

As Introduced

**127th General Assembly
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H. B. No. 83

Representative DeBose

—

A B I L L

To amend sections 2929.14, 2929.24, 2950.99, and 1
4511.203 and to enact sections 2941.1421, 2950.15, 2
and 4503.237 of the Revised Code to create a SORN 3
Law license plate; to provide mandatory prison 4
terms and jail terms for persons convicted of a 5
sexually oriented or child-victim oriented offense 6
who are subject to a SORN Law license plate order 7
and use a motor vehicle without such license 8
plates in committing the offense, to arrive at the 9
location where it was committed, or to flee 10
immediately after committing it; and to expand the 11
offense of "wrongful entrustment of a motor 12
vehicle" to apply to a person who in specified 13
circumstances permits a person subject to a SORN 14
Law license plate order to drive the offender's 15
motor vehicle without such license plates. 16

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

Section 1. That sections 2929.14, 2929.24, 2950.99, and 17
4511.203 be amended and sections 2941.1421, 2950.15, and 4503.237 18
of the Revised Code be enacted to read as follows: 19

Sec. 2929.14. (A) Except as provided in division (C), (D)(1), 20

(D)(2), (D)(3), (D)(4), (D)(5), (D)(6), (D)(7), or (G) of this 21
section and except in relation to an offense for which a sentence 22
of death or life imprisonment is to be imposed, if the court 23
imposing a sentence upon an offender for a felony elects or is 24
required to impose a prison term on the offender pursuant to this 25
chapter, the court shall impose a definite prison term that shall 26
be one of the following: 27

(1) For a felony of the first degree, the prison term shall 28
be three, four, five, six, seven, eight, nine, or ten years. 29

(2) For a felony of the second degree, the prison term shall 30
be two, three, four, five, six, seven, or eight years. 31

(3) For a felony of the third degree, the prison term shall 32
be one, two, three, four, or five years. 33

(4) For a felony of the fourth degree, the prison term shall 34
be six, seven, eight, nine, ten, eleven, twelve, thirteen, 35
fourteen, fifteen, sixteen, seventeen, or eighteen months. 36

(5) For a felony of the fifth degree, the prison term shall 37
be six, seven, eight, nine, ten, eleven, or twelve months. 38

(B) Except as provided in division (C), (D)(1), (D)(2), 39
(D)(3), (D)(5), (D)(6), (D)(7), or (G) of this section, in section 40
2907.02 or 2907.05 of the Revised Code, or in Chapter 2925. of the 41
Revised Code, if the court imposing a sentence upon an offender 42
for a felony elects or is required to impose a prison term on the 43
offender, the court shall impose the shortest prison term 44
authorized for the offense pursuant to division (A) of this 45
section, unless one or more of the following applies: 46

(1) The offender was serving a prison term at the time of the 47
offense, or the offender previously had served a prison term. 48

(2) The court finds on the record that the shortest prison 49
term will demean the seriousness of the offender's conduct or will 50

not adequately protect the public from future crime by the 51
offender or others. 52

(C) Except as provided in division (G) of this section or in 53
Chapter 2925. of the Revised Code, the court imposing a sentence 54
upon an offender for a felony may impose the longest prison term 55
authorized for the offense pursuant to division (A) of this 56
section only upon offenders who committed the worst forms of the 57
offense, upon offenders who pose the greatest likelihood of 58
committing future crimes, upon certain major drug offenders under 59
division (D)(3) of this section, and upon certain repeat violent 60
offenders in accordance with division (D)(2) of this section. 61

(D)(1)(a) Except as provided in division (D)(1)(e) of this 62
section, if an offender who is convicted of or pleads guilty to a 63
felony also is convicted of or pleads guilty to a specification of 64
the type described in section 2941.141, 2941.144, or 2941.145 of 65
the Revised Code, the court shall impose on the offender one of 66
the following prison terms: 67

(i) A prison term of six years if the specification is of the 68
type described in section 2941.144 of the Revised Code that 69
charges the offender with having a firearm that is an automatic 70
firearm or that was equipped with a firearm muffler or silencer on 71
or about the offender's person or under the offender's control 72
while committing the felony; 73

(ii) A prison term of three years if the specification is of 74
the type described in section 2941.145 of the Revised Code that 75
charges the offender with having a firearm on or about the 76
offender's person or under the offender's control while committing 77
the offense and displaying the firearm, brandishing the firearm, 78
indicating that the offender possessed the firearm, or using it to 79
facilitate the offense; 80

(iii) A prison term of one year if the specification is of 81

the type described in section 2941.141 of the Revised Code that 82
charges the offender with having a firearm on or about the 83
offender's person or under the offender's control while committing 84
the felony. 85

(b) If a court imposes a prison term on an offender under 86
division (D)(1)(a) of this section, the prison term shall not be 87
reduced pursuant to section 2929.20, section 2967.193, or any 88
other provision of Chapter 2967. or Chapter 5120. of the Revised 89
Code. A court shall not impose more than one prison term on an 90
offender under division (D)(1)(a) of this section for felonies 91
committed as part of the same act or transaction. 92

(c) Except as provided in division (D)(1)(e) of this section, 93
if an offender who is convicted of or pleads guilty to a violation 94
of section 2923.161 of the Revised Code or to a felony that 95
includes, as an essential element, purposely or knowingly causing 96
or attempting to cause the death of or physical harm to another, 97
also is convicted of or pleads guilty to a specification of the 98
type described in section 2941.146 of the Revised Code that 99
charges the offender with committing the offense by discharging a 100
firearm from a motor vehicle other than a manufactured home, the 101
court, after imposing a prison term on the offender for the 102
violation of section 2923.161 of the Revised Code or for the other 103
felony offense under division (A), (D)(2), or (D)(3) of this 104
section, shall impose an additional prison term of five years upon 105
the offender that shall not be reduced pursuant to section 106
2929.20, section 2967.193, or any other provision of Chapter 2967. 107
or Chapter 5120. of the Revised Code. A court shall not impose 108
more than one additional prison term on an offender under division 109
(D)(1)(c) of this section for felonies committed as part of the 110
same act or transaction. If a court imposes an additional prison 111
term on an offender under division (D)(1)(c) of this section 112
relative to an offense, the court also shall impose a prison term 113

under division (D)(1)(a) of this section relative to the same 114
offense, provided the criteria specified in that division for 115
imposing an additional prison term are satisfied relative to the 116
offender and the offense. 117

(d) If an offender who is convicted of or pleads guilty to an 118
offense of violence that is a felony also is convicted of or 119
pleads guilty to a specification of the type described in section 120
2941.1411 of the Revised Code that charges the offender with 121
wearing or carrying body armor while committing the felony offense 122
of violence, the court shall impose on the offender a prison term 123
of two years. The prison term so imposed shall not be reduced 124
pursuant to section 2929.20, section 2967.193, or any other 125
provision of Chapter 2967. or Chapter 5120. of the Revised Code. A 126
court shall not impose more than one prison term on an offender 127
under division (D)(1)(d) of this section for felonies committed as 128
part of the same act or transaction. If a court imposes an 129
additional prison term under division (D)(1)(a) or (c) of this 130
section, the court is not precluded from imposing an additional 131
prison term under division (D)(1)(d) of this section. 132

(e) The court shall not impose any of the prison terms 133
described in division (D)(1)(a) of this section or any of the 134
additional prison terms described in division (D)(1)(c) of this 135
section upon an offender for a violation of section 2923.12 or 136
2923.123 of the Revised Code. The court shall not impose any of 137
the prison terms described in division (D)(1)(a) of this section 138
or any of the additional prison terms described in division 139
(D)(1)(c) of this section upon an offender for a violation of 140
section 2923.13 of the Revised Code unless all of the following 141
apply: 142

(i) The offender previously has been convicted of aggravated 143
murder, murder, or any felony of the first or second degree. 144

(ii) Less than five years have passed since the offender was 145

released from prison or post-release control, whichever is later, 146
for the prior offense. 147

(f) If an offender is convicted of or pleads guilty to a 148
felony that includes, as an essential element, causing or 149
attempting to cause the death of or physical harm to another and 150
also is convicted of or pleads guilty to a specification of the 151
type described in section 2941.1412 of the Revised Code that 152
charges the offender with committing the offense by discharging a 153
firearm at a peace officer as defined in section 2935.01 of the 154
Revised Code or a corrections officer as defined in section 155
2941.1412 of the Revised Code, the court, after imposing a prison 156
term on the offender for the felony offense under division (A), 157
(D)(2), or (D)(3) of this section, shall impose an additional 158
prison term of seven years upon the offender that shall not be 159
reduced pursuant to section 2929.20, section 2967.193, or any 160
other provision of Chapter 2967. or Chapter 5120. of the Revised 161
Code. A court shall not impose more than one additional prison 162
term on an offender under division (D)(1)(f) of this section for 163
felonies committed as part of the same act or transaction. If a 164
court imposes an additional prison term on an offender under 165
division (D)(1)(f) of this section relative to an offense, the 166
court shall not impose a prison term under division (D)(1)(a) or 167
(c) of this section relative to the same offense. 168

(2)(a) If division (D)(2)(b) of this section does not apply, 169
the court may impose on an offender, in addition to the longest 170
prison term authorized or required for the offense, an additional 171
definite prison term of one, two, three, four, five, six, seven, 172
eight, nine, or ten years if all of the following criteria are 173
met: 174

(i) The offender is convicted of or pleads guilty to a 175
specification of the type described in section 2941.149 of the 176
Revised Code that the offender is a repeat violent offender. 177

(ii) The offense of which the offender currently is convicted 178
or to which the offender currently pleads guilty is aggravated 179
murder and the court does not impose a sentence of death or life 180
imprisonment without parole, murder, terrorism and the court does 181
not impose a sentence of life imprisonment without parole, any 182
felony of the first degree that is an offense of violence and the 183
court does not impose a sentence of life imprisonment without 184
parole, or any felony of the second degree that is an offense of 185
violence and the trier of fact finds that the offense involved an 186
attempt to cause or a threat to cause serious physical harm to a 187
person or resulted in serious physical harm to a person. 188

(iii) The court imposes the longest prison term for the 189
offense that is not life imprisonment without parole. 190

(iv) The court finds that the prison terms imposed pursuant 191
to division (D)(2)(a)(iii) of this section and, if applicable, 192
division (D)(1) or (3) of this section are inadequate to punish 193
the offender and protect the public from future crime, because the 194
applicable factors under section 2929.12 of the Revised Code 195
indicating a greater likelihood of recidivism outweigh the 196
applicable factors under that section indicating a lesser 197
likelihood of recidivism. 198

(v) The court finds that the prison terms imposed pursuant to 199
division (D)(2)(a)(iii) of this section and, if applicable, 200
division (D)(1) or (3) of this section are demeaning to the 201
seriousness of the offense, because one or more of the factors 202
under section 2929.12 of the Revised Code indicating that the 203
offender's conduct is more serious than conduct normally 204
constituting the offense are present, and they outweigh the 205
applicable factors under that section indicating that the 206
offender's conduct is less serious than conduct normally 207
constituting the offense. 208

(b) The court shall impose on an offender the longest prison 209

term authorized or required for the offense and shall impose on 210
the offender an additional definite prison term of one, two, 211
three, four, five, six, seven, eight, nine, or ten years if all of 212
the following criteria are met: 213

(i) The offender is convicted of or pleads guilty to a 214
specification of the type described in section 2941.149 of the 215
Revised Code that the offender is a repeat violent offender. 216

(ii) The offender within the preceding twenty years has been 217
convicted of or pleaded guilty to three or more offenses described 218
in division (DD)(1) of section 2929.01 of the Revised Code, 219
including all offenses described in that division of which the 220
offender is convicted or to which the offender pleads guilty in 221
the current prosecution and all offenses described in that 222
division of which the offender previously has been convicted or to 223
which the offender previously pleaded guilty, whether prosecuted 224
together or separately. 225

(iii) The offense or offenses of which the offender currently 226
is convicted or to which the offender currently pleads guilty is 227
aggravated murder and the court does not impose a sentence of 228
death or life imprisonment without parole, murder, terrorism and 229
the court does not impose a sentence of life imprisonment without 230
parole, any felony of the first degree that is an offense of 231
violence and the court does not impose a sentence of life 232
imprisonment without parole, or any felony of the second degree 233
that is an offense of violence and the trier of fact finds that 234
the offense involved an attempt to cause or a threat to cause 235
serious physical harm to a person or resulted in serious physical 236
harm to a person. 237

(c) For purposes of division (D)(2)(b) of this section, two 238
or more offenses committed at the same time or as part of the same 239
act or event shall be considered one offense, and that one offense 240
shall be the offense with the greatest penalty. 241

(d) A sentence imposed under division (D)(2)(a) or (b) of 242
this section shall not be reduced pursuant to section 2929.20 or 243
section 2967.193, or any other provision of Chapter 2967. or 244
Chapter 5120. of the Revised Code. The offender shall serve an 245
additional prison term imposed under this section consecutively to 246
and prior to the prison term imposed for the underlying offense. 247

(e) When imposing a sentence pursuant to division (D)(2)(a) 248
or (b) of this section, the court shall state its findings 249
explaining the imposed sentence. 250

(3)(a) Except when an offender commits a violation of section 251
2903.01 or 2907.02 of the Revised Code and the penalty imposed for 252
the violation is life imprisonment or commits a violation of 253
section 2903.02 of the Revised Code, if the offender commits a 254
violation of section 2925.03 or 2925.11 of the Revised Code and 255
that section classifies the offender as a major drug offender and 256
requires the imposition of a ten-year prison term on the offender, 257
if the offender commits a felony violation of section 2925.02, 258
2925.04, 2925.05, 2925.36, 3719.07, 3719.08, 3719.16, 3719.161, 259
4729.37, or 4729.61, division (C) or (D) of section 3719.172, 260
division (C) of section 4729.51, or division (J) of section 261
4729.54 of the Revised Code that includes the sale, offer to sell, 262
or possession of a schedule I or II controlled substance, with the 263
exception of marihuana, and the court imposing sentence upon the 264
offender finds that the offender is guilty of a specification of 265
the type described in section 2941.1410 of the Revised Code 266
charging that the offender is a major drug offender, if the court 267
imposing sentence upon an offender for a felony finds that the 268
offender is guilty of corrupt activity with the most serious 269
offense in the pattern of corrupt activity being a felony of the 270
first degree, or if the offender is guilty of an attempted 271
violation of section 2907.02 of the Revised Code and, had the 272
offender completed the violation of section 2907.02 of the Revised 273

Code that was attempted, the offender would have been subject to a 274
sentence of life imprisonment or life imprisonment without parole 275
for the violation of section 2907.02 of the Revised Code, the 276
court shall impose upon the offender for the felony violation a 277
ten-year prison term that cannot be reduced pursuant to section 278
2929.20 or Chapter 2967. or 5120. of the Revised Code. 279

(b) The court imposing a prison term on an offender under 280
division (D)(3)(a) of this section may impose an additional prison 281
term of one, two, three, four, five, six, seven, eight, nine, or 282
ten years, if the court, with respect to the term imposed under 283
division (D)(3)(a) of this section and, if applicable, divisions 284
(D)(1) and (2) of this section, makes both of the findings set 285
forth in divisions (D)(2)(a)(iv) and (v) of this section. 286

(4) If the offender is being sentenced for a third or fourth 287
degree felony OVI offense under division (G)(2) of section 2929.13 288
of the Revised Code, the sentencing court shall impose upon the 289
offender a mandatory prison term in accordance with that division. 290
In addition to the mandatory prison term, if the offender is being 291
sentenced for a fourth degree felony OVI offense, the court, 292
notwithstanding division (A)(4) of this section, may sentence the 293
offender to a definite prison term of not less than six months and 294
not more than thirty months, and if the offender is being 295
sentenced for a third degree felony OVI offense, the sentencing 296
court may sentence the offender to an additional prison term of 297
any duration specified in division (A)(3) of this section. In 298
either case, the additional prison term imposed shall be reduced 299
by the sixty or one hundred twenty days imposed upon the offender 300
as the mandatory prison term. The total of the additional prison 301
term imposed under division (D)(4) of this section plus the sixty 302
or one hundred twenty days imposed as the mandatory prison term 303
shall equal a definite term in the range of six months to thirty 304
months for a fourth degree felony OVI offense and shall equal one 305

of the authorized prison terms specified in division (A)(3) of 306
this section for a third degree felony OVI offense. If the court 307
imposes an additional prison term under division (D)(4) of this 308
section, the offender shall serve the additional prison term after 309
the offender has served the mandatory prison term required for the 310
offense. In addition to the mandatory prison term or mandatory and 311
additional prison term imposed as described in division (D)(4) of 312
this section, the court also may sentence the offender to a 313
community control sanction under section 2929.16 or 2929.17 of the 314
Revised Code, but the offender shall serve all of the prison terms 315
so imposed prior to serving the community control sanction. 316

If the offender is being sentenced for a fourth degree felony 317
OVI offense under division (G)(1) of section 2929.13 of the 318
Revised Code and the court imposes a mandatory term of local 319
incarceration, the court may impose a prison term as described in 320
division (A)(1) of that section. 321

(5) If an offender is convicted of or pleads guilty to a 322
violation of division (A)(1) or (2) of section 2903.06 of the 323
Revised Code and also is convicted of or pleads guilty to a 324
specification of the type described in section 2941.1414 of the 325
Revised Code that charges that the victim of the offense is a 326
peace officer, as defined in section 2935.01 of the Revised Code, 327
the court shall impose on the offender a prison term of five 328
years. If a court imposes a prison term on an offender under 329
division (D)(5) of this section, the prison term shall not be 330
reduced pursuant to section 2929.20, section 2967.193, or any 331
other provision of Chapter 2967. or Chapter 5120. of the Revised 332
Code. A court shall not impose more than one prison term on an 333
offender under division (D)(5) of this section for felonies 334
committed as part of the same act. 335

(6) If an offender is convicted of or pleads guilty to a 336
violation of division (A)(1) or (2) of section 2903.06 of the 337

Revised Code and also is convicted of or pleads guilty to a 338
specification of the type described in section 2941.1415 of the 339
Revised Code that charges that the offender previously has been 340
convicted of or pleaded guilty to three or more violations of 341
division (A) or (B) of section 4511.19 of the Revised Code or an 342
equivalent offense, as defined in section 2941.1415 of the Revised 343
Code, or three or more violations of any combination of those 344
divisions and offenses, the court shall impose on the offender a 345
prison term of three years. If a court imposes a prison term on an 346
offender under division (D)(6) of this section, the prison term 347
shall not be reduced pursuant to section 2929.20, section 348
2967.193, or any other provision of Chapter 2967. or Chapter 5120. 349
of the Revised Code. A court shall not impose more than one prison 350
term on an offender under division (D)(6) of this section for 351
felonies committed as part of the same act. 352

(7) If an offender is convicted of or pleads guilty to a 353
sexually oriented offense or a child-victim oriented offense that 354
is a felony and also is convicted of or pleads guilty to a 355
specification of the type described in section 2941.1417 of the 356
Revised Code, the court shall impose on the offender a prison term 357
of five years. This division applies regardless of whether the 358
motor vehicle used in committing the offense, to arrive at the 359
location at which the offense was committed, or to flee 360
immediately after committing the offense as set forth in the 361
specification is owned by the offender or another person or is 362
rented or leased. 363

(E)(1)(a) Subject to division (E)(1)(b) of this section, if a 364
mandatory prison term is imposed upon an offender pursuant to 365
division (D)(1)(a) of this section for having a firearm on or 366
about the offender's person or under the offender's control while 367
committing a felony, if a mandatory prison term is imposed upon an 368
offender pursuant to division (D)(1)(c) of this section for 369

committing a felony specified in that division by discharging a 370
firearm from a motor vehicle, or if both types of mandatory prison 371
terms are imposed, the offender shall serve any mandatory prison 372
term imposed under either division consecutively to any other 373
mandatory prison term imposed under either division or under 374
division (D)(1)(d) of this section, consecutively to and prior to 375
any prison term imposed for the underlying felony pursuant to 376
division (A), (D)(2), or (D)(3) of this section or any other 377
section of the Revised Code, and consecutively to any other prison 378
term or mandatory prison term previously or subsequently imposed 379
upon the offender. 380

(b) If a mandatory prison term is imposed upon an offender 381
pursuant to division (D)(1)(d) of this section for wearing or 382
carrying body armor while committing an offense of violence that 383
is a felony, the offender shall serve the mandatory term so 384
imposed consecutively to any other mandatory prison term imposed 385
under that division or under division (D)(1)(a) or (c) of this 386
section, consecutively to and prior to any prison term imposed for 387
the underlying felony under division (A), (D)(2), or (D)(3) of 388
this section or any other section of the Revised Code, and 389
consecutively to any other prison term or mandatory prison term 390
previously or subsequently imposed upon the offender. 391

(c) If a mandatory prison term is imposed upon an offender 392
pursuant to division (D)(1)(f) of this section, the offender shall 393
serve the mandatory prison term so imposed consecutively to and 394
prior to any prison term imposed for the underlying felony under 395
division (A), (D)(2), or (D)(3) of this section or any other 396
section of the Revised Code, and consecutively to any other prison 397
term or mandatory prison term previously or subsequently imposed 398
upon the offender. 399

(2) If an offender who is an inmate in a jail, prison, or 400
other residential detention facility violates section 2917.02, 401

2917.03, 2921.34, or 2921.35 of the Revised Code, if an offender 402
who is under detention at a detention facility commits a felony 403
violation of section 2923.131 of the Revised Code, or if an 404
offender who is an inmate in a jail, prison, or other residential 405
detention facility or is under detention at a detention facility 406
commits another felony while the offender is an escapee in 407
violation of section 2921.34 of the Revised Code, any prison term 408
imposed upon the offender for one of those violations shall be 409
served by the offender consecutively to the prison term or term of 410
imprisonment the offender was serving when the offender committed 411
that offense and to any other prison term previously or 412
subsequently imposed upon the offender. 413

(3) If a prison term is imposed for a violation of division 414
(B) of section 2911.01 of the Revised Code, a violation of 415
division (A) of section 2913.02 of the Revised Code in which the 416
stolen property is a firearm or dangerous ordnance, or a felony 417
violation of division (B) of section 2921.331 of the Revised Code, 418
the offender shall serve that prison term consecutively to any 419
other prison term or mandatory prison term previously or 420
subsequently imposed upon the offender. 421

(4) If multiple prison terms are imposed on an offender for 422
convictions of multiple offenses, the court may require the 423
offender to serve the prison terms consecutively if the court 424
finds that the consecutive service is necessary to protect the 425
public from future crime or to punish the offender and that 426
consecutive sentences are not disproportionate to the seriousness 427
of the offender's conduct and to the danger the offender poses to 428
the public, and if the court also finds any of the following: 429

(a) The offender committed one or more of the multiple 430
offenses while the offender was awaiting trial or sentencing, was 431
under a sanction imposed pursuant to section 2929.16, 2929.17, or 432
2929.18 of the Revised Code, or was under post-release control for 433

a prior offense. 434

(b) At least two of the multiple offenses were committed as 435
part of one or more courses of conduct, and the harm caused by two 436
or more of the multiple offenses so committed was so great or 437
unusual that no single prison term for any of the offenses 438
committed as part of any of the courses of conduct adequately 439
reflects the seriousness of the offender's conduct. 440

(c) The offender's history of criminal conduct demonstrates 441
that consecutive sentences are necessary to protect the public 442
from future crime by the offender. 443

(5) If a mandatory prison term is imposed upon an offender 444
pursuant to division (D)(5) or (6) of this section, the offender 445
shall serve the mandatory prison term consecutively to and prior 446
to any prison term imposed for the underlying violation of 447
division (A)(1) or (2) of section 2903.06 of the Revised Code 448
pursuant to division (A) of this section. If a mandatory prison 449
term is imposed upon an offender pursuant to division (D)(5) of 450
this section, and if a mandatory prison term also is imposed upon 451
the offender pursuant to division (D)(6) of this section in 452
relation to the same violation, the offender shall serve the 453
mandatory prison term imposed pursuant to division (D)(5) of this 454
section consecutively to and prior to the mandatory prison term 455
imposed pursuant to division (D)(6) of this section and 456
consecutively to and prior to any prison term imposed for the 457
underlying violation of division (A)(1) or (2) of section 2903.06 458
of the Revised Code pursuant to division (A) of this section. 459

(6) If a mandatory prison term is imposed upon an offender 460
pursuant to division (D)(7) of this section, the offender shall 461
serve the mandatory prison term consecutively to and prior to any 462
prison term imposed for the underlying sexually oriented offense 463
or child-victim oriented offense. 464

(7) When consecutive prison terms are imposed pursuant to 465
division (E)(1), (2), (3), (4), ~~or (5)~~, or (6) of this section, 466
the term to be served is the aggregate of all of the terms so 467
imposed. 468

(F)(1) If a court imposes a prison term for a felony of the 469
first degree, for a felony of the second degree, for a felony sex 470
offense, or for a felony of the third degree that is not a felony 471
sex offense and in the commission of which the offender caused or 472
threatened to cause physical harm to a person, it shall include in 473
the sentence a requirement that the offender be subject to a 474
period of post-release control after the offender's release from 475
imprisonment, in accordance with that division. If a court imposes 476
a sentence including a prison term of a type described in this 477
division on or after ~~the effective date of this amendment~~ July 11, 478
2006, the failure of a court to include a post-release control 479
requirement in the sentence pursuant to this division does not 480
negate, limit, or otherwise affect the mandatory period of 481
post-release control that is required for the offender under 482
division (B) of section 2967.28 of the Revised Code. Section 483
2929.191 of the Revised Code applies if, prior to ~~the effective~~ 484
~~date of this amendment~~ July 11, 2006, a court imposed a sentence 485
including a prison term of a type described in this division and 486
failed to include in the sentence pursuant to this division a 487
statement regarding post-release control. 488

(2) If a court imposes a prison term for a felony of the 489
third, fourth, or fifth degree that is not subject to division 490
(F)(1) of this section, it shall include in the sentence a 491
requirement that the offender be subject to a period of 492
post-release control after the offender's release from 493
imprisonment, in accordance with that division, if the parole 494
board determines that a period of post-release control is 495
necessary. Section 2929.191 of the Revised Code applies if, prior 496

to ~~the effective date of this amendment~~ July 11, 2006, a court 497
imposed a sentence including a prison term of a type described in 498
this division and failed to include in the sentence pursuant to 499
this division a statement regarding post-release control. 500

(G) If a person is convicted of or pleads guilty to a violent 501
sex offense or a designated homicide, assault, or kidnapping 502
offense and, in relation to that offense, the offender is 503
adjudicated a sexually violent predator, the court shall impose 504
sentence upon the offender in accordance with section 2971.03 of 505
the Revised Code, and Chapter 2971. of the Revised Code applies 506
regarding the prison term or term of life imprisonment without 507
parole imposed upon the offender and the service of that term of 508
imprisonment. 509

(H) If a person who has been convicted of or pleaded guilty 510
to a felony is sentenced to a prison term or term of imprisonment 511
under this section, sections 2929.02 to 2929.06 of the Revised 512
Code, section 2971.03 of the Revised Code, or any other provision 513
of law, section 5120.163 of the Revised Code applies regarding the 514
person while the person is confined in a state correctional 515
institution. 516

(I) If an offender who is convicted of or pleads guilty to a 517
felony that is an offense of violence also is convicted of or 518
pleads guilty to a specification of the type described in section 519
2941.142 of the Revised Code that charges the offender with having 520
committed the felony while participating in a criminal gang, the 521
court shall impose upon the offender an additional prison term of 522
one, two, or three years. 523

(J) If an offender who is convicted of or pleads guilty to 524
aggravated murder, murder, or a felony of the first, second, or 525
third degree that is an offense of violence also is convicted of 526
or pleads guilty to a specification of the type described in 527
section 2941.143 of the Revised Code that charges the offender 528

with having committed the offense in a school safety zone or 529
towards a person in a school safety zone, the court shall impose 530
upon the offender an additional prison term of two years. The 531
offender shall serve the additional two years consecutively to and 532
prior to the prison term imposed for the underlying offense. 533

(K) At the time of sentencing, the court may recommend the 534
offender for placement in a program of shock incarceration under 535
section 5120.031 of the Revised Code or for placement in an 536
intensive program prison under section 5120.032 of the Revised 537
Code, disapprove placement of the offender in a program of shock 538
incarceration or an intensive program prison of that nature, or 539
make no recommendation on placement of the offender. In no case 540
shall the department of rehabilitation and correction place the 541
offender in a program or prison of that nature unless the 542
department determines as specified in section 5120.031 or 5120.032 543
of the Revised Code, whichever is applicable, that the offender is 544
eligible for the placement. 545

If the court disapproves placement of the offender in a 546
program or prison of that nature, the department of rehabilitation 547
and correction shall not place the offender in any program of 548
shock incarceration or intensive program prison. 549

If the court recommends placement of the offender in a 550
program of shock incarceration or in an intensive program prison, 551
and if the offender is subsequently placed in the recommended 552
program or prison, the department shall notify the court of the 553
placement and shall include with the notice a brief description of 554
the placement. 555

If the court recommends placement of the offender in a 556
program of shock incarceration or in an intensive program prison 557
and the department does not subsequently place the offender in the 558
recommended program or prison, the department shall send a notice 559
to the court indicating why the offender was not placed in the 560

recommended program or prison. 561

If the court does not make a recommendation under this 562
division with respect to an offender and if the department 563
determines as specified in section 5120.031 or 5120.032 of the 564
Revised Code, whichever is applicable, that the offender is 565
eligible for placement in a program or prison of that nature, the 566
department shall screen the offender and determine if there is an 567
available program of shock incarceration or an intensive program 568
prison for which the offender is suited. If there is an available 569
program of shock incarceration or an intensive program prison for 570
which the offender is suited, the department shall notify the 571
court of the proposed placement of the offender as specified in 572
section 5120.031 or 5120.032 of the Revised Code and shall include 573
with the notice a brief description of the placement. The court 574
shall have ten days from receipt of the notice to disapprove the 575
placement. 576

Sec. 2929.24. (A) Except as provided in section 2929.22 or 577
2929.23 of the Revised Code and unless another term is required or 578
authorized pursuant to law, if the sentencing court imposing a 579
sentence upon an offender for a misdemeanor elects or is required 580
to impose a jail term on the offender pursuant to this chapter, 581
the court shall impose a definite jail term that shall be one of 582
the following: 583

(1) For a misdemeanor of the first degree, not more than one 584
hundred eighty days; 585

(2) For a misdemeanor of the second degree, not more than 586
ninety days; 587

(3) For a misdemeanor of the third degree, not more than 588
sixty days; 589

(4) For a misdemeanor of the fourth degree, not more than 590

thirty days. 591

(B) A court that sentences an offender to a jail term under 592
this section may permit the offender to serve the sentence in 593
intermittent confinement or may authorize a limited release of the 594
offender as provided in division (B) of section 2929.26 of the 595
Revised Code. 596

(C) If a court sentences an offender to a jail term under 597
this section and the court assigns the offender to a county jail 598
that has established a county jail industry program pursuant to 599
section 5147.30 of the Revised Code, the court shall specify, as 600
part of the sentence, whether the offender may be considered for 601
participation in the program. During the offender's term in the 602
county jail, the court retains jurisdiction to modify its 603
specification regarding the offender's participation in the county 604
jail industry program. 605

(D) If a person is sentenced to a jail term pursuant to this 606
section, the court may impose as part of the sentence pursuant to 607
section 2929.28 of the Revised Code a reimbursement sanction, and, 608
if the local detention facility in which the term is to be served 609
is covered by a policy adopted pursuant to section 307.93, 341.14, 610
341.19, 341.21, 341.23, 753.02, 753.04, 753.16, 2301.56, or 611
2947.19 of the Revised Code and section 2929.37 of the Revised 612
Code, both of the following apply: 613

(1) The court shall specify both of the following as part of 614
the sentence: 615

(a) If the person is presented with an itemized bill pursuant 616
to section 2929.37 of the Revised Code for payment of the costs of 617
confinement, the person is required to pay the bill in accordance 618
with that section. 619

(b) If the person does not dispute the bill described in 620
division (D)(1)(a) of this section and does not pay the bill by 621

the times specified in section 2929.37 of the Revised Code, the 622
clerk of the court may issue a certificate of judgment against the 623
person as described in that section. 624

(2) The sentence automatically includes any certificate of 625
judgment issued as described in division (D)(1)(b) of this 626
section. 627

(E)(1) If an offender who is convicted of or pleads guilty to 628
a violation of division (B) of section 4511.19 of the Revised Code 629
also is convicted of or also pleads guilty to a specification of 630
the type described in section 2941.1416 of the Revised Code and if 631
the court imposes a jail term on the offender for the underlying 632
offense, the court shall impose upon the offender an additional 633
definite jail term of not more than six months. The additional 634
jail term shall not be reduced pursuant to any provision of the 635
Revised Code. The offender shall serve the additional jail term 636
consecutively to and prior to the jail term imposed for the 637
underlying offense and consecutively to any other mandatory term 638
imposed in relation to the offense. 639

(2) If an offender is convicted of or pleads guilty to a 640
sexually oriented offense or a child-victim oriented offense that 641
is a misdemeanor and also is convicted of or pleads guilty to a 642
specification of the type described in section 2941.1417 of the 643
Revised Code, the court shall impose on the offender a mandatory 644
jail term of one year. The mandatory jail term shall not be 645
reduced pursuant to any provision of the Revised Code. The 646
offender shall serve the mandatory jail term consecutively to and 647
prior to any jail term imposed for the underlying sexually 648
oriented offense or child-victim oriented offense and 649
consecutively to any other mandatory term imposed in relation to 650
that offense. This division applies regardless of whether the 651
motor vehicle used in committing the offense, to arrive at the 652
location at which the offense was committed, or to flee 653

immediately after committing the offense as specified in the 654
specification is owned by the offender or another person or is 655
rented or leased. 656

Sec. 2941.1421. (A) Imposition of a five-year mandatory 657
prison term upon an offender under division (D)(7) of section 658
2929.14 of the Revised Code and imposition of a one-year mandatory 659
jail term upon an offender under division (E)(2) of section 660
2929.24 of the Revised Code is precluded unless the offender is 661
convicted of or pleads guilty to committing a sexually oriented 662
offense or a child-victim oriented offense and unless the 663
indictment, count in the indictment, or information charging the 664
offense specifies that at the time the offender committed the 665
offense an order issued under division (A) of section 2950.15 of 666
the Revised Code applied to the offender, that the offender used a 667
motor vehicle in committing the offense, to arrive at the location 668
at which the offense was committed, or to flee immediately after 669
committing the offense, and that the motor vehicle so used did not 670
display SORN law license plates described in section 4503.237 of 671
the Revised Code. The specification shall be stated at the end of 672
the body of the indictment, count, or information and shall be 673
stated in substantially the following form: 674

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 675
Grand Jurors (or insert the person's or the prosecuting attorney's 676
name when appropriate) further find and specify that (set forth 677
that, at the time the offender committed the offense, an order 678
issued under division (A) of section 2950.15 of the Revised Code 679
applied to the offender, that the offender used a motor vehicle in 680
committing the offense, to arrive at the location at which the 681
offense was committed, or to flee immediately after committing the 682
offense, and that the motor vehicle so used did not display SORN 683
law license plates described in section 4503.237 of the Revised 684
Code). 685

(B) As used in this section, sexually oriented offense and a child-victim oriented offense have the same meanings as in section 2950.01 of the Revised Code. 686
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Sec. 2950.15. (A)(1) In any case in which an offender who is sentenced on or after the effective date of this section for a sexually oriented offense is required to register a residence address pursuant to section 2950.04 of the Revised Code based on that offense, the court shall issue an order prohibiting the offender from operating a motor vehicle upon the public roads and highways or upon any public or private property used by the public for purposes of vehicular travel or parking unless, subject to division (C) of this section, the vehicle the offender is operating displays the sex offender registration and notification law (SORN law) license plates described in section 4503.237 of the Revised Code. The court shall give a copy of the order to the offender. Except as provided in division (B) of this section, the order shall remain in effect for the same period of time prescribed by section 2950.07 of the Revised Code that the offender is required to register a residence address. 689
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A separate order shall be issued under this division for each sexually oriented offense for which an offender is sentenced on or after the effective date of this section and for which the offender is required to register a residence address based on that offense. If the offender is required to register a residence address pursuant to section 2950.04 of the Revised Code based on the conviction of or plea of guilty to more than one sexually oriented offense for which sentence is imposed on or after the effective date of this section, the period of time for which the orders issued under this division remain in effect shall be separately calculated for each of the sexually oriented offenses, and the separately calculated periods of time shall be complied with independently. 705
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(2) If an offender is convicted of or pleads guilty to any registration-exempt sexually oriented offense and is sentenced, for the offense on or after the effective date of this section, the court that is imposing sentence on the offender may issue the order described in division (A)(1) of this section and shall include in the order the duration of the order. 718
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(B) Not sooner than five years after the imposition of an order under division (A) of this section, an offender who is subject to the order may file a petition in the court that issued the order requesting the termination of the order. The court may deny the petition without a hearing but may conduct a hearing on the matter. In making a determination to terminate the order, the court shall consider all relevant factors, including public safety, the interests of justice, and the determinations, findings, and declarations of the general assembly regarding sex offenders and child-victim offenders that are set forth in section 2950.02 of the Revised Code. No court shall terminate the order if the person, within the duration of the order, has been convicted of or pleaded guilty to any sexually oriented offense, including any presumptive registration-exempt sexually oriented offense, or any child-victim oriented offense. 724
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If more than one order issued under division (A) of this section applies to an offender, the five-year period prescribed in this division shall be applied separately for each of those orders. If more than one order issued under division (A) of this section applies to an offender, the termination of one of those orders under this division does not terminate or affect any of the other orders that apply to the offender. 739
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(C)(1) If a court issues an order under division (A) of this section, the offender to whom the order applies may operate a motor vehicle that is owned by the offender's employer only if the offender is required to operate that motor vehicle in the course 746
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and scope of the offender's employment. An offender to whom an 750
order issued under division (A) of this section applies and who is 751
required to operate a motor vehicle owned by the offender's 752
employer in the course and scope of the offender's employment may 753
operate that vehicle without displaying on that vehicle SORN law 754
license plates described in section 4503.237 of the Revised Code 755
if the employer has been notified that the offender is subject to 756
the order issued under division (A) of this section and of the 757
nature of and basis for the order and if the offender has proof of 758
the offender's notification in the offender's possession while 759
operating the employer's vehicle for normal business duties. A 760
motor vehicle owned by a business that is partly or entirely owned 761
or controlled by an offender to whom an order issued under 762
division (A) of this section applies is not a motor vehicle owned 763
by an employer for purposes of this division. 764

(2) If a court issues an order under division (A) of this 765
section and if the motor vehicle to be operated by the offender to 766
whom the order applies is registered in a state other than this 767
state, the offender may operate that vehicle without displaying on 768
that vehicle SORN law license plates described in section 4503.237 769
of the Revised Code if, instead of the SORN law license plates, 770
the offender displays on that vehicle a decal, as prescribed by 771
the registrar of motor vehicles, that states that the offender is 772
subject to the order issued under division (A) of this section and 773
of the nature of and basis for the order. The decal shall be 774
displayed on the bottom left corner of the back window of the 775
vehicle or, if there is no back window, on the bottom left corner 776
of the windshield of the vehicle. The bureau of motor vehicles 777
shall adopt rules providing for the decentralization of the 778
issuance of decals described in this division, and the rules shall 779
provide for the issuance of the decals by at least one agency in 780
each county. 781

(3) If a court issues an order under division (A) of this section, if the motor vehicle to be operated by the offender to whom the order applies was purchased within the preceding thirty days by the offender or by another person, and if a temporary license placard or windshield sticker has been issued to the purchaser under section 4503.182 and division (A)(2) of section 4503.237 of the Revised Code, the offender may operate that vehicle without displaying on that vehicle SORN law license plates described in section 4503.237 of the Revised Code if, instead of the SORN law license plates, the temporary license placard or windshield sticker is displayed on the motor vehicle in accordance with section 4503.182 of the Revised Code, and the motor vehicle is operated in accordance with that section. The offender may operate the motor vehicle under authority of this division until the applicant is provided the SORN law license plates or until the expiration of the thirty-day period described in section 4503.182 of the Revised Code, whichever is earlier.

(D) No person to whom an order issued under division (A) of this section applies shall operate a motor vehicle in violation of the order. A person to whom an order issued under division (A) of this section applies and who operates a motor vehicle under authority of division (C) of this section without displaying on that vehicle SORN law license plates described in section 4503.237 of the Revised Code is not in violation of the order issued under division (A) of this section while so operating the motor vehicle.

Sec. 2950.99. (A)(1)(a) Except as otherwise provided in division (A)(1)(b) of this section, whoever violates a prohibition in section 2950.04, 2950.041, 2950.05, or 2950.06 of the Revised Code shall be punished as follows:

(i) If the most serious sexually oriented offense or child-victim oriented offense that was the basis of the

registration, notice of intent to reside, change of address 813
notification, or address verification requirement that was 814
violated under the prohibition is aggravated murder, murder, or a 815
felony of the first, second, or third degree if committed by an 816
adult or a comparable category of offense committed in another 817
jurisdiction, the offender is guilty of a felony of the third 818
degree. 819

(ii) If the most serious sexually oriented offense or 820
child-victim oriented offense that was the basis of the 821
registration, notice of intent to reside, change of address 822
notification, or address verification requirement that was 823
violated under the prohibition is a felony of the fourth or fifth 824
degree if committed by an adult or a comparable category of 825
offense committed in another jurisdiction, or if the most serious 826
sexually oriented offense or child-victim oriented offense that 827
was the basis of the registration, notice of intent to reside, 828
change of address notification, or address verification 829
requirement that was violated under the prohibition is a 830
misdemeanor if committed by an adult or a comparable category of 831
offense committed in another jurisdiction, the offender is guilty 832
of a felony of the same degree or a misdemeanor of the same degree 833
as the most serious sexually oriented offense or child-victim 834
oriented offense that was the basis of the registration, notice of 835
intent to reside, change of address, or address verification 836
requirement that was violated under the prohibition or, if the 837
most serious sexually oriented offense or child-victim oriented 838
offense that was the basis of the registration, notice of intent 839
to reside, change of address, or address verification requirement 840
that was violated under the prohibition was a comparable category 841
of offense committed in another jurisdiction, the offender is 842
guilty of a felony of the same degree or a misdemeanor of the same 843
degree as that offense committed in the other jurisdiction would 844
constitute or would have constituted if it had been committed in 845

this state. 846

(b) If the offender previously has been convicted of or 847
pleaded guilty to, or previously has been adjudicated a delinquent 848
child for committing, a violation of a prohibition in section 849
2950.04, 2950.041, 2950.05, or 2950.06 of the Revised Code, 850
whoever violates a prohibition in section 2950.04, 2950.041, 851
2950.05, or 2950.06 of the Revised Code shall be punished as 852
follows: 853

(i) If the most serious sexually oriented offense or 854
child-victim oriented offense that was the basis of the 855
registration, notice of intent to reside, change of address 856
notification, or address verification requirement that was 857
violated under the prohibition is aggravated murder, murder, or a 858
felony of the first, second, third, or fourth degree if committed 859
by an adult or a comparable category of offense committed in 860
another jurisdiction, the offender is guilty of a felony of the 861
third degree. 862

(ii) If the most serious sexually oriented offense or 863
child-victim oriented offense that was the basis of the 864
registration, notice of intent to reside, change of address 865
notification, or address verification requirement that was 866
violated under the prohibition is a felony of the fifth degree if 867
committed by an adult or a comparable category of offense 868
committed in another jurisdiction, the offender is guilty of a 869
felony of the fourth degree. 870

(iii) If the most serious sexually oriented offense or 871
child-victim oriented offense that was the basis of the 872
registration, notice of intent to reside, change of address 873
notification, or address verification requirement that was 874
violated under the prohibition is a misdemeanor of the first 875
degree if committed by an adult or a comparable category of 876
offense committed in another jurisdiction, the offender is guilty 877

of a felony of the fifth degree. 878

(iv) If the most serious sexually oriented offense or 879
child-victim oriented offense that was the basis of the 880
registration, notice of intent to reside, change of address 881
notification, or address verification requirement that was 882
violated under the prohibition is a misdemeanor other than a 883
misdemeanor of the first degree if committed by an adult or a 884
comparable category of offense committed in another jurisdiction, 885
the offender is guilty of a misdemeanor that is one degree higher 886
than the most serious sexually oriented offense or child-victim 887
oriented offense that was the basis of the registration, change of 888
address, or address verification requirement that was violated 889
under the prohibition or, if the most serious sexually oriented 890
offense or child-victim oriented offense that was the basis of the 891
registration, notice of intent to reside, change of address, or 892
address verification requirement that was violated under the 893
prohibition was a comparable category of offense committed in 894
another jurisdiction, the offender is guilty of a misdemeanor that 895
is one degree higher than the most serious sexually oriented 896
offense or child-victim oriented offense committed in the other 897
jurisdiction would constitute or would have constituted if it had 898
been committed in this state. 899

(2) In addition to any penalty or sanction imposed under 900
division (A)(1) of this section or any other provision of law for 901
a violation of a prohibition in section 2950.04, 2950.041, 902
2950.05, or 2950.06 of the Revised Code, if the offender or 903
delinquent child is subject to a community control sanction, is on 904
parole, is subject to one or more post-release control sanctions, 905
or is subject to any other type of supervised release at the time 906
of the violation, the violation shall constitute a violation of 907
the terms and conditions of the community control sanction, 908
parole, post-release control sanction, or other type of supervised 909

release. 910

(3) As used in division (A)(1) of this section, "comparable 911
category of offense committed in another jurisdiction" means a 912
sexually oriented offense or child-victim oriented offense that 913
was the basis of the registration, notice of intent to reside, 914
change of address notification, or address verification 915
requirement that was violated, that is a violation of an existing 916
or former law of another state or the United States, an existing 917
or former law applicable in a military court or in an Indian 918
tribal court, or an existing or former law of any nation other 919
than the United States, and that, if it had been committed in this 920
state, would constitute or would have constituted aggravated 921
murder, murder, or a felony of the first, second, or third degree 922
for purposes of division (A)(1)(a)(i) of this section, a felony of 923
the fourth or fifth degree or a misdemeanor for purposes of 924
division (A)(1)(a)(ii) of this section, aggravated murder, murder, 925
or a felony of the first, second, third, or fourth degree for 926
purposes of division (A)(1)(b)(i) of this section, a felony of the 927
fifth degree for purposes of division (A)(1)(b)(ii) of this 928
section, a misdemeanor of the first degree for purposes of 929
division (A)(1)(b)(iii) of this section, or a misdemeanor other 930
than a misdemeanor of the first degree for purposes of division 931
(A)(1)(b)(iv) of this section. 932

(B) If a person violates a prohibition in section 2950.04, 933
2950.041, 2950.05, or 2950.06 of the Revised Code that applies to 934
the person as a result of the person being adjudicated a 935
delinquent child and being classified a juvenile offender 936
registrant or as an out-of-state juvenile offender registrant, 937
both of the following apply: 938

(1) If the violation occurs while the person is under 939
eighteen years of age, the person is subject to proceedings under 940
Chapter 2152. of the Revised Code based on the violation. 941

(2) If the violation occurs while the person is eighteen 942
years of age or older, the person is subject to criminal 943
prosecution based on the violation. 944

(C) Whoever violates division (C) of section 2950.13 of the 945
Revised Code is guilty of a misdemeanor of the first degree. 946

(D) Whoever violates division (D) of section 2950.15 of the 947
Revised Code is guilty of a misdemeanor of the first degree. 948

Sec. 4503.237. (A)(1) Upon presentation of an order issued 949
under section 2950.15 of the Revised Code and compliance with all 950
applicable laws relating to the registration of motor vehicles, 951
the registrar shall issue to the applicant sex offender 952
registration and notification law (SORN law) license plates. SORN 953
law license plates may be issued for any vehicle registered in the 954
name of the person named in the order or for any vehicle the 955
person named in the order intends to operate. 956

SORN law license plates shall have a distinctive fluorescent 957
green background color and carry a special serial number that is 958
readily identified by law enforcement officers. The registrar of 959
motor vehicles shall designate the distinctive fluorescent green 960
color and serial number to be used on SORN law license plates, 961
which shall remain the same from year to year and shall not be 962
displayed on any other motor vehicles. 963

The bureau of motor vehicles shall adopt rules providing for 964
the decentralization of the issuance of SORN law license plates 965
under this section. The rules shall provide for the issuance of 966
the SORN law license plates by at least one agency in each county. 967

(2) If a person to whom an order issued under section 2950.15 968
of the Revised Code applies purchases a motor vehicle or if 969
another person purchases a motor vehicle that a person to whom 970
such an order applies will operate, and if the purchaser presents 971

the order as described in division (A)(1) of this section, the 972
purchaser may be issued a temporary license placard or windshield 973
sticker in accordance with section 4503.182 of the Revised Code. 974
If a temporary license placard or windshield sticker is issued to 975
the purchaser under this division in accordance with section 976
4503.182 of the Revised Code, the person to whom the order issued 977
under section 2950.15 of the Revised Code applies may operate the 978
motor vehicle in accordance with division (C)(3) of section 979
2950.15 of the Revised Code without displaying on that vehicle 980
SORN law license plates. The person may operate the motor vehicle 981
in accordance with that division until the person is provided the 982
SORN law license plates or until the expiration of the thirty-day 983
period described in section 4503.182 of the Revised Code, 984
whichever is earlier. 985

(B) No person operating a motor vehicle displaying SORN law 986
license plates as described in this division shall knowingly 987
disguise or obscure the color of the SORN law license plate. 988

(C) Whoever violates division (B) of this section is guilty 989
of a minor misdemeanor. 990

Sec. 4511.203. (A) No person shall permit a motor vehicle 991
owned by the person or under the person's control to be driven by 992
another if any of the following apply: 993

(1) The offender knows or has reasonable cause to believe 994
that the other person does not have a valid driver's or commercial 995
driver's license or permit or valid nonresident driving 996
privileges. 997

(2) The offender knows or has reasonable cause to believe 998
that the other person's driver's or commercial driver's license or 999
permit or nonresident operating privileges have been suspended or 1000
canceled under Chapter 4510. or any other provision of the Revised 1001
Code. 1002

(3) The offender knows or has reasonable cause to believe 1003
that the other person's act of driving the motor vehicle would 1004
violate any prohibition contained in Chapter 4509. of the Revised 1005
Code. 1006

(4) The offender knows or has reasonable cause to believe 1007
that the other person's act of driving would violate section 1008
4511.19 of the Revised Code or any substantially equivalent 1009
municipal ordinance. 1010

(5) The offender knows or has reasonable cause to believe 1011
that a court order issued under division (A) of section 2950.15 of 1012
the Revised Code applies to the person, the motor vehicle does not 1013
display SORN law license plates as described in section 4503.237 1014
of the Revised Code, and the offender is not authorized by 1015
division (C) of that section to operate that vehicle without 1016
displaying on that vehicle SORN law license plates. 1017

(B) Without limiting or precluding the consideration of any 1018
other evidence in determining whether a violation of division 1019
(A)(1), (2), (3), or (4) of this section has occurred, it shall be 1020
prima-facie evidence that the offender knows or has reasonable 1021
cause to believe that the operator of the motor vehicle owned by 1022
the offender or under the offender's control is in a category 1023
described in division (A)(1), (2), (3), or (4) of this section if 1024
any of the following applies: 1025

(1) Regarding an operator allegedly in the category described 1026
in division (A)(1) or (3) of this section, the offender and the 1027
operator of the motor vehicle reside in the same household and are 1028
related by consanguinity or affinity. 1029

(2) Regarding an operator allegedly in the category described 1030
in division (A)(2) of this section, the offender and the operator 1031
of the motor vehicle reside in the same household, and the 1032
offender knows or has reasonable cause to believe that the 1033

operator has been charged with or convicted of any violation of 1034
law or ordinance, or has committed any other act or omission, that 1035
would or could result in the suspension or cancellation of the 1036
operator's license, permit, or privilege. 1037

(3) Regarding an operator allegedly in the category described 1038
in division (A)(4) of this section, the offender and the operator 1039
of the motor vehicle occupied the motor vehicle together at the 1040
time of the offense. 1041

(C) Whoever violates this section is guilty of wrongful 1042
entrustment of a motor vehicle, a misdemeanor of the first degree. 1043
In addition to the penalties imposed under Chapter 2929. of the 1044
Revised Code, the court shall impose a class seven suspension of 1045
the offender's driver's license, commercial driver's license, 1046
temporary instruction permit, probationary license, or nonresident 1047
operating privilege from the range specified in division (A)(7) of 1048
section 4510.02 of the Revised Code, and, if the vehicle involved 1049
in the offense is registered in the name of the offender, the 1050
court shall order one of the following: 1051

(1) Except as otherwise provided in division (C)(2) or (3) of 1052
this section, the court shall order, for thirty days, the 1053
immobilization of the vehicle involved in the offense and the 1054
impoundment of that vehicle's license plates. The order shall be 1055
issued and enforced under section 4503.233 of the Revised Code. 1056

(2) If the offender previously has been convicted of or 1057
pleaded guilty to one violation of this section or a substantially 1058
equivalent municipal ordinance, the court shall order, for sixty 1059
days, the immobilization of the vehicle involved in the offense 1060
and the impoundment of that vehicle's license plates. The order 1061
shall be issued and enforced under section 4503.233 of the Revised 1062
Code. 1063

(3) If the offender previously has been convicted of or 1064

pleaded guilty to two or more violations of this section or a 1065
substantially equivalent municipal ordinance, the court shall 1066
order the criminal forfeiture to the state of the vehicle involved 1067
in the offense. The order shall be issued and enforced under 1068
section 4503.234 of the Revised Code. 1069

If title to a motor vehicle that is subject to an order for 1070
criminal forfeiture under this division is assigned or transferred 1071
and division (B)(2) or (3) of section 4503.234 of the Revised Code 1072
applies, in addition to or independent of any other penalty 1073
established by law, the court may fine the offender the value of 1074
the vehicle as determined by publications of the national auto 1075
dealer's association. The proceeds from any fine imposed under 1076
this division shall be distributed in accordance with division 1077
(C)(2) of section 4503.234 of the Revised Code. 1078

(D) If a court orders the immobilization of a vehicle under 1079
division (C) of this section, the court shall not release the 1080
vehicle from the immobilization before the termination of the 1081
period of immobilization ordered unless the court is presented 1082
with current proof of financial responsibility with respect to 1083
that vehicle. 1084

(E) If a court orders the criminal forfeiture of a vehicle 1085
under division (C) of this section, upon receipt of the order from 1086
the court, neither the registrar of motor vehicles nor any deputy 1087
registrar shall accept any application for the registration or 1088
transfer of registration of any motor vehicle owned or leased by 1089
the person named in the order. The period of denial shall be five 1090
years after the date the order is issued, unless, during that 1091
five-year period, the court with jurisdiction of the offense that 1092
resulted in the order terminates the forfeiture and notifies the 1093
registrar of the termination. If the court terminates the 1094
forfeiture and notifies the registrar, the registrar shall take 1095
all necessary measures to permit the person to register a vehicle 1096

owned or leased by the person or to transfer the registration of 1097
the vehicle. 1098

(F) This section does not apply to motor vehicle rental 1099
dealers or motor vehicle leasing dealers, as defined in section 1100
4549.65 of the Revised Code. 1101

(G) Evidence of a conviction of, plea of guilty to, or 1102
adjudication as a delinquent child for a violation of this section 1103
or a substantially similar municipal ordinance shall not be 1104
admissible as evidence in any civil action that involves the 1105
offender or delinquent child who is the subject of the conviction, 1106
plea, or adjudication and that arises from the wrongful 1107
entrustment of a motor vehicle. 1108

(H) As used in this section, a vehicle is owned by a person 1109
if, at the time of a violation of this section, the vehicle is 1110
registered in the person's name. 1111

Section 2. That existing sections 2929.14, 2929.24, 2950.99, 1112
and 4511.203 of the Revised Code are hereby repealed. 1113