

As Introduced

**128th General Assembly
Regular Session
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H. B. No. 334

Representative Pryor

**Cosponsors: Representatives Domenick, Fende, Hagan, Murray,
Williams, B., Yuko**

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A B I L L

To amend section 2929.02 of the Revised Code to 1
change the prison term for murder from an 2
indefinite term of fifteen years to life to an 3
indefinite term consisting of a minimum term of 4
fifteen, sixteen, seventeen, eighteen, nineteen, 5
or twenty years and a maximum term of life 6
imprisonment. 7

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

Section 1. That section 2929.02 of the Revised Code be 8
amended to read as follows: 9

Sec. 2929.02. (A) Whoever is convicted of or pleads guilty to 10
aggravated murder in violation of section 2903.01 of the Revised 11
Code shall suffer death or be imprisoned for life, as determined 12
pursuant to sections 2929.022, 2929.03, and 2929.04 of the Revised 13
Code, except that no person who raises the matter of age pursuant 14
to section 2929.023 of the Revised Code and who is not found to 15
have been eighteen years of age or older at the time of the 16
commission of the offense shall suffer death. In addition, the 17
offender may be fined an amount fixed by the court, but not more 18

than twenty-five thousand dollars. 19

(B)(1) Except as otherwise provided in division (B)(2) or (3) 20
of this section, whoever is convicted of or pleads guilty to 21
murder in violation of section 2903.02 of the Revised Code shall 22
be imprisoned for an indefinite term consisting of a minimum term 23
of fifteen, sixteen, seventeen, eighteen, nineteen, or twenty 24
years ~~to~~ and a maximum term of life imprisonment. 25

(2) Except as otherwise provided in division (B)(3) of this 26
section, if a person is convicted of or pleads guilty to murder in 27
violation of section 2903.02 of the Revised Code, the victim of 28
the offense was less than thirteen years of age, and the offender 29
also is convicted of or pleads guilty to a sexual motivation 30
specification that was included in the indictment, count in the 31
indictment, or information charging the offense, the court shall 32
impose an indefinite prison term of thirty years to life pursuant 33
to division (B)(3) of section 2971.03 of the Revised Code. 34

(3) If a person is convicted of or pleads guilty to murder in 35
violation of section 2903.02 of the Revised Code and also is 36
convicted of or pleads guilty to a sexual motivation specification 37
and a sexually violent predator specification that were included 38
in the indictment, count in the indictment, or information that 39
charged the murder, the court shall impose upon the offender a 40
term of life imprisonment without parole that shall be served 41
pursuant to section 2971.03 of the Revised Code. 42

(4) In addition, the offender may be fined an amount fixed by 43
the court, but not more than fifteen thousand dollars. 44

(C) The court shall not impose a fine or fines for aggravated 45
murder or murder which, in the aggregate and to the extent not 46
suspended by the court, exceeds the amount which the offender is 47
or will be able to pay by the method and within the time allowed 48
without undue hardship to the offender or to the dependents of the 49

offender, or will prevent the offender from making reparation for 50
the victim's wrongful death. 51

(D)(1) In addition to any other sanctions imposed for a 52
violation of section 2903.01 or 2903.02 of the Revised Code, if 53
the offender used a motor vehicle as the means to commit the 54
violation, the court shall impose upon the offender a class two 55
suspension of the offender's driver's license, commercial driver's 56
license, temporary instruction permit, probationary license, or 57
nonresident operating privilege as specified in division (A)(2) of 58
section 4510.02 of the Revised Code. 59

(2) As used in division (D) of this section, "motor vehicle" 60
has the same meaning as in section 4501.01 of the Revised Code. 61

Section 2. That existing section 2929.02 of the Revised Code 62
is hereby repealed. 63