(c) A contribution for deposit in the drug law enforcement 5489  
fund created in section 5502.68 of the Revised Code. 5490

(8) Provisions requiring the vendor to comply with all 5491  
applicable requirements of the Revised Code and the Ohio 5492  
Administrative Code. 5493

(C) (1) The registrar shall submit each specialty license 5494  
plate design created under the specialty license plate program 5495  
established under this section to the joint committee on agency 5496  
rule review. The committee has final authority regarding the 5497  
design and content of any specialty license plate created under 5498  
the program and shall approve or disapprove of any proposed 5499  
specialty license plate. A quorum of the committee, as specified 5500  
in section 101.35 of the Revised Code, is necessary for such 5501

approval or disapproval. 5502

(2) Before the registrar submits a specialty license plate 5503  
to the joint committee on agency rule review for approval, the 5504  
registrar may consult with the superintendent of the state 5505  
highway patrol concerning any specialty license plate regarding 5506  
readability, reflectivity, and public safety. 5507

(3) The registrar shall not restrict the background color, 5508  
color combinations, or color of alphanumeric license plate 5509  
numbers of a specialty license plate proposed by the private 5510  
vendor except for purposes of public safety. 5511

(D) (1) If a contract with a vendor is entered into under 5512  
this section, the owner or lessee of any passenger car, 5513  
noncommercial motor vehicle, recreational vehicle, or other 5514  
vehicle of a class approved by the registrar and the vendor may 5515  
apply for registration of the vehicle and issuance by the 5516  
registrar of a specialty license plate pursuant to this section. 5517

(2) A specialty license plate available through the 5518  
program and a validation sticker, or validation sticker alone, 5519  
shall be issued by the registrar in coordination with the vendor 5520  
to the owner or lessee upon receipt of a completed application 5521  
under this section; payment of the regular license tax as 5522  
prescribed under section 4503.04 of the Revised Code, any 5523  
applicable motor vehicle tax levied under Chapter 4504. of the 5524  
Revised Code, any applicable additional fee prescribed under 5525  
section 4503.40 or 4503.42 of the Revised Code, any additional 5526  
fees required by the vendor; and compliance with all other 5527  
applicable laws relating to the registration of motor vehicles. 5528

(E) Notwithstanding any other provision of law to the 5529  
contrary, the registrar may execute all duties required by this 5530

section and take all necessary actions to implement its 5531  
requirements. 5532

**Sec. 4503.262.** The public safety license plate contract 5533  
fund is created in the state treasury. The fund shall consist of 5534  
fees collected by the registrar pursuant to division (B)(7)(b) 5535  
of section 4503.261 of the Revised Code. The registrar shall use 5536  
the money in the fund to compensate the private vendor selected 5537  
under section 4503.261 of the Revised Code for the performance 5538  
of its duties under the contract authorized under that section. 5539

**Sec. 4503.39.** With regard to a motor vehicle leased by or 5540  
in the name of a person named in a suspension order or who is 5541  
precluded from registering or transferring registration of a 5542  
motor vehicle because of a failure to pay a fine or court costs, 5543  
the registrar of motor vehicles shall adopt procedures as 5544  
indicated in division (B) of section 1901.44, division (B) of 5545  
section 1905.202, division (B) of section 1907.25, division (D) 5546  
of section 2935.27, ~~division (A) of section 2937.221,~~ division 5547  
(A) of section 2947.09, and division (B) of section 4510.22 of 5548  
the Revised Code. The procedures shall prescribe the information 5549  
and methodology necessary to implement those divisions. 5550

**Sec. 4507.212.** (A) As used in this section, "motor 5551  
vehicle" has the same meaning as in section 4509.01 of the 5552  
Revised Code. 5553

(B) An application for a driver's, commercial driver's, 5554  
restricted, or probationary license, or renewal of such license 5555  
shall contain a statement, to be signed by the applicant, that 5556  
does all of the following: 5557

(1) States that the applicant maintains, or has maintained 5558  
~~on his~~ the applicant's behalf, proof of financial responsibility 5559

at the time of application, and will not operate a motor vehicle 5560  
in this state, unless ~~he~~ the applicant maintains, or has 5561  
maintained on ~~his~~ the applicant's behalf, proof of financial 5562  
responsibility; 5563

(2) Contains a brief summary of the purposes and operation 5564  
of section 4509.101 of the Revised Code, the rights and duties 5565  
of the applicant under that section, and the penalties for 5566  
violation of that section; 5567

(3) Warns the applicant that the financial responsibility 5568  
law does not prevent the possibility that the applicant may be 5569  
involved in an accident with an owner or operator of a motor 5570  
vehicle who is without proof of financial responsibility. 5571

(C) The registrar of motor vehicles shall prescribe the 5572  
form of the statement, and the manner in which the statement 5573  
shall be presented to the applicant. The statement shall be 5574  
designed to enable the applicant to retain a copy of it. 5575

(D) Nothing within this section shall be construed to 5576  
excuse a violation of section 4509.101 of the Revised Code. 5577

(E) At the time a person submits an application for a 5578  
driver's, commercial driver's, restricted, or probationary 5579  
license, or renewal of such a license, the applicant also shall 5580  
be furnished with a form that lists in plain language all the 5581  
possible penalties to which the applicant could be subject for a 5582  
violation of the financial responsibility law, including 5583  
driver's license suspensions, and all fees, including 5584  
nonvoluntary compliance and reinstatement fees, ~~and vehicle~~ 5585  
~~immobilization or impoundment~~. The applicant shall sign the 5586  
form, which shall be submitted along with the application. The 5587  
form shall be retained by the registrar or deputy registrar who 5588

issues the license or renewal or ~~his~~ the registrar's or deputy 5589  
registrar's successor for a period of two years from the date of 5590  
issuance of the license or renewal. The registrar shall 5591  
prescribe the manner in which the form shall be presented to the 5592  
applicant, and the format of the form, which shall be such that 5593  
the applicant can retain a copy of it. 5594

**Sec. 4509.101.** (A) (1) No person shall operate, or permit 5595  
the operation of, a motor vehicle in this state, unless proof of 5596  
financial responsibility is maintained continuously throughout 5597  
the registration period with respect to that vehicle, or, in the 5598  
case of a driver who is not the owner, with respect to that 5599  
driver's operation of that vehicle. 5600

(2) Whoever violates division (A) (1) of this section shall 5601  
be subject to the following civil penalties: 5602

(a) Subject to divisions (A) (2) (b) and (c) of this 5603  
section, a class (F) suspension of the person's driver's 5604  
license, commercial driver's license, temporary instruction 5605  
permit, probationary license, or nonresident operating privilege 5606  
for the period of time specified in division (B) (6) of section 5607  
4510.02 of the Revised Code and impoundment of the person's 5608  
license. The court may grant limited driving privileges to the 5609  
person, but only if the person presents proof of financial 5610  
responsibility and is enrolled in a reinstatement fee payment 5611  
plan pursuant to section 4510.10 of the Revised Code. 5612

(b) If, within ~~five years~~ one year of the violation, the 5613  
person's operating privileges are again suspended and the 5614  
person's license again is impounded for a violation of division 5615  
(A) (1) of this section, a class C suspension of the person's 5616  
driver's license, commercial driver's license, temporary 5617  
instruction permit, probationary license, or nonresident 5618

operating privilege for the period of time specified in division 5619  
(B) (3) of section 4510.02 of the Revised Code. The court may 5620  
grant limited driving privileges to the person only if the 5621  
person presents proof of financial responsibility and has 5622  
complied with division (A) (5) of this section, and no court may 5623  
grant limited driving privileges for the first fifteen days of 5624  
the suspension. 5625

(c) If, within ~~five years~~ one year of the violation, the 5626  
person's operating privileges are suspended and the person's 5627  
license is impounded two or more times for a violation of 5628  
division (A) (1) of this section, a class B suspension of the 5629  
person's driver's license, commercial driver's license, 5630  
temporary instruction permit, probationary license, or 5631  
nonresident operating privilege for the period of time specified 5632  
in division (B) (2) of section 4510.02 of the Revised Code. The 5633  
court may grant limited driving privileges to the person only if 5634  
the person presents proof of financial responsibility and has 5635  
complied with division (A) (5) of this section, except that no 5636  
court may grant limited driving privileges for the first thirty 5637  
days of the suspension. 5638

~~(d) In addition to the suspension of an owner's license~~ 5639  
~~under division (A) (2) (a), (b), or (c) of this section, the~~ 5640  
~~suspension of the rights of the owner to register the motor~~ 5641  
~~vehicle and the impoundment of the owner's certificate of~~ 5642  
~~registration and license plates until the owner complies with~~ 5643  
~~division (A) (5) of this section.~~ 5644

The clerk of court shall waive the cost of filing a 5645  
petition for limited driving privileges if, pursuant to section 5646  
2323.311 of the Revised Code, the petitioner applies to be 5647  
qualified as an indigent litigant and the court approves the 5648

application. 5649

(3) A person to whom this state has issued a certificate 5650  
of registration for a motor vehicle or a license to operate a 5651  
motor vehicle or who is determined to have operated any motor 5652  
vehicle or permitted the operation in this state of a motor 5653  
vehicle owned by the person shall be required to verify the 5654  
existence of proof of financial responsibility covering the 5655  
operation of the motor vehicle or the person's operation of the 5656  
motor vehicle under either of the following circumstances: 5657

(a) The person or a motor vehicle owned by the person is 5658  
involved in a traffic accident that requires the filing of an 5659  
accident report under section 4509.06 of the Revised Code. 5660

(b) The person receives a traffic ticket indicating that 5661  
proof of the maintenance of financial responsibility was not 5662  
produced upon the request of a peace officer or state highway 5663  
patrol trooper made in accordance with division (D) (2) of this 5664  
section. 5665

(4) An order of the registrar that suspends ~~and impounds a~~ 5666  
~~license or registration, or both,~~ shall state the date on or 5667  
before which the person is required to surrender the person's 5668  
~~license or certificate of registration and license plates.~~ The 5669  
person is deemed to have surrendered the ~~license or certificate~~ 5670  
~~of registration and license plates,~~ in compliance with the 5671  
order, if the person does either of the following: 5672

(a) On or before the date specified in the order, delivers 5673  
the ~~license or certificate of registration and license plates to~~ 5674  
the registrar; 5675

(b) Mails the ~~license or certificate of registration and~~ 5676  
~~license plates to~~ the registrar in an envelope or container 5677



bearing a postmark showing a date no later than the date 5678  
specified in the order. 5679

(5) Except as provided in division (L) of this section, 5680  
the registrar shall not restore any operating privileges ~~or~~ 5681  
~~registration rights~~ suspended under this section, return any 5682  
license, ~~certificate of registration, or license plates~~ 5683  
~~impounded~~ surrendered under this section, ~~or reissue license~~ 5684  
~~plates under section 4503.232 of the Revised Code, if the~~ 5685  
~~registrar destroyed the impounded license plates under that~~ 5686  
~~section, or reissue a license under section 4510.52 of the~~ 5687  
Revised Code, if the registrar destroyed the suspended license 5688  
under that section, unless the rights are not subject to 5689  
suspension or revocation under any other law and unless the 5690  
person, in addition to complying with all other conditions 5691  
required by law for reinstatement of the operating privileges ~~or~~ 5692  
~~registration rights~~, complies with all of the following: 5693

(a) Pays to the registrar or an eligible deputy registrar 5694  
a financial responsibility reinstatement fee of forty dollars 5695  
for the first violation of division (A)(1) of this section, 5696  
three hundred dollars for a second violation of that division, 5697  
and six hundred dollars for a third or subsequent violation of 5698  
that division; 5699

(b) ~~If the person has not voluntarily surrendered the~~ 5700  
~~license, certificate, or license plates in compliance with the~~ 5701  
~~order, pays to the registrar or an eligible deputy registrar a~~ 5702  
~~financial responsibility nonvoluntary compliance fee in an~~ 5703  
~~amount, not to exceed fifty dollars, determined by the~~ 5704  
~~registrar;~~ 5705

~~(c)~~ Files and continuously maintains proof of financial 5706  
responsibility ~~under~~ in accordance with sections 4509.44 to 5707

4509.65 of the Revised Code; 5708

~~(d)~~ (c) Pays a deputy registrar a service fee of ten 5709  
dollars to compensate the deputy registrar for services 5710  
performed under this section. The deputy registrar shall retain 5711  
eight dollars of the service fee and shall transmit the 5712  
reinstatement fee, ~~any nonvoluntary compliance fee,~~ and two 5713  
dollars of the service fee to the registrar in the manner the 5714  
registrar shall determine. 5715

(B) (1) Every party required to file an accident report 5716  
under section 4509.06 of the Revised Code also shall include 5717  
with the report a document described in division (G) (1) (a) of 5718  
this section or shall present proof of financial responsibility 5719  
through use of an electronic wireless communications device as 5720  
permitted by division (G) (1) (b) of this section. 5721

If the registrar determines, within forty-five days after 5722  
the report is filed, that an operator or owner has violated 5723  
division (A) (1) of this section, the registrar shall do all of 5724  
the following: 5725

~~(a) Order the impoundment, with respect to the motor 5726  
vehicle involved, required under division (A) (2) (d) of this 5727  
section, of the certificate of registration and license plates 5728  
of any owner who has violated division (A) (1) of this section;~~ 5729

~~(b)~~ Order the suspension required under division (A) (2) 5730  
(a), (b), or (c) of this section of the license of any operator 5731  
or owner who has violated division (A) (1) of this section; 5732

~~(e)~~ (b) Record the name and address of the person whose 5733  
certificate of registration and license plates have been 5734  
impounded or are under an order of impoundment, or whose license 5735  
has been suspended or is under an order of suspension, ~~and~~ the 5736

serial number of the person's license; ~~the serial numbers of the~~ 5737  
~~person's certificate of registration and license plates;~~ and 5738  
the person's social security account number, if assigned, or, 5739  
where the motor vehicle that is the subject of the violation is 5740  
used for hire or principally in connection with any established 5741  
business, the person's federal taxpayer identification number. 5742  
The information shall be recorded in such a manner that it 5743  
becomes a part of the person's permanent record, and assists the 5744  
registrar in monitoring compliance with the orders of suspension 5745  
~~or impoundment.~~ 5746

~~(d)~~ (c) Send written notification to every person to whom 5747  
the order pertains, at the person's last known address as shown 5748  
on the records of the bureau. The person, within ten days after 5749  
the date of the mailing of the notification, shall surrender to 5750  
the registrar, in a manner set forth in division (A)(4) of this 5751  
section, ~~any certificate of registration and registration plates~~ 5752  
~~under an order of impoundment, or any license under an order of~~ 5753  
suspension. 5754

(2) The registrar shall issue any order under division (B) 5755  
(1) of this section without a hearing. Any person adversely 5756  
affected by the order, within ten days after the issuance of the 5757  
order, may request an administrative hearing before the 5758  
registrar, who shall provide the person with an opportunity for 5759  
a hearing in accordance with this paragraph. A request for a 5760  
hearing does not operate as a suspension of the order. The scope 5761  
of the hearing shall be limited to whether the person in fact 5762  
demonstrated to the registrar proof of financial responsibility 5763  
in accordance with this section. The registrar shall determine 5764  
the date, time, and place of any hearing, provided that the 5765  
hearing shall be held, and an order issued or findings made, 5766  
within thirty days after the registrar receives a request for a 5767

hearing. If requested by the person in writing, the registrar 5768  
may designate as the place of hearing the county seat of the 5769  
county in which the person resides or a place within fifty miles 5770  
of the person's residence. The person shall pay the cost of the 5771  
hearing before the registrar, if the registrar's order of 5772  
suspension ~~or impoundment~~ is upheld. 5773

(C) Any order of suspension ~~or impoundment~~ issued under 5774  
this section or division (B) of section 4509.37 of the Revised 5775  
Code may be terminated at any time if the registrar determines 5776  
upon a showing of proof of financial responsibility that the 5777  
operator or owner of the motor vehicle was in compliance with 5778  
division (A) (1) of this section at the time of the traffic 5779  
offense, motor vehicle inspection, or accident that resulted in 5780  
the order against the person. A determination may be made 5781  
without a hearing. This division does not apply unless the 5782  
person shows good cause for the person's failure to present 5783  
satisfactory proof of financial responsibility to the registrar 5784  
prior to the issuance of the order. 5785

(D) (1) (a) For the purpose of enforcing this section, every 5786  
peace officer is deemed an agent of the registrar. 5787

(b) Any peace officer who, in the performance of the peace 5788  
officer's duties as authorized by law, becomes aware of a person 5789  
whose license is under an order of suspension, ~~or whose~~ 5790  
~~certificate of registration and license plates are under an~~ 5791  
~~order of impoundment,~~ pursuant to this section, may confiscate 5792  
the license, ~~certificate of registration, and license plates,~~ 5793  
and return ~~them~~ it to the registrar. 5794

(2) A peace officer shall request the owner or operator of 5795  
a motor vehicle to produce proof of financial responsibility in 5796  
a manner described in division (G) of this section at the time 5797

the peace officer acts to enforce the traffic laws of this state 5798  
and during motor vehicle inspections conducted pursuant to 5799  
section 4513.02 of the Revised Code. 5800

(3) A peace officer shall indicate on every traffic ticket 5801  
whether the person receiving the traffic ticket produced proof 5802  
of the maintenance of financial responsibility in response to 5803  
the officer's request under division (D) (2) of this section. The 5804  
peace officer shall inform every person who receives a traffic 5805  
ticket and who has failed to produce proof of the maintenance of 5806  
financial responsibility that the person must submit proof to 5807  
the traffic violations bureau with any payment of a fine and 5808  
costs for the ticketed violation or, if the person is to appear 5809  
in court for the violation, the person must submit proof to the 5810  
court. 5811

(4) (a) If a person who has failed to produce proof of the 5812  
maintenance of financial responsibility appears in court for a 5813  
ticketed violation, the court may permit the defendant to 5814  
present evidence of proof of financial responsibility to the 5815  
court at such time and in such manner as the court determines to 5816  
be necessary or appropriate. In a manner prescribed by the 5817  
registrar, the clerk of courts shall provide the registrar with 5818  
the identity of any person who fails to submit proof of the 5819  
maintenance of financial responsibility pursuant to division (D) 5820  
(3) of this section. 5821

(b) If a person who has failed to produce proof of the 5822  
maintenance of financial responsibility also fails to submit 5823  
that proof to the traffic violations bureau with payment of a 5824  
fine and costs for the ticketed violation, the traffic 5825  
violations bureau, in a manner prescribed by the registrar, 5826  
shall notify the registrar of the identity of that person. 5827

(5) (a) Upon receiving notice from a clerk of courts or 5828  
traffic violations bureau pursuant to division (D) (4) of this 5829  
section, the registrar shall order the suspension of the license 5830  
of the person required under division (A) (2) (a), (b), or (c) of 5831  
this section ~~and the impoundment of the person's certificate of~~ 5832  
~~registration and license plates required under division (A) (2)~~ 5833  
~~(d) of this section,~~ effective ~~thirty~~ forty-five days after the 5834  
date of the mailing of notification. The registrar also shall 5835  
notify the person that the person must present the registrar 5836  
with proof of financial responsibility in accordance with this 5837  
section, surrender to the registrar the person's ~~certificate of~~ 5838  
~~registration, license plates, and license,~~ or submit a statement 5839  
subject to section 2921.13 of the Revised Code that the person 5840  
did not operate or permit the operation of the motor vehicle at 5841  
the time of the offense. Notification shall be in writing and 5842  
shall be sent to the person at the person's last known address 5843  
as shown on the records of the bureau of motor vehicles. The 5844  
person, within ~~fifteen~~ forty-five days after the date of the 5845  
mailing of notification, shall present proof of financial 5846  
responsibility, surrender the ~~certificate of registration,~~ 5847  
~~license plates, and license~~ to the registrar in a manner set 5848  
forth in division (A) (4) of this section, or submit the 5849  
statement required under this section together with other 5850  
information the person considers appropriate. 5851

If the registrar does not receive proof or the person does 5852  
not surrender the ~~certificate of registration, license plates,~~ 5853  
~~and license,~~ in accordance with this division, the registrar 5854  
shall permit the order for the suspension of the license of the 5855  
person and ~~the impoundment of the person's certificate of~~ 5856  
~~registration and license plates~~ to take effect. 5857

(b) In the case of a person who presents, within the 5858

~~fifteen-day forty-five-day~~ period, proof of financial 5859  
responsibility, the registrar shall terminate the order of 5860  
suspension and the impoundment of the registration and license 5861  
~~plates required under division (A) (2) (d) of this section and~~ 5862  
shall send written notification to the person, at the person's 5863  
last known address as shown on the records of the bureau. 5864

(c) Any person adversely affected by the order of the 5865  
registrar under division (D) (5) (a) or (b) of this section, 5866  
within ten days after the issuance of the order, may request an 5867  
administrative hearing before the registrar, who shall provide 5868  
the person with an opportunity for a hearing in accordance with 5869  
this paragraph. A request for a hearing does not operate as a 5870  
suspension of the order. The scope of the hearing shall be 5871  
limited to whether, at the time of the hearing, the person 5872  
presents proof of financial responsibility covering the vehicle 5873  
and whether the person is eligible for an exemption in 5874  
accordance with this section or any rule adopted under it. The 5875  
registrar shall determine the date, time, and place of any 5876  
hearing; provided, that the hearing shall be held, and an order 5877  
issued or findings made, within thirty days after the registrar 5878  
receives a request for a hearing. If requested by the person, 5879  
the hearing may be held remotely by electronic means. If 5880  
requested by the person in writing, the registrar may designate 5881  
as the place of hearing the county seat of the county in which 5882  
the person resides or a place within fifty miles of the person's 5883  
residence. Such person shall pay the cost of the hearing before 5884  
the registrar, if the registrar's order of suspension ~~or~~ 5885  
~~impoundment~~ under division (D) (5) (a) or (b) of this section is 5886  
upheld. 5887

~~(6) A peace officer may charge an owner or operator of a~~ 5888  
~~motor vehicle with a violation of section 4510.16 of the Revised~~ 5889

~~Code when the owner or operator fails to show proof of the~~ 5890  
~~maintenance of financial responsibility pursuant to a peace~~ 5891  
~~officer's request under division (D) (2) of this section, if a~~ 5892  
~~check of the owner or operator's driving record indicates that~~ 5893  
~~the owner or operator, at the time of the operation of the motor~~ 5894  
~~vehicle, is required to file and maintain proof of financial~~ 5895  
~~responsibility under section 4509.45 of the Revised Code for a~~ 5896  
~~previous violation of this chapter.~~ 5897

~~(7)~~ Any forms used by law enforcement agencies in 5898  
administering this section shall be prescribed, supplied, and 5899  
paid for by the registrar. 5900

~~(8)~~ (7) No peace officer, law enforcement agency employing 5901  
a peace officer, or political subdivision or governmental agency 5902  
that employs a peace officer shall be liable in a civil action 5903  
for damages or loss to persons arising out of the performance of 5904  
any duty required or authorized by this section. 5905

~~(9)~~ (8) As used in this section, "peace officer" has the 5906  
meaning set forth in section 2935.01 of the Revised Code. 5907

(E) All fees, except court costs, fees paid to a deputy 5908  
registrar, and those portions of the financial responsibility 5909  
reinstatement fees as otherwise specified in this division, 5910  
collected under this section shall be paid into the state 5911  
treasury to the credit of the public safety - highway purposes 5912  
fund established in section 4501.06 of the Revised Code and used 5913  
to cover costs incurred by the bureau in the administration of 5914  
this section and sections 4503.20, 4507.212, and 4509.81 of the 5915  
Revised Code, and by any law enforcement agency employing any 5916  
peace officer who returns any license, ~~certificate of~~ 5917  
~~registration, and license plates~~ to the registrar pursuant to 5918  
division (C) of this section. 5919



Of each financial responsibility reinstatement fee the 5920  
registrar collects pursuant to division (A) (5) (a) of this 5921  
section or receives from a deputy registrar under division ~~(A)~~ 5922  
~~(5) (d)~~ (A) (5) (c) of this section, the registrar shall deposit 5923  
ten dollars into the state treasury to the credit of the 5924  
indigent defense support fund created by section 120.08 of the 5925  
Revised Code. 5926

(F) Chapter 119. of the Revised Code applies to this 5927  
section only to the extent that any provision in that chapter is 5928  
not clearly inconsistent with this section. 5929

(G) (1) (a) The registrar, court, traffic violations bureau, 5930  
or peace officer may require proof of financial responsibility 5931  
to be demonstrated by use of a standard form prescribed by the 5932  
registrar. If the use of a standard form is not required, a 5933  
person may demonstrate proof of financial responsibility under 5934  
this section by presenting to the traffic violations bureau, 5935  
court, registrar, or peace officer any of the following 5936  
documents or a copy of the documents: 5937

(i) A financial responsibility identification card as 5938  
provided in section 4509.103 of the Revised Code; 5939

(ii) A certificate of proof of financial responsibility on 5940  
a form provided and approved by the registrar for the filing of 5941  
an accident report required to be filed under section 4509.06 of 5942  
the Revised Code; 5943

(iii) A policy of liability insurance, a declaration page 5944  
of a policy of liability insurance, or liability bond, if the 5945  
policy or bond complies with section 4509.20 or sections 4509.49 5946  
to 4509.61 of the Revised Code; 5947

(iv) A bond or certification of the issuance of a bond as 5948

provided in section 4509.59 of the Revised Code;	5949
(v) A certificate of deposit of money or securities as	5950
provided in section 4509.62 of the Revised Code;	5951
(vi) A certificate of self-insurance as provided in	5952
section 4509.72 of the Revised Code.	5953
(b) A person also may present proof of financial	5954
responsibility under this section to the traffic violations	5955
bureau, court, registrar, or peace officer through use of an	5956
electronic wireless communications device as specified under	5957
section 4509.103 of the Revised Code.	5958
(2) If a person fails to demonstrate proof of financial	5959
responsibility in a manner described in division (G)(1) of this	5960
section, the person may demonstrate proof of financial	5961
responsibility under this section by any other method that the	5962
court or the bureau, by reason of circumstances in a particular	5963
case, may consider appropriate.	5964
(3) A motor carrier certificated by the interstate	5965
commerce commission or by the public utilities commission may	5966
demonstrate proof of financial responsibility by providing a	5967
statement designating the motor carrier's operating authority	5968
and averring that the insurance coverage required by the	5969
certificating authority is in full force and effect.	5970
(4) (a) A finding by the registrar or court that a person	5971
is covered by proof of financial responsibility in the form of	5972
an insurance policy or surety bond is not binding upon the named	5973
insurer or surety or any of its officers, employees, agents, or	5974
representatives and has no legal effect except for the purpose	5975
of administering this section.	5976
(b) The preparation and delivery of a financial	5977

responsibility identification card or any other document 5978  
authorized to be used as proof of financial responsibility and 5979  
the generation and delivery of proof of financial responsibility 5980  
to an electronic wireless communications device that is 5981  
displayed on the device as text or images does not do any of the 5982  
following: 5983

(i) Create any liability or estoppel against an insurer or 5984  
surety, or any of its officers, employees, agents, or 5985  
representatives; 5986

(ii) Constitute an admission of the existence of, or of 5987  
any liability or coverage under, any policy or bond; 5988

(iii) Waive any defenses or counterclaims available to an 5989  
insurer, surety, agent, employee, or representative in an action 5990  
commenced by an insured or third-party claimant upon a cause of 5991  
action alleged to have arisen under an insurance policy or 5992  
surety bond or by reason of the preparation and delivery of a 5993  
document for use as proof of financial responsibility or the 5994  
generation and delivery of proof of financial responsibility to 5995  
an electronic wireless communications device. 5996

(c) Whenever it is determined by a final judgment in a 5997  
judicial proceeding that an insurer or surety, which has been 5998  
named on a document or displayed on an electronic wireless 5999  
communications device accepted by a court or the registrar as 6000  
proof of financial responsibility covering the operation of a 6001  
motor vehicle at the time of an accident or offense, is not 6002  
liable to pay a judgment for injuries or damages resulting from 6003  
such operation, the registrar, notwithstanding any previous 6004  
contrary finding, shall forthwith suspend the operating 6005  
privileges and registration rights of the person against whom 6006  
the judgment was rendered as provided in division (A) (2) of this 6007

section. 6008

(H) In order for any document or display of text or images 6009  
on an electronic wireless communications device described in 6010  
division (G)(1) of this section to be used for the demonstration 6011  
of proof of financial responsibility under this section, the 6012  
document or words or images shall state the name of the insured 6013  
or obligor, the name of the insurer or surety company, and the 6014  
effective and expiration dates of the financial responsibility, 6015  
and designate by explicit description or by appropriate 6016  
reference all motor vehicles covered which may include a 6017  
reference to fleet insurance coverage. 6018

(I) For purposes of this section, "owner" does not include 6019  
a licensed motor vehicle leasing dealer as defined in section 6020  
4517.01 of the Revised Code, but does include a motor vehicle 6021  
renting dealer as defined in section 4549.65 of the Revised 6022  
Code. Nothing in this section or in section 4509.51 of the 6023  
Revised Code shall be construed to prohibit a motor vehicle 6024  
renting dealer from entering into a contractual agreement with a 6025  
person whereby the person renting the motor vehicle agrees to be 6026  
solely responsible for maintaining proof of financial 6027  
responsibility, in accordance with this section, with respect to 6028  
the operation, maintenance, or use of the motor vehicle during 6029  
the period of the motor vehicle's rental. 6030

(J) The purpose of this section is to require the 6031  
maintenance of proof of financial responsibility with respect to 6032  
the operation of motor vehicles on the highways of this state, 6033  
so as to minimize those situations in which persons are not 6034  
compensated for injuries and damages sustained in motor vehicle 6035  
accidents. The general assembly finds that this section contains 6036  
reasonable civil penalties and procedures for achieving this 6037

purpose. 6038

(K) Nothing in this section shall be construed to be 6039  
subject to section 4509.78 of the Revised Code. 6040

(L) (1) The registrar may terminate any suspension imposed 6041  
under this section and not require the owner to comply with 6042  
~~divisions (A) (5) (a), (b), and (c)~~ division (A) (5) of this section 6043  
if the registrar with or without a hearing determines that the 6044  
owner of the vehicle has established by clear and convincing 6045  
evidence that all of the following apply: 6046

(a) The owner customarily maintains proof of financial 6047  
responsibility. 6048

(b) Proof of financial responsibility was not in effect 6049  
for the vehicle on the date in question for one of the following 6050  
reasons: 6051

(i) The vehicle was inoperable. 6052

(ii) The vehicle is operated only seasonally, and the date 6053  
in question was outside the season of operation. 6054

(iii) A person other than the vehicle owner or driver was 6055  
at fault for the lapse of proof of financial responsibility 6056  
through no fault of the owner or driver. 6057

(iv) The lapse of proof of financial responsibility was 6058  
caused by excusable neglect under circumstances that are not 6059  
likely to recur and do not suggest a purpose to evade the 6060  
requirements of this chapter. 6061

(2) The registrar may grant an owner or driver relief for 6062  
a reason specified in division (L) (1) (b) (iii) or (iv) of this 6063  
section only if the owner or driver has not previously been 6064  
granted relief under division (L) (1) (b) (iii) or (iv) of this 6065

section. 6066

(M) The registrar shall adopt rules in accordance with 6067  
Chapter 119. of the Revised Code that are necessary to 6068  
administer and enforce this section. The rules shall include 6069  
~~procedures for the surrender of license plates upon failure to~~ 6070  
~~maintain proof of financial responsibility and provisions~~ 6071  
relating to ~~reinstatement of registration rights,~~ acceptable 6072  
forms of proof of financial responsibility, the use of an 6073  
electronic wireless communications device to present proof of 6074  
financial responsibility, and verification of the existence of 6075  
financial responsibility during the period of registration. 6076

(N) (1) When a person utilizes an electronic wireless 6077  
communications device to present proof of financial 6078  
responsibility, only the evidence of financial responsibility 6079  
displayed on the device shall be viewed by the registrar, peace 6080  
officer, employee or official of the traffic violations bureau, 6081  
or the court. No other content of the device shall be viewed for 6082  
purposes of obtaining proof of financial responsibility. 6083

(2) When a person provides an electronic wireless 6084  
communications device to the registrar, a peace officer, an 6085  
employee or official of a traffic violations bureau, or the 6086  
court, the person assumes the risk of any resulting damage to 6087  
the device unless the registrar, peace officer, employee, or 6088  
official, or court personnel purposely, knowingly, or recklessly 6089  
commits an action that results in damage to the device. 6090

**Sec. 4509.45.** (A) As used in this section, "electronic 6091  
wireless communications device" has the same meaning as in 6092  
section 4509.103 of the Revised Code. 6093

(B) Proof of financial responsibility when required under 6094

section 4509.101, 4509.33, 4509.34, 4509.38, 4509.40, 4509.42, 6095  
4509.44, or 4510.038 of the Revised Code may be given by filing 6096  
and maintaining any of the following: 6097

(1) A financial responsibility identification card as 6098  
provided in section 4509.104 of the Revised Code; 6099

(2) A certificate of insurance as provided in section 6100  
4509.46 or 4509.47 of the Revised Code; 6101

(3) A bond as provided in section 4509.59 of the Revised 6102  
Code; 6103

(4) A certificate of deposit of money or securities as 6104  
provided in section 4509.62 of the Revised Code; 6105

(5) A certificate of self-insurance, as provided in 6106  
section 4509.72 of the Revised Code, supplemented by an 6107  
agreement by the self-insurer that, with respect to accidents 6108  
occurring while the certificate is in force, the self-insurer 6109  
will pay the same amounts that an insurer would have been 6110  
obligated to pay under an owner's motor vehicle liability policy 6111  
if it had issued such a policy to the self-insurer. 6112

(C) When proof of financial responsibility is required to 6113  
be given under section 4509.101 of the Revised Code, such proof 6114  
also may be given through use of an electronic wireless 6115  
communications device as provided in that section. 6116

(D) Proof under division (B) of this section shall be 6117  
filed and maintained for ~~five years~~ one year from the date of 6118  
the registrar's imposition of a ~~class A, B, or C~~ suspension of 6119  
operating privileges ~~and shall be filed and maintained for three~~ 6120  
~~years from the date of the registrar's imposition of a class D,~~ 6121  
~~E, or F suspension of operating privileges.~~ Proof of financial 6122  
responsibility that is required to be filed and maintained with 6123

the registrar during a period of suspension of operating 6124  
privileges described in this division shall not be given through 6125  
the use of an electronic wireless communications device. 6126

**Sec. 4509.66.** Whenever any proof of financial 6127  
responsibility filed under sections 4509.01 to 4509.78, 6128  
inclusive, of the Revised Code, no longer fulfills the purposes 6129  
for which required, the registrar of motor vehicles shall 6130  
require other proof and shall suspend the license ~~and~~ 6131  
~~registration~~ or the nonresident's operating privilege pending 6132  
the filing of such other proof. 6133

**Sec. 4509.67.** (A) The registrar of motor vehicles shall, 6134  
upon request, consent to the immediate cancellation of any bond 6135  
or certificate of insurance, return to the person entitled any 6136  
money deposited under sections 4509.01 to 4509.78 of the Revised 6137  
Code, as proof of financial responsibility, or waive the 6138  
requirement of filing proof, in any of the following events: 6139

(1) At any time after ~~three years~~ one year from the date 6140  
such proof was required when, during the ~~three years~~ one year 6141  
preceding the request, the registrar has not received record of 6142  
a conviction or bail forfeiture which would require or permit 6143  
the suspension or revocation of the license, ~~registration~~ or 6144  
nonresident's operating privilege of the person by or for whom 6145  
such proof was furnished ~~and the person's motor vehicle~~ 6146  
~~registration has not been suspended for a violation of section~~ 6147  
~~4509.101 of the Revised Code;~~ 6148

(2) In the event of the death of the person on whose 6149  
behalf such proof was filed or the permanent incapacity of such 6150  
person to operate a motor vehicle; 6151

(3) In the event the person who has given proof surrenders 6152



the person's license ~~and registration~~ to the registrar. 6153

(B) The registrar shall not consent to the cancellation of 6154  
any bond or the return of any money if any action for damages 6155  
upon a liability covered by such proof is pending, or any 6156  
judgment upon any such liability is unsatisfied, or in the event 6157  
the person who has filed such bond or deposited such money has 6158  
within two years immediately preceding such request been 6159  
involved as a driver or owner in any motor vehicle accident 6160  
resulting in injury to the person or property of others. An 6161  
affidavit of the applicant as to the nonexistence of such facts, 6162  
or that the applicant has been released from all liability, or 6163  
has been finally adjudicated not liable, for such injury may be 6164  
accepted as evidence thereof in the absence of evidence to the 6165  
contrary in the records of the registrar. 6166

(C) Whenever any person whose proof has been canceled or 6167  
returned under division (A) (3) of this section applies for a 6168  
license ~~or registration~~ within a period of ~~three years~~ one year 6169  
from the date proof was originally required, any such 6170  
application shall be refused unless the applicant re-establishes 6171  
proof of financial responsibility for the remainder of the 6172  
~~three-year~~ one-year period. 6173

**Sec. 4509.69.** Any person whose license ~~or registration~~ has 6174  
been suspended, or whose policy of insurance or bond has been 6175  
canceled or terminated, or who neglects to furnish other proof 6176  
of financial responsibility upon request of the registrar of 6177  
motor vehicles, shall immediately return his the person's 6178  
license ~~and registration including the registration plates~~ to 6179  
the registrar. 6180

**Sec. 4509.77.** (A) No person shall willfully fail to return 6181  
a license ~~or registration~~ as required in section 4509.69 of the 6182

Revised Code. 6183

(B) Whoever violates this section shall be fined not more 6184  
than five hundred dollars, imprisoned for not more than thirty 6185  
days, or both. 6186

**Sec. 4510.101.** As used in sections 4510.101 to ~~4510.107~~ 6187  
4510.108 of the Revised Code: 6188

(A) "Eligible offense" means an offense under any of the 6189  
following Revised Code sections if the offense, an essential 6190  
element of the offense, the basis of the charge, or any 6191  
underlying offense did not involve alcohol, a drug of abuse, 6192  
combination thereof, or a deadly weapon: ~~2151.354, 2152.19,~~ 6193

(1) Sections 2151.354, 2152.19, 2152.21, 2913.02, 4507.20, 6194  
4509.101, 4509.17, 4509.24, 4509.40, 4510.037, 4510.05, 4510.06, 6195  
4510.15, 4510.22, 4510.23, 4510.31, ~~4510.32,~~ 4511.203, 4511.205, 6196  
4511.251, 4511.75, 4549.02, 4549.021, and 5743.99 of the Revised 6197  
Code. 6198

(2) Section 4510.32 of the Revised Code for a driver's 6199  
license suspension imposed prior to the effective date of this 6200  
amendment. 6201

(B) "Deadly weapon" has the same meaning as in section 6202  
2923.11 of the Revised Code. 6203

(C) "Drug of abuse" has the same meaning as in section 6204  
4511.181 of the Revised Code. 6205

(D) "Complete amnesty" means a waiver of reinstatement 6206  
fees. 6207

(E) "Driver's license or permit" does not include a 6208  
commercial driver's license or permit. 6209

(F) "Indigent" means a person who is a participant in any 6210  
of the following programs: 6211

(1) The supplemental nutrition assistance program 6212  
administered by the department of job and family services 6213  
pursuant to section 5101.54 of the Revised Code; 6214

(2) The medicaid program pursuant to Chapter 5163. of the 6215  
Revised Code; 6216

(3) The Ohio works first program administered by the 6217  
department of job and family services pursuant to section 6218  
5107.10 of the Revised Code; 6219

(4) The supplemental security income program pursuant to 6220  
20 C.F.R. 416.1100; 6221

(5) The United States department of veterans affairs 6222  
pension benefit program pursuant to 38 U.S.C. 1521. 6223

(G) "Permanent driver's license reinstatement fee debt 6224  
reduction and amnesty program" or "program" means the program 6225  
established in section 4510.102 of the Revised Code and 6226  
administered by the director of public safety. 6227

**Sec. 4510.111.** (A) No person shall operate any motor 6228  
vehicle upon a highway or any public or private property used by 6229  
the public for purposes of vehicular travel or parking in this 6230  
state whose driver's or commercial driver's license has been 6231  
suspended pursuant to section 2151.354, ~~2151.87~~, 2935.27, 6232  
3123.58, 4301.99, 4510.032, 4510.22, or 4510.33 of the Revised 6233  
Code. 6234

(B) Upon the request or motion of the prosecuting 6235  
authority, a noncertified copy of the law enforcement automated 6236  
data system report or a noncertified copy of a record of the 6237

registrar of motor vehicles that shows the name, date of birth, 6238  
and social security number of a person charged with a violation 6239  
of division (A) of this section may be admitted into evidence as 6240  
prima-facie evidence that the license of the person was under 6241  
suspension at the time of the alleged violation of division (A) 6242  
of this section. The person charged with a violation of division 6243  
(A) of this section may offer evidence to rebut this prima-facie 6244  
evidence. 6245

(C) Whoever violates division (A) of this section is 6246  
guilty of driving under suspension, and shall be punished as 6247  
provided in division (C) (1) or (2) of this section. 6248

(1) Except as otherwise provided in division (C) (2) of 6249  
this section, the offense is an unclassified misdemeanor. The 6250  
offender shall be sentenced pursuant to sections 2929.21 to 6251  
2929.28 of the Revised Code, except that the offender shall not 6252  
be sentenced to a jail term; the offender shall not be sentenced 6253  
to a community residential sanction pursuant to section 2929.26 6254  
of the Revised Code; notwithstanding division (A) (2) (a) of 6255  
section 2929.28 of the Revised Code, the offender may be fined 6256  
up to one thousand dollars; and, notwithstanding division (A) (3) 6257  
of section 2929.27 of the Revised Code, the offender may be 6258  
ordered pursuant to division (C) of that section to serve a term 6259  
of community service of up to five hundred hours. The failure of 6260  
an offender to complete a term of community service imposed by 6261  
the court may be punished as indirect criminal contempt under 6262  
division (A) of section 2705.02 of the Revised Code that may be 6263  
filed in the underlying case. 6264

(2) If, within three years of the offense, the offender 6265  
previously was convicted of or pleaded guilty to two or more 6266  
violations of division (A) of this section, or any combination 6267

of two or more violations of division (A) of this section or 6268  
section 4510.11 or 4510.16 of the Revised Code, or a 6269  
substantially equivalent municipal ordinance, the offense is a 6270  
misdemeanor of the fourth degree, and the offender shall provide 6271  
the court with proof of financial responsibility as defined in 6272  
section 4509.01 of the Revised Code. If the offender fails to 6273  
provide that proof of financial responsibility, then in addition 6274  
to any other penalties provided by law, the court may order 6275  
restitution pursuant to section 2929.28 of the Revised Code in 6276  
an amount not exceeding five thousand dollars for any economic 6277  
loss arising from an accident or collision that was the direct 6278  
and proximate result of the offender's operation of the vehicle 6279  
before, during, or after committing the offense for which the 6280  
offender is sentenced under this section. 6281

**Sec. 4510.16.** (A) No person, whose driver's or commercial 6282  
driver's license or temporary instruction permit or 6283  
nonresident's operating privilege has been suspended or canceled 6284  
pursuant to Chapter 4509. of the Revised Code, shall operate any 6285  
motor vehicle within this state, or knowingly permit any motor 6286  
vehicle owned by the person to be operated by another person in 6287  
the state, during the period of the suspension or cancellation, 6288  
except as specifically authorized by Chapter 4509. of the 6289  
Revised Code. ~~No person shall operate a motor vehicle within~~ 6290  
~~this state, or knowingly permit any motor vehicle owned by the~~ 6291  
~~person to be operated by another person in the state, during the~~ 6292  
~~period in which the person is required by section 4509.45 of the~~ 6293  
~~Revised Code to file and maintain proof of financial~~ 6294  
~~responsibility for a violation of section 4509.101 of the~~ 6295  
~~Revised Code, unless proof of financial responsibility is~~ 6296  
~~maintained with respect to that vehicle.~~ 6297

(B) No person shall operate any motor vehicle upon a 6298

highway or any public or private property used by the public for 6299  
purposes of vehicular travel or parking in this state if the 6300  
person's driver's or commercial driver's license or temporary 6301  
instruction permit or nonresident operating privilege has been 6302  
suspended pursuant to section 4509.37 or 4509.40 of the Revised 6303  
Code for nonpayment of a judgment. 6304

(C) Upon the request or motion of the prosecuting 6305  
authority, a noncertified copy of the law enforcement automated 6306  
data system report or a noncertified copy of a record of the 6307  
registrar of motor vehicles that shows the name, date of birth, 6308  
and social security number of a person charged with a violation 6309  
of division (A) or (B) of this section may be admitted into 6310  
evidence as prima-facie evidence that the license of the person 6311  
was under either a financial responsibility law suspension at 6312  
the time of the alleged violation of division (A) of this 6313  
section or a nonpayment of judgment suspension at the time of 6314  
the alleged violation of division (B) of this section. The 6315  
person charged with a violation of division (A) or (B) of this 6316  
section may offer evidence to rebut this prima-facie evidence. 6317

(D) Whoever violates division (A) of this section is 6318  
guilty of driving under financial responsibility law suspension 6319  
or cancellation and shall be punished as provided in divisions 6320  
~~(D)~~ (D) (1) to ~~(I)~~ (3) of this section. Whoever violates division 6321  
(B) of this section is guilty of driving under a nonpayment of 6322  
judgment suspension and shall be punished as provided in 6323  
divisions ~~(D)~~ (D) (1) to ~~(I)~~ (3) of this section. 6324

(1) Except as otherwise provided in division (D) (2) of 6325  
this section, the offense is an unclassified misdemeanor. When 6326  
the offense is an unclassified misdemeanor, the offender shall 6327  
be sentenced pursuant to sections 2929.21 to 2929.28 of the 6328

Revised Code, except that the offender shall not be sentenced to 6329  
a jail term; the offender shall not be sentenced to a community 6330  
residential sanction pursuant to section 2929.26 of the Revised 6331  
Code; notwithstanding division (A)(2)(a) of section 2929.28 of 6332  
the Revised Code, the offender may be fined up to one thousand 6333  
dollars; and, notwithstanding division (A)(3) of section 2929.27 6334  
of the Revised Code, the offender may be ordered pursuant to 6335  
division (C) of that section to serve a term of community 6336  
service of up to five hundred hours. The failure of an offender 6337  
to complete a term of community service imposed by the court may 6338  
be punished as indirect criminal contempt under division (A) of 6339  
section 2705.02 of the Revised Code that may be filed in the 6340  
underlying case. 6341

(2) If, within three years of the offense, the offender 6342  
previously was convicted of or pleaded guilty to two or more 6343  
violations of this section, or any combination of two violations 6344  
of this section or section 4510.11 or 4510.111 of the Revised 6345  
Code, or a substantially equivalent municipal ordinance, the 6346  
offense is a misdemeanor of the fourth degree. 6347

(3) The offender shall provide the court with proof of 6348  
financial responsibility as defined in section 4509.01 of the 6349  
Revised Code. If the offender fails to provide that proof of 6350  
financial responsibility, then in addition to any other 6351  
penalties provided by law, the court may order restitution 6352  
pursuant to section 2929.28 of the Revised Code in an amount not 6353  
exceeding five thousand dollars for any economic loss arising 6354  
from an accident or collision that was the direct and proximate 6355  
result of the offender's operation of the vehicle before, 6356  
during, or after committing the offense for which the offender 6357  
is sentenced under this section. 6358

**Sec. 4510.17.** (A) The registrar of motor vehicles shall 6359  
impose a class D suspension of the person's driver's license, 6360  
commercial driver's license, temporary instruction permit, 6361  
probationary license, or nonresident operating privilege for the 6362  
period of time specified in division (B) (4) of section 4510.02 6363  
of the Revised Code on any person who is a resident of this 6364  
state and is convicted of or pleads guilty to a violation of a 6365  
statute of any other state or any federal statute that is 6366  
substantially similar to section 2925.02, 2925.03, 2925.04, 6367  
2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 6368  
2925.141, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 6369  
2925.37 of the Revised Code, provided that the person's license, 6370  
permit, or privilege is required to be suspended had the offense 6371  
occurred in this state. Upon receipt of a report from a court, 6372  
court clerk, or other official of any other state or from any 6373  
federal authority that a resident of this state was convicted of 6374  
or pleaded guilty to an offense described in this division, the 6375  
registrar shall send a notice by regular first class mail to the 6376  
person, at the person's last known address as shown in the 6377  
records of the bureau of motor vehicles, informing the person of 6378  
the suspension, that the suspension will take effect twenty-one 6379  
days from the date of the notice, and that, if the person wishes 6380  
to appeal the suspension or denial, the person must file a 6381  
notice of appeal within twenty-one days of the date of the 6382  
notice requesting a hearing on the matter. If the person 6383  
requests a hearing, the registrar shall hold the hearing not 6384  
more than forty days after receipt by the registrar of the 6385  
notice of appeal. The filing of a notice of appeal does not stay 6386  
the operation of the suspension that must be imposed pursuant to 6387  
this division. The scope of the hearing shall be limited to 6388  
whether the person actually was convicted of or pleaded guilty 6389  
to the offense for which the suspension is to be imposed. 6390



The suspension the registrar is required to impose under 6391  
this division shall end either on the last day of the class D 6392  
suspension period or of the suspension of the person's 6393  
nonresident operating privilege imposed by the state or federal 6394  
court, whichever is earlier. 6395

The registrar shall subscribe to or otherwise participate 6396  
in any information system or register, or enter into reciprocal 6397  
and mutual agreements with other states and federal authorities, 6398  
in order to facilitate the exchange of information with other 6399  
states and the United States government regarding persons who 6400  
plead guilty to or are convicted of offenses described in this 6401  
division and therefore are subject to the suspension or denial 6402  
described in this division. 6403

(B) The registrar shall impose a class D suspension of the 6404  
person's driver's license, commercial driver's license, 6405  
temporary instruction permit, probationary license, or 6406  
nonresident operating privilege for the period of time specified 6407  
in division (B) (4) of section 4510.02 of the Revised Code on any 6408  
person who is a resident of this state and is convicted of or 6409  
pleads guilty to a violation of a statute of any other state or 6410  
a municipal ordinance of a municipal corporation located in any 6411  
other state that is substantially similar to section 4511.19 of 6412  
the Revised Code. Upon receipt of a report from another state 6413  
made pursuant to section 4510.61 of the Revised Code indicating 6414  
that a resident of this state was convicted of or pleaded guilty 6415  
to an offense described in this division, the registrar shall 6416  
send a notice by regular first class mail to the person, at the 6417  
person's last known address as shown in the records of the 6418  
bureau of motor vehicles, informing the person of the 6419  
suspension, that the suspension or denial will take effect 6420  
twenty-one days from the date of the notice, and that, if the 6421

person wishes to appeal the suspension, the person must file a 6422  
notice of appeal within twenty-one days of the date of the 6423  
notice requesting a hearing on the matter. If the person 6424  
requests a hearing, the registrar shall hold the hearing not 6425  
more than forty days after receipt by the registrar of the 6426  
notice of appeal. The filing of a notice of appeal does not stay 6427  
the operation of the suspension that must be imposed pursuant to 6428  
this division. The scope of the hearing shall be limited to 6429  
whether the person actually was convicted of or pleaded guilty 6430  
to the offense for which the suspension is to be imposed. 6431

The suspension the registrar is required to impose under 6432  
this division shall end either on the last day of the class D 6433  
suspension period or of the suspension of the person's 6434  
nonresident operating privilege imposed by the state or federal 6435  
court, whichever is earlier. 6436

(C) The registrar shall impose a class D suspension of the 6437  
child's driver's license, commercial driver's license, temporary 6438  
instruction permit, or nonresident operating privilege for the 6439  
period of time specified in division (B) (4) of section 4510.02 6440  
of the Revised Code on any child who is a resident of this state 6441  
and is convicted of or pleads guilty to a violation of a statute 6442  
of any other state or any federal statute that is substantially 6443  
similar to section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 6444  
2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.141, 2925.22, 6445  
2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised 6446  
Code, provided the child's license, permit, or privilege is 6447  
required to be suspended had the offense occurred in this state. 6448  
Upon receipt of a report from a court, court clerk, or other 6449  
official of any other state or from any federal authority that a 6450  
child who is a resident of this state was convicted of or 6451  
pleaded guilty to an offense described in this division, the 6452

registrar shall send a notice by regular first class mail to the 6453  
child, at the child's last known address as shown in the records 6454  
of the bureau of motor vehicles, informing the child of the 6455  
suspension, that the suspension or denial will take effect 6456  
twenty-one days from the date of the notice, and that, if the 6457  
child wishes to appeal the suspension, the child must file a 6458  
notice of appeal within twenty-one days of the date of the 6459  
notice requesting a hearing on the matter. If the child requests 6460  
a hearing, the registrar shall hold the hearing not more than 6461  
forty days after receipt by the registrar of the notice of 6462  
appeal. The filing of a notice of appeal does not stay the 6463  
operation of the suspension that must be imposed pursuant to 6464  
this division. The scope of the hearing shall be limited to 6465  
whether the child actually was convicted of or pleaded guilty to 6466  
the offense for which the suspension is to be imposed. 6467

The suspension the registrar is required to impose under 6468  
this division shall end either on the last day of the class D 6469  
suspension period or of the suspension of the child's 6470  
nonresident operating privilege imposed by the state or federal 6471  
court, whichever is earlier. If the child is a resident of this 6472  
state who is sixteen years of age or older and does not have a 6473  
current, valid Ohio driver's or commercial driver's license or 6474  
permit, the notice shall inform the child that the child will be 6475  
denied issuance of a driver's or commercial driver's license or 6476  
permit for six months beginning on the date of the notice. If 6477  
the child has not attained the age of sixteen years on the date 6478  
of the notice, the notice shall inform the child that the period 6479  
of denial of six months shall commence on the date the child 6480  
attains the age of sixteen years. 6481

The registrar shall subscribe to or otherwise participate 6482  
in any information system or register, or enter into reciprocal 6483

and mutual agreements with other states and federal authorities, 6484  
in order to facilitate the exchange of information with other 6485  
states and the United States government regarding children who 6486  
are residents of this state and plead guilty to or are convicted 6487  
of offenses described in this division and therefore are subject 6488  
to the suspension or denial described in this division. 6489

(D) The registrar shall impose a class D suspension of the 6490  
child's driver's license, commercial driver's license, temporary 6491  
instruction permit, probationary license, or nonresident 6492  
operating privilege for the period of time specified in division 6493  
(B) (4) of section 4510.02 of the Revised Code on any child who 6494  
is a resident of this state and is convicted of or pleads guilty 6495  
to a violation of a statute of any other state or a municipal 6496  
ordinance of a municipal corporation located in any other state 6497  
that is substantially similar to section 4511.19 of the Revised 6498  
Code. Upon receipt of a report from another state made pursuant 6499  
to section 4510.61 of the Revised Code indicating that a child 6500  
who is a resident of this state was convicted of or pleaded 6501  
guilty to an offense described in this division, the registrar 6502  
shall send a notice by regular first class mail to the child, at 6503  
the child's last known address as shown in the records of the 6504  
bureau of motor vehicles, informing the child of the suspension, 6505  
that the suspension will take effect twenty-one days from the 6506  
date of the notice, and that, if the child wishes to appeal the 6507  
suspension, the child must file a notice of appeal within 6508  
twenty-one days of the date of the notice requesting a hearing 6509  
on the matter. If the child requests a hearing, the registrar 6510  
shall hold the hearing not more than forty days after receipt by 6511  
the registrar of the notice of appeal. The filing of a notice of 6512  
appeal does not stay the operation of the suspension that must 6513  
be imposed pursuant to this division. The scope of the hearing 6514

shall be limited to whether the child actually was convicted of 6515  
or pleaded guilty to the offense for which the suspension is to 6516  
be imposed. 6517

The suspension the registrar is required to impose under 6518  
this division shall end either on the last day of the class D 6519  
suspension period or of the suspension of the child's 6520  
nonresident operating privilege imposed by the state or federal 6521  
court, whichever is earlier. If the child is a resident of this 6522  
state who is sixteen years of age or older and does not have a 6523  
current, valid Ohio driver's or commercial driver's license or 6524  
permit, the notice shall inform the child that the child will be 6525  
denied issuance of a driver's or commercial driver's license or 6526  
permit for six months beginning on the date of the notice. If 6527  
the child has not attained the age of sixteen years on the date 6528  
of the notice, the notice shall inform the child that the period 6529  
of denial of six months shall commence on the date the child 6530  
attains the age of sixteen years. 6531

(E) (1) Any person whose license or permit has been 6532  
suspended pursuant to this section may file a petition in the 6533  
municipal or county court, or in case the person is under 6534  
eighteen years of age, the juvenile court, in whose jurisdiction 6535  
the person resides, requesting limited driving privileges and 6536  
agreeing to pay the cost of the proceedings. Except as provided 6537  
in division (E) (2) or (3) of this section, the judge may grant 6538  
the person limited driving privileges during the period during 6539  
which the suspension otherwise would be imposed for any of the 6540  
purposes set forth in division (A) of section 4510.021 of the 6541  
Revised Code. 6542

(2) No judge shall grant limited driving privileges for 6543  
employment as a driver of a commercial motor vehicle to any 6544

person who would be disqualified from operating a commercial 6545  
motor vehicle under section 4506.16 of the Revised Code if the 6546  
violation had occurred in this state. Further, no judge shall 6547  
grant limited driving privileges during any of the following 6548  
periods of time: 6549

(a) The first fifteen days of a suspension under division 6550  
(B) or (D) of this section, if the person has not been convicted 6551  
within ten years of the date of the offense giving rise to the 6552  
suspension under this section of a violation of any of the 6553  
following: 6554

(i) Division (A) of section 4511.19 of the Revised Code, 6555  
or a municipal ordinance relating to operating a vehicle while 6556  
under the influence of alcohol, a drug of abuse, or alcohol and 6557  
a drug of abuse; 6558

(ii) A municipal ordinance relating to operating a motor 6559  
vehicle with a prohibited concentration of alcohol, a controlled 6560  
substance, or a metabolite of a controlled substance in the 6561  
whole blood, blood serum or plasma, breath, or urine; 6562

(iii) Section 2903.04 of the Revised Code in a case in 6563  
which the person was subject to the sanctions described in 6564  
division (D) of that section; 6565

(iv) Division (A)(1) of section 2903.06 or division (A)(1) 6566  
of section 2903.08 of the Revised Code or a municipal ordinance 6567  
that is substantially similar to either of those divisions; 6568

(v) Division (A)(2), (3), or (4) of section 2903.06, 6569  
division (A)(2) of section 2903.08, or as it existed prior to 6570  
March 23, 2000, section 2903.07 of the Revised Code, or a 6571  
municipal ordinance that is substantially similar to any of 6572  
those divisions or that former section, in a case in which the 6573

jury or judge found that the person was under the influence of 6574  
alcohol, a drug of abuse, or alcohol and a drug of abuse. 6575

(b) The first thirty days of a suspension under division 6576  
(B) or (D) of this section, if the person has been convicted one 6577  
time within ten years of the date of the offense giving rise to 6578  
the suspension under this section of any violation identified in 6579  
division ~~(E) (1) (a)~~ (E) (2) (a) of this section. 6580

(c) The first one hundred eighty days of a suspension 6581  
under division (B) or (D) of this section, if the person has 6582  
been convicted two times within ten years of the date of the 6583  
offense giving rise to the suspension under this section of any 6584  
violation identified in division ~~(E) (1) (a)~~ (E) (2) (a) of this 6585  
section. 6586

(3) No limited driving privileges may be granted if the 6587  
person has been convicted three or more times within five years 6588  
of the date of the offense giving rise to a suspension under 6589  
division (B) or (D) of this section of any violation identified 6590  
in division ~~(E) (1) (a)~~ (E) (2) (a) of this section. 6591

(4) In accordance with section 4510.022 of the Revised 6592  
Code, a person may petition for, and a judge may grant, 6593  
unlimited driving privileges with a certified ignition interlock 6594  
device during the period of suspension imposed under division 6595  
(B) or (D) of this section to a person described in division (E) 6596  
(2) (a) of this section. 6597

(5) If a person petitions for limited driving privileges 6598  
under division (E) (1) of this section or unlimited driving 6599  
privileges with a certified ignition interlock device as 6600  
provided in division (E) (4) of this section, the registrar shall 6601  
be represented by the county prosecutor of the county in which 6602

the person resides if the petition is filed in a juvenile court 6603  
or county court, except that if the person resides within a city 6604  
or village that is located within the jurisdiction of the county 6605  
in which the petition is filed, the city director of law or 6606  
village solicitor of that city or village shall represent the 6607  
registrar. If the petition is filed in a municipal court, the 6608  
registrar shall be represented as provided in section 1901.34 of 6609  
the Revised Code. 6610

(6) (a) In issuing an order granting limited driving 6611  
privileges under division (E) (1) of this section, the court may 6612  
impose any condition it considers reasonable and necessary to 6613  
limit the use of a vehicle by the person. The court shall 6614  
deliver to the person a copy of the order setting forth the 6615  
time, place, and other conditions limiting the person's use of a 6616  
motor vehicle. Unless division (E) (6) (b) of this section 6617  
applies, the grant of limited driving privileges shall be 6618  
conditioned upon the person's having the order in the person's 6619  
possession at all times during which the person is operating a 6620  
vehicle. 6621

(b) If, under the order, the court requires the use of an 6622  
immobilizing or disabling device as a condition of the grant of 6623  
limited or unlimited driving privileges, the person shall 6624  
present to the registrar or to a deputy registrar the copy of 6625  
the order granting limited driving privileges and a certificate 6626  
affirming the installation of an immobilizing or disabling 6627  
device that is in a form established by the director of public 6628  
safety and is signed by the person who installed the device. 6629  
Upon presentation of the order and the certificate to the 6630  
registrar or a deputy registrar, the registrar or deputy 6631  
registrar shall issue to the offender a restricted license, 6632  
unless the offender's driver's or commercial driver's license or 6633



permit is suspended under any other provision of law and limited 6634  
driving privileges have not been granted with regard to that 6635  
suspension. A restricted license issued under this division 6636  
shall be identical to an Ohio driver's license, except that it 6637  
shall have printed on its face a statement that the offender is 6638  
prohibited from operating any motor vehicle that is not equipped 6639  
with an immobilizing or disabling device in violation of the 6640  
order. 6641

(7) (a) Unless division (E) (7) (b) applies, a person granted 6642  
limited driving privileges who operates a vehicle for other than 6643  
limited purposes, in violation of any condition imposed by the 6644  
court or without having the order in the person's possession, is 6645  
guilty of a violation of section 4510.11 of the Revised Code. 6646

(b) No person who has been granted limited or unlimited 6647  
driving privileges under division (E) of this section subject to 6648  
an immobilizing or disabling device order shall operate a motor 6649  
vehicle prior to obtaining a restricted license. Any person who 6650  
violates this prohibition is subject to the penalties prescribed 6651  
in section 4510.14 of the Revised Code. 6652

(c) The offenses established under division (E) (7) of this 6653  
section are strict liability offenses and section 2901.20 of the 6654  
Revised Code does not apply. 6655

(F) The provisions of division (A) (8) of section 4510.13 6656  
of the Revised Code apply to a person who has been granted 6657  
limited or unlimited driving privileges with a certified 6658  
ignition interlock device under this section and who either 6659  
commits an ignition interlock device violation as defined under 6660  
section 4510.46 of the Revised Code or operates a motor vehicle 6661  
that is not equipped with a certified ignition interlock device. 6662

(G) Any person whose license or permit has been suspended 6663  
under division (A) or (C) of this section may file a petition in 6664  
the municipal or county court, or in case the person is under 6665  
eighteen years of age, the juvenile court, in whose jurisdiction 6666  
the person resides, requesting the termination of the suspension 6667  
and agreeing to pay the cost of the proceedings. If the court, 6668  
in its discretion, determines that a termination of the 6669  
suspension is appropriate, the court shall issue an order to the 6670  
registrar to terminate the suspension. Upon receiving such an 6671  
order, the registrar shall reinstate the license. 6672

(H) As used in divisions (C) and (D) of this section: 6673

(1) "Child" means a person who is under the age of 6674  
eighteen years, except that any person who violates a statute or 6675  
ordinance described in division (C) or (D) of this section prior 6676  
to attaining eighteen years of age shall be deemed a "child" 6677  
irrespective of the person's age at the time the complaint or 6678  
other equivalent document is filed in the other state or a 6679  
hearing, trial, or other proceeding is held in the other state 6680  
on the complaint or other equivalent document, and irrespective 6681  
of the person's age when the period of license suspension or 6682  
denial prescribed in division (C) or (D) of this section is 6683  
imposed. 6684

(2) "Is convicted of or pleads guilty to" means, as it 6685  
relates to a child who is a resident of this state, that in a 6686  
proceeding conducted in a state or federal court located in 6687  
another state for a violation of a statute or ordinance 6688  
described in division (C) or (D) of this section, the result of 6689  
the proceeding is any of the following: 6690

(a) Under the laws that govern the proceedings of the 6691  
court, the child is adjudicated to be or admits to being a 6692

delinquent child or a juvenile traffic offender for a violation 6693  
described in division (C) or (D) of this section that would be a 6694  
crime if committed by an adult; 6695

(b) Under the laws that govern the proceedings of the 6696  
court, the child is convicted of or pleads guilty to a violation 6697  
described in division (C) or (D) of this section; 6698

(c) Under the laws that govern the proceedings of the 6699  
court, irrespective of the terminology utilized in those laws, 6700  
the result of the court's proceedings is the functional 6701  
equivalent of division (H) (2) (a) or (b) of this section. 6702

**Sec. 4511.62.** (A) (1) Whenever any person driving a vehicle 6703  
or trackless trolley approaches a railroad grade crossing, the 6704  
person shall stop within fifty feet, but not less than fifteen 6705  
feet from the nearest rail of the railroad if any of the 6706  
following circumstances exist at the crossing: 6707

(a) A clearly visible electric or mechanical signal device 6708  
gives warning of the immediate approach of a train or other on- 6709  
track equipment. 6710

(b) A crossing gate is lowered. 6711

(c) A flagperson gives or continues to give a signal of 6712  
the approach or passage of a train or other on-track equipment. 6713

(d) There is insufficient space on the other side of the 6714  
railroad grade crossing to accommodate the vehicle or trackless 6715  
trolley the person is operating without obstructing the passage 6716  
of other vehicles, trackless trolleys, pedestrians, or railroad 6717  
trains, notwithstanding any traffic control signal indication to 6718  
proceed. 6719

(e) An approaching train is emitting an audible signal or 6720

is plainly visible and is in hazardous proximity to the 6721  
crossing. 6722

(f) There is insufficient undercarriage clearance to 6723  
safely negotiate the crossing. 6724

(g) There is insufficient space on the other side of the 6725  
railroad grade crossing to accommodate the vehicle or trackless 6726  
trolley the person is operating without obstructing the passage 6727  
of other on-track equipment. 6728

(h) Approaching on-track equipment is emitting an audible 6729  
signal or is plainly visible and is in hazardous proximity to 6730  
the crossing. 6731

~~(2)~~ (a) A person who is driving a vehicle or trackless 6732  
trolley and who approaches a railroad grade crossing shall not 6733  
proceed as long as any of the circumstances described in 6734  
divisions (A) (1) (a) to (f) of this section exist at the 6735  
crossing. 6736

(b) A person who is driving a vehicle or trackless trolley 6737  
and who approaches a railroad grade crossing shall not 6738  
recklessly proceed as long as any of the circumstances described 6739  
in division (A) (1) (g) or (h) of this section exist at the 6740  
crossing. 6741

(B) No person shall drive any vehicle through, around, or 6742  
under any crossing gate or barrier at a railroad crossing while 6743  
the gate or barrier is closed or is being opened or closed 6744  
unless the person is signaled by a law enforcement officer or 6745  
flagperson that it is permissible to do so. 6746

~~(C)~~ (1) Whoever violates this section is guilty of a 6747  
misdemeanor of the fourth degree. 6748

(2) In lieu of a fine or jail term for a violation of this section, a court may instead order the offender to attend and successfully complete a remedial safety training or presentation regarding rail safety that is offered by an authorized and qualified organization that is selected by the court. The offender shall complete the presentation within a time frame determined by the court, not to exceed one hundred eighty days after the court issues the order. The offender shall notify the court of the successful completion of the presentation. When the offender notifies the court of the successful completion of the presentation, the court shall waive any fine or jail term that it otherwise would have imposed for a violation of this section.

**Sec. 4511.63.** (A) Except as provided in division (B) of this section, the operator of any bus, any school vehicle, or any vehicle transporting a material or materials required to be placarded under 49 C.F.R. Parts 100-185, before crossing at grade any track of a railroad, shall stop the vehicle and, while so stopped, shall listen through an open door or open window and look in both directions along the track for any approaching train or other on-track equipment, and for signals indicating the approach of a train or other on-track equipment, and shall proceed only upon exercising due care after stopping, looking, and listening as required by this section. Upon proceeding, the operator of such a vehicle shall cross only in a gear that will ensure there will be no necessity for changing gears while traversing the crossing and shall not shift gears while crossing the tracks.

(B) This section does not apply at grade crossings when the public utilities commission has authorized and approved an exempt crossing as provided in this division.

(1) Any local authority may file an application with the 6779  
commission requesting the approval of an exempt crossing. Upon 6780  
receipt of such a request, the commission shall authorize a 6781  
limited period for the filing of comments by any party regarding 6782  
the application and then shall conduct a public hearing in the 6783  
community seeking the exempt crossing designation. The 6784  
commission shall provide appropriate prior public notice of the 6785  
comment period and the public hearing. By registered mail, the 6786  
commission shall notify each railroad operating over the 6787  
crossing of the comment period. 6788

(2) After considering any comments or other information 6789  
received, the commission may approve or reject the application. 6790  
By order, the commission may establish conditions for the exempt 6791  
crossing designation, including compliance with division (b) of 6792  
49 C.F.R. Part 392.10, when applicable. An exempt crossing 6793  
designation becomes effective only when appropriate signs giving 6794  
notice of the exempt designation are erected at the crossing as 6795  
ordered by the commission and any other conditions ordered by 6796  
the commission are satisfied. 6797

(3) By order, the commission may rescind any exempt 6798  
crossing designation made under this section if the commission 6799  
finds that a condition at the exempt crossing has changed to 6800  
such an extent that the continuation of the exempt crossing 6801  
designation compromises public safety. The commission may 6802  
conduct a public hearing to investigate and determine whether to 6803  
rescind the exempt crossing designation. If the commission 6804  
rescinds the designation, it shall order the removal of any 6805  
exempt crossing signs and may make any other necessary order. 6806

(C) As used in this section: 6807

(1) "School vehicle" means any vehicle used for the 6808

transportation of pupils to and from a school or school-related 6809  
function if the vehicle is owned or operated by, or operated 6810  
under contract with, a public or nonpublic school. 6811

(2) "Bus" means any vehicle originally designed by its 6812  
manufacturer to transport sixteen or more passengers, including 6813  
the driver, or carries sixteen or more passengers, including the 6814  
driver. 6815

(3) "Exempt crossing" means a highway rail grade crossing 6816  
authorized and approved by the public utilities commission under 6817  
division (B) of this section at which vehicles may cross without 6818  
making the stop otherwise required by this section. 6819

(D) Except as otherwise provided in this division, whoever 6820  
violates this section is guilty of a minor misdemeanor. If the 6821  
offender previously has been convicted of or pleaded guilty to 6822  
one or more violations of this section or section 4511.76, 6823  
4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised 6824  
Code or a municipal ordinance that is substantially similar to 6825  
any of those sections, whoever violates this section is guilty 6826  
of a misdemeanor of the fourth degree. 6827

**Sec. 4511.64.** (A) No person shall operate or move any 6828  
crawler-type tractor, steam shovel, derrick, roller, or any 6829  
equipment or structure having a normal operating speed of six or 6830  
less miles per hour or a vertical body or load clearance of less 6831  
than nine inches above the level surface of a roadway, upon or 6832  
across any tracks at a railroad grade crossing without first 6833  
complying with divisions (A) (1) and (2) of this section. 6834

(1) Before making any such crossing, the person operating 6835  
or moving any such vehicle or equipment shall first stop the 6836  
same, and while stopped the person shall listen and look in both 6837

directions along such track for any approaching train or other 6838  
on-track equipment and for signals indicating the approach of a 6839  
train or other on-track equipment, and shall proceed only upon 6840  
exercising due care. 6841

(2) No such crossing shall be made when warning is given 6842  
by automatic signal or crossing gates or a flagperson or 6843  
otherwise of the immediate approach of a railroad train or car 6844  
or other on-track equipment. 6845

(B) If the normal sustained speed of such vehicle, 6846  
equipment, or structure is not more than three miles per hour, 6847  
the person owning, operating, or moving the same shall also give 6848  
notice of such intended crossing to a station agent or 6849  
superintendent of the railroad, and a reasonable time shall be 6850  
given to such railroad to provide proper protection for such 6851  
crossing. Where such vehicles or equipment are being used in 6852  
constructing or repairing a section of highway lying on both 6853  
sides of a railroad grade crossing, and in such construction or 6854  
repair it is necessary to repeatedly move such vehicles or 6855  
equipment over such crossing, one daily notice specifying when 6856  
such work will start and stating the hours during which it will 6857  
be prosecuted is sufficient. 6858

(C) Except as otherwise provided in this division, whoever 6859  
violates this section is guilty of a minor misdemeanor. If, 6860  
within one year of the offense, the offender previously has been 6861  
convicted of or pleaded guilty to one predicate motor vehicle or 6862  
traffic offense, whoever violates this section is guilty of a 6863  
misdemeanor of the fourth degree. If, within one year of the 6864  
offense, the offender previously has been convicted of two or 6865  
more predicate motor vehicle or traffic offenses, whoever 6866  
violates this section is guilty of a misdemeanor of the third 6867



degree. 6868

If the offender commits the offense while distracted and 6869  
the distracting activity is a contributing factor to the 6870  
commission of the offense, the offender is subject to the 6871  
additional fine established under section 4511.991 of the 6872  
Revised Code. 6873

Sec. 4765.163. (A) The state board of emergency medical, 6874  
fire, and transportation services shall establish a process by 6875  
which any person may submit a petition to the board requesting 6876  
that a topic be included in a training or continuing education 6877  
program for first responders, EMTs-basic, EMTs-I, or paramedics 6878  
that is in addition to the topics specified in section 4765.16 6879  
of the Revised Code. A person shall submit a petition to the 6880  
board in a manner prescribed by the board. A petitioner shall 6881  
not seek to add a broad category of topics. 6882

(B) Upon receipt of a petition, the board shall review it 6883  
to determine whether to approve or deny the addition of the 6884  
topic described in the petition. The board shall approve or deny 6885  
a petition in accordance with rules adopted by the board under 6886  
section 4765.11 of the Revised Code. 6887

(C) Upon approval of a topic, the board shall require the 6888  
topic to be included in the training or continuing education 6889  
programs and shall adopt rules as necessary, in accordance with 6890  
section 4765.11 of the Revised Code, regarding the number of 6891  
hours required for the topic. 6892

(D) Notwithstanding any provision of section 121.95 of the 6893  
Revised Code to the contrary, a regulatory restriction contained 6894  
in a rule adopted under this section is not subject to sections 6895  
121.95 to 121.953 of the Revised Code. 6896

<u>Sec. 5120.631. (A) As used in this section:</u>	6897
<u>(1) "Emergency" has the same meaning as in section 341.261 of the Revised Code.</u>	6898 6899
<u>(2) "Female" means of or denoting the sex that can bear offspring or produce eggs and has XX chromosomes, distinguished biologically by the production of gametes or ova that can be fertilized by male gametes.</u>	6900 6901 6902 6903
<u>(3) "Feminine hygiene products" means tampons and sanitary napkins that are used for the menstrual cycle.</u>	6904 6905
<u>(4) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code.</u>	6906 6907
<u>(B) Each state correctional institution housing female inmates shall provide inmates experiencing a menstrual cycle with an adequate supply based on individualized need, in perpetuity and without reprimand, of feminine hygiene products in a variety of sizes at no cost to the inmates.</u>	6908 6909 6910 6911 6912
<u>(C) Each state correctional institution housing female inmates shall have a written policy and procedure in place that does all of the following:</u>	6913 6914 6915
<u>(1) Protects inmates from the denial of feminine hygiene products based on race, sex, income status, degree of charge, disability status, or any other type of discriminatory identity;</u>	6916 6917 6918
<u>(2) Establishes proper methods of storing, administering, and disposing of feminine hygiene products;</u>	6919 6920
<u>(3) Establishes sanitary and safe procedures for hand washing and cleaning of surfaces between restrooms and the designated area for disposal bins.</u>	6921 6922 6923

(D) Each state correctional institution housing female inmates shall provide a separate disposal container with a lid in a safe, designated area for use by inmates experiencing a menstrual cycle within the institution to dispose of used, soiled, or damaged feminine hygiene products.

(E) No state correctional institution housing female inmates shall deny inmates access to feminine hygiene products.

(F) Except when the state correctional institution is experiencing an emergency, each state correctional institution housing female inmates shall provide inmates experiencing menstruation a minimum of one shower per day with access to hot water for washing, regardless of whether the inmates are separated from the general population for disciplinary status.

**Sec. 5502.68.** (A) There is hereby created in the state treasury the drug law enforcement fund. The fund consists of the following:

(1) Ninety-seven per cent of three dollars and fifty cents out of each ten-dollar court cost imposed pursuant to section 2949.094 of the Revised Code shall be credited to the fund.

(2) Contributions required to be deposited in the fund under section 4503.261 of the Revised Code.

Money in the fund shall be used only in accordance with this section to award grants to counties, municipal corporations, townships, township police districts, and joint police districts to defray the expenses that a drug task force organized in the county, or in the county in which the municipal corporation, township, or district is located, incurs in performing its functions related to the enforcement of the state's drug laws and other state laws related to illegal drug

activity. 6953

The division of criminal justice services shall administer 6954  
all money deposited into the drug law enforcement fund and, by 6955  
rule adopted under Chapter 119. of the Revised Code, shall 6956  
establish procedures for a county, municipal corporation, 6957  
township, township police district, or joint police district to 6958  
apply for money from the fund to defray the expenses that a drug 6959  
task force organized in the county, or in the county in which 6960  
the municipal corporation, township, or district is located, 6961  
incurs in performing its functions related to the enforcement of 6962  
the state's drug laws and other state laws related to illegal 6963  
drug activity, procedures and criteria for determining 6964  
eligibility of applicants to be provided money from the fund, 6965  
and procedures and criteria for determining the amount of money 6966  
to be provided out of the fund to eligible applicants. 6967

(B) The procedures and criteria established under division 6968  
(A) of this section for applying for money from the fund shall 6969  
include, but shall not be limited to, a provision requiring a 6970  
county, municipal corporation, township, township police 6971  
district, or joint police district that applies for money from 6972  
the fund to specify in its application the amount of money 6973  
desired from the fund, provided that the cumulative amount 6974  
requested in all applications submitted for any single drug task 6975  
force may not exceed more than two hundred fifty thousand 6976  
dollars in any calendar year for that task force. 6977

(C) The procedures and criteria established under division 6978  
(A) of this section for determining eligibility of applicants to 6979  
be provided money from the fund and for determining the amount 6980  
of money to be provided out of the fund to eligible applicants 6981  
shall include, but not be limited to, all of the following: 6982

(1) Provisions requiring that, in order to be eligible to be provided money from the fund, a drug task force that applies for money from the fund must provide evidence that the drug task force will receive a local funding match of at least twenty-five per cent of the task force's projected operating costs in the period of time covered by the grant;

(2) Provisions requiring that money from the fund be allocated and provided to drug task forces that apply for money from the fund in accordance with the following priorities:

(a) Drug task forces that apply, that are in existence on the date of the application, and that are determined to be eligible applicants, and to which either of the following applies shall be given first priority to be provided money from the fund:

(i) Drug task forces that received funding through the division of criminal justice services in calendar year 2007;

(ii) Drug task forces in a county that has a population that exceeds seven hundred fifty thousand.

(b) If any moneys remain in the fund after all drug task forces that apply, that are in existence on the date of the application, that are determined to be eligible applicants, and that satisfy the criteria set forth in division (C) (2) (a) (i) or (ii) of this section are provided money from the fund as described in division (C) (2) (a) of this section, the following categories of drug task forces that apply and that are determined to be eligible applicants shall be given priority to be provided money from the fund in the order in which they apply for money from the fund:

(i) Drug task forces that are not in existence on the date

of the application; 7012

(ii) Drug task forces that are in existence on the date of 7013  
the application but that do not satisfy the criteria set forth 7014  
in division (C) (2) (a) (i) or (ii) of this section. 7015

(D) The procedures and criteria established under division 7016  
(A) of this section for determining the amount of money to be 7017  
provided out of the fund to eligible applicants shall include, 7018  
but shall not be limited to, a provision specifying that the 7019  
cumulative amount provided to any single drug task force may not 7020  
exceed more than two hundred fifty thousand dollars in any 7021  
calendar year. 7022

(E) Any drug task force for which a grant is awarded by 7023  
the division of criminal justice services under this section 7024  
shall comply with all grant requirements established by the 7025  
division, including a requirement that the drug task force 7026  
report its activities through the El Paso intelligence center 7027  
information technology systems. 7028

(F) As used in this section, "drug task force" means a 7029  
drug task force organized in any county by the sheriff of the 7030  
county, the prosecuting attorney of the county, the chief of 7031  
police of the organized police department of any municipal 7032  
corporation or township in the county, and the chief of police 7033  
of the police force of any township police district or joint 7034  
police district in the county to perform functions related to 7035  
the enforcement of state drug laws and other state laws related 7036  
to illegal drug activity. 7037

**Section 2.** That existing sections 109.804, 124.11, 124.30, 7038  
2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 7039  
2925.12, 2925.13, 2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 7040

2925.36, 2925.37, 2935.26, 2935.27, 2937.40, 3123.54, 3123.56, 7041  
3123.58, 3321.13, 3321.191, 4501.06, 4503.038, 4503.10, 7042  
4503.102, 4503.12, 4503.19, 4503.20, 4503.39, 4507.212, 7043  
4509.101, 4509.45, 4509.66, 4509.67, 4509.69, 4509.77, 4510.101, 7044  
4510.111, 4510.16, 4510.17, 4511.62, 4511.63, 4511.64, and 7045  
5502.68 of the Revised Code are hereby repealed. 7046

**Section 3.** That sections 2937.221 and 4510.32 of the 7047  
Revised Code are hereby repealed. 7048

**Section 4.** (A) An offender who received a suspension of 7049  
the offender's temporary instruction permit or driver's license 7050  
or a denial of the opportunity to obtain a permit or license 7051  
under section 4510.32 of the Revised Code, as it existed prior 7052  
to the effective date of this section, may file a motion with 7053  
the juvenile court in whose jurisdiction the offender resides 7054  
requesting the termination of the suspension or denial. 7055

(B) Upon the filing of a motion under this section, the 7056  
juvenile court, in its discretion, may order the registrar of 7057  
motor vehicles to terminate the suspension or terminate the 7058  
denial of the opportunity to obtain a permit or license. If so 7059  
ordered, the registrar shall do all of the following: 7060

(1) Cancel the record created for the offender regarding 7061  
the suspension or denial of the offender's opportunity to obtain 7062  
a permit or license; 7063

(2) Terminate the suspension of the offender's permit or 7064  
license or the denial of the offender's opportunity to obtain a 7065  
permit or license; 7066

(3) Return the driver's license or permit to the offender 7067  
or reissue the offender's license or permit under section 7068  
4510.52 of the Revised Code, if the registrar destroyed the 7069

suspended license or permit under that section. 7070

**Section 5.** (A) Not later than thirty days after the 7071  
effective date of this section, the Registrar of Motor Vehicles 7072  
shall remove any remaining driver's license suspensions that 7073  
were imposed as a result of the Financial Responsibility Random 7074  
Verification Program. That Program was eliminated through H.B. 7075  
62 of the 133rd General Assembly, effective July 3, 2019. The 7076  
Registrar shall not charge any fees, including reinstatement 7077  
fees, associated with the reinstatement of a driver's license 7078  
that was suspended as a result of that Program. 7079

(B) (1) A person whose driver's license suspension is 7080  
removed under division (A) of this section may have that 7081  
person's driver's license reinstated at a deputy registrar 7082  
office, provided that person's driver's license is not also 7083  
suspended for any other offense. 7084

(2) If a person's driver's license is suspended for 7085  
another offense, once the person's license is eligible for 7086  
reinstatement, that person may apply for reinstatement and shall 7087  
not be required to pay any fees, including reinstatement fees, 7088  
associated with the Program. The person may still be required to 7089  
pay reinstatement fees associated with the other offense for 7090  
which the person's driver's license was suspended. 7091

(C) The Registrar shall notify any person impacted by this 7092  
section of the terms of the removal of driver's license 7093  
suspensions associated with the Financial Responsibility Random 7094  
Verification Program and the process by which to reinstate the 7095  
person's driver's license. 7096

**Section 6.** The General Assembly, applying the principle 7097  
stated in division (B) of section 1.52 of the Revised Code that 7098



amendments are to be harmonized if reasonably capable of 7099  
simultaneous operation, finds that the following sections, 7100  
presented in this act as composites of the sections as amended 7101  
by the acts indicated, are the resulting versions of the 7102  
sections in effect prior to the effective date of the sections 7103  
as presented in this act: 7104

Section 2925.04 of the Revised Code as amended by both 7105  
S.B. 1 and S.B. 201 of the 132nd General Assembly. 7106

Section 2925.05 of the Revised Code as amended by both 7107  
S.B. 1 and S.B. 201 of the 132nd General Assembly. 7108