

As Reported by the Senate Insurance Committee

135th General Assembly

Regular Session

2023-2024

Sub. S. B. No. 106

Senator Schaffer

Cosponsor: Senator Hackett

A BILL

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

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

Section 1. That sections 2929.14, 2941.1414, and 4123.026 7
of the Revised Code be amended to read as follows: 8

Sec. 2929.14. (A) Except as provided in division (B) (1), 9
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 10
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 11
in division (D) (6) of section 2919.25 of the Revised Code and 12
except in relation to an offense for which a sentence of death 13
or life imprisonment is to be imposed, if the court imposing a 14
sentence upon an offender for a felony elects or is required to 15
impose a prison term on the offender pursuant to this chapter, 16
the court shall impose a prison term that shall be one of the 17
following: 18

(1) (a) For a felony of the first degree committed on or 19
after March 22, 2019, the prison term shall be an indefinite 20
prison term with a stated minimum term selected by the court of 21
three, four, five, six, seven, eight, nine, ten, or eleven years 22
and a maximum term that is determined pursuant to section 23
2929.144 of the Revised Code, except that if the section that 24
criminalizes the conduct constituting the felony specifies a 25
different minimum term or penalty for the offense, the specific 26
language of that section shall control in determining the 27
minimum term or otherwise sentencing the offender but the 28
minimum term or sentence imposed under that specific language 29
shall be considered for purposes of the Revised Code as if it 30
had been imposed under this division. 31

(b) For a felony of the first degree committed prior to 32
March 22, 2019, the prison term shall be a definite prison term 33
of three, four, five, six, seven, eight, nine, ten, or eleven 34
years. 35

(2) (a) For a felony of the second degree committed on or 36
after March 22, 2019, the prison term shall be an indefinite 37
prison term with a stated minimum term selected by the court of 38
two, three, four, five, six, seven, or eight years and a maximum 39
term that is determined pursuant to section 2929.144 of the 40
Revised Code, except that if the section that criminalizes the 41
conduct constituting the felony specifies a different minimum 42
term or penalty for the offense, the specific language of that 43
section shall control in determining the minimum term or 44
otherwise sentencing the offender but the minimum term or 45
sentence imposed under that specific language shall be 46
considered for purposes of the Revised Code as if it had been 47
imposed under this division. 48

(b) For a felony of the second degree committed prior to 49
March 22, 2019, the prison term shall be a definite term of two, 50
three, four, five, six, seven, or eight years. 51

(3) (a) For a felony of the third degree that is a 52
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 53
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 54
Code, that is a violation of division (A) of section 4511.19 of 55
the Revised Code if the offender previously has been convicted 56
of or pleaded guilty to a violation of division (A) of that 57
section that was a felony, or that is a violation of section 58
2911.02 or 2911.12 of the Revised Code if the offender 59
previously has been convicted of or pleaded guilty in two or 60
more separate proceedings to two or more violations of section 61
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, the 62
prison term shall be a definite term of twelve, eighteen, 63
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 64
four, or sixty months. 65

(b) For a felony of the third degree that is not an 66
offense for which division (A) (3) (a) of this section applies, 67
the prison term shall be a definite term of nine, twelve, 68
eighteen, twenty-four, thirty, or thirty-six months. 69

(4) For a felony of the fourth degree, the prison term 70
shall be a definite term of six, seven, eight, nine, ten, 71
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 72
or eighteen months. 73

(5) For a felony of the fifth degree, the prison term 74
shall be a definite term of six, seven, eight, nine, ten, 75
eleven, or twelve months. 76

(B) (1) (a) Except as provided in division (B) (1) (e) of this 77

section, if an offender who is convicted of or pleads guilty to 78
a felony also is convicted of or pleads guilty to a 79
specification of the type described in section 2941.141, 80
2941.144, or 2941.145 of the Revised Code, the court shall 81
impose on the offender one of the following prison terms: 82

(i) A prison term of six years if the specification is of 83
the type described in division (A) of section 2941.144 of the 84
Revised Code that charges the offender with having a firearm 85
that is an automatic firearm or that was equipped with a firearm 86
muffler or suppressor on or about the offender's person or under 87
the offender's control while committing the offense; 88

(ii) A prison term of three years if the specification is 89
of the type described in division (A) of section 2941.145 of the 90
Revised Code that charges the offender with having a firearm on 91
or about the offender's person or under the offender's control 92
while committing the offense and displaying the firearm, 93
brandishing the firearm, indicating that the offender possessed 94
the firearm, or using it to facilitate the offense; 95

(iii) A prison term of one year if the specification is of 96
the type described in division (A) of section 2941.141 of the 97
Revised Code that charges the offender with having a firearm on 98
or about the offender's person or under the offender's control 99
while committing the offense; 100

(iv) A prison term of nine years if the specification is 101
of the type described in division (D) of section 2941.144 of the 102
Revised Code that charges the offender with having a firearm 103
that is an automatic firearm or that was equipped with a firearm 104
muffler or suppressor on or about the offender's person or under 105
the offender's control while committing the offense and 106
specifies that the offender previously has been convicted of or 107

pleaded guilty to a specification of the type described in 108
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 109
the Revised Code; 110

(v) A prison term of fifty-four months if the 111
specification is of the type described in division (D) of 112
section 2941.145 of the Revised Code that charges the offender 113
with having a firearm on or about the offender's person or under 114
the offender's control while committing the offense and 115
displaying the firearm, brandishing the firearm, indicating that 116
the offender possessed the firearm, or using the firearm to 117
facilitate the offense and that the offender previously has been 118
convicted of or pleaded guilty to a specification of the type 119
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 120
2941.1412 of the Revised Code; 121

(vi) A prison term of eighteen months if the specification 122
is of the type described in division (D) of section 2941.141 of 123
the Revised Code that charges the offender with having a firearm 124
on or about the offender's person or under the offender's 125
control while committing the offense and that the offender 126
previously has been convicted of or pleaded guilty to a 127
specification of the type described in section 2941.141, 128
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 129

(b) If a court imposes a prison term on an offender under 130
division (B) (1) (a) of this section, the prison term shall not be 131
reduced pursuant to section 2929.20, division (A) (2) or (3) of 132
section 2967.193 or 2967.194, or any other provision of Chapter 133
2967. or Chapter 5120. of the Revised Code. Except as provided 134
in division (B) (1) (g) of this section, a court shall not impose 135
more than one prison term on an offender under division (B) (1) 136
(a) of this section for felonies committed as part of the same 137

act or transaction. 138

(c) (i) Except as provided in division (B) (1) (e) of this 139
section, if an offender who is convicted of or pleads guilty to 140
a violation of section 2923.161 of the Revised Code or to a 141
felony that includes, as an essential element, purposely or 142
knowingly causing or attempting to cause the death of or 143
physical harm to another, also is convicted of or pleads guilty 144
to a specification of the type described in division (A) of 145
section 2941.146 of the Revised Code that charges the offender 146
with committing the offense by discharging a firearm from a 147
motor vehicle other than a manufactured home, the court, after 148
imposing a prison term on the offender for the violation of 149
section 2923.161 of the Revised Code or for the other felony 150
offense under division (A), (B) (2), or (B) (3) of this section, 151
shall impose an additional prison term of five years upon the 152
offender that shall not be reduced pursuant to section 2929.20, 153
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 154
other provision of Chapter 2967. or Chapter 5120. of the Revised 155
Code. 156

(ii) Except as provided in division (B) (1) (e) of this 157
section, if an offender who is convicted of or pleads guilty to 158
a violation of section 2923.161 of the Revised Code or to a 159
felony that includes, as an essential element, purposely or 160
knowingly causing or attempting to cause the death of or 161
physical harm to another, also is convicted of or pleads guilty 162
to a specification of the type described in division (C) of 163
section 2941.146 of the Revised Code that charges the offender 164
with committing the offense by discharging a firearm from a 165
motor vehicle other than a manufactured home and that the 166
offender previously has been convicted of or pleaded guilty to a 167
specification of the type described in section 2941.141, 168

2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 169
the court, after imposing a prison term on the offender for the 170
violation of section 2923.161 of the Revised Code or for the 171
other felony offense under division (A), (B) (2), or (3) of this 172
section, shall impose an additional prison term of ninety months 173
upon the offender that shall not be reduced pursuant to section 174
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 175
or any other provision of Chapter 2967. or Chapter 5120. of the 176
Revised Code. 177

(iii) A court shall not impose more than one additional 178
prison term on an offender under division (B) (1) (c) of this 179
section for felonies committed as part of the same act or 180
transaction. If a court imposes an additional prison term on an 181
offender under division (B) (1) (c) of this section relative to an 182
offense, the court also shall impose a prison term under 183
division (B) (1) (a) of this section relative to the same offense, 184
provided the criteria specified in that division for imposing an 185
additional prison term are satisfied relative to the offender 186
and the offense. 187

(d) If an offender who is convicted of or pleads guilty to 188
an offense of violence that is a felony also is convicted of or 189
pleads guilty to a specification of the type described in 190
section 2941.1411 of the Revised Code that charges the offender 191
with wearing or carrying body armor while committing the felony 192
offense of violence, the court shall impose on the offender an 193
additional prison term of two years. The prison term so imposed 194
shall not be reduced pursuant to section 2929.20, division (A) 195
(2) or (3) of section 2967.193 or 2967.194, or any other 196
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 197
A court shall not impose more than one prison term on an 198
offender under division (B) (1) (d) of this section for felonies 199

committed as part of the same act or transaction. If a court 200
imposes an additional prison term under division (B) (1) (a) or 201
(c) of this section, the court is not precluded from imposing an 202
additional prison term under division (B) (1) (d) of this section. 203

(e) The court shall not impose any of the prison terms 204
described in division (B) (1) (a) of this section or any of the 205
additional prison terms described in division (B) (1) (c) of this 206
section upon an offender for a violation of section 2923.12 or 207
2923.123 of the Revised Code. The court shall not impose any of 208
the prison terms described in division (B) (1) (a) or (b) of this 209
section upon an offender for a violation of section 2923.122 210
that involves a deadly weapon that is a firearm other than a 211
dangerous ordnance, section 2923.16, or section 2923.121 of the 212
Revised Code. The court shall not impose any of the prison terms 213
described in division (B) (1) (a) of this section or any of the 214
additional prison terms described in division (B) (1) (c) of this 215
section upon an offender for a violation of section 2923.13 of 216
the Revised Code unless all of the following apply: 217

(i) The offender previously has been convicted of 218
aggravated murder, murder, or any felony of the first or second 219
degree. 220

(ii) Less than five years have passed since the offender 221
was released from prison or post-release control, whichever is 222
later, for the prior offense. 223

(f) (i) If an offender is convicted of or pleads guilty to 224
a felony that includes, as an essential element, causing or 225
attempting to cause the death of or physical harm to another and 226
also is convicted of or pleads guilty to a specification of the 227
type described in division (A) of section 2941.1412 of the 228
Revised Code that charges the offender with committing the 229

offense by discharging a firearm at a peace officer as defined 230
in section 2935.01 of the Revised Code or a corrections officer, 231
as defined in section 2941.1412 of the Revised Code, the court, 232
after imposing a prison term on the offender for the felony 233
offense under division (A), (B) (2), or (B) (3) of this section, 234
shall impose an additional prison term of seven years upon the 235
offender that shall not be reduced pursuant to section 2929.20, 236
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 237
other provision of Chapter 2967. or Chapter 5120. of the Revised 238
Code. 239

(ii) If an offender is convicted of or pleads guilty to a 240
felony that includes, as an essential element, causing or 241
attempting to cause the death of or physical harm to another and 242
also is convicted of or pleads guilty to a specification of the 243
type described in division (B) of section 2941.1412 of the 244
Revised Code that charges the offender with committing the 245
offense by discharging a firearm at a peace officer, as defined 246
in section 2935.01 of the Revised Code, or a corrections 247
officer, as defined in section 2941.1412 of the Revised Code, 248
and that the offender previously has been convicted of or 249
pleaded guilty to a specification of the type described in 250
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 251
the Revised Code, the court, after imposing a prison term on the 252
offender for the felony offense under division (A), (B) (2), or 253
(3) of this section, shall impose an additional prison term of 254
one hundred twenty-six months upon the offender that shall not 255
be reduced pursuant to section 2929.20, division (A) (2) or (3) 256
of section 2967.193 or 2967.194, or any other provision of 257
Chapter 2967. or 5120. of the Revised Code. 258

(iii) If an offender is convicted of or pleads guilty to 259
two or more felonies that include, as an essential element, 260

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

(g) If an offender is convicted of or pleads guilty to two 277
or more felonies, if one or more of those felonies are 278
aggravated murder, murder, attempted aggravated murder, 279
attempted murder, aggravated robbery, felonious assault, or 280
rape, and if the offender is convicted of or pleads guilty to a 281
specification of the type described under division (B) (1) (a) of 282
this section in connection with two or more of the felonies, the 283
sentencing court shall impose on the offender the prison term 284
specified under division (B) (1) (a) of this section for each of 285
the two most serious specifications of which the offender is 286
convicted or to which the offender pleads guilty and, in its 287
discretion, also may impose on the offender the prison term 288
specified under that division for any or all of the remaining 289
specifications. 290

(2) (a) If division (B) (2) (b) of this section does not 291

apply, the court may impose on an offender, in addition to the 292
longest prison term authorized or required for the offense or, 293
for offenses for which division (A) (1) (a) or (2) (a) of this 294
section applies, in addition to the longest minimum prison term 295
authorized or required for the offense, an additional definite 296
prison term of one, two, three, four, five, six, seven, eight, 297
nine, or ten years if all of the following criteria are met: 298

(i) The offender is convicted of or pleads guilty to a 299
specification of the type described in section 2941.149 of the 300
Revised Code that the offender is a repeat violent offender. 301

(ii) The offense of which the offender currently is 302
convicted or to which the offender currently pleads guilty is 303
aggravated murder and the court does not impose a sentence of 304
death or life imprisonment without parole, murder, terrorism and 305
the court does not impose a sentence of life imprisonment 306
without parole, any felony of the first degree that is an 307
offense of violence and the court does not impose a sentence of 308
life imprisonment without parole, or any felony of the second 309
degree that is an offense of violence and the trier of fact 310
finds that the offense involved an attempt to cause or a threat 311
to cause serious physical harm to a person or resulted in 312
serious physical harm to a person. 313

(iii) The court imposes the longest prison term for the 314
offense or the longest minimum prison term for the offense, 315
whichever is applicable, that is not life imprisonment without 316
parole. 317

(iv) The court finds that the prison terms imposed 318
pursuant to division (B) (2) (a) (iii) of this section and, if 319
applicable, division (B) (1) or (3) of this section are 320
inadequate to punish the offender and protect the public from 321

future crime, because the applicable factors under section 322
2929.12 of the Revised Code indicating a greater likelihood of 323
recidivism outweigh the applicable factors under that section 324
indicating a lesser likelihood of recidivism. 325

(v) The court finds that the prison terms imposed pursuant 326
to division (B)(2)(a)(iii) of this section and, if applicable, 327
division (B)(1) or (3) of this section are demeaning to the 328
seriousness of the offense, because one or more of the factors 329
under section 2929.12 of the Revised Code indicating that the 330
offender's conduct is more serious than conduct normally 331
constituting the offense are present, and they outweigh the 332
applicable factors under that section indicating that the 333
offender's conduct is less serious than conduct normally 334
constituting the offense. 335

(b) The court shall impose on an offender the longest 336
prison term authorized or required for the offense or, for 337
offenses for which division (A)(1)(a) or (2)(a) of this section 338
applies, the longest minimum prison term authorized or required 339
for the offense, and shall impose on the offender an additional 340
definite prison term of one, two, three, four, five, six, seven, 341
eight, nine, or ten years if all of the following criteria are 342
met: 343

(i) The offender is convicted of or pleads guilty to a 344
specification of the type described in section 2941.149 of the 345
Revised Code that the offender is a repeat violent offender. 346

(ii) The offender within the preceding twenty years has 347
been convicted of or pleaded guilty to three or more offenses 348
described in division (CC)(1) of section 2929.01 of the Revised 349
Code, including all offenses described in that division of which 350
the offender is convicted or to which the offender pleads guilty 351

in the current prosecution and all offenses described in that 352
division of which the offender previously has been convicted or 353
to which the offender previously pleaded guilty, whether 354
prosecuted together or separately. 355

(iii) The offense or offenses of which the offender 356
currently is convicted or to which the offender currently pleads 357
guilty is aggravated murder and the court does not impose a 358
sentence of death or life imprisonment without parole, murder, 359
terrorism and the court does not impose a sentence of life 360
imprisonment without parole, any felony of the first degree that 361
is an offense of violence and the court does not impose a 362
sentence of life imprisonment without parole, or any felony of 363
the second degree that is an offense of violence and the trier 364
of fact finds that the offense involved an attempt to cause or a 365
threat to cause serious physical harm to a person or resulted in 366
serious physical harm to a person. 367

(c) For purposes of division (B) (2) (b) of this section, 368
two or more offenses committed at the same time or as part of 369
the same act or event shall be considered one offense, and that 370
one offense shall be the offense with the greatest penalty. 371

(d) A sentence imposed under division (B) (2) (a) or (b) of 372
this section shall not be reduced pursuant to section 2929.20, 373
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 374
other provision of Chapter 2967. or Chapter 5120. of the Revised 375
Code. The offender shall serve an additional prison term imposed 376
under division (B) (2) (a) or (b) of this section consecutively to 377
and prior to the prison term imposed for the underlying offense. 378

(e) When imposing a sentence pursuant to division (B) (2) 379
(a) or (b) of this section, the court shall state its findings 380
explaining the imposed sentence. 381

(3) Except when an offender commits a violation of section 382
2903.01 or 2907.02 of the Revised Code and the penalty imposed 383
for the violation is life imprisonment or commits a violation of 384
section 2903.02 of the Revised Code, if the offender commits a 385
violation of section 2925.03 or 2925.11 of the Revised Code and 386
that section classifies the offender as a major drug offender, 387
if the offender commits a violation of section 2925.05 of the 388
Revised Code and division (E)(1) of that section classifies the 389
offender as a major drug offender, if the offender commits a 390
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 391
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 392
division (C) or (D) of section 3719.172, division (E) of section 393
4729.51, or division (J) of section 4729.54 of the Revised Code 394
that includes the sale, offer to sell, or possession of a 395
schedule I or II controlled substance, with the exception of 396
marihuana, and the court imposing sentence upon the offender 397
finds that the offender is guilty of a specification of the type 398
described in division (A) of section 2941.1410 of the Revised 399
Code charging that the offender is a major drug offender, if the 400
court imposing sentence upon an offender for a felony finds that 401
the offender is guilty of corrupt activity with the most serious 402
offense in the pattern of corrupt activity being a felony of the 403
first degree, or if the offender is guilty of an attempted 404
violation of section 2907.02 of the Revised Code and, had the 405
offender completed the violation of section 2907.02 of the 406
Revised Code that was attempted, the offender would have been 407
subject to a sentence of life imprisonment or life imprisonment 408
without parole for the violation of section 2907.02 of the 409
Revised Code, the court shall impose upon the offender for the 410
felony violation a mandatory prison term determined as described 411
in this division that cannot be reduced pursuant to section 412
2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, 413

or any other provision of Chapter 2967. or 5120. of the Revised 414
Code. The mandatory prison term shall be the maximum definite 415
prison term prescribed in division (A) (1) (b) of this section for 416
a felony of the first degree, except that for offenses for which 417
division (A) (1) (a) of this section applies, the mandatory prison 418
term shall be the longest minimum prison term prescribed in that 419
division for the offense. 420

(4) If the offender is being sentenced for a third or 421
fourth degree felony OVI offense under division (G) (2) of 422
section 2929.13 of the Revised Code, the sentencing court shall 423
impose upon the offender a mandatory prison term in accordance 424
with that division. In addition to the mandatory prison term, if 425
the offender is being sentenced for a fourth degree felony OVI 426
offense, the court, notwithstanding division (A) (4) of this 427
section, may sentence the offender to a definite prison term of 428
not less than six months and not more than thirty months, and if 429
the offender is being sentenced for a third degree felony OVI 430
offense, the sentencing court may sentence the offender to an 431
additional prison term of any duration specified in division (A) 432
(3) of this section. In either case, the additional prison term 433
imposed shall be reduced by the sixty or one hundred twenty days 434
imposed upon the offender as the mandatory prison term. The 435
total of the additional prison term imposed under division (B) 436
(4) of this section plus the sixty or one hundred twenty days 437
imposed as the mandatory prison term shall equal a definite term 438
in the range of six months to thirty months for a fourth degree 439
felony OVI offense and shall equal one of the authorized prison 440
terms specified in division (A) (3) of this section for a third 441
degree felony OVI offense. If the court imposes an additional 442
prison term under division (B) (4) of this section, the offender 443
shall serve the additional prison term after the offender has 444

served the mandatory prison term required for the offense. In 445
addition to the mandatory prison term or mandatory and 446
additional prison term imposed as described in division (B) (4) 447
of this section, the court also may sentence the offender to a 448
community control sanction under section 2929.16 or 2929.17 of 449
the Revised Code, but the offender shall serve all of the prison 450
terms so imposed prior to serving the community control 451
sanction. 452

If the offender is being sentenced for a fourth degree 453
felony OVI offense under division (G) (1) of section 2929.13 of 454
the Revised Code and the court imposes a mandatory term of local 455
incarceration, the court may impose a prison term as described 456
in division (A) (1) of that section. 457

(5) If an offender is convicted of or pleads guilty to a 458
violation of division (A) (1) or (2) of section 2903.06 of the 459
Revised Code and also is convicted of or pleads guilty to a 460
specification of the type described in section 2941.1414 of the 461
Revised Code that charges that the victim of the offense is a 462
peace officer, as defined in section 2935.01 of the Revised 463
Code, an investigator of the bureau of criminal identification 464
and investigation, as defined in section 2903.11 of the Revised 465
Code, or a firefighter or emergency medical worker, both as 466
defined in section ~~4123.026~~ 2941.1414 of the Revised Code, the 467
court shall impose on the offender a prison term of five years. 468
If a court imposes a prison term on an offender under division 469
(B) (5) of this section, the prison term shall not be reduced 470
pursuant to section 2929.20, division (A) (2) or (3) of section 471
2967.193 or 2967.194, or any other provision of Chapter 2967. or 472
Chapter 5120. of the Revised Code. A court shall not impose more 473
than one prison term on an offender under division (B) (5) of 474
this section for felonies committed as part of the same act. 475

(6) If an offender is convicted of or pleads guilty to a 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 507
shall impose as the minimum prison term a mandatory term of not 508
less than five years and not greater than eleven years; 509

(ii) If the offense is a felony of the second or third 510
degree, a definite prison term of not less than three years and 511
not greater than the maximum prison term allowed for the offense 512
by division (A) (2) (b) or (3) of this section, except that if the 513
offense is a felony of the second degree committed on or after 514
March 22, 2019, the court shall impose as the minimum prison 515
term a mandatory term of not less than three years and not 516
greater than eight years; 517

(iii) If the offense is a felony of the fourth or fifth 518
degree, a definite prison term that is the maximum prison term 519
allowed for the offense by division (A) of section 2929.14 of 520
the Revised Code. 521

(b) The prison term imposed under division (B) (7) (a) of 522
this section shall not be reduced pursuant to section 2929.20, 523
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 524
other provision of Chapter 2967. of the Revised Code. A court 525
shall not impose more than one prison term on an offender under 526
division (B) (7) (a) of this section for felonies committed as 527
part of the same act, scheme, or plan. 528

(8) If an offender is convicted of or pleads guilty to a 529
felony violation of section 2903.11, 2903.12, or 2903.13 of the 530
Revised Code and also is convicted of or pleads guilty to a 531
specification of the type described in section 2941.1423 of the 532
Revised Code that charges that the victim of the violation was a 533
woman whom the offender knew was pregnant at the time of the 534
violation, notwithstanding the range prescribed in division (A) 535
of this section as the definite prison term or minimum prison 536

term for felonies of the same degree as the violation, the court 537
shall impose on the offender a mandatory prison term that is 538
either a definite prison term of six months or one of the prison 539
terms prescribed in division (A) of this section for felonies of 540
the same degree as the violation, except that if the violation 541
is a felony of the first or second degree committed on or after 542
arch 22, 2019, the court shall impose as the minimum prison term 543
under division (A) (1) (a) or (2) (a) of this section a mandatory 544
term that is one of the terms prescribed in that division, 545
whichever is applicable, for the offense. 546

(9) (a) If an offender is convicted of or pleads guilty to 547
a violation of division (A) (1) or (2) of section 2903.11 of the 548
Revised Code and also is convicted of or pleads guilty to a 549
specification of the type described in section 2941.1425 of the 550
Revised Code, the court shall impose on the offender a mandatory 551
prison term of six years if either of the following applies: 552

(i) The violation is a violation of division (A) (1) of 553
section 2903.11 of the Revised Code and the specification 554
charges that the offender used an accelerant in committing the 555
violation and the serious physical harm to another or to 556
another's unborn caused by the violation resulted in a 557
permanent, serious disfigurement or permanent, substantial 558
incapacity; 559

(ii) The violation is a violation of division (A) (2) of 560
section 2903.11 of the Revised Code and the specification 561
charges that the offender used an accelerant in committing the 562
violation, that the violation caused physical harm to another or 563
to another's unborn, and that the physical harm resulted in a 564
permanent, serious disfigurement or permanent, substantial 565
incapacity. 566

(b) If a court imposes a prison term on an offender under division (B) (9) (a) 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) (9) of this section for felonies committed as part of the same act.

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

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

(11) If an offender is convicted of or pleads guilty to a felony violation of section 2925.03 or 2925.05 of the Revised Code or a felony violation of section 2925.11 of the Revised Code for which division (C) (11) of that section applies in determining the sentence for the violation, if the drug involved in the violation is a fentanyl-related compound or a compound, mixture, preparation, or substance containing a fentanyl-related compound, and if the offender also is convicted of or pleads guilty to a specification of the type described in division (B) 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 629
either division or under division (B) (1) (d) of this section, 630
consecutively to and prior to any prison term imposed for the 631
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 632
this section or any other section of the Revised Code, and 633
consecutively to any other prison term or mandatory prison term 634
previously or subsequently imposed upon the offender. 635

(b) If a mandatory prison term is imposed upon an offender 636
pursuant to division (B) (1) (d) of this section for wearing or 637
carrying body armor while committing an offense of violence that 638
is a felony, the offender shall serve the mandatory term so 639
imposed consecutively to any other mandatory prison term imposed 640
under that division or under division (B) (1) (a) or (c) of this 641
section, consecutively to and prior to any prison term imposed 642
for the underlying felony under division (A), (B) (2), or (B) (3) 643
of this section or any other section of the Revised Code, and 644
consecutively to any other prison term or mandatory prison term 645
previously or subsequently imposed upon the offender. 646

(c) If a mandatory prison term is imposed upon an offender 647
pursuant to division (B) (1) (f) of this section, the offender 648
shall serve the mandatory prison term so imposed consecutively 649
to and prior to any prison term imposed for the underlying 650
felony under division (A), (B) (2), or (B) (3) of this section or 651
any other section of the Revised Code, and consecutively to any 652
other prison term or mandatory prison term previously or 653
subsequently imposed upon the offender. 654

(d) If a mandatory prison term is imposed upon an offender 655
pursuant to division (B) (7) or (8) of this section, the offender 656
shall serve the mandatory prison term so imposed consecutively 657
to any other mandatory prison term imposed under that division 658

or under any other provision of law and consecutively to any 659
other prison term or mandatory prison term previously or 660
subsequently imposed upon the offender. 661

(e) If a mandatory prison term is imposed upon an offender 662
pursuant to division (B)(11) of this section, the offender shall 663
serve the mandatory prison term consecutively to any other 664
mandatory prison term imposed under that division, consecutively 665
to and prior to any prison term imposed for the underlying 666
felony, and consecutively to any other prison term or mandatory 667
prison term previously or subsequently imposed upon the 668
offender. 669

(2) If an offender who is an inmate in a jail, prison, or 670
other residential detention facility violates section 2917.02, 671
2917.03, or 2921.35 of the Revised Code or division (A)(1) or 672
(2) of section 2921.34 of the Revised Code, if an offender who 673
is under detention at a detention facility commits a felony 674
violation of section 2923.131 of the Revised Code, or if an 675
offender who is an inmate in a jail, prison, or other 676
residential detention facility or is under detention at a 677
detention facility commits another felony while the offender is 678
an escapee in violation of division (A)(1) or (2) of section 679
2921.34 of the Revised Code, any prison term imposed upon the 680
offender for one of those violations shall be served by the 681
offender consecutively to the prison term or term of 682
imprisonment the offender was serving when the offender 683
committed that offense and to any other prison term previously 684
or subsequently imposed upon the offender. 685

(3) If a prison term is imposed for a violation of 686
division (B) of section 2911.01 of the Revised Code, a violation 687
of division (A) of section 2913.02 of the Revised Code in which 688

the stolen property is a firearm or dangerous ordnance, or a 689
felony violation of division (B) of section 2921.331 of the 690
Revised Code, the offender shall serve that prison term 691
consecutively to any other prison term or mandatory prison term 692
previously or subsequently imposed upon the offender. 693

(4) If multiple prison terms are imposed on an offender 694
for convictions of multiple offenses, the court may require the 695
offender to serve the prison terms consecutively if the court 696
finds that the consecutive service is necessary to protect the 697
public from future crime or to punish the offender and that 698
consecutive sentences are not disproportionate to the 699
seriousness of the offender's conduct and to the danger the 700
offender poses to the public, and if the court also finds any of 701
the following: 702

(a) The offender committed one or more of the multiple 703
offenses while the offender was awaiting trial or sentencing, 704
was under a sanction imposed pursuant to section 2929.16, 705
2929.17, or 2929.18 of the Revised Code, or was under post- 706
release control for a prior offense. 707

(b) At least two of the multiple offenses were committed 708
as part of one or more courses of conduct, and the harm caused 709
by two or more of the multiple offenses so committed was so 710
great or unusual that no single prison term for any of the 711
offenses committed as part of any of the courses of conduct 712
adequately reflects the seriousness of the offender's conduct. 713

(c) The offender's history of criminal conduct 714
demonstrates that consecutive sentences are necessary to protect 715
the public from future crime by the offender. 716

(5) If a mandatory prison term is imposed upon an offender 717

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

(6) If a mandatory prison term is imposed on an offender 735
pursuant to division (B) (9) of this section, the offender shall 736
serve the mandatory prison term consecutively to and prior to 737
any prison term imposed for the underlying violation of division 738
(A) (1) or (2) of section 2903.11 of the Revised Code and 739
consecutively to and prior to any other prison term or mandatory 740
prison term previously or subsequently imposed on the offender. 741

(7) If a mandatory prison term is imposed on an offender 742
pursuant to division (B) (10) of this section, the offender shall 743
serve that mandatory prison term consecutively to and prior to 744
any prison term imposed for the underlying felonious assault. 745
Except as otherwise provided in division (C) of this section, 746
any other prison term or mandatory prison term previously or 747
subsequently imposed upon the offender may be served 748

concurrently with, or consecutively to, the prison term imposed 749
pursuant to division (B)(10) of this section. 750

(8) Any prison term imposed for a violation of section 751
2903.04 of the Revised Code that is based on a violation of 752
section 2925.03 or 2925.11 of the Revised Code or on a violation 753
of section 2925.05 of the Revised Code that is not funding of 754
marihuana trafficking shall run consecutively to any prison term 755
imposed for the violation of section 2925.03 or 2925.11 of the 756
Revised Code or for the violation of section 2925.05 of the 757
Revised Code that is not funding of marihuana trafficking. 758

(9) When consecutive prison terms are imposed pursuant to 759
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 760
division (H)(1) or (2) of this section, subject to division (C) 761
(10) of this section, the term to be served is the aggregate of 762
all of the terms so imposed. 763

(10) When a court sentences an offender to a non-life 764
felony indefinite prison term, any definite prison term or 765
mandatory definite prison term previously or subsequently 766
imposed on the offender in addition to that indefinite sentence 767
that is required to be served consecutively to that indefinite 768
sentence shall be served prior to the indefinite sentence. 769

(11) If a court is sentencing an offender for a felony of 770
the first or second degree, if division (A)(1)(a) or (2)(a) of 771
this section applies with respect to the sentencing for the 772
offense, and if the court is required under the Revised Code 773
section that sets forth the offense or any other Revised Code 774
provision to impose a mandatory prison term for the offense, the 775
court shall impose the required mandatory prison term as the 776
minimum term imposed under division (A)(1)(a) or (2)(a) of this 777
section, whichever is applicable. 778

(D) (1) If a court imposes a prison term, other than a term 779
of life imprisonment, for a felony of the first degree, for a 780
felony of the second degree, for a felony sex offense, or for a 781
felony of the third degree that is an offense of violence and 782
that is not a felony sex offense, it shall include in the 783
sentence a requirement that the offender be subject to a period 784
of post-release control after the offender's release from 785
imprisonment, in accordance with section 2967.28 of the Revised 786
Code. If a court imposes a sentence including a prison term of a 787
type described in this division on or after July 11, 2006, the 788
failure of a court to include a post-release control requirement 789
in the sentence pursuant to this division does not negate, 790
limit, or otherwise affect the mandatory period of post-release 791
control that is required for the offender under division (B) of 792
section 2967.28 of the Revised Code. Section 2929.191 of the 793
Revised Code applies if, prior to July 11, 2006, a court imposed 794
a sentence including a prison term of a type described in this 795
division and failed to include in the sentence pursuant to this 796
division a statement regarding post-release control. 797

(2) If a court imposes a prison term for a felony of the 798
third, fourth, or fifth degree that is not subject to division 799
(D) (1) of this section, it shall include in the sentence a 800
requirement that the offender be subject to a period of post- 801
release control after the offender's release from imprisonment, 802
in accordance with that division, if the parole board determines 803
that a period of post-release control is necessary. Section 804
2929.191 of the Revised Code applies if, prior to July 11, 2006, 805
a court imposed a sentence including a prison term of a type 806
described in this division and failed to include in the sentence 807
pursuant to this division a statement regarding post-release 808
control. 809

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

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

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

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

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

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

division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 839
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 840
(a) (iv) of section 2929.03, or division (A) or (B) of section 841
2929.06 of the Revised Code requires the court to sentence the 842
offender pursuant to division (B) (3) of section 2971.03 of the 843
Revised Code. 844

(6) A person is convicted of or pleads guilty to murder 845
committed on or after January 1, 2008, and division (B) (2) of 846
section 2929.02 of the Revised Code requires the court to 847
sentence the offender pursuant to section 2971.03 of the Revised 848
Code. 849

(F) If a person who has been convicted of or pleaded 850
guilty to a felony is sentenced to a prison term or term of 851
imprisonment under this section, sections 2929.02 to 2929.06 of 852
the Revised Code, section 2929.142 of the Revised Code, section 853
2971.03 of the Revised Code, or any other provision of law, 854
section 5120.163 of the Revised Code applies regarding the 855
person while the person is confined in a state correctional 856
institution. 857

(G) If an offender who is convicted of or pleads guilty to 858
a felony that is an offense of violence also is convicted of or 859
pleads guilty to a specification of the type described in 860
section 2941.142 of the Revised Code that charges the offender 861
with having committed the felony while participating in a 862
criminal gang, the court shall impose upon the offender an 863
additional prison term of one, two, or three years. 864

(H) (1) If an offender who is convicted of or pleads guilty 865
to aggravated murder, murder, or a felony of the first, second, 866
or third degree that is an offense of violence also is convicted 867
of or pleads guilty to a specification of the type described in 868

section 2941.143 of the Revised Code that charges the offender 869
with having committed the offense in a school safety zone or 870
towards a person in a school safety zone, the court shall impose 871
upon the offender an additional prison term of two years. The 872
offender shall serve the additional two years consecutively to 873
and prior to the prison term imposed for the underlying offense. 874

(2) (a) If an offender is convicted of or pleads guilty to 875
a felony violation of section 2907.22, 2907.24, 2907.241, or 876
2907.25 of the Revised Code and to a specification of the type 877
described in section 2941.1421 of the Revised Code and if the 878
court imposes a prison term on the offender for the felony 879
violation, the court may impose upon the offender an additional 880
prison term as follows: 881

(i) Subject to division (H) (2) (a) (ii) of this section, an 882
additional prison term of one, two, three, four, five, or six 883
months; 884

(ii) If the offender previously has been convicted of or 885
pleaded guilty to one or more felony or misdemeanor violations 886
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 887
the Revised Code and also was convicted of or pleaded guilty to 888
a specification of the type described in section 2941.1421 of 889
the Revised Code regarding one or more of those violations, an 890
additional prison term of one, two, three, four, five, six, 891
seven, eight, nine, ten, eleven, or twelve months. 892

(b) In lieu of imposing an additional prison term under 893
division (H) (2) (a) of this section, the court may directly 894
impose on the offender a sanction that requires the offender to 895
wear a real-time processing, continual tracking electronic 896
monitoring device during the period of time specified by the 897
court. The period of time specified by the court shall equal the 898

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

(I) At the time of sentencing, the court may recommend the 916
offender for placement in a program of shock incarceration under 917
section 5120.031 of the Revised Code or for placement in an 918
intensive program prison under section 5120.032 of the Revised 919
Code, disapprove placement of the offender in a program of shock 920
incarceration or an intensive program prison of that nature, or 921
make no recommendation on placement of the offender. In no case 922
shall the department of rehabilitation and correction place the 923
offender in a program or prison of that nature unless the 924
department determines as specified in section 5120.031 or 925
5120.032 of the Revised Code, whichever is applicable, that the 926
offender is eligible for the placement. 927

If the court disapproves placement of the offender in a 928
program or prison of that nature, the department of 929

rehabilitation and correction shall not place the offender in 930
any program of shock incarceration or intensive program prison. 931

If the court recommends placement of the offender in a 932
program of shock incarceration or in an intensive program 933
prison, and if the offender is subsequently placed in the 934
recommended program or prison, the department shall notify the 935
court of the placement and shall include with the notice a brief 936
description of the placement. 937

If the court recommends placement of the offender in a 938
program of shock incarceration or in an intensive program prison 939
and the department does not subsequently place the offender in 940
the recommended program or prison, the department shall send a 941
notice to the court indicating why the offender was not placed 942
in the recommended program or prison. 943

If the court does not make a recommendation under this 944
division with respect to an offender and if the department 945
determines as specified in section 5120.031 or 5120.032 of the 946
Revised Code, whichever is applicable, that the offender is 947
eligible for placement in a program or prison of that nature, 948
the department shall screen the offender and determine if there 949
is an available program of shock incarceration or an intensive 950
program prison for which the offender is suited. If there is an 951
available program of shock incarceration or an intensive program 952
prison for which the offender is suited, the department shall 953
notify the court of the proposed placement of the offender as 954
specified in section 5120.031 or 5120.032 of the Revised Code 955
and shall include with the notice a brief description of the 956
placement. The court shall have ten days from receipt of the 957
notice to disapprove the placement. 958

(J) If a person is convicted of or pleads guilty to 959

aggravated vehicular homicide in violation of division (A) (1) of 960
section 2903.06 of the Revised Code and division (B) (2) (c) of 961
that section applies, the person shall be sentenced pursuant to 962
section 2929.142 of the Revised Code. 963

(K) (1) The court shall impose an additional mandatory 964
prison term of two, three, four, five, six, seven, eight, nine, 965
ten, or eleven years on an offender who is convicted of or 966
pleads guilty to a violent felony offense if the offender also 967
is convicted of or pleads guilty to a specification of the type 968
described in section 2941.1424 of the Revised Code that charges 969
that the offender is a violent career criminal and had a firearm 970
on or about the offender's person or under the offender's 971
control while committing the presently charged violent felony 972
offense and displayed or brandished the firearm, indicated that 973
the offender possessed a firearm, or used the firearm to 974
facilitate the offense. The offender shall serve the prison term 975
imposed under this division consecutively to and prior to the 976
prison term imposed for the underlying offense. The prison term 977
shall not be reduced pursuant to section 2929.20, division (A) 978
(2) or (3) of section 2967.193 or 2967.194, or any other 979
provision of Chapter 2967. or 5120. of the Revised Code. A court 980
may not impose more than one sentence under division (B) (2) (a) 981
of this section and this division for acts committed as part of 982
the same act or transaction. 983

(2) As used in division (K) (1) of this section, "violent 984
career criminal" and "violent felony offense" have the same 985
meanings as in section 2923.132 of the Revised Code. 986

(L) If an offender receives or received a sentence of life 987
imprisonment without parole, a sentence of life imprisonment, a 988
definite sentence, or a sentence to an indefinite prison term 989

under this chapter for a felony offense that was committed when 990
the offender was under eighteen years of age, the offender's 991
parole eligibility shall be determined under section 2967.132 of 992
the Revised Code. 993

Sec. 2941.1414. (A) Imposition of a five-year mandatory 994
prison term upon an offender under division (B) (5) of section 995
2929.14 of the Revised Code is precluded unless the offender is 996
convicted of or pleads guilty to violating division (A) (1) or 997
(2) of section 2903.06 of the Revised Code and unless the 998
indictment, count in the indictment, or information charging the 999
offense specifies that the victim of the offense is a peace 1000
officer, an investigator of the bureau of criminal 1001
identification and investigation, a firefighter, or an emergency 1002
medical worker. The specification shall be stated at the end of 1003
the body of the indictment, count, or information and shall be 1004
stated in substantially the following form: 1005

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1006
Grand Jurors (or insert the person's or the prosecuting 1007
attorney's name when appropriate) further find and specify that 1008
(set forth that the victim of the offense is a peace officer, an 1009
investigator of the bureau of criminal identification and 1010
investigation, a firefighter, or an emergency medical worker)." 1011

(B) The specification described in division (A) of this 1012
section may be used in a delinquent child proceeding in the 1013
manner and for the purpose described in section 2152.17 of the 1014
Revised Code. 1015

(C) As used in this section: 1016

(1) "Peace officer" has the same meaning as in section 1017
2935.01 of the Revised Code. 1018

(2) "Investigator of the bureau of criminal identification and investigation" has the same meaning as in section 2903.11 of the Revised Code. 1019
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1021

(3) "Firefighter" ~~and "emergency means a firefighter,~~ 1022
whether paid or volunteer, of a lawfully constituted fire 1023
department. 1024

(4) ~~"Emergency medical worker" have the same meanings as~~ 1025
~~in section 4123.026 of the Revised Code~~means a first responder, 1026
emergency medical technician-basic, emergency medical 1027
technician-intermediate, or emergency medical technician- 1028
paramedic, certified under Chapter 4765. of the Revised Code, 1029
whether paid or volunteer. 1030

Sec. 4123.026. (A) The administrator of workers' 1031
compensation, a self-insuring public employer for the peace 1032
officers, firefighters, and emergency medical workers employed 1033
by or volunteering for that self-insuring public employer, or a 1034
detention facility that is a self-insuring employer for the 1035
facility's employees, including corrections officers, shall pay 1036
the costs of conducting post-exposure medical diagnostic 1037
services, consistent with the standards of medical care existing 1038
at the time of the exposure, to investigate whether an injury or 1039
occupational disease was sustained by a peace officer, 1040
firefighter, emergency medical worker, or detention facility 1041
employee, including a corrections officer, when coming into 1042
contact with the blood or other body fluid of another person in 1043
the course of and arising out of the peace officer's, 1044
firefighter's, emergency medical worker's, or detention facility 1045
employee's employment, or when responding to an inherently 1046
dangerous situation in the manner described in, and in 1047
accordance with the conditions specified under, division (A)(1) 1048

(a) of section 4123.01 of the Revised Code, through any of the 1049
following means: 1050

(1) Splash or spatter in the eye or mouth, including when 1051
received in the course of conducting mouth-to-mouth 1052
resuscitation; 1053

(2) A puncture in the skin; 1054

(3) A cut in the skin or another opening in the skin such 1055
as an open sore, wound, lesion, abrasion, or ulcer. 1056

(B) The administrator, a self-insuring public employer, or 1057
a detention facility that is a self-insuring employer shall pay 1058
the costs of conducting post-exposure medical diagnostic 1059
services to investigate whether an employee described in 1060
division (A) of this section sustained an injury or occupational 1061
disease if both of the following apply: 1062

(1) In the course of employment the employee is exposed to 1063
a drug or other chemical substance. 1064

(2) The post-exposure medical diagnostic service is 1065
consistent with the standards of medical care existing at the 1066
time of exposure. 1067

(C) As used in this section: 1068

(1) "Peace officer" has the same meaning as in section 1069
2935.01 of the Revised Code. 1070

(2) "Firefighter" means a firefighter, whether paid or 1071
volunteer, of a lawfully constituted fire department. 1072

(3) "Emergency medical worker" means a—either of the 1073
following: 1074

(a) A first responder, emergency medical technician-basic, 1075

emergency medical technician-intermediate, or emergency medical 1076
technician-paramedic, certified under Chapter 4765. of the 1077
Revised Code, whether paid or volunteer; 1078

(b) Any of the following when staffing a rotorcraft or 1079
fixed wing air ambulance on behalf of a licensed air medical 1080
service organization in accordance with section 4766.17 of the 1081
Revised Code, including transporting a patient from an incident 1082
scene or medical facility into the air ambulance, or when 1083
transporting a patient from an air ambulance to the entrance of 1084
a hospital: 1085

(i) A physician who holds a current, valid license issued 1086
under Chapter 4731. of the Revised Code; 1087

(ii) A registered nurse who holds a current, valid license 1088
issued under Chapter 4723. of the Revised Code; 1089

(iii) Any other person holding a current, valid 1090
certificate or license to practice a health care profession in 1091
this state. 1092

(4) "Corrections officer" means a person employed by a 1093
detention facility as a corrections officer. 1094

(5) "Detention facility" means any public or private place 1095
used for the confinement of a person charged with or convicted 1096
of any crime in this state or another state or under the laws of 1097
the United States or alleged or found to be a delinquent child 1098
or unruly child in this state or another state or under the laws 1099
of the United States. 1100

Section 2. That existing sections 2929.14, 2941.1414, and 1101
4123.026 of the Revised Code are hereby repealed. 1102

Section 3. The amendment by this act to section 4123.026 1103

of the Revised Code applies to claims arising on or after the
effective date of this section.

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