

As Introduced

**136th General Assembly
Regular Session
2025-2026**

S. B. No. 188

Senator Patton

To amend sections 2921.331 and 2929.14 of the
Revised Code to expand the offense of failure to
comply with an order or signal of a law
enforcement officer.

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

Section 1. That sections 2921.331 and 2929.14 of the
Revised Code be amended to read as follows:

Sec. 2921.331. (A) No person shall fail to comply with any
lawful order or direction of any ~~police~~law enforcement officer
invested with authority to direct, control, or regulate traffic.

(B) No person shall operate a motor vehicle so as
willfully to elude or flee a ~~police~~law enforcement officer
after receiving a visible or audible signal from a ~~police~~law
enforcement officer to bring the person's motor vehicle to a
stop.

(C) (1) No person shall take a position in a physical
location that prevents immediate access by any law enforcement
officer and refuse or resist orders to exit the location, or
comply with other lawful order or direction, when that person
knows or reasonably should know that the law enforcement officer
is attempting to apprehend the person in connection to an

alleged felony offense or misdemeanor offense of violence. 21

(2) No person shall aid, assist, or attempt to aid or 22
assist another person to commit a violation of division (C) (1) 23
of this section. 24

(D) (1) Whoever violates this section is guilty of failure 25
to comply with an order or signal of a ~~police~~-law enforcement 26
officer. 27

(2) A violation of division (A) of this section is a 28
misdemeanor of the first degree. 29

(3) Except as provided in divisions ~~(C) (4)~~ (D) (4) and (5) 30
of this section, a violation of division (B) of this section is 31
a felony of the fourth degree. 32

(4) A violation of division (B) of this section is a 33
felony of the third degree if the jury or judge as trier of fact 34
finds by proof beyond a reasonable doubt that, in committing the 35
offense, the offender was fleeing immediately after the 36
commission of a felony. 37

(5) (a) A violation of division (B) of this section is a 38
felony of the third degree if the jury or judge as trier of fact 39
finds any of the following by proof beyond a reasonable doubt: 40

(i) The operation of the motor vehicle by the offender was 41
a proximate cause of serious physical harm to persons or 42
property. 43

(ii) The operation of the motor vehicle by the offender 44
caused a substantial risk of serious physical harm to persons or 45
property. 46

(b) If a ~~police~~-law enforcement officer pursues an 47
offender who is violating division (B) of this section and 48

division ~~(C) (5) (a)~~ (D) (5) (a) of this section applies, the 49
sentencing court, in determining the seriousness of an 50
offender's conduct for purposes of sentencing the offender for a 51
violation of division (B) of this section, shall consider, along 52
with the factors set forth in sections 2929.12 and 2929.13 of 53
the Revised Code that are required to be considered, all of the 54
following: 55

(i) The duration of the pursuit; 56

(ii) The distance of the pursuit; 57

(iii) The rate of speed at which the offender operated the 58
motor vehicle during the pursuit; 59

(iv) Whether the offender failed to stop for traffic 60
lights or stop signs during the pursuit; 61

(v) The number of traffic lights or stop signs for which 62
the offender failed to stop during the pursuit; 63

(vi) Whether the offender operated the motor vehicle 64
during the pursuit without lighted lights during a time when 65
lighted lights are required; 66

(vii) Whether the offender committed a moving violation 67
during the pursuit; 68

(viii) The number of moving violations the offender 69
committed during the pursuit; 70

(ix) Any other relevant factors indicating that the 71
offender's conduct is more serious than conduct normally 72
constituting the offense. 73

~~(D) (6) (a)~~ Except as provided in divisions (D) (6) (b) and 74
(c) of this section, a violation of division (C) (1) of this 75

section is a felony of the third degree. 76

(b) Except as provided in division (D) (6) (c) of this 77
section, if any of the following apply, a violation of division 78
(C) (1) of this section is a felony of the second degree and the 79
court shall impose as the minimum prison term for the offense a 80
mandatory prison term that is one of the minimum terms 81
prescribed for a felony of the second degree in division (A) (2) 82
(a) of section 2929.14 of the Revised Code: 83

(i) The violation creates a risk of serious physical harm 84
to any person; 85

(ii) During commission of the violation, the person 86
indicates to the law enforcement officer that the person has 87
possession of a deadly weapon; 88

(iii) Except as provided in division (D) (6) (c) of this 89
section, during the commission of the violation a third party is 90
present and is unable to immediately and safely leave the 91
physical location of the commission of the violation. 92

(c) If, during the commission of a violation of division 93
(C) (1) of this section, a third party who is a minor or an 94
elderly individual is present and is unable to immediately and 95
safely leave the physical location of the commission of the 96
violation, a violation of division (C) (1) of this section is a 97
felony of the first degree and the court shall impose as the 98
minimum prison term for the offense a mandatory prison term that 99
is one of the minimum terms prescribed for a felony of the first 100
degree in division (A) (1) (a) of section 2929.14 of the Revised 101
Code. 102

(7) (a) Except as provided in division (D) (7) (b) of this 103
section, a violation of division (C) (2) of this section is a 104

felony of the next lesser degree than the offense of the 105
associated violation of division (C) (1) which is a necessary 106
element of a violation of division (C) (2). 107

(b) If a violation of division (C) (2) of this section 108
creates a serious risk of physical harm, the violation is a 109
felony of the second degree and the court shall impose as the 110
minimum prison term for the offense a mandatory prison term that 111
is one of the minimum terms prescribed for a felony of the 112
second degree in division (A) (2) (a) of section 2929.14 of the 113
Revised Code. 114

(E) If an offender is sentenced to a prison term for a 115
violation of division (B) or (C) of this section, the offender 116
shall serve the prison term consecutively to any other prison 117
term or mandatory prison term imposed upon the offender. 118

~~(E)~~ (F) In addition to any other sanction imposed for a 119
violation of division (B) of this section, the court shall 120
impose a class two suspension from the range specified in 121
division (A) (2) of section 4510.02 of the Revised Code. In 122
addition to any other sanction imposed for a violation of 123
division (A) of this section, the court shall impose a class 124
five suspension from the range specified in division (A) (5) of 125
section 4510.02 of the Revised Code. If the offender previously 126
has been found guilty of an offense under this section, in 127
addition to any other sanction imposed for the offense, the 128
court shall impose a class one suspension as described in 129
division (A) (1) of that section. The court shall not grant 130
limited driving privileges to the offender on a suspension 131
imposed for a felony violation of this section. The court may 132
grant limited driving privileges to the offender on a suspension 133
imposed for a misdemeanor violation of this section as set forth 134

in section 4510.021 of the Revised Code. No judge shall suspend 135
the first three years of suspension under a class two suspension 136
of an offender's license, permit, or privilege required by this 137
division or any portion of the suspension under a class one 138
suspension of an offender's license, permit, or privilege 139
required by this division. 140

(F) As used in this section: 141

(1) "Elderly person" means a person who is sixty-five 142
years of age or older. 143

(2) "Moving violation" has the same meaning as in section 144
2743.70 of the Revised Code. 145

~~(2) "Police officer" has the same meaning as in section 146~~
~~4511.01 of the Revised Code.~~ 147

Sec. 2929.14. (A) Except as provided in division (B)(1), 148
(B)(2), (B)(3), (B)(4), (B)(5), (B)(6), (B)(7), (B)(8), (B)(9), 149
(B)(10), (B)(11), (E), (G), (H), (J), or (K) of this section or 150
in division (D)(6) of section 2919.25 of the Revised Code and 151
except in relation to an offense for which a sentence of death 152
or life imprisonment is to be imposed, if the court imposing a 153
sentence upon an offender for a felony elects or is required to 154
impose a prison term on the offender pursuant to this chapter, 155
the court shall impose a prison term that shall be one of the 156
following: 157

(1)(a) For a felony of the first degree committed on or 158
after March 22, 2019, the prison term shall be an indefinite 159
prison term with a stated minimum term selected by the court of 160
three, four, five, six, seven, eight, nine, ten, or eleven years 161
and a maximum term that is determined pursuant to section 162
2929.144 of the Revised Code, except that if the section that 163

criminalizes the conduct constituting the felony specifies a 164
different minimum term or penalty for the offense, the specific 165
language of that section shall control in determining the 166
minimum term or otherwise sentencing the offender but the 167
minimum term or sentence imposed under that specific language 168
shall be considered for purposes of the Revised Code as if it 169
had been imposed under this division. 170

(b) For a felony of the first degree committed prior to 171
March 22, 2019, the prison term shall be a definite prison term 172
of three, four, five, six, seven, eight, nine, ten, or eleven 173
years. 174

(2) (a) For a felony of the second degree committed on or 175
after March 22, 2019, the prison term shall be an indefinite 176
prison term with a stated minimum term selected by the court of 177
two, three, four, five, six, seven, or eight years and a maximum 178
term that is determined pursuant to section 2929.144 of the 179
Revised Code, except that if the section that criminalizes the 180
conduct constituting the felony specifies a different minimum 181
term or penalty for the offense, the specific language of that 182
section shall control in determining the minimum term or 183
otherwise sentencing the offender but the minimum term or 184
sentence imposed under that specific language shall be 185
considered for purposes of the Revised Code as if it had been 186
imposed under this division. 187

(b) For a felony of the second degree committed prior to 188
March 22, 2019, the prison term shall be a definite term of two, 189
three, four, five, six, seven, or eight years. 190

(3) (a) For a felony of the third degree that is a 191
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 192
2907.05, 2907.321, 2907.322, 2907.323, 2919.25, or 3795.04 of 193

the Revised Code, that is a violation of division (A) of section 194
4511.19 of the Revised Code if the offender previously has been 195
convicted of or pleaded guilty to a violation of division (A) of 196
that section that was a felony, that is a violation of section 197
2911.02 or 2911.12 of the Revised Code if the offender 198
previously has been convicted of or pleaded guilty in two or 199
more separate proceedings to two or more violations of section 200
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, that 201
is a violation of division (C) (1) of section 2921.331 of the 202
Revised Code if the violation creates a risk of physical harm to 203
any person, or that is a violation of division (B) of section 204
2921.331 of the Revised Code if division (C) (5) of that section 205
applies, the prison term shall be a definite term of twelve, 206
eighteen, twenty-four, thirty, thirty-six, forty-two, forty- 207
eight, fifty-four, or sixty months. 208

(b) For a felony of the third degree that is not an 209
offense for which division (A) (3) (a) of this section applies, 210
the prison term shall be a definite term of nine, twelve, 211
eighteen, twenty-four, thirty, or thirty-six months. 212

(4) For a felony of the fourth degree, the prison term 213
shall be a definite term of six, seven, eight, nine, ten, 214
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 215
or eighteen months. 216

(5) For a felony of the fifth degree, the prison term 217
shall be a definite term of six, seven, eight, nine, ten, 218
eleven, or twelve months. 219

(B) (1) (a) Except as provided in division (B) (1) (e) of this 220
section, if an offender who is convicted of or pleads guilty to 221
a felony also is convicted of or pleads guilty to a 222
specification of the type described in section 2941.141, 223

2941.144, or 2941.145 of the Revised Code, the court shall 224
impose on the offender one of the following prison terms: 225

(i) A prison term of six years if the specification is of 226
the type described in division (A) of section 2941.144 of the 227
Revised Code that charges the offender with having a firearm 228
that is an automatic firearm or that was equipped with a firearm 229
muffler or suppressor on or about the offender's person or under 230
the offender's control while committing the offense; 231

(ii) A prison term of three years if the specification is 232
of the type described in division (A) of section 2941.145 of the 233
Revised Code that charges the offender with having a firearm on 234
or about the offender's person or under the offender's control 235
while committing the offense and displaying the firearm, 236
brandishing the firearm, indicating that the offender possessed 237
the firearm, or using it to facilitate the offense; 238

(iii) A prison term of one year if the specification is of 239
the type described in division (A) of section 2941.141 of the 240
Revised Code that charges the offender with having a firearm on 241
or about the offender's person or under the offender's control 242
while committing the offense; 243

(iv) A prison term of nine years if the specification is 244
of the type described in division (D) of section 2941.144 of the 245
Revised Code that charges the offender with having a firearm 246
that is an automatic firearm or that was equipped with a firearm 247
muffler or suppressor on or about the offender's person or under 248
the offender's control while committing the offense and 249
specifies that the offender previously has been convicted of or 250
pleaded guilty to a specification of the type described in 251
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 252
the Revised Code; 253

(v) A prison term of fifty-four months if the 254
specification is of the type described in division (D) of 255
section 2941.145 of the Revised Code that charges the offender 256
with having a firearm on or about the offender's person or under 257
the offender's control while committing the offense and 258
displaying the firearm, brandishing the firearm, indicating that 259
the offender possessed the firearm, or using the firearm to 260
facilitate the offense and that the offender previously has been 261
convicted of or pleaded guilty to a specification of the type 262
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 263
2941.1412 of the Revised Code; 264

(vi) A prison term of eighteen months if the specification 265
is of the type described in division (D) of section 2941.141 of 266
the Revised Code that charges the offender with having a firearm 267
on or about the offender's person or under the offender's 268
control while committing the offense and that the offender 269
previously has been convicted of or pleaded guilty to a 270
specification of the type described in section 2941.141, 271
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 272

(b) If a court imposes a prison term on an offender under 273
division (B)(1)(a) of this section, the prison term shall not be 274
reduced pursuant to section 2929.20, division (A)(2) or (3) of 275
section 2967.193 or 2967.194, or any other provision of Chapter 276
2967. or Chapter 5120. of the Revised Code. Except as provided 277
in division (B)(1)(g) of this section, a court shall not impose 278
more than one prison term on an offender under division (B)(1) 279
(a) of this section for felonies committed as part of the same 280
act or transaction. 281

(c)(i) Except as provided in division (B)(1)(e) of this 282
section, if an offender who is convicted of or pleads guilty to 283

a violation of section 2923.161 of the Revised Code or to a 284
felony that includes, as an essential element, purposely or 285
knowingly causing or attempting to cause the death of or 286
physical harm to another, also is convicted of or pleads guilty 287
to a specification of the type described in division (A) of 288
section 2941.146 of the Revised Code that charges the offender 289
with committing the offense by discharging a firearm from a 290
motor vehicle other than a manufactured home, the court, after 291
imposing a prison term on the offender for the violation of 292
section 2923.161 of the Revised Code or for the other felony 293
offense under division (A), (B) (2), or (B) (3) of this section, 294
shall impose an additional prison term of five years upon the 295
offender that shall not be reduced pursuant to section 2929.20, 296
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 297
other provision of Chapter 2967. or Chapter 5120. of the Revised 298
Code. 299

(ii) Except as provided in division (B) (1) (e) of this 300
section, if an offender who is convicted of or pleads guilty to 301
a violation of section 2923.161 of the Revised Code or to a 302
felony that includes, as an essential element, purposely or 303
knowingly causing or attempting to cause the death of or 304
physical harm to another, also is convicted of or pleads guilty 305
to a specification of the type described in division (C) of 306
section 2941.146 of the Revised Code that charges the offender 307
with committing the offense by discharging a firearm from a 308
motor vehicle other than a manufactured home and that the 309
offender previously has been convicted of or pleaded guilty to a 310
specification of the type described in section 2941.141, 311
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 312
the court, after imposing a prison term on the offender for the 313
violation of section 2923.161 of the Revised Code or for the 314

other felony offense under division (A), (B) (2), or (3) of this 315
section, shall impose an additional prison term of ninety months 316
upon the offender that shall not be reduced pursuant to section 317
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 318
or any other provision of Chapter 2967. or Chapter 5120. of the 319
Revised Code. 320

(iii) A court shall not impose more than one additional 321
prison term on an offender under division (B) (1) (c) of this 322
section for felonies committed as part of the same act or 323
transaction. If a court imposes an additional prison term on an 324
offender under division (B) (1) (c) of this section relative to an 325
offense, the court also shall impose a prison term under 326
division (B) (1) (a) of this section relative to the same offense, 327
provided the criteria specified in that division for imposing an 328
additional prison term are satisfied relative to the offender 329
and the offense. 330

(d) If an offender who is convicted of or pleads guilty to 331
an offense of violence that is a felony also is convicted of or 332
pleads guilty to a specification of the type described in 333
section 2941.1411 of the Revised Code that charges the offender 334
with wearing or carrying body armor while committing the felony 335
offense of violence, the court shall impose on the offender an 336
additional prison term of two years. The prison term so imposed 337
shall not be reduced pursuant to section 2929.20, division (A) 338
(2) or (3) of section 2967.193 or 2967.194, or any other 339
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 340
A court shall not impose more than one prison term on an 341
offender under division (B) (1) (d) of this section for felonies 342
committed as part of the same act or transaction. If a court 343
imposes an additional prison term under division (B) (1) (a) or 344
(c) of this section, the court is not precluded from imposing an 345

additional prison term under division (B) (1) (d) of this section. 346

(e) The court shall not impose any of the prison terms 347
described in division (B) (1) (a) of this section or any of the 348
additional prison terms described in division (B) (1) (c) of this 349
section upon an offender for a violation of section 2923.12 or 350
2923.123 of the Revised Code. The court shall not impose any of 351
the prison terms described in division (B) (1) (a) or (b) of this 352
section upon an offender for a violation of section 2923.122 353
that involves a deadly weapon that is a firearm other than a 354
dangerous ordnance, section 2923.16, or section 2923.121 of the 355
Revised Code. The court shall not impose any of the prison terms 356
described in division (B) (1) (a) of this section or any of the 357
additional prison terms described in division (B) (1) (c) of this 358
section upon an offender for a violation of section 2923.13 of 359
the Revised Code unless all of the following apply: 360

(i) The offender previously has been convicted of 361
aggravated murder, murder, or any felony of the first or second 362
degree. 363

(ii) Less than five years have passed since the offender 364
was released from prison or post-release control, whichever is 365
later, for the prior offense. 366

(f) (i) If an offender is convicted of or pleads guilty to 367
a felony that includes, as an essential element, causing or 368
attempting to cause the death of or physical harm to another and 369
also is convicted of or pleads guilty to a specification of the 370
type described in division (A) of section 2941.1412 of the 371
Revised Code that charges the offender with committing the 372
offense by discharging a firearm at a peace officer as defined 373
in section 2935.01 of the Revised Code or a corrections officer, 374
as defined in section 2941.1412 of the Revised Code, the court, 375

after imposing a prison term on the offender for the felony 376
offense under division (A), (B) (2), or (B) (3) of this section, 377
shall impose an additional prison term of seven years upon the 378
offender that shall not be reduced pursuant to section 2929.20, 379
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 380
other provision of Chapter 2967. or Chapter 5120. of the Revised 381
Code. 382

(ii) If an offender is convicted of or pleads guilty to a 383
felony that includes, as an essential element, causing or 384
attempting to cause the death of or physical harm to another and 385
also is convicted of or pleads guilty to a specification of the 386
type described in division (B) of section 2941.1412 of the 387
Revised Code that charges the offender with committing the 388
offense by discharging a firearm at a peace officer, as defined 389
in section 2935.01 of the Revised Code, or a corrections 390
officer, as defined in section 2941.1412 of the Revised Code, 391
and that the offender previously has been convicted of or 392
pleaded guilty to a specification of the type described in 393
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 394
the Revised Code, the court, after imposing a prison term on the 395
offender for the felony offense under division (A), (B) (2), or 396
(3) of this section, shall impose an additional prison term of 397
one hundred twenty-six months upon the offender that shall not 398
be reduced pursuant to section 2929.20, division (A) (2) or (3) 399
of section 2967.193 or 2967.194, or any other provision of 400
Chapter 2967. or 5120. of the Revised Code. 401

(iii) If an offender is convicted of or pleads guilty to 402
two or more felonies that include, as an essential element, 403
causing or attempting to cause the death or physical harm to 404
another and also is convicted of or pleads guilty to a 405
specification of the type described under division (B) (1) (f) of 406

this section in connection with two or more of the felonies of 407
which the offender is convicted or to which the offender pleads 408
guilty, the sentencing court shall impose on the offender the 409
prison term specified under division (B)(1)(f) of this section 410
for each of two of the specifications of which the offender is 411
convicted or to which the offender pleads guilty and, in its 412
discretion, also may impose on the offender the prison term 413
specified under that division for any or all of the remaining 414
specifications. If a court imposes an additional prison term on 415
an offender under division (B)(1)(f) of this section relative to 416
an offense, the court shall not impose a prison term under 417
division (B)(1)(a) or (c) of this section relative to the same 418
offense. 419

(g) If an offender is convicted of or pleads guilty to two 420
or more felonies, if one or more of those felonies are 421
aggravated murder, murder, attempted aggravated murder, 422
attempted murder, aggravated robbery, felonious assault, or 423
rape, and if the offender is convicted of or pleads guilty to a 424
specification of the type described under division (B)(1)(a) of 425
this section in connection with two or more of the felonies, the 426
sentencing court shall impose on the offender the prison term 427
specified under division (B)(1)(a) of this section for each of 428
the two most serious specifications of which the offender is 429
convicted or to which the offender pleads guilty and, in its 430
discretion, also may impose on the offender the prison term 431
specified under that division for any or all of the remaining 432
specifications. 433

(2)(a) If division (B)(2)(b) of this section does not 434
apply, the court may impose on an offender, in addition to the 435
longest prison term authorized or required for the offense or, 436
for offenses for which division (A)(1)(a) or (2)(a) of this 437

section applies, in addition to the longest minimum prison term 438
authorized or required for the offense, an additional definite 439
prison term of one, two, three, four, five, six, seven, eight, 440
nine, or ten years if all of the following criteria are met: 441

(i) The offender is convicted of or pleads guilty to a 442
specification of the type described in section 2941.149 of the 443
Revised Code that the offender is a repeat violent offender. 444

(ii) The offense of which the offender currently is 445
convicted or to which the offender currently pleads guilty is 446
aggravated murder and the court does not impose a sentence of 447
death or life imprisonment without parole, murder, terrorism and 448
the court does not impose a sentence of life imprisonment 449
without parole, any felony of the first degree that is an 450
offense of violence and the court does not impose a sentence of 451
life imprisonment without parole, or any felony of the second 452
degree that is an offense of violence and the trier of fact 453
finds that the offense involved an attempt to cause or a threat 454
to cause serious physical harm to a person or resulted in 455
serious physical harm to a person. 456

(iii) The court imposes the longest prison term for the 457
offense or the longest minimum prison term for the offense, 458
whichever is applicable, that is not life imprisonment without 459
parole. 460

(iv) The court finds that the prison terms imposed 461
pursuant to division (B) (2) (a) (iii) of this section and, if 462
applicable, division (B) (1) or (3) of this section are 463
inadequate to punish the offender and protect the public from 464
future crime, because the applicable factors under section 465
2929.12 of the Revised Code indicating a greater likelihood of 466
recidivism outweigh the applicable factors under that section 467

indicating a lesser likelihood of recidivism. 468

(v) The court finds that the prison terms imposed pursuant 469
to division (B) (2) (a) (iii) of this section and, if applicable, 470
division (B) (1) or (3) of this section are demeaning to the 471
seriousness of the offense, because one or more of the factors 472
under section 2929.12 of the Revised Code indicating that the 473
offender's conduct is more serious than conduct normally 474
constituting the offense are present, and they outweigh the 475
applicable factors under that section indicating that the 476
offender's conduct is less serious than conduct normally 477
constituting the offense. 478

(b) The court shall impose on an offender the longest 479
prison term authorized or required for the offense or, for 480
offenses for which division (A) (1) (a) or (2) (a) of this section 481
applies, the longest minimum prison term authorized or required 482
for the offense, and shall impose on the offender an additional 483
definite prison term of one, two, three, four, five, six, seven, 484
eight, nine, or ten years if all of the following criteria are 485
met: 486

(i) The offender is convicted of or pleads guilty to a 487
specification of the type described in section 2941.149 of the 488
Revised Code that the offender is a repeat violent offender. 489

(ii) The offender within the preceding twenty years has 490
been convicted of or pleaded guilty to three or more offenses 491
described in division (CC) (1) of section 2929.01 of the Revised 492
Code, including all offenses described in that division of which 493
the offender is convicted or to which the offender pleads guilty 494
in the current prosecution and all offenses described in that 495
division of which the offender previously has been convicted or 496
to which the offender previously pleaded guilty, whether 497

prosecuted together or separately. 498

(iii) The offense or offenses of which the offender 499
currently is convicted or to which the offender currently pleads 500
guilty is aggravated murder and the court does not impose a 501
sentence of death or life imprisonment without parole, murder, 502
terrorism and the court does not impose a sentence of life 503
imprisonment without parole, any felony of the first degree that 504
is an offense of violence and the court does not impose a 505
sentence of life imprisonment without parole, or any felony of 506
the second degree that is an offense of violence and the trier 507
of fact finds that the offense involved an attempt to cause or a 508
threat to cause serious physical harm to a person or resulted in 509
serious physical harm to a person. 510

(c) For purposes of division (B) (2) (b) of this section, 511
two or more offenses committed at the same time or as part of 512
the same act or event shall be considered one offense, and that 513
one offense shall be the offense with the greatest penalty. 514

(d) A sentence imposed under division (B) (2) (a) or (b) of 515
this section shall not be reduced pursuant to section 2929.20, 516
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 517
other provision of Chapter 2967. or Chapter 5120. of the Revised 518
Code. The offender shall serve an additional prison term imposed 519
under division (B) (2) (a) or (b) of this section consecutively to 520
and prior to the prison term imposed for the underlying offense. 521

(e) When imposing a sentence pursuant to division (B) (2) 522
(a) or (b) of this section, the court shall state its findings 523
explaining the imposed sentence. 524

(3) Except when an offender commits a violation of section 525
2903.01 or 2907.02 of the Revised Code and the penalty imposed 526

for the violation is life imprisonment or commits a violation of 527
section 2903.02 of the Revised Code, if the offender commits a 528
violation of section 2925.03 or 2925.11 of the Revised Code and 529
that section classifies the offender as a major drug offender, 530
if the offender commits a violation of section 2925.05 of the 531
Revised Code and division (E)(1) of that section classifies the 532
offender as a major drug offender, if the offender commits a 533
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 534
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 535
division (C) or (D) of section 3719.172, division (E) of section 536
4729.51, or division (J) of section 4729.54 of the Revised Code 537
that includes the sale, offer to sell, or possession of a 538
schedule I or II controlled substance, with the exception of 539
marihuana, and the court imposing sentence upon the offender 540
finds that the offender is guilty of a specification of the type 541
described in division (A) of section 2941.1410 of the Revised 542
Code charging that the offender is a major drug offender, if the 543
court imposing sentence upon an offender for a felony finds that 544
the offender is guilty of corrupt activity with the most serious 545
offense in the pattern of corrupt activity being a felony of the 546
first degree, or if the offender is guilty of an attempted 547
violation of section 2907.02 of the Revised Code and, had the 548
offender completed the violation of section 2907.02 of the 549
Revised Code that was attempted, the offender would have been 550
subject to a sentence of life imprisonment or life imprisonment 551
without parole for the violation of section 2907.02 of the 552
Revised Code, the court shall impose upon the offender for the 553
felony violation a mandatory prison term determined as described 554
in this division that cannot be reduced pursuant to section 555
2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, 556
or any other provision of Chapter 2967. or 5120. of the Revised 557
Code. The mandatory prison term shall be the maximum definite 558

prison term prescribed in division (A) (1) (b) of this section for 559
a felony of the first degree, except that for offenses for which 560
division (A) (1) (a) of this section applies, the mandatory prison 561
term shall be the longest minimum prison term prescribed in that 562
division for the offense. 563

(4) If the offender is being sentenced for a third or 564
fourth degree felony OVI offense under division (G) (2) of 565
section 2929.13 of the Revised Code, the sentencing court shall 566
impose upon the offender a mandatory prison term in accordance 567
with that division. In addition to the mandatory prison term, if 568
the offender is being sentenced for a fourth degree felony OVI 569
offense, the court, notwithstanding division (A) (4) of this 570
section, may sentence the offender to a definite prison term of 571
not less than six months and not more than thirty months, and if 572
the offender is being sentenced for a third degree felony OVI 573
offense, the sentencing court may sentence the offender to an 574
additional prison term of any duration specified in division (A) 575
(3) of this section. In either case, the additional prison term 576
imposed shall be reduced by the sixty or one hundred twenty days 577
imposed upon the offender as the mandatory prison term. The 578
total of the additional prison term imposed under division (B) 579
(4) of this section plus the sixty or one hundred twenty days 580
imposed as the mandatory prison term shall equal a definite term 581
in the range of six months to thirty months for a fourth degree 582
felony OVI offense and shall equal one of the authorized prison 583
terms specified in division (A) (3) of this section for a third 584
degree felony OVI offense. If the court imposes an additional 585
prison term under division (B) (4) of this section, the offender 586
shall serve the additional prison term after the offender has 587
served the mandatory prison term required for the offense. In 588
addition to the mandatory prison term or mandatory and 589

additional prison term imposed as described in division (B) (4) 590
of this section, the court also may sentence the offender to a 591
community control sanction under section 2929.16 or 2929.17 of 592
the Revised Code, but the offender shall serve all of the prison 593
terms so imposed prior to serving the community control 594
sanction. 595

If the offender is being sentenced for a fourth degree 596
felony OVI offense under division (G) (1) of section 2929.13 of 597
the Revised Code and the court imposes a mandatory term of local 598
incarceration, the court may impose a prison term as described 599
in division (A) (1) of that section. 600

(5) If an offender is convicted of or pleads guilty to a 601
violation of division (A) (1) or (2) of section 2903.06 of the 602
Revised Code and also is convicted of or pleads guilty to a 603
specification of the type described in section 2941.1414 of the 604
Revised Code that charges that the victim of the offense is a 605
peace officer, as defined in section 2935.01 of the Revised 606
Code, an investigator of the bureau of criminal identification 607
and investigation, as defined in section 2903.11 of the Revised 608
Code, or a firefighter or emergency medical worker, both as 609
defined in section 2941.1414 of the Revised Code, the court 610
shall impose on the offender a prison term of five years. If a 611
court imposes a prison term on an offender under division (B) (5) 612
of this section, the prison term shall not be reduced pursuant 613
to section 2929.20, division (A) (2) or (3) of section 2967.193 614
or 2967.194, or any other provision of Chapter 2967. or Chapter 615
5120. of the Revised Code. A court shall not impose more than 616
one prison term on an offender under division (B) (5) of this 617
section for felonies committed as part of the same act. 618

(6) If an offender is convicted of or pleads guilty to a 619

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

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

(i) If the offense is a felony of the first degree, a definite prison term of not less than five years and not greater than eleven years, except that if the offense is a felony of the first degree committed on or after March 22, 2019, the court

shall impose as the minimum prison term a mandatory term of not 651
less than five years and not greater than eleven years; 652

(ii) If the offense is a felony of the second or third 653
degree, a definite prison term of not less than three years and 654
not greater than the maximum prison term allowed for the offense 655
by division (A) (2) (b) or (3) of this section, except that if the 656
offense is a felony of the second degree committed on or after 657
March 22, 2019, the court shall impose as the minimum prison 658
term a mandatory term of not less than three years and not 659
greater than eight years; 660

(iii) If the offense is a felony of the fourth or fifth 661
degree, a definite prison term that is the maximum prison term 662
allowed for the offense by division (A) of section 2929.14 of 663
the Revised Code. 664

(b) The prison term imposed under division (B) (7) (a) of 665
this section shall not be reduced pursuant to section 2929.20, 666
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 667
other provision of Chapter 2967. of the Revised Code. A court 668
shall not impose more than one prison term on an offender under 669
division (B) (7) (a) of this section for felonies committed as 670
part of the same act, scheme, or plan. 671

(8) If an offender is convicted of or pleads guilty to a 672
felony violation of section 2903.11, 2903.12, or 2903.13 of the 673
Revised Code and also is convicted of or pleads guilty to a 674
specification of the type described in section 2941.1423 of the 675
Revised Code that charges that the victim of the violation was a 676
woman whom the offender knew was pregnant at the time of the 677
violation, notwithstanding the range prescribed in division (A) 678
of this section as the definite prison term or minimum prison 679
term for felonies of the same degree as the violation, the court 680

shall impose on the offender a mandatory prison term that is 681
either a definite prison term of six months or one of the prison 682
terms prescribed in division (A) of this section for felonies of 683
the same degree as the violation, except that if the violation 684
is a felony of the first or second degree committed on or after 685
March 22, 2019, the court shall impose as the minimum prison 686
term under division (A)(1)(a) or (2)(a) of this section a 687
mandatory term that is one of the terms prescribed in that 688
division, whichever is applicable, for the offense. 689

(9) (a) If an offender is convicted of or pleads guilty to 690
a violation of division (A)(1) or (2) of section 2903.11 of the 691
Revised Code and also is convicted of or pleads guilty to a 692
specification of the type described in section 2941.1425 of the 693
Revised Code, the court shall impose on the offender a mandatory 694
prison term of six years if either of the following applies: 695

(i) The violation is a violation of division (A)(1) of 696
section 2903.11 of the Revised Code and the specification 697
charges that the offender used an accelerant in committing the 698
violation and the serious physical harm to another or to 699
another's unborn caused by the violation resulted in a 700
permanent, serious disfigurement or permanent, substantial 701
incapacity; 702

(ii) The violation is a violation of division (A)(2) of 703
section 2903.11 of the Revised Code and the specification 704
charges that the offender used an accelerant in committing the 705
violation, that the violation caused physical harm to another or 706
to another's unborn, and that the physical harm resulted in a 707
permanent, serious disfigurement or permanent, substantial 708
incapacity. 709

(b) If a court imposes a prison term on an offender under 710

division (B) (9) (a) of this section, the prison term shall not be 711
reduced pursuant to section 2929.20, division (A) (2) or (3) of 712
section 2967.193 or 2967.194, or any other provision of Chapter 713
2967. or Chapter 5120. of the Revised Code. A court shall not 714
impose more than one prison term on an offender under division 715
(B) (9) of this section for felonies committed as part of the 716
same act. 717

(c) The provisions of divisions (B) (9) and (C) (6) of this 718
section and of division (D) (2) of section 2903.11, division (F) 719
(20) of section 2929.13, and section 2941.1425 of the Revised 720
Code shall be known as "Judy's Law." 721

(10) If an offender is convicted of or pleads guilty to a 722
violation of division (A) of section 2903.11 of the Revised Code 723
and also is convicted of or pleads guilty to a specification of 724
the type described in section 2941.1426 of the Revised Code that 725
charges that the victim of the offense suffered permanent 726
disabling harm as a result of the offense and that the victim 727
was under ten years of age at the time of the offense, 728
regardless of whether the offender knew the age of the victim, 729
the court shall impose upon the offender an additional definite 730
prison term of six years. A prison term imposed on an offender 731
under division (B) (10) of this section shall not be reduced 732
pursuant to section 2929.20, division (A) (2) or (3) of section 733
2967.193 or 2967.194, or any other provision of Chapter 2967. or 734
Chapter 5120. of the Revised Code. If a court imposes an 735
additional prison term on an offender under this division 736
relative to a violation of division (A) of section 2903.11 of 737
the Revised Code, the court shall not impose any other 738
additional prison term on the offender relative to the same 739
offense. 740

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

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

consecutively to any other mandatory prison term imposed under 772
either division or under division (B)(1)(d) of this section, 773
consecutively to and prior to any prison term imposed for the 774
underlying felony pursuant to division (A), (B)(2), or (B)(3) of 775
this section or any other section of the Revised Code, and 776
consecutively to any other prison term or mandatory prison term 777
previously or subsequently imposed upon the offender. 778

(b) If a mandatory prison term is imposed upon an offender 779
pursuant to division (B)(1)(d) of this section for wearing or 780
carrying body armor while committing an offense of violence that 781
is a felony, the offender shall serve the mandatory term so 782
imposed consecutively to any other mandatory prison term imposed 783
under that division or under division (B)(1)(a) or (c) of this 784
section, consecutively to and prior to any prison term imposed 785
for the underlying felony under division (A), (B)(2), or (B)(3) 786
of this section or any other section of the Revised Code, and 787
consecutively to any other prison term or mandatory prison term 788
previously or subsequently imposed upon the offender. 789

(c) If a mandatory prison term is imposed upon an offender 790
pursuant to division (B)(1)(f) of this section, the offender 791
shall serve the mandatory prison term so imposed consecutively 792
to and prior to any prison term imposed for the underlying 793
felony under division (A), (B)(2), or (B)(3) of this section or 794
any other section of the Revised Code, and consecutively to any 795
other prison term or mandatory prison term previously or 796
subsequently imposed upon the offender. 797

(d) If a mandatory prison term is imposed upon an offender 798
pursuant to division (B)(7) or (8) of this section, the offender 799
shall serve the mandatory prison term so imposed consecutively 800
to any other mandatory prison term imposed under that division 801

or under any other provision of law and consecutively to any 802
other prison term or mandatory prison term previously or 803
subsequently imposed upon the offender. 804

(e) If a mandatory prison term is imposed upon an offender 805
pursuant to division (B)(11) of this section, the offender shall 806
serve the mandatory prison term consecutively to any other 807
mandatory prison term imposed under that division, consecutively 808
to and prior to any prison term imposed for the underlying 809
felony, and consecutively to any other prison term or mandatory 810
prison term previously or subsequently imposed upon the 811
offender. 812

(2) If an offender who is an inmate in a jail, prison, or 813
other residential detention facility violates section 2917.02, 814
2917.03, or 2921.35 of the Revised Code or division (A)(1) or 815
(2) of section 2921.34 of the Revised Code, if an offender who 816
is under detention at a detention facility commits a felony 817
violation of section 2923.131 of the Revised Code, or if an 818
offender who is an inmate in a jail, prison, or other 819
residential detention facility or is under detention at a 820
detention facility commits another felony while the offender is 821
an escapee in violation of division (A)(1) or (2) of section 822
2921.34 of the Revised Code, any prison term imposed upon the 823
offender for one of those violations shall be served by the 824
offender consecutively to the prison term or term of 825
imprisonment the offender was serving when the offender 826
committed that offense and to any other prison term previously 827
or subsequently imposed upon the offender. 828

(3) If a prison term is imposed for a violation of 829
division (B) of section 2911.01 of the Revised Code, a violation 830
of division (A) of section 2913.02 of the Revised Code in which 831

the stolen property is a firearm or dangerous ordnance, or a 832
felony violation of division (B) of section 2921.331 of the 833
Revised Code, the offender shall serve that prison term 834
consecutively to any other prison term or mandatory prison term 835
previously or subsequently imposed upon the offender. 836

(4) If multiple prison terms are imposed on an offender 837
for convictions of multiple offenses, the court may require the 838
offender to serve the prison terms consecutively if the court 839
finds that the consecutive service is necessary to protect the 840
public from future crime or to punish the offender and that 841
consecutive sentences are not disproportionate to the 842
seriousness of the offender's conduct and to the danger the 843
offender poses to the public, and if the court also finds any of 844
the following: 845

(a) The offender committed one or more of the multiple 846
offenses while the offender was awaiting trial or sentencing, 847
was under a sanction imposed pursuant to section 2929.16, 848
2929.17, or 2929.18 of the Revised Code, or was under post- 849
release control for a prior offense. 850

(b) At least two of the multiple offenses were committed 851
as part of one or more courses of conduct, and the harm caused 852
by two or more of the multiple offenses so committed was so 853
great or unusual that no single prison term for any of the 854
offenses committed as part of any of the courses of conduct 855
adequately reflects the seriousness of the offender's conduct. 856

(c) The offender's history of criminal conduct 857
demonstrates that consecutive sentences are necessary to protect 858
the public from future crime by the offender. 859

(5) If a mandatory prison term is imposed upon an offender 860

pursuant to division (B) (5) or (6) of this section, the offender 861
shall serve the mandatory prison term consecutively to and prior 862
to any prison term imposed for the underlying violation of 863
division (A) (1) or (2) of section 2903.06 of the Revised Code 864
pursuant to division (A) of this section or section 2929.142 of 865
the Revised Code. If a mandatory prison term is imposed upon an 866
offender pursuant to division (B) (5) of this section, and if a 867
mandatory prison term also is imposed upon the offender pursuant 868
to division (B) (6) of this section in relation to the same 869
violation, the offender shall serve the mandatory prison term 870
imposed pursuant to division (B) (5) of this section 871
consecutively to and prior to the mandatory prison term imposed 872
pursuant to division (B) (6) of this section and consecutively to 873
and prior to any prison term imposed for the underlying 874
violation of division (A) (1) or (2) of section 2903.06 of the 875
Revised Code pursuant to division (A) of this section or section 876
2929.142 of the Revised Code. 877

(6) If a mandatory prison term is imposed on an offender 878
pursuant to division (B) (9) of this section, the offender shall 879
serve the mandatory prison term consecutively to and prior to 880
any prison term imposed for the underlying violation of division 881
(A) (1) or (2) of section 2903.11 of the Revised Code and 882
consecutively to and prior to any other prison term or mandatory 883
prison term previously or subsequently imposed on the offender. 884

(7) If a mandatory prison term is imposed on an offender 885
pursuant to division (B) (10) of this section, the offender shall 886
serve that mandatory prison term consecutively to and prior to 887
any prison term imposed for the underlying felonious assault. 888
Except as otherwise provided in division (C) of this section, 889
any other prison term or mandatory prison term previously or 890
subsequently imposed upon the offender may be served 891

concurrently with, or consecutively to, the prison term imposed 892
pursuant to division (B) (10) of this section. 893

(8) Any prison term imposed for a violation of section 894
2903.04 of the Revised Code that is based on a violation of 895
section 2925.03 or 2925.11 of the Revised Code or on a violation 896
of section 2925.05 of the Revised Code that is not funding of 897
marihuana trafficking shall run consecutively to any prison term 898
imposed for the violation of section 2925.03 or 2925.11 of the 899
Revised Code or for the violation of section 2925.05 of the 900
Revised Code that is not funding of marihuana trafficking. 901

(9) When consecutive prison terms are imposed pursuant to 902
division (C) (1), (2), (3), (4), (5), (6), (7), or (8) or 903
division (H) (1) or (2) of this section, subject to division (C) 904
(10) of this section, the term to be served is the aggregate of 905
all of the terms so imposed. 906

(10) When a court sentences an offender to a non-life 907
felony indefinite prison term, any definite prison term or 908
mandatory definite prison term previously or subsequently 909
imposed on the offender in addition to that indefinite sentence 910
that is required to be served consecutively to that indefinite 911
sentence shall be served prior to the indefinite sentence. 912

(11) If a court is sentencing an offender for a felony of 913
the first or second degree, if division (A) (1) (a) or (2) (a) of 914
this section applies with respect to the sentencing for the 915
offense, and if the court is required under the Revised Code 916
section that sets forth the offense or any other Revised Code 917
provision to impose a mandatory prison term for the offense, the 918
court shall impose the required mandatory prison term as the 919
minimum term imposed under division (A) (1) (a) or (2) (a) of this 920
section, whichever is applicable. 921

(D) (1) If a court imposes a prison term, other than a term 922
of life imprisonment, for a felony of the first degree, for a 923
felony of the second degree, for a felony sex offense, or for a 924
felony of the third degree that is an offense of violence and 925
that is not a felony sex offense, it shall include in the 926
sentence a requirement that the offender be subject to a period 927
of post-release control after the offender's release from 928
imprisonment, in accordance with section 2967.28 of the Revised 929
Code. If a court imposes a sentence including a prison term of a 930
type described in this division on or after July 11, 2006, the 931
failure of a court to include a post-release control requirement 932
in the sentence pursuant to this division does not negate, 933
limit, or otherwise affect the mandatory period of post-release 934
control that is required for the offender under division (B) of 935
section 2967.28 of the Revised Code. Section 2929.191 of the 936
Revised Code applies if, prior to July 11, 2006, a court imposed 937
a sentence including a prison term of a type described in this 938
division and failed to include in the sentence pursuant to this 939
division a statement regarding post-release control. 940

(2) If a court imposes a prison term for a felony of the 941
third, fourth, or fifth degree that is not subject to division 942
(D) (1) of this section, it shall include in the sentence a 943
requirement that the offender be subject to a period of post- 944
release control after the offender's release from imprisonment, 945
in accordance with that division, if the parole board determines 946
that a period of post-release control is necessary. Section 947
2929.191 of the Revised Code applies if, prior to July 11, 2006, 948
a court imposed a sentence including a prison term of a type 949
described in this division and failed to include in the sentence 950
pursuant to this division a statement regarding post-release 951
control. 952

(E) The court shall impose sentence upon the offender in 953
accordance with section 2971.03 of the Revised Code, and Chapter 954
2971. of the Revised Code applies regarding the prison term or 955
term of life imprisonment without parole imposed upon the 956
offender and the service of that term of imprisonment if any of 957
the following apply: 958

(1) A person is convicted of or pleads guilty to a violent 959
sex offense or a designated homicide, assault, or kidnapping 960
offense, and, in relation to that offense, the offender is 961
adjudicated a sexually violent predator. 962

(2) A person is convicted of or pleads guilty to a 963
violation of division (A) (1) (b) of section 2907.02 of the 964
Revised Code committed on or after January 2, 2007, and either 965
the court does not impose a sentence of life without parole when 966
authorized pursuant to division (B) of section 2907.02 of the 967
Revised Code, or division (B) of section 2907.02 of the Revised 968
Code provides that the court shall not sentence the offender 969
pursuant to section 2971.03 of the Revised Code. 970

(3) A person is convicted of or pleads guilty to attempted 971
rape committed on or after January 2, 2007, and a specification 972
of the type described in section 2941.1418, 2941.1419, or 973
2941.1420 of the Revised Code. 974

(4) A person is convicted of or pleads guilty to a 975
violation of section 2905.01 of the Revised Code committed on or 976
after January 1, 2008, and that section requires the court to 977
sentence the offender pursuant to section 2971.03 of the Revised 978
Code. 979

(5) A person is convicted of or pleads guilty to 980
aggravated murder committed on or after January 1, 2008, and 981

division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 982
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 983
(a) (iv) of section 2929.03, or division (A) or (B) of section 984
2929.06 of the Revised Code requires the court to sentence the 985
offender pursuant to division (B) (3) of section 2971.03 of the 986
Revised Code. 987

(6) A person is convicted of or pleads guilty to murder 988
committed on or after January 1, 2008, and division (B) (2) of 989
section 2929.02 of the Revised Code requires the court to 990
sentence the offender pursuant to section 2971.03 of the Revised 991
Code. 992

(F) If a person who has been convicted of or pleaded 993
guilty to a felony is sentenced to a prison term or term of 994
imprisonment under this section, sections 2929.02 to 2929.06 of 995
the Revised Code, section 2929.142 of the Revised Code, section 996
2971.03 of the Revised Code, or any other provision of law, 997
section 5120.163 of the Revised Code applies regarding the 998
person while the person is confined in a state correctional 999
institution. 1000

(G) If an offender who is convicted of or pleads guilty to 1001
a felony that is an offense of violence also is convicted of or 1002
pleads guilty to a specification of the type described in 1003
section 2941.142 of the Revised Code that charges the offender 1004
with having committed the felony while participating in a 1005
criminal gang, the court shall impose upon the offender an 1006
additional prison term of one, two, or three years. 1007

(H) (1) If an offender who is convicted of or pleads guilty 1008
to aggravated murder, murder, or a felony of the first, second, 1009
or third degree that is an offense of violence also is convicted 1010
of or pleads guilty to a specification of the type described in 1011

section 2941.143 of the Revised Code that charges the offender 1012
with having committed the offense in a school safety zone or 1013
towards a person in a school safety zone, the court shall impose 1014
upon the offender an additional prison term of two years. The 1015
offender shall serve the additional two years consecutively to 1016
and prior to the prison term imposed for the underlying offense. 1017

(2) (a) If an offender is convicted of or pleads guilty to 1018
a felony violation of section 2907.22, 2907.24, 2907.241, or 1019
2907.25 of the Revised Code and to a specification of the type 1020
described in section 2941.1421 of the Revised Code and if the 1021
court imposes a prison term on the offender for the felony 1022
violation, the court may impose upon the offender an additional 1023
prison term as follows: 1024

(i) Subject to division (H) (2) (a) (ii) of this section, an 1025
additional prison term of one, two, three, four, five, or six 1026
months; 1027

(ii) If the offender previously has been convicted of or 1028
pleaded guilty to one or more felony or misdemeanor violations 1029
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 1030
the Revised Code and also was convicted of or pleaded guilty to 1031
a specification of the type described in section 2941.1421 of 1032
the Revised Code regarding one or more of those violations, an 1033
additional prison term of one, two, three, four, five, six, 1034
seven, eight, nine, ten, eleven, or twelve months. 1035

(b) In lieu of imposing an additional prison term under 1036
division (H) (2) (a) of this section, the court may directly 1037
impose on the offender a sanction that requires the offender to 1038
wear a real-time processing, continual tracking electronic 1039
monitoring device during the period of time specified by the 1040
court. The period of time specified by the court shall equal the 1041

duration of an additional prison term that the court could have 1042
imposed upon the offender under division (H) (2) (a) of this 1043
section. A sanction imposed under this division shall commence 1044
on the date specified by the court, provided that the sanction 1045
shall not commence until after the offender has served the 1046
prison term imposed for the felony violation of section 2907.22, 1047
2907.24, 2907.241, or 2907.25 of the Revised Code and any 1048
residential sanction imposed for the violation under section 1049
2929.16 of the Revised Code. A sanction imposed under this 1050
division shall be considered to be a community control sanction 1051
for purposes of section 2929.15 of the Revised Code, and all 1052
provisions of the Revised Code that pertain to community control 1053
sanctions shall apply to a sanction imposed under this division, 1054
except to the extent that they would by their nature be clearly 1055
inapplicable. The offender shall pay all costs associated with a 1056
sanction imposed under this division, including the cost of the 1057
use of the monitoring device. 1058

(I) At the time of sentencing, the court may recommend the 1059
offender for placement in a program of shock incarceration under 1060
section 5120.031 of the Revised Code or for placement in an 1061
intensive program prison under section 5120.032 of the Revised 1062
Code, disapprove placement of the offender in a program of shock 1063
incarceration or an intensive program prison of that nature, or 1064
make no recommendation on placement of the offender. In no case 1065
shall the department of rehabilitation and correction place the 1066
offender in a program or prison of that nature unless the 1067
department determines as specified in section 5120.031 or 1068
5120.032 of the Revised Code, whichever is applicable, that the 1069
offender is eligible for the placement. 1070

If the court disapproves placement of the offender in a 1071
program or prison of that nature, the department of 1072

rehabilitation and correction shall not place the offender in 1073
any program of shock incarceration or intensive program prison. 1074

If the court recommends placement of the offender in a 1075
program of shock incarceration or in an intensive program 1076
prison, and if the offender is subsequently placed in the 1077
recommended program or prison, the department shall notify the 1078
court of the placement and shall include with the notice a brief 1079
description of the placement. 1080

If the court recommends placement of the offender in a 1081
program of shock incarceration or in an intensive program prison 1082
and the department does not subsequently place the offender in 1083
the recommended program or prison, the department shall send a 1084
notice to the court indicating why the offender was not placed 1085
in the recommended program or prison. 1086

If the court does not make a recommendation under this 1087
division with respect to an offender and if the department 1088
determines as specified in section 5120.031 or 5120.032 of the 1089
Revised Code, whichever is applicable, that the offender is 1090
eligible for placement in a program or prison of that nature, 1091
the department shall screen the offender and determine if there 1092
is an available program of shock incarceration or an intensive 1093
program prison for which the offender is suited. If there is an 1094
available program of shock incarceration or an intensive program 1095
prison for which the offender is suited, the department shall 1096
notify the court of the proposed placement of the offender as 1097
specified in section 5120.031 or 5120.032 of the Revised Code 1098
and shall include with the notice a brief description of the 1099
placement. The court shall have ten days from receipt of the 1100
notice to disapprove the placement. 1101

(J) If a person is convicted of or pleads guilty to 1102

aggravated vehicular homicide in violation of division (A) (1) of 1103
section 2903.06 of the Revised Code and division (B) (2) (c) or 1104
(d) of that section applies, the person shall be sentenced 1105
pursuant to section 2929.142 of the Revised Code. 1106

(K) (1) The court shall impose an additional mandatory 1107
prison term of two, three, four, five, six, seven, eight, nine, 1108
ten, or eleven years on an offender who is convicted of or 1109
pleads guilty to a violent felony offense if the offender also 1110
is convicted of or pleads guilty to a specification of the type 1111
described in section 2941.1424 of the Revised Code that charges 1112
that the offender is a violent career criminal and had a firearm 1113
on or about the offender's person or under the offender's 1114
control while committing the presently charged violent felony 1115
offense and displayed or brandished the firearm, indicated that 1116
the offender possessed a firearm, or used the firearm to 1117
facilitate the offense. The offender shall serve the prison term 1118
imposed under this division consecutively to and prior to the 1119
prison term imposed for the underlying offense. The prison term 1120
shall not be reduced pursuant to section 2929.20, division (A) 1121
(2) or (3) of section 2967.193 or 2967.194, or any other 1122
provision of Chapter 2967. or 5120. of the Revised Code. A court 1123
may not impose more than one sentence under division (B) (2) (a) 1124
of this section and this division for acts committed as part of 1125
the same act or transaction. 1126

(2) As used in division (K) (1) of this section, "violent 1127
career criminal" and "violent felony offense" have the same 1128
meanings as in section 2923.132 of the Revised Code. 1129

(L) If an offender receives or received a sentence of life 1130
imprisonment without parole, a sentence of life imprisonment, a 1131
definite sentence, or a sentence to an indefinite prison term 1132

under this chapter for a felony offense that was committed when 1133
the offender was under eighteen years of age, the offender's 1134
parole eligibility shall be determined under section 2967.132 of 1135
the Revised Code. 1136

Section 2. That existing sections 2921.331 and 2929.14 of 1137
the Revised Code are hereby repealed. 1138

Section 3. Section 2929.14 of the Revised Code is 1139
presented in this act as a composite of the section as amended 1140
by H.B. 37, H.B. 56, H.B. 111, and S.B. 106, all of the 135th 1141
General Assembly. The General Assembly, applying the principle 1142
stated in division (B) of section 1.52 of the Revised Code that 1143
amendments are to be harmonized if reasonably capable of 1144
simultaneous operation, finds that the composite is the 1145
resulting version of the section in effect prior to the 1146
effective date of the section as presented in this act. 1147