

**As Introduced**

**128th General Assembly  
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**H. B. No. 493**

**Representative Chandler**

**Cosponsors: Representatives Williams, B., Pillich, Newcomb, Lehner,  
Driehaus, Harris, Letson, Hagan, Lundy, Skindell, Foley, Yuko, Fende,  
Winburn, Stewart, DeGeeter, Garland, Derickson, Harwood, Brown, Pryor,  
Mallory**

**—**

**A B I L L**

To amend sections 109.73, 2901.13, 2905.01, 2905.02, 1  
2907.21, 2923.01, 2923.31, 2929.01, 2929.14, and 2  
2941.1422 and to enact sections 109.44, 109.745, 3  
109.746, 2307.54, 2905.31, 2905.32, 2905.33, 4  
2930.21, 4113.72, and 5515.071 of the Revised Code 5  
relative to trafficking in persons. 6

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

**Section 1.** That sections 109.73, 2901.13, 2905.01, 2905.02, 7  
2907.21, 2923.01, 2923.31, 2929.01, 2929.14, and 2941.1422 be 8  
amended and sections 109.44, 109.745, 109.746, 2307.54, 2905.31, 9  
2905.32, 2905.33, 2930.21, 4113.72, and 5515.071 of the Revised 10  
Code be enacted to read as follows: 11

**Sec. 109.44.** (A) The attorney general, with assistance from 12  
the bureau of criminal identification and investigation, annually 13  
shall publish statistical data on violations of section 2905.32 of 14  
the Revised Code. The first annual publication of this data shall 15  
occur one year after the effective date of this section. 16

(B) Each state agency and each agency of each political subdivision that investigates violations of section 2905.32 of the Revised Code or acts of human trafficking as defined in section 2929.01 of the Revised Code shall collect and submit to the bureau of criminal identification and investigation on a date to be determined by the attorney general the following information relevant to those violations: 17  
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(1) The number of investigations, arrests, prosecutions, and successful convictions of persons for a violation of that section; 24  
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(2) The estimated number and demographic characteristics of persons violating section 2905.32 of the Revised Code, as well as those persons who purchase or receive a commercial sex act, sexually explicit performance, labor, or services from victims of violations of that section; 26  
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(3) Statistics on the number of victims of violations of that section and statistics on the nationality, age, method of recruitment, and country, state, or city of origin of the victims of violations of that section; 31  
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(4) Trafficking routes and trafficking patterns used in violations of that section; 35  
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(5) Methods of transportation used in violations of that section; 37  
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(6) Social and economic factors that contribute to and foster the demand for all forms of exploitation of persons that leads to trafficking in persons. 39  
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(C) As used in this section, "commercial sex act," "labor," "services," and "sexually explicit performance" have the same meanings as in section 2905.31 of the Revised Code. 42  
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**Sec. 109.73.** (A) The Ohio peace officer training commission shall recommend rules to the attorney general with respect to all 45  
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of the following:	47
(1) The approval, or revocation of approval, of peace officer training schools administered by the state, counties, municipal corporations, public school districts, technical college districts, and the department of natural resources;	48 49 50 51
(2) Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved state, county, municipal, and department of natural resources peace officer training schools;	52 53 54 55
(3) Minimum qualifications for instructors at approved state, county, municipal, and department of natural resources peace officer training schools;	56 57 58
(4) The requirements of minimum basic training that peace officers appointed to probationary terms shall complete before being eligible for permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code; crisis intervention training; and training in the handling of missing children and child abuse and neglect cases; <u>and a specified amount of training in handling violations of section 2905.32 of the Revised Code;</u> and the time within which such basic training shall be completed following appointment to a probationary term;	59 60 61 62 63 64 65 66 67 68 69 70 71
(5) The requirements of minimum basic training that peace officers not appointed for probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related	72 73 74 75 76 77

offenses and incidents, and protection orders and consent 78  
agreements issued or approved under section 2919.26 or 3113.31 of 79  
the Revised Code, crisis intervention training, and training in 80  
the handling of missing children and child abuse and neglect 81  
cases, and a specified amount of training in handling violations 82  
of section 2905.32 of the Revised Code, and the time within which 83  
such basic training shall be completed following appointment on 84  
other than a permanent basis; 85

(6) Categories or classifications of advanced in-service 86  
training programs for peace officers, including programs in the 87  
handling of the offense of domestic violence, other types of 88  
domestic violence-related offenses and incidents, and protection 89  
orders and consent agreements issued or approved under section 90  
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 91  
and in the handling of missing children and child abuse and 92  
neglect cases, and in handling violations of section 2905.32 of 93  
the Revised Code, and minimum courses of study and attendance 94  
requirements with respect to such categories or classifications; 95

(7) Permitting persons, who are employed as members of a 96  
campus police department appointed under section 1713.50 of the 97  
Revised Code; who are employed as police officers by a qualified 98  
nonprofit corporation police department pursuant to section 99  
1702.80 of the Revised Code; who are appointed and commissioned as 100  
bank, savings and loan association, savings bank, credit union, or 101  
association of banks, savings and loan associations, savings 102  
banks, or credit unions police officers, as railroad police 103  
officers, or as hospital police officers pursuant to sections 104  
4973.17 to 4973.22 of the Revised Code; or who are appointed and 105  
commissioned as amusement park police officers pursuant to section 106  
4973.17 of the Revised Code, to attend approved peace officer 107  
training schools, including the Ohio peace officer training 108  
academy, and to receive certificates of satisfactory completion of 109

basic training programs, if the private college or university that 110  
established the campus police department; qualified nonprofit 111  
corporation police department; bank, savings and loan association, 112  
savings bank, credit union, or association of banks, savings and 113  
loan associations, savings banks, or credit unions; railroad 114  
company; hospital; or amusement park sponsoring the police 115  
officers pays the entire cost of the training and certification 116  
and if trainee vacancies are available; 117

(8) Permitting undercover drug agents to attend approved 118  
peace officer training schools, other than the Ohio peace officer 119  
training academy, and to receive certificates of satisfactory 120  
completion of basic training programs, if, for each undercover 121  
drug agent, the county, township, or municipal corporation that 122  
employs that undercover drug agent pays the entire cost of the 123  
training and certification; 124

(9)(a) The requirements for basic training programs for 125  
bailiffs and deputy bailiffs of courts of record of this state and 126  
for criminal investigators employed by the state public defender 127  
that those persons shall complete before they may carry a firearm 128  
while on duty; 129

(b) The requirements for any training received by a bailiff 130  
or deputy bailiff of a court of record of this state or by a 131  
criminal investigator employed by the state public defender prior 132  
to June 6, 1986, that is to be considered equivalent to the 133  
training described in division (A)(9)(a) of this section. 134

(10) Establishing minimum qualifications and requirements for 135  
certification for dogs utilized by law enforcement agencies; 136

(11) Establishing minimum requirements for certification of 137  
persons who are employed as correction officers in a full-service 138  
jail, five-day facility, or eight-hour holding facility or who 139  
provide correction services in such a jail or facility; 140

(12) Establishing requirements for the training of agents of a county humane society under section 1717.06 of the Revised Code, including, without limitation, a requirement that the agents receive instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices.

(B) The commission shall appoint an executive director, with the approval of the attorney general, who shall hold office during the pleasure of the commission. The executive director shall perform such duties assigned by the commission. The executive director shall receive a salary fixed pursuant to Chapter 124. of the Revised Code and reimbursement for expenses within the amounts available by appropriation. The executive director may appoint officers, employees, agents, and consultants as the executive director considers necessary, prescribe their duties, and provide for reimbursement of their expenses within the amounts available for reimbursement by appropriation and with the approval of the commission.

(C) The commission may do all of the following:

(1) Recommend studies, surveys, and reports to be made by the executive director regarding the carrying out of the objectives and purposes of sections 109.71 to 109.77 of the Revised Code;

(2) Visit and inspect any peace officer training school that has been approved by the executive director or for which application for approval has been made;

(3) Make recommendations, from time to time, to the executive director, the attorney general, and the general assembly regarding the carrying out of the purposes of sections 109.71 to 109.77 of the Revised Code;

(4) Report to the attorney general from time to time, and to the governor and the general assembly at least annually,

concerning the activities of the commission;	172
(5) Establish fees for the services the commission offers	173
under sections 109.71 to 109.79 of the Revised Code, including,	174
but not limited to, fees for training, certification, and testing;	175
(6) Perform such other acts as are necessary or appropriate	176
to carry out the powers and duties of the commission as set forth	177
in sections 109.71 to 109.77 of the Revised Code.	178
(D) In establishing the requirements, under division (A)(12)	179
of this section, the commission may consider any portions of the	180
curriculum for instruction on the topic of animal husbandry	181
practices, if any, of the Ohio state university college of	182
veterinary medicine. No person or entity that fails to provide	183
instruction on traditional animal husbandry methods and training	184
techniques, including customary owner-performed practices, shall	185
qualify to train a humane agent for appointment under section	186
1717.06 of the Revised Code.	187
<u>Sec. 109.745. (A) The attorney general shall provide training</u>	188
<u>for peace officers in investigating and handling violations of</u>	189
<u>section 2905.32 of the Revised Code. The training shall include</u>	190
<u>all of the following:</u>	191
<u>(1) Identifying violations of section 2905.32 of the Revised</u>	192
<u>Code;</u>	193
<u>(2) Methods used in identifying victims of violations of</u>	194
<u>section 2905.32 of the Revised Code who are citizens of the United</u>	195
<u>States or a foreign country, including preliminary interviewing</u>	196
<u>techniques and appropriate questioning methods;</u>	197
<u>(3) Methods for prosecuting persons who violate section</u>	198
<u>2905.32 of the Revised Code;</u>	199
<u>(4) Methods of increasing effective collaboration with</u>	200
<u>nongovernmental organizations and other social service</u>	201

organizations in the course of a criminal action regarding a 202  
violation of section 2905.32 of the Revised Code; 203

(5) Methods for protecting the rights of victims of 204  
violations of section 2905.32 of the Revised Code, including the 205  
need to consider human rights and the special needs of women and 206  
children who are victims of violations of that section and to 207  
treat victims as victims rather than as criminals; 208

(6) Methods for promoting the safety of victims of violations 209  
of section 2905.32 of the Revised Code, including the training of 210  
peace officers to quickly recognize victims of a violation of any 211  
of those sections who are citizens of the United States or 212  
citizens of a foreign country. 213

(B) Any organization, person, or other governmental agency 214  
with an interest and expertise in trafficking in persons may 215  
submit information or materials to the attorney general regarding 216  
the development and presentation of the training required under 217  
this section. The attorney general, in developing the training 218  
required by this section, shall consider any information submitted 219  
pursuant to this division. 220

**Sec. 109.746.** (A) The attorney general may prepare public 221  
awareness programs that are designed to educate potential victims 222  
of violations of section 2905.32 of the Revised Code and their 223  
families of the risks of becoming a victim of a violation of that 224  
section. The attorney general may prepare these programs with 225  
assistance from the department of health, the department of mental 226  
health, the department of job and family services, the department 227  
of alcohol and drug addiction services, and the department of 228  
education. The extent of the assistance provided by those 229  
departments shall be determined by the attorney general. 230

(B) The attorney general may periodically evaluate all public 231  
awareness programs and materials under this section to ensure the 232



programs' and materials' effectiveness. 233

(C) Any organization, person, or other governmental agency 234  
with an interest and expertise in trafficking in persons may 235  
submit information or materials to the attorney general regarding 236  
the preparation of the programs and materials permitted under this 237  
section. The attorney general, in developing the programs and 238  
materials permitted by this section, shall consider any 239  
information submitted pursuant to this division. 240

Sec. 2307.54. A person who suffers injury or loss to person 241  
or property as a result of an act committed in violation of 242  
section 2905.32 of the Revised Code has a civil action against the 243  
offender and may recover in that action full compensatory damages, 244  
punitive or exemplary damages, court costs, other reasonable 245  
expenses incurred in maintaining that action, and the reasonable 246  
attorney's fees incurred in maintaining that action. 247

Sec. 2901.13. (A)(1) Except as provided in division (A)(2) or 248  
(3) of this section or as otherwise provided in this section, a 249  
prosecution shall be barred unless it is commenced within the 250  
following periods after an offense is committed: 251

(a) For a felony, six years; 252

(b) For a misdemeanor other than a minor misdemeanor, two 253  
years; 254

(c) For a minor misdemeanor, six months. 255

(2) There is no period of limitation for the prosecution of a 256  
violation of section 2903.01 or 2903.02 of the Revised Code. 257

(3) Except as otherwise provided in divisions (B) to ~~(H)~~(J) 258  
of this section, a prosecution of any of the following offenses 259  
shall be barred unless it is commenced within twenty years after 260  
the offense is committed: 261

(a) A violation of section 2903.03, 2903.04, 2905.01, 262  
2905.32, 2907.02, 2907.03, 2907.04, 2907.05, 2907.21, 2909.02, 263  
2909.22, 2909.23, 2909.24, 2909.26, 2909.27, 2909.28, 2909.29, 264  
2911.01, 2911.02, 2911.11, 2911.12, or 2917.02 of the Revised 265  
Code, a violation of section 2903.11 or 2903.12 of the Revised 266  
Code if the victim is a peace officer, a violation of section 267  
2903.13 of the Revised Code that is a felony, or a violation of 268  
former section 2907.12 of the Revised Code; 269

(b) A conspiracy to commit, attempt to commit, or complicity 270  
in committing a violation set forth in division (A)(3)(a) of this 271  
section. 272

(B)(1) Except as otherwise provided in division (B)(2) of 273  
this section, if the period of limitation provided in division 274  
(A)(1) or (3) of this section has expired, prosecution shall be 275  
commenced for an offense of which an element is fraud or breach of 276  
a fiduciary duty, within one year after discovery of the offense 277  
either by an aggrieved person, or by the aggrieved person's legal 278  
representative who is not a party to the offense. 279

(2) If the period of limitation provided in division (A)(1) 280  
or (3) of this section has expired, prosecution for a violation of 281  
section 2913.49 of the Revised Code shall be commenced within five 282  
years after discovery of the offense either by an aggrieved person 283  
or the aggrieved person's legal representative who is not a party 284  
to the offense. 285

(C)(1) If the period of limitation provided in division 286  
(A)(1) or (3) of this section has expired, prosecution shall be 287  
commenced for the following offenses during the following 288  
specified periods of time: 289

(a) For an offense involving misconduct in office by a public 290  
servant, at any time while the accused remains a public servant, 291  
or within two years thereafter; 292

(b) For an offense by a person who is not a public servant 293  
but whose offense is directly related to the misconduct in office 294  
of a public servant, at any time while that public servant remains 295  
a public servant, or within two years thereafter. 296

(2) As used in this division: 297

(a) An "offense is directly related to the misconduct in 298  
office of a public servant" includes, but is not limited to, a 299  
violation of section 101.71, 101.91, 121.61 or 2921.13, division 300  
(F) or (H) of section 102.03, division (A) of section 2921.02, 301  
division (A) or (B) of section 2921.43, or division (F) or (G) of 302  
section 3517.13 of the Revised Code, that is directly related to 303  
an offense involving misconduct in office of a public servant. 304

(b) "Public servant" has the same meaning as in section 305  
2921.01 of the Revised Code. 306

(D) An offense is committed when every element of the offense 307  
occurs. In the case of an offense of which an element is a 308  
continuing course of conduct, the period of limitation does not 309  
begin to run until such course of conduct or the accused's 310  
accountability for it terminates, whichever occurs first. 311

(E) A prosecution is commenced on the date an indictment is 312  
returned or an information filed, or on the date a lawful arrest 313  
without a warrant is made, or on the date a warrant, summons, 314  
citation, or other process is issued, whichever occurs first. A 315  
prosecution is not commenced by the return of an indictment or the 316  
filing of an information unless reasonable diligence is exercised 317  
to issue and execute process on the same. A prosecution is not 318  
commenced upon issuance of a warrant, summons, citation, or other 319  
process, unless reasonable diligence is exercised to execute the 320  
same. 321

(F) The period of limitation shall not run during any time 322  
when the corpus delicti remains undiscovered. 323

(G) The period of limitation shall not run during any time 324  
when the accused purposely avoids prosecution. Proof that the 325  
accused departed this state or concealed the accused's identity or 326  
whereabouts is prima-facie evidence of the accused's purpose to 327  
avoid prosecution. 328

(H) The period of limitation shall not run during any time a 329  
prosecution against the accused based on the same conduct is 330  
pending in this state, even though the indictment, information, or 331  
process that commenced the prosecution is quashed or the 332  
proceedings on the indictment, information, or process are set 333  
aside or reversed on appeal. 334

(I) The period of limitation for a violation of any provision 335  
of Title XXIX of the Revised Code that involves a physical or 336  
mental wound, injury, disability, or condition of a nature that 337  
reasonably indicates abuse or neglect of a child under eighteen 338  
years of age or of a mentally retarded, developmentally disabled, 339  
or physically impaired child under twenty-one years of age shall 340  
not begin to run until either of the following occurs: 341

(1) The victim of the offense reaches the age of majority. 342

(2) A public children services agency, or a municipal or 343  
county peace officer that is not the parent or guardian of the 344  
child, in the county in which the child resides or in which the 345  
abuse or neglect is occurring or has occurred has been notified 346  
that abuse or neglect is known, suspected, or believed to have 347  
occurred. 348

(J) As used in this section, "peace officer" has the same 349  
meaning as in section 2935.01 of the Revised Code. 350

**Sec. 2905.01.** (A) No person, by force, threat, or deception, 351  
or, in the case of a victim under the age of thirteen or mentally 352  
incompetent, by any means, shall remove another from the place 353

where the other person is found or restrain the liberty of the 354  
other person, for any of the following purposes: 355

(1) To hold for ransom, or as a shield or hostage; 356

(2) To facilitate the commission of any felony or flight 357  
thereafter; 358

(3) To terrorize, or to inflict serious physical harm on the 359  
victim or another; 360

(4) To engage in sexual activity, as defined in section 361  
2907.01 of the Revised Code, with the victim against the victim's 362  
will; 363

(5) To hinder, impede, or obstruct a function of government, 364  
or to force any action or concession on the part of governmental 365  
authority; 366

(6) To hold another in a condition of involuntary servitude. 367

(B) No person, by force, threat, or deception, or, in the 368  
case of a victim under the age of thirteen or mentally 369  
incompetent, by any means, shall knowingly do any of the 370  
following, under circumstances that create a substantial risk of 371  
serious physical harm to the victim or, in the case of a minor 372  
victim, under circumstances that either create a substantial risk 373  
of serious physical harm to the victim or cause physical harm to 374  
the victim: 375

(1) Remove another from the place where the other person is 376  
found; 377

(2) Restrain another of the other person's liberty; 378

~~(3) Hold another in a condition of involuntary servitude.~~ 379

(C)(1) Whoever violates this section is guilty of kidnapping. 380  
Except as otherwise provided in ~~this division or~~ division (C)(2) 381  
or (3) of this section, kidnapping is a felony of the first 382  
degree. ~~Except as otherwise provided in this division or division~~ 383

~~(C)(2) or (3) of this section, if the offender releases the victim  
in a safe place unharmed, kidnapping is a felony of the second  
degree.~~ 384  
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(2) If the offender also is convicted of or pleads guilty to 387  
a specification as described in section 2941.1422 of the Revised 388  
Code that was included in the indictment, count in the indictment, 389  
or information charging the offense, the court shall order the 390  
offender to make restitution as provided in division (B)(8) of 391  
section 2929.18 of the Revised Code and, except as otherwise 392  
provided in division (C)(3) of this section, shall sentence the 393  
offender to a mandatory prison term as provided in division (D)(7) 394  
of section 2929.14 of the Revised Code. 395

(3) If the victim of the offense is less than thirteen years 396  
of age and if the offender also is convicted of or pleads guilty 397  
to a sexual motivation specification that was included in the 398  
indictment, count in the indictment, or information charging the 399  
offense, kidnapping is a felony of the first degree, and, 400  
notwithstanding the definite sentence provided for a felony of the 401  
first degree in section 2929.14 of the Revised Code, the offender 402  
shall be sentenced pursuant to section 2971.03 of the Revised Code 403  
as follows: 404

(a) Except as otherwise provided in division (C)(3)(b) of 405  
this section, the offender shall be sentenced pursuant to that 406  
section to an indefinite prison term consisting of a minimum term 407  
of fifteen years and a maximum term of life imprisonment. 408

(b) If the offender releases the victim in a safe place 409  
unharmed, the offender shall be sentenced pursuant to that section 410  
to an indefinite term consisting of a minimum term of ten years 411  
and a maximum term of life imprisonment. 412

(D) As used in this section, ~~"sexual:~~ 413

(1) "Involuntary servitude" has the same meaning as in 414

section 2905.31 of the Revised Code. 415

(2) "Sexual motivation specification" has the same meaning as 416  
in section 2971.01 of the Revised Code. 417

**Sec. 2905.02.** (A) No person, without privilege to do so, 418  
shall knowingly do any of the following: 419

(1) By force or threat, remove another from the place where 420  
the other person is found; 421

(2) By force or threat, restrain the liberty of another 422  
person under circumstances that create a risk of physical harm to 423  
the victim or place the other person in fear; 424

(3) Hold another in a condition of involuntary servitude. 425

(B) No person, with a sexual motivation, shall violate 426  
division (A) of this section. 427

(C) ~~Whoever~~ Except as otherwise provided in this division, 428  
whoever violates this section is guilty of abduction, a felony of 429  
the third degree. If the offender violates division (A)(3) of this 430  
section, abduction is a felony of the second degree. If the 431  
offender also is convicted of or pleads guilty to a specification 432  
as described in section 2941.1422 of the Revised Code that was 433  
included in the indictment, count in the indictment, or 434  
information charging the offense, the court shall sentence the 435  
offender to a mandatory prison term as provided in division (D)(7) 436  
of section 2929.14 of the Revised Code and shall order the 437  
offender to make restitution as provided in division (B)(8) of 438  
section 2929.18 of the Revised Code. 439

(D) As used in this section, ~~"sexual":~~ 440

(1) "Involuntary servitude" has the same meaning as in 441  
section 2905.31 of the Revised Code. 442

(2) "Sexual motivation" has the same meaning as in section 443

2971.01 of the Revised Code. 444

Sec. 2905.31. As used in sections 2905.31 and 2905.32 of the 445  
Revised Code: 446

(A) "Commercial sex act" means any sex act on account of 447  
which anything of value is directly or indirectly given, promised 448  
to, or received by any person. 449

(B) "Involuntary servitude" means being compelled to perform 450  
labor or services for another against one's will. 451

(C) "Labor" means work of economic or financial value. 452

(D) "Material that is obscene, sexually oriented, or nudity 453  
oriented" and "performance that is obscene, sexually oriented, or 454  
nudity oriented" have the same meanings as in section 2929.01 of 455  
the Revised Code. 456

(E) "Services" means an ongoing relationship between persons 457  
in which a person performs activities at the behest of, under the 458  
supervision of, or for the benefit of another person. 459

(F) "Sexually explicit performance" means a live, public, 460  
private, photographed, recorded, or videotaped act intended to 461  
sexually arouse, satisfy the sexual desires of, or appeal to the 462  
prurient interests of any person. 463

Sec. 2905.32. (A) No person shall knowingly recruit, lure, 464  
entice, solicit, isolate, harbor, transport, provide, obtain, or 465  
maintain, or knowingly attempt to recruit, lure, entice, solicit, 466  
isolate, harbor, transport, provide, obtain, or maintain, another 467  
person knowing or having reasonable cause to believe that the 468  
person will be subjected to involuntary servitude or compelled to 469  
engage in sexual activity for hire, to engage in a performance 470  
that is obscene, sexually oriented, or nudity oriented, or be a 471  
model or participant in the production of material that is 472



obscene, sexually oriented, or nudity oriented. 473

(B) Whoever violates this section is guilty of trafficking in persons, a felony of the second degree. 474  
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**Sec. 2905.33.** (A) No person, without privilege to do so, shall knowingly destroy, conceal, remove, confiscate, or possess any actual or purported government identification document or passport of another person in the course of a violation of, with intent to violate, or to facilitate a violation of section 2905.01, 2905.02, 2905.32, 2907.21, 2907.22, 2907.32, 2907.321, 2907.322, or 2907.323 of the Revised Code. 476  
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(B) Whoever violates this section is guilty of unlawful conduct with respect to documents, a felony of the third degree. 483  
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**Sec. 2907.21.** (A) No person shall knowingly do any of the following: 485  
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(1) Compel another to engage in sexual activity for hire; 487

(2) Induce, procure, encourage, solicit, request, or otherwise facilitate either of the following: 488  
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(a) A minor to engage in sexual activity for hire, whether or not the offender knows the age of the minor; 490  
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(b) A person the offender believes to be a minor to engage in sexual activity for hire, whether or not the person is a minor. 492  
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(3)(a) Pay or agree to pay a minor, either directly or through the minor's agent, so that the minor will engage in sexual activity, whether or not the offender knows the age of the minor; 494  
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(b) Pay or agree to pay a person the offender believes to be a minor, either directly or through the person's agent, so that the person will engage in sexual activity, whether or not the person is a minor. 497  
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(4)(a) Pay a minor, either directly or through the minor's agent, for the minor having engaged in sexual activity pursuant to a prior agreement, whether or not the offender knows the age of the minor;

(b) Pay a person the offender believes to be a minor, either directly or through the person's agent, for the person having engaged in sexual activity pursuant to a prior agreement, whether or not the person is a minor.

(5)(a) Allow a minor to engage in sexual activity for hire if the person allowing the child to engage in sexual activity for hire is the parent, guardian, custodian, person having custody or control, or person in loco parentis of the minor;

(b) Allow a person the offender believes to be a minor to engage in sexual activity for hire if the person allowing the person to engage in sexual activity for hire is the parent, guardian, custodian, person having custody or control, or person in loco parentis of the person the offender believes to be a minor, whether or not the person is a minor.

(B) Whoever violates this section is guilty of compelling prostitution. Except as otherwise provided in this division, compelling prostitution is a felony of the third degree. If the offender commits a violation of division (A)(1) of this section and the person compelled to engage in sexual activity for hire in violation of that division is less than eighteen years of age, compelling prostitution is a felony of the second degree. If the offender commits a violation of division (A)(1) of this section and the person compelled to engage in sexual activity for hire in violation of that division is less than sixteen years of age, compelling prostitution is a felony of the ~~second~~ first degree. If the offender in any case also is convicted of or pleads guilty to a specification as described in section 2941.1422 of the Revised Code that was included in the indictment, count in the indictment,

or information charging the offense, the court shall sentence the 533  
offender to a mandatory prison term as provided in division (D)(7) 534  
of section 2929.14 of the Revised Code and shall order the 535  
offender to make restitution as provided in division (B)(8) of 536  
section 2929.18 of the Revised Code. 537

**Sec. 2923.01.** (A) No person, with purpose to commit or to 538  
promote or facilitate the commission of aggravated murder, murder, 539  
kidnapping, abduction, compelling prostitution, promoting 540  
prostitution, trafficking in persons, aggravated arson, arson, 541  
aggravated robbery, robbery, aggravated burglary, burglary, 542  
engaging in a pattern of corrupt activity, corrupting another with 543  
drugs, a felony drug trafficking, manufacturing, processing, or 544  
possession offense, theft of drugs, or illegal processing of drug 545  
documents, the commission of a felony offense of unauthorized use 546  
of a vehicle, illegally transmitting multiple commercial 547  
electronic mail messages or unauthorized access of a computer in 548  
violation of section 2923.421 of the Revised Code, or the 549  
commission of a violation of any provision of Chapter 3734. of the 550  
Revised Code, other than section 3734.18 of the Revised Code, that 551  
relates to hazardous wastes, shall do either of the following: 552

(1) With another person or persons, plan or aid in planning 553  
the commission of any of the specified offenses; 554

(2) Agree with another person or persons that one or more of 555  
them will engage in conduct that facilitates the commission of any 556  
of the specified offenses. 557

(B) No person shall be convicted of conspiracy unless a 558  
substantial overt act in furtherance of the conspiracy is alleged 559  
and proved to have been done by the accused or a person with whom 560  
the accused conspired, subsequent to the accused's entrance into 561  
the conspiracy. For purposes of this section, an overt act is 562  
substantial when it is of a character that manifests a purpose on 563

the part of the actor that the object of the conspiracy should be 564  
completed. 565

(C) When the offender knows or has reasonable cause to 566  
believe that a person with whom the offender conspires also has 567  
conspired or is conspiring with another to commit the same 568  
offense, the offender is guilty of conspiring with that other 569  
person, even though the other person's identity may be unknown to 570  
the offender. 571

(D) It is no defense to a charge under this section that, in 572  
retrospect, commission of the offense that was the object of the 573  
conspiracy was impossible under the circumstances. 574

(E) A conspiracy terminates when the offense or offenses that 575  
are its objects are committed or when it is abandoned by all 576  
conspirators. In the absence of abandonment, it is no defense to a 577  
charge under this section that no offense that was the object of 578  
the conspiracy was committed. 579

(F) A person who conspires to commit more than one offense is 580  
guilty of only one conspiracy, when the offenses are the object of 581  
the same agreement or continuous conspiratorial relationship. 582

(G) When a person is convicted of committing or attempting to 583  
commit a specific offense or of complicity in the commission of or 584  
attempt to commit the specific offense, the person shall not be 585  
convicted of conspiracy involving the same offense. 586

(H)(1) No person shall be convicted of conspiracy upon the 587  
testimony of a person with whom the defendant conspired, 588  
unsupported by other evidence. 589

(2) If a person with whom the defendant allegedly has 590  
conspired testifies against the defendant in a case in which the 591  
defendant is charged with conspiracy and if the testimony is 592  
supported by other evidence, the court, when it charges the jury, 593  
shall state substantially the following: 594

"The testimony of an accomplice that is supported by other 595  
evidence does not become inadmissible because of the accomplice's 596  
complicity, moral turpitude, or self-interest, but the admitted or 597  
claimed complicity of a witness may affect the witness' 598  
credibility and make the witness' testimony subject to grave 599  
suspicion, and require that it be weighed with great caution. 600

It is for you, as jurors, in the light of all the facts 601  
presented to you from the witness stand, to evaluate such 602  
testimony and to determine its quality and worth or its lack of 603  
quality and worth." 604

(3) "Conspiracy," as used in division (H)(1) of this section, 605  
does not include any conspiracy that results in an attempt to 606  
commit an offense or in the commission of an offense. 607

(I) The following are affirmative defenses to a charge of 608  
conspiracy: 609

(1) After conspiring to commit an offense, the actor thwarted 610  
the success of the conspiracy under circumstances manifesting a 611  
complete and voluntary renunciation of the actor's criminal 612  
purpose. 613

(2) After conspiring to commit an offense, the actor 614  
abandoned the conspiracy prior to the commission of or attempt to 615  
commit any offense that was the object of the conspiracy, either 616  
by advising all other conspirators of the actor's abandonment, or 617  
by informing any law enforcement authority of the existence of the 618  
conspiracy and of the actor's participation in the conspiracy. 619

(J) Whoever violates this section is guilty of conspiracy, 620  
which is one of the following: 621

(1) A felony of the first degree, when one of the objects of 622  
the conspiracy is aggravated murder, murder, or an offense for 623  
which the maximum penalty is imprisonment for life; 624

(2) A felony of the next lesser degree than the most serious offense that is the object of the conspiracy, when the most serious offense that is the object of the conspiracy is a felony of the first, second, third, or fourth degree;

(3) A felony punishable by a fine of not more than twenty-five thousand dollars or imprisonment for not more than eighteen months, or both, when the offense that is the object of the conspiracy is a violation of any provision of Chapter 3734. of the Revised Code, other than section 3734.18 of the Revised Code, that relates to hazardous wastes;

(4) A misdemeanor of the first degree, when the most serious offense that is the object of the conspiracy is a felony of the fifth degree.

(K) This section does not define a separate conspiracy offense or penalty where conspiracy is defined as an offense by one or more sections of the Revised Code, other than this section. In such a case, however:

(1) With respect to the offense specified as the object of the conspiracy in the other section or sections, division (A) of this section defines the voluntary act or acts and culpable mental state necessary to constitute the conspiracy;

(2) Divisions (B) to (I) of this section are incorporated by reference in the conspiracy offense defined by the other section or sections of the Revised Code.

(L)(1) In addition to the penalties that otherwise are imposed for conspiracy, a person who is found guilty of conspiracy to engage in a pattern of corrupt activity is subject to divisions (B)(2) and (3) of section 2923.32, division (A) of section 2981.04, and division (D) of section 2981.06 of the Revised Code.

(2) If a person is convicted of or pleads guilty to conspiracy and if the most serious offense that is the object of

the conspiracy is a felony drug trafficking, manufacturing, 656  
processing, or possession offense, in addition to the penalties or 657  
sanctions that may be imposed for the conspiracy under division 658  
(J)(2) or (4) of this section and Chapter 2929. of the Revised 659  
Code, both of the following apply: 660

(a) The provisions of divisions (D), (F), and (G) of section 661  
2925.03, division (D) of section 2925.04, division (D) of section 662  
2925.05, division (D) of section 2925.06, and division (E) of 663  
section 2925.11 of the Revised Code that pertain to mandatory and 664  
additional fines, driver's or commercial driver's license or 665  
permit suspensions, and professionally licensed persons and that 666  
would apply under the appropriate provisions of those divisions to 667  
a person who is convicted of or pleads guilty to the felony drug 668  
trafficking, manufacturing, processing, or possession offense that 669  
is the most serious offense that is the basis of the conspiracy 670  
shall apply to the person who is convicted of or pleads guilty to 671  
the conspiracy as if the person had been convicted of or pleaded 672  
guilty to the felony drug trafficking, manufacturing, processing, 673  
or possession offense that is the most serious offense that is the 674  
basis of the conspiracy. 675

(b) The court that imposes sentence upon the person who is 676  
convicted of or pleads guilty to the conspiracy shall comply with 677  
the provisions identified as being applicable under division 678  
(L)(2) of this section, in addition to any other penalty or 679  
sanction that it imposes for the conspiracy under division (J)(2) 680  
or (4) of this section and Chapter 2929. of the Revised Code. 681

(M) As used in this section: 682

(1) "Felony drug trafficking, manufacturing, processing, or 683  
possession offense" means any of the following that is a felony: 684

(a) A violation of section 2925.03, 2925.04, 2925.05, or 685  
2925.06 of the Revised Code; 686

(b) A violation of section 2925.11 of the Revised Code that 687  
is not a minor drug possession offense. 688

(2) "Minor drug possession offense" has the same meaning as 689  
in section 2925.01 of the Revised Code. 690

**Sec. 2923.31.** As used in sections 2923.31 to 2923.36 of the 691  
Revised Code: 692

(A) "Beneficial interest" means any of the following: 693

(1) The interest of a person as a beneficiary under a trust 694  
in which the trustee holds title to personal or real property; 695

(2) The interest of a person as a beneficiary under any other 696  
trust arrangement under which any other person holds title to 697  
personal or real property for the benefit of such person; 698

(3) The interest of a person under any other form of express 699  
fiduciary arrangement under which any other person holds title to 700  
personal or real property for the benefit of such person. 701

"Beneficial interest" does not include the interest of a 702  
stockholder in a corporation or the interest of a partner in 703  
either a general or limited partnership. 704

(B) "Costs of investigation and prosecution" and "costs of 705  
investigation and litigation" mean all of the costs incurred by 706  
the state or a county or municipal corporation under sections 707  
2923.31 to 2923.36 of the Revised Code in the prosecution and 708  
investigation of any criminal action or in the litigation and 709  
investigation of any civil action, and includes, but is not 710  
limited to, the costs of resources and personnel. 711

(C) "Enterprise" includes any individual, sole 712  
proprietorship, partnership, limited partnership, corporation, 713  
trust, union, government agency, or other legal entity, or any 714  
organization, association, or group of persons associated in fact 715  
although not a legal entity. "Enterprise" includes illicit as well 716



as licit enterprises. 717

(D) "Innocent person" includes any bona fide purchaser of 718  
property that is allegedly involved in a violation of section 719  
2923.32 of the Revised Code, including any person who establishes 720  
a valid claim to or interest in the property in accordance with 721  
division (E) of section 2981.04 of the Revised Code, and any 722  
victim of an alleged violation of that section or of any 723  
underlying offense involved in an alleged violation of that 724  
section. 725

(E) "Pattern of corrupt activity" means two or more incidents 726  
of corrupt activity, whether or not there has been a prior 727  
conviction, that are related to the affairs of the same 728  
enterprise, are not isolated, and are not so closely related to 729  
each other and connected in time and place that they constitute a 730  
single event. 731

At least one of the incidents forming the pattern shall occur 732  
on or after January 1, 1986. Unless any incident was an aggravated 733  
murder or murder, the last of the incidents forming the pattern 734  
shall occur within six years after the commission of any prior 735  
incident forming the pattern, excluding any period of imprisonment 736  
served by any person engaging in the corrupt activity. 737

For the purposes of the criminal penalties that may be 738  
imposed pursuant to section 2923.32 of the Revised Code, at least 739  
one of the incidents forming the pattern shall constitute a felony 740  
under the laws of this state in existence at the time it was 741  
committed or, if committed in violation of the laws of the United 742  
States or of any other state, shall constitute a felony under the 743  
law of the United States or the other state and would be a 744  
criminal offense under the law of this state if committed in this 745  
state. 746

(F) "Pecuniary value" means money, a negotiable instrument, a 747

commercial interest, or anything of value, as defined in section 748  
1.03 of the Revised Code, or any other property or service that 749  
has a value in excess of one hundred dollars. 750

(G) "Person" means any person, as defined in section 1.59 of 751  
the Revised Code, and any governmental officer, employee, or 752  
entity. 753

(H) "Personal property" means any personal property, any 754  
interest in personal property, or any right, including, but not 755  
limited to, bank accounts, debts, corporate stocks, patents, or 756  
copyrights. Personal property and any beneficial interest in 757  
personal property are deemed to be located where the trustee of 758  
the property, the personal property, or the instrument evidencing 759  
the right is located. 760

(I) "Corrupt activity" means engaging in, attempting to 761  
engage in, conspiring to engage in, or soliciting, coercing, or 762  
intimidating another person to engage in any of the following: 763

(1) Conduct defined as "racketeering activity" under the 764  
"Organized Crime Control Act of 1970," 84 Stat. 941, 18 U.S.C. 765  
1961(1)(B), (1)(C), (1)(D), and (1)(E), as amended; 766

(2) Conduct constituting any of the following: 767

(a) A violation of section 1315.55, 1322.02, 2903.01, 768  
2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2905.01, 2905.02, 769  
2905.11, 2905.22, 2905.32, 2907.321, 2907.322, 2907.323, 2909.02, 770  
2909.03, 2909.22, 2909.23, 2909.24, 2909.26, 2909.27, 2909.28, 771  
2909.29, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2911.31, 772  
2913.05, 2913.06, 2921.02, 2921.03, 2921.04, 2921.11, 2921.12, 773  
2921.32, 2921.41, 2921.42, 2921.43, 2923.12, or 2923.17; division 774  
(F)(1)(a), (b), or (c) of section 1315.53; division (A)(1) or (2) 775  
of section 1707.042; division (B), (C)(4), (D), (E), or (F) of 776  
section 1707.44; division (A)(1) or (2) of section 2923.20; 777  
division (J)(1) of section 4712.02; section 4719.02, 4719.05, or 778

4719.06; division (C), (D), or (E) of section 4719.07; section 779  
4719.08; or division (A) of section 4719.09 of the Revised Code. 780

(b) Any violation of section 3769.11, 3769.15, 3769.16, or 781  
3769.19 of the Revised Code as it existed prior to July 1, 1996, 782  
any violation of section 2915.02 of the Revised Code that occurs 783  
on or after July 1, 1996, and that, had it occurred prior to that 784  
date, would have been a violation of section 3769.11 of the 785  
Revised Code as it existed prior to that date, or any violation of 786  
section 2915.05 of the Revised Code that occurs on or after July 787  
1, 1996, and that, had it occurred prior to that date, would have 788  
been a violation of section 3769.15, 3769.16, or 3769.19 of the 789  
Revised Code as it existed prior to that date. 790

(c) Any violation of section 2907.21, 2907.22, 2907.31, 791  
2913.02, 2913.11, 2913.21, 2913.31, 2913.32, 2913.34, 2913.42, 792  
2913.47, 2913.51, 2915.03, 2925.03, 2925.04, 2925.05, or 2925.37 793  
of the Revised Code, any violation of section 2925.11 of the 794  
Revised Code that is a felony of the first, second, third, or 795  
fourth degree and that occurs on or after July 1, 1996, any 796  
violation of section 2915.02 of the Revised Code that occurred 797  
prior to July 1, 1996, any violation of section 2915.02 of the 798  
Revised Code that occurs on or after July 1, 1996, and that, had 799  
it occurred prior to that date, would not have been a violation of 800  
section 3769.11 of the Revised Code as it existed prior to that 801  
date, any violation of section 2915.06 of the Revised Code as it 802  
existed prior to July 1, 1996, or any violation of division (B) of 803  
section 2915.05 of the Revised Code as it exists on and after July 804  
1, 1996, when the proceeds of the violation, the payments made in 805  
the violation, the amount of a claim for payment or for any other 806  
benefit that is false or deceptive and that is involved in the 807  
violation, or the value of the contraband or other property 808  
illegally possessed, sold, or purchased in the violation exceeds 809  
five hundred dollars, or any combination of violations described 810

in division (I)(2)(c) of this section when the total proceeds of 811  
the combination of violations, payments made in the combination of 812  
violations, amount of the claims for payment or for other benefits 813  
that is false or deceptive and that is involved in the combination 814  
of violations, or value of the contraband or other property 815  
illegally possessed, sold, or purchased in the combination of 816  
violations exceeds five hundred dollars; 817

(d) Any violation of section 5743.112 of the Revised Code 818  
when the amount of unpaid tax exceeds one hundred dollars; 819

(e) Any violation or combination of violations of section 820  
2907.32 of the Revised Code involving any material or performance 821  
containing a display of bestiality or of sexual conduct, as 822  
defined in section 2907.01 of the Revised Code, that is explicit 823  
and depicted with clearly visible penetration of the genitals or 824  
clearly visible penetration by the penis of any orifice when the 825  
total proceeds of the violation or combination of violations, the 826  
payments made in the violation or combination of violations, or 827  
the value of the contraband or other property illegally possessed, 828  
sold, or purchased in the violation or combination of violations 829  
exceeds five hundred dollars; 830

(f) Any combination of violations described in division 831  
(I)(2)(c) of this section and violations of section 2907.32 of the 832  
Revised Code involving any material or performance containing a 833  
display of bestiality or of sexual conduct, as defined in section 834  
2907.01 of the Revised Code, that is explicit and depicted with 835  
clearly visible penetration of the genitals or clearly visible 836  
penetration by the penis of any orifice when the total proceeds of 837  
the combination of violations, payments made in the combination of 838  
violations, amount of the claims for payment or for other benefits 839  
that is false or deceptive and that is involved in the combination 840  
of violations, or value of the contraband or other property 841  
illegally possessed, sold, or purchased in the combination of 842

violations exceeds five hundred dollars. 843

(3) Conduct constituting a violation of any law of any state 844  
other than this state that is substantially similar to the conduct 845  
described in division (I)(2) of this section, provided the 846  
defendant was convicted of the conduct in a criminal proceeding in 847  
the other state; 848

(4) Animal or ecological terrorism; 849

(5)(a) Conduct constituting any of the following: 850

(i) Organized retail theft; 851

(ii) Conduct that constitutes one or more violations of any 852  
law of any state other than this state, that is substantially 853  
similar to organized retail theft, and that if committed in this 854  
state would be organized retail theft, if the defendant was 855  
convicted of or pleaded guilty to the conduct in a criminal 856  
proceeding in the other state. 857

(b) By enacting division (I)(5)(a) of this section, it is the 858  
intent of the general assembly to add organized retail theft and 859  
the conduct described in division (I)(5)(a)(ii) of this section as 860  
conduct constituting corrupt activity. The enactment of division 861  
(I)(5)(a) of this section and the addition by division (I)(5)(a) 862  
of this section of organized retail theft and the conduct 863  
described in division (I)(5)(a)(ii) of this section as conduct 864  
constituting corrupt activity does not limit or preclude, and 865  
shall not be construed as limiting or precluding, any prosecution 866  
for a violation of section 2923.32 of the Revised Code that is 867  
based on one or more violations of section 2913.02 or 2913.51 of 868  
the Revised Code, one or more similar offenses under the laws of 869  
this state or any other state, or any combination of any of those 870  
violations or similar offenses, even though the conduct 871  
constituting the basis for those violations or offenses could be 872  
construed as also constituting organized retail theft or conduct 873

of the type described in division (I)(5)(a)(ii) of this section. 874

(J) "Real property" means any real property or any interest 875  
in real property, including, but not limited to, any lease of, or 876  
mortgage upon, real property. Real property and any beneficial 877  
interest in it is deemed to be located where the real property is 878  
located. 879

(K) "Trustee" means any of the following: 880

(1) Any person acting as trustee under a trust in which the 881  
trustee holds title to personal or real property; 882

(2) Any person who holds title to personal or real property 883  
for which any other person has a beneficial interest; 884

(3) Any successor trustee. 885

"Trustee" does not include an assignee or trustee for an 886  
insolvent debtor or an executor, administrator, administrator with 887  
the will annexed, testamentary trustee, guardian, or committee, 888  
appointed by, under the control of, or accountable to a court. 889

(L) "Unlawful debt" means any money or other thing of value 890  
constituting principal or interest of a debt that is legally 891  
unenforceable in this state in whole or in part because the debt 892  
was incurred or contracted in violation of any federal or state 893  
law relating to the business of gambling activity or relating to 894  
the business of lending money at an usurious rate unless the 895  
creditor proves, by a preponderance of the evidence, that the 896  
usurious rate was not intentionally set and that it resulted from 897  
a good faith error by the creditor, notwithstanding the 898  
maintenance of procedures that were adopted by the creditor to 899  
avoid an error of that nature. 900

(M) "Animal activity" means any activity that involves the 901  
use of animals or animal parts, including, but not limited to, 902  
hunting, fishing, trapping, traveling, camping, the production, 903

preparation, or processing of food or food products, clothing or 904  
garment manufacturing, medical research, other research, 905  
entertainment, recreation, agriculture, biotechnology, or service 906  
activity that involves the use of animals or animal parts. 907

(N) "Animal facility" means a vehicle, building, structure, 908  
nature preserve, or other premises in which an animal is lawfully 909  
kept, handled, housed, exhibited, bred, or offered for sale, 910  
including, but not limited to, a zoo, rodeo, circus, amusement 911  
park, hunting preserve, or premises in which a horse or dog event 912  
is held. 913

(O) "Animal or ecological terrorism" means the commission of 914  
any felony that involves causing or creating a substantial risk of 915  
physical harm to any property of another, the use of a deadly 916  
weapon or dangerous ordnance, or purposely, knowingly, or 917  
recklessly causing serious physical harm to property and that 918  
involves an intent to obstruct, impede, or deter any person from 919  
participating in a lawful animal activity, from mining, foresting, 920  
harvesting, gathering, or processing natural resources, or from 921  
being lawfully present in or on an animal facility or research 922  
facility. 923

(P) "Research facility" means a place, laboratory, 924  
institution, medical care facility, government facility, or public 925  
or private educational institution in which a scientific test, 926  
experiment, or investigation involving the use of animals or other 927  
living organisms is lawfully carried out, conducted, or attempted. 928

(Q) "Organized retail theft" means the theft of retail 929  
property with a retail value of five hundred dollars or more from 930  
one or more retail establishments with the intent to sell, 931  
deliver, or transfer that property to a retail property fence. 932

(R) "Retail property" means any tangible personal property 933  
displayed, held, stored, or offered for sale in or by a retail 934

establishment. 935

(S) "Retail property fence" means a person who possesses, 936  
procures, receives, or conceals retail property that was 937  
represented to the person as being stolen or that the person knows 938  
or believes to be stolen. 939

(T) "Retail value" means the full retail value of the retail 940  
property. In determining whether the retail value of retail 941  
property equals or exceeds five hundred dollars, the value of all 942  
retail property stolen from the retail establishment or retail 943  
establishments by the same person or persons within any 944  
one-hundred-eighty-day period shall be aggregated. 945

**Sec. 2929.01.** As used in this chapter: 946

(A)(1) "Alternative residential facility" means, subject to 947  
division (A)(2) of this section, any facility other than an 948  
offender's home or residence in which an offender is assigned to 949  
live and that satisfies all of the following criteria: 950

(a) It provides programs through which the offender may seek 951  
or maintain employment or may receive education, training, 952  
treatment, or habilitation. 953

(b) It has received the appropriate license or certificate 954  
for any specialized education, training, treatment, habilitation, 955  
or other service that it provides from the government agency that 956  
is responsible for licensing or certifying that type of education, 957  
training, treatment, habilitation, or service. 958

(2) "Alternative residential facility" does not include a 959  
community-based correctional facility, jail, halfway house, or 960  
prison. 961

(B) "Basic probation supervision" means a requirement that 962  
the offender maintain contact with a person appointed to supervise 963  
the offender in accordance with sanctions imposed by the court or 964



imposed by the parole board pursuant to section 2967.28 of the Revised Code. "Basic probation supervision" includes basic parole supervision and basic post-release control supervision.

(C) "Cocaine," "crack cocaine," "hashish," "L.S.D.," and "unit dose" have the same meanings as in section 2925.01 of the Revised Code.

(D) "Community-based correctional facility" means a community-based correctional facility and program or district community-based correctional facility and program developed pursuant to sections 2301.51 to 2301.58 of the Revised Code.

(E) "Community control sanction" means a sanction that is not a prison term and that is described in section 2929.15, 2929.16, 2929.17, or 2929.18 of the Revised Code or a sanction that is not a jail term and that is described in section 2929.26, 2929.27, or 2929.28 of the Revised Code. "Community control sanction" includes probation if the sentence involved was imposed for a felony that was committed prior to July 1, 1996, or if the sentence involved was imposed for a misdemeanor that was committed prior to January 1, 2004.

(F) "Controlled substance," "marihuana," "schedule I," and "schedule II" have the same meanings as in section 3719.01 of the Revised Code.

(G) "Curfew" means a requirement that an offender during a specified period of time be at a designated place.

(H) "Day reporting" means a sanction pursuant to which an offender is required each day to report to and leave a center or other approved reporting location at specified times in order to participate in work, education or training, treatment, and other approved programs at the center or outside the center.

(I) "Deadly weapon" has the same meaning as in section 2923.11 of the Revised Code.

(J) "Drug and alcohol use monitoring" means a program under 996  
which an offender agrees to submit to random chemical analysis of 997  
the offender's blood, breath, or urine to determine whether the 998  
offender has ingested any alcohol or other drugs. 999

(K) "Drug treatment program" means any program under which a 1000  
person undergoes assessment and treatment designed to reduce or 1001  
completely eliminate the person's physical or emotional reliance 1002  
upon alcohol, another drug, or alcohol and another drug and under 1003  
which the person may be required to receive assessment and 1004  
treatment on an outpatient basis or may be required to reside at a 1005  
facility other than the person's home or residence while 1006  
undergoing assessment and treatment. 1007

(L) "Economic loss" means any economic detriment suffered by 1008  
a victim as a direct and proximate result of the commission of an 1009  
offense and includes any loss of income due to lost time at work 1010  
because of any injury caused to the victim, and any property loss, 1011  
medical cost, or funeral expense incurred as a result of the 1012  
commission of the offense. "Economic loss" does not include 1013  
non-economic loss or any punitive or exemplary damages. 1014

(M) "Education or training" includes study at, or in 1015  
conjunction with a program offered by, a university, college, or 1016  
technical college or vocational study and also includes the 1017  
completion of primary school, secondary school, and literacy 1018  
curricula or their equivalent. 1019

(N) "Firearm" has the same meaning as in section 2923.11 of 1020  
the Revised Code. 1021

(O) "Halfway house" means a facility licensed by the division 1022  
of parole and community services of the department of 1023  
rehabilitation and correction pursuant to section 2967.14 of the 1024  
Revised Code as a suitable facility for the care and treatment of 1025  
adult offenders. 1026

(P) "House arrest" means a period of confinement of an 1027  
offender that is in the offender's home or in other premises 1028  
specified by the sentencing court or by the parole board pursuant 1029  
to section 2967.28 of the Revised Code and during which all of the 1030  
following apply: 1031

(1) The offender is required to remain in the offender's home 1032  
or other specified premises for the specified period of 1033  
confinement, except for periods of time during which the offender 1034  
is at the offender's place of employment or at other premises as 1035  
authorized by the sentencing court or by the parole board. 1036

(2) The offender is required to report periodically to a 1037  
person designated by the court or parole board. 1038

(3) The offender is subject to any other restrictions and 1039  
requirements that may be imposed by the sentencing court or by the 1040  
parole board. 1041

(Q) "Intensive probation supervision" means a requirement 1042  
that an offender maintain frequent contact with a person appointed 1043  
by the court, or by the parole board pursuant to section 2967.28 1044  
of the Revised Code, to supervise the offender while the offender 1045  
is seeking or maintaining necessary employment and participating 1046  
in training, education, and treatment programs as required in the 1047  
court's or parole board's order. "Intensive probation supervision" 1048  
includes intensive parole supervision and intensive post-release 1049  
control supervision. 1050

(R) "Jail" means a jail, workhouse, minimum security jail, or 1051  
other residential facility used for the confinement of alleged or 1052  
convicted offenders that is operated by a political subdivision or 1053  
a combination of political subdivisions of this state. 1054

(S) "Jail term" means the term in a jail that a sentencing 1055  
court imposes or is authorized to impose pursuant to section 1056  
2929.24 or 2929.25 of the Revised Code or pursuant to any other 1057

provision of the Revised Code that authorizes a term in a jail for a misdemeanor conviction.

(T) "Mandatory jail term" means the term in a jail that a sentencing court is required to impose pursuant to division (G) of section 1547.99 of the Revised Code, division (E) of section 2903.06 or division (D) of section 2903.08 of the Revised Code, division (E) or (G) of section 2929.24 of the Revised Code, division (B) of section 4510.14 of the Revised Code, or division (G) of section 4511.19 of the Revised Code or pursuant to any other provision of the Revised Code that requires a term in a jail for a misdemeanor conviction.

(U) "Delinquent child" has the same meaning as in section 2152.02 of the Revised Code.

(V) "License violation report" means a report that is made by a sentencing court, or by the parole board pursuant to section 2967.28 of the Revised Code, to the regulatory or licensing board or agency that issued an offender a professional license or a license or permit to do business in this state and that specifies that the offender has been convicted of or pleaded guilty to an offense that may violate the conditions under which the offender's professional license or license or permit to do business in this state was granted or an offense for which the offender's professional license or license or permit to do business in this state may be revoked or suspended.

(W) "Major drug offender" means an offender who is convicted of or pleads guilty to the possession of, sale of, or offer to sell any drug, compound, mixture, preparation, or substance that consists of or contains at least one thousand grams of hashish; at least one hundred grams of crack cocaine; at least one thousand grams of cocaine that is not crack cocaine; at least two thousand five hundred unit doses or two hundred fifty grams of heroin; at least five thousand unit doses of L.S.D. or five hundred grams of

L.S.D. in a liquid concentrate, liquid extract, or liquid 1090  
distillate form; or at least one hundred times the amount of any 1091  
other schedule I or II controlled substance other than marihuana 1092  
that is necessary to commit a felony of the third degree pursuant 1093  
to section 2925.03, 2925.04, 2925.05, or 2925.11 of the Revised 1094  
Code that is based on the possession of, sale of, or offer to sell 1095  
the controlled substance. 1096

(X) "Mandatory prison term" means any of the following: 1097

(1) Subject to division (X)(2) of this section, the term in 1098  
prison that must be imposed for the offenses or circumstances set 1099  
forth in divisions (F)(1) to (8) or (F)(12) to (18) of section 1100  
2929.13 and division (D) of section 2929.14 of the Revised Code. 1101  
Except as provided in sections 2925.02, 2925.03, 2925.04, 2925.05, 1102  
and 2925.11 of the Revised Code, unless the maximum or another 1103  
specific term is required under section 2929.14 or 2929.142 of the 1104  
Revised Code, a mandatory prison term described in this division 1105  
may be any prison term authorized for the level of offense. 1106

(2) The term of sixty or one hundred twenty days in prison 1107  
that a sentencing court is required to impose for a third or 1108  
fourth degree felony OVI offense pursuant to division (G)(2) of 1109  
section 2929.13 and division (G)(1)(d) or (e) of section 4511.19 1110  
of the Revised Code or the term of one, two, three, four, or five 1111  
years in prison that a sentencing court is required to impose 1112  
pursuant to division (G)(2) of section 2929.13 of the Revised 1113  
Code. 1114

(3) The term in prison imposed pursuant to division (A) of 1115  
section 2971.03 of the Revised Code for the offenses and in the 1116  
circumstances described in division (F)(11) of section 2929.13 of 1117  
the Revised Code or pursuant to division (B)(1)(a), (b), or (c), 1118  
(B)(2)(a), (b), or (c), or (B)(3)(a), (b), (c), or (d) of section 1119  
2971.03 of the Revised Code and that term as modified or 1120  
terminated pursuant to section 2971.05 of the Revised Code. 1121

(Y) "Monitored time" means a period of time during which an offender continues to be under the control of the sentencing court or parole board, subject to no conditions other than leading a law-abiding life.

(Z) "Offender" means a person who, in this state, is convicted of or pleads guilty to a felony or a misdemeanor.

(AA) "Prison" means a residential facility used for the confinement of convicted felony offenders that is under the control of the department of rehabilitation and correction but does not include a violation sanction center operated under authority of section 2967.141 of the Revised Code.

(BB) "Prison term" includes either of the following sanctions for an offender:

(1) A stated prison term;

(2) A term in a prison shortened by, or with the approval of, the sentencing court pursuant to section 2929.20, 2967.26, 5120.031, 5120.032, or 5120.073 of the Revised Code.

(CC) "Repeat violent offender" means a person about whom both of the following apply:

(1) The person is being sentenced for committing or for complicity in committing any of the following:

(a) Aggravated murder, murder, any felony of the first or second degree that is an offense of violence, or an attempt to commit any of these offenses if the attempt is a felony of the first or second degree;

(b) An offense under an existing or former law of this state, another state, or the United States that is or was substantially equivalent to an offense described in division (CC)(1)(a) of this section.

(2) The person previously was convicted of or pleaded guilty

to an offense described in division (CC)(1)(a) or (b) of this 1152  
section. 1153

(DD) "Sanction" means any penalty imposed upon an offender 1154  
who is convicted of or pleads guilty to an offense, as punishment 1155  
for the offense. "Sanction" includes any sanction imposed pursuant 1156  
to any provision of sections 2929.14 to 2929.18 or 2929.24 to 1157  
2929.28 of the Revised Code. 1158

(EE) "Sentence" means the sanction or combination of 1159  
sanctions imposed by the sentencing court on an offender who is 1160  
convicted of or pleads guilty to an offense. 1161

(FF) "Stated prison term" means the prison term, mandatory 1162  
prison term, or combination of all prison terms and mandatory 1163  
prison terms imposed by the sentencing court pursuant to section 1164  
2929.14, 2929.142, or 2971.03 of the Revised Code or under section 1165  
2919.25 of the Revised Code. "Stated prison term" includes any 1166  
credit received by the offender for time spent in jail awaiting 1167  
trial, sentencing, or transfer to prison for the offense and any 1168  
time spent under house arrest or house arrest with electronic 1169  
monitoring imposed after earning credits pursuant to section 1170  
2967.193 of the Revised Code. 1171

(GG) "Victim-offender mediation" means a reconciliation or 1172  
mediation program that involves an offender and the victim of the 1173  
offense committed by the offender and that includes a meeting in 1174  
which the offender and the victim may discuss the offense, discuss 1175  
restitution, and consider other sanctions for the offense. 1176

(HH) "Fourth degree felony OVI offense" means a violation of 1177  
division (A) of section 4511.19 of the Revised Code that, under 1178  
division (G) of that section, is a felony of the fourth degree. 1179

(II) "Mandatory term of local incarceration" means the term 1180  
of sixty or one hundred twenty days in a jail, a community-based 1181  
correctional facility, a halfway house, or an alternative 1182

residential facility that a sentencing court may impose upon a 1183  
person who is convicted of or pleads guilty to a fourth degree 1184  
felony OVI offense pursuant to division (G)(1) of section 2929.13 1185  
of the Revised Code and division (G)(1)(d) or (e) of section 1186  
4511.19 of the Revised Code. 1187

(JJ) "Designated homicide, assault, or kidnapping offense," 1188  
"violent sex offense," "sexual motivation specification," 1189  
"sexually violent offense," "sexually violent predator," and 1190  
"sexually violent predator specification" have the same meanings 1191  
as in section 2971.01 of the Revised Code. 1192

(KK) "Sexually oriented offense," "child-victim oriented 1193  
offense," and "tier III sex offender/child-victim offender," have 1194  
the same meanings as in section 2950.01 of the Revised Code. 1195

(LL) An offense is "committed in the vicinity of a child" if 1196  
the offender commits the offense within thirty feet of or within 1197  
the same residential unit as a child who is under eighteen years 1198  
of age, regardless of whether the offender knows the age of the 1199  
child or whether the offender knows the offense is being committed 1200  
within thirty feet of or within the same residential unit as the 1201  
child and regardless of whether the child actually views the 1202  
commission of the offense. 1203

(MM) "Family or household member" has the same meaning as in 1204  
section 2919.25 of the Revised Code. 1205

(NN) "Motor vehicle" and "manufactured home" have the same 1206  
meanings as in section 4501.01 of the Revised Code. 1207

(OO) "Detention" and "detention facility" have the same 1208  
meanings as in section 2921.01 of the Revised Code. 1209

(PP) "Third degree felony OVI offense" means a violation of 1210  
division (A) of section 4511.19 of the Revised Code that, under 1211  
division (G) of that section, is a felony of the third degree. 1212



(QQ) "Random drug testing" has the same meaning as in section 1213  
5120.63 of the Revised Code. 1214

(RR) "Felony sex offense" has the same meaning as in section 1215  
2967.28 of the Revised Code. 1216

(SS) "Body armor" has the same meaning as in section 1217  
2941.1411 of the Revised Code. 1218

(TT) "Electronic monitoring" means monitoring through the use 1219  
of an electronic monitoring device. 1220

(UU) "Electronic monitoring device" means any of the 1221  
following: 1222

(1) Any device that can be operated by electrical or battery 1223  
power and that conforms with all of the following: 1224

(a) The device has a transmitter that can be attached to a 1225  
person, that will transmit a specified signal to a receiver of the 1226  
type described in division (UU)(1)(b) of this section if the 1227  
transmitter is removed from the person, turned off, or altered in 1228  
any manner without prior court approval in relation to electronic 1229  
monitoring or without prior approval of the department of 1230  
rehabilitation and correction in relation to the use of an 1231  
electronic monitoring device for an inmate on transitional control 1232  
or otherwise is tampered with, that can transmit continuously and 1233  
periodically a signal to that receiver when the person is within a 1234  
specified distance from the receiver, and that can transmit an 1235  
appropriate signal to that receiver if the person to whom it is 1236  
attached travels a specified distance from that receiver. 1237

(b) The device has a receiver that can receive continuously 1238  
the signals transmitted by a transmitter of the type described in 1239  
division (UU)(1)(a) of this section, can transmit continuously 1240  
those signals by telephone to a central monitoring computer of the 1241  
type described in division (UU)(1)(c) of this section, and can 1242  
transmit continuously an appropriate signal to that central 1243

monitoring computer if the receiver is turned off or altered 1244  
without prior court approval or otherwise tampered with. 1245

(c) The device has a central monitoring computer that can 1246  
receive continuously the signals transmitted by telephone by a 1247  
receiver of the type described in division (UU)(1)(b) of this 1248  
section and can monitor continuously the person to whom an 1249  
electronic monitoring device of the type described in division 1250  
(UU)(1)(a) of this section is attached. 1251

(2) Any device that is not a device of the type described in 1252  
division (UU)(1) of this section and that conforms with all of the 1253  
following: 1254

(a) The device includes a transmitter and receiver that can 1255  
monitor and determine the location of a subject person at any 1256  
time, or at a designated point in time, through the use of a 1257  
central monitoring computer or through other electronic means. 1258

(b) The device includes a transmitter and receiver that can 1259  
determine at any time, or at a designated point in time, through 1260  
the use of a central monitoring computer or other electronic means 1261  
the fact that the transmitter is turned off or altered in any 1262  
manner without prior approval of the court in relation to the 1263  
electronic monitoring or without prior approval of the department 1264  
of rehabilitation and correction in relation to the use of an 1265  
electronic monitoring device for an inmate on transitional control 1266  
or otherwise is tampered with. 1267

(3) Any type of technology that can adequately track or 1268  
determine the location of a subject person at any time and that is 1269  
approved by the director of rehabilitation and correction, 1270  
including, but not limited to, any satellite technology, voice 1271  
tracking system, or retinal scanning system that is so approved. 1272

(VV) "Non-economic loss" means nonpecuniary harm suffered by 1273  
a victim of an offense as a result of or related to the commission 1274

of the offense, including, but not limited to, pain and suffering; 1275  
loss of society, consortium, companionship, care, assistance, 1276  
attention, protection, advice, guidance, counsel, instruction, 1277  
training, or education; mental anguish; and any other intangible 1278  
loss. 1279

(WW) "Prosecutor" has the same meaning as in section 2935.01 1280  
of the Revised Code. 1281

(XX) "Continuous alcohol monitoring" means the ability to 1282  
automatically test and periodically transmit alcohol consumption 1283  
levels and tamper attempts at least every hour, regardless of the 1284  
location of the person who is being monitored. 1285

(YY) A person is "adjudicated a sexually violent predator" if 1286  
the person is convicted of or pleads guilty to a violent sex 1287  
offense and also is convicted of or pleads guilty to a sexually 1288  
violent predator specification that was included in the 1289  
indictment, count in the indictment, or information charging that 1290  
violent sex offense or if the person is convicted of or pleads 1291  
guilty to a designated homicide, assault, or kidnapping offense 1292  
and also is convicted of or pleads guilty to both a sexual 1293  
motivation specification and a sexually violent predator 1294  
specification that were included in the indictment, count in the 1295  
indictment, or information charging that designated homicide, 1296  
assault, or kidnapping offense. 1297

(ZZ) An offense is "committed in proximity to a school" if 1298  
the offender commits the offense in a school safety zone or within 1299  
five hundred feet of any school building or the boundaries of any 1300  
school premises, regardless of whether the offender knows the 1301  
offense is being committed in a school safety zone or within five 1302  
hundred feet of any school building or the boundaries of any 1303  
school premises. 1304

(AAA) "Human trafficking" means a scheme or plan to which all 1305

of the following apply: 1306

(1) Its object is to subject a victim or victims to 1307  
involuntary servitude, to compel a victim or victims to engage in 1308  
sexual activity for hire, to engage in a performance that is 1309  
obscene, sexually oriented, or nudity oriented, or to be a model 1310  
or participant in the production of material that is obscene, 1311  
sexually oriented, or nudity oriented. 1312

(2) It involves at least two felony offenses, whether or not 1313  
there has been a prior conviction for any of the felony offenses, 1314  
to which all of the following apply: 1315

(a) Each of the felony offenses is a violation of section 1316  
2905.01, 2905.02, 2905.32, 2907.21, 2907.22, or 2923.32, division 1317  
(A)(1) or (2) of section 2907.323, or division (B)(1), (2), (3), 1318  
(4), or (5) of section 2919.22 of the Revised Code or is a 1319  
violation of a law of any state other than this state that is 1320  
substantially similar to any of the sections or divisions of the 1321  
Revised Code identified in this division. 1322

(b) At least one of the felony offenses was committed in this 1323  
state. 1324

(c) The felony offenses are related to the same scheme or 1325  
plan, and are not isolated instances, ~~and are not so closely~~ 1326  
~~related to each other and connected in time and place that they~~ 1327  
~~constitute a single event or transaction.~~ 1328

(BBB) "Material," "nudity," "obscene," "performance," and 1329  
"sexual activity" have the same meanings as in section 2907.01 of 1330  
the Revised Code. 1331

(CCC) "Material that is obscene, sexually oriented, or nudity 1332  
oriented" means any material that is obscene, that shows a person 1333  
participating or engaging in sexual activity, masturbation, or 1334  
bestiality, or that shows a person in a state of nudity. 1335

(DDD) "Performance that is obscene, sexually oriented, or  
nudity oriented" means any performance that is obscene, that shows  
a person participating or engaging in sexual activity,  
masturbation, or bestiality, or that shows a person in a state of  
nudity.

(EEE) "Involuntary servitude" has the same meaning as in  
section 2905.31 of the Revised Code.

**Sec. 2929.14.** (A) Except as provided in division (C), (D)(1),  
(D)(2), (D)(3), (D)(4), (D)(5), (D)(6), (D)(7), (D)(8), (G), (I),  
(J), or (L) of this section or in division (D)(6) of section  
2919.25 of the Revised Code and except in relation to an offense  
for which a sentence of death or life imprisonment is to be  
imposed, if the court imposing a sentence upon an offender for a  
felony elects or is required to impose a prison term on the  
offender pursuant to this chapter, the court shall impose a  
definite prison term that shall be one of the following:

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

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

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

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

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

(B) Except as provided in division (C), (D)(1), (D)(2),  
(D)(3), (D)(5), (D)(6), (D)(7), (D)(8), (G), (I), (J), or (L) of  
this section, in section 2907.02 , 2907.05, or 2919.25 of the

Revised Code, or in Chapter 2925. of the Revised Code, if the  
court imposing a sentence upon an offender for a felony elects or  
is required to impose a prison term on the offender, the court  
shall impose the shortest prison term authorized for the offense  
pursuant to division (A) of this section, unless one or more of  
the following applies:

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

(2) The court finds on the record that the shortest prison  
term will demean the seriousness of the offender's conduct or will  
not adequately protect the public from future crime by the  
offender or others.

(C) Except as provided in division (D)(7), (D)(8), (G), or  
(L) of this section, in section 2919.25 of the Revised Code, or in  
Chapter 2925. of the Revised Code, the court imposing a sentence  
upon an offender for a felony may impose the longest prison term  
authorized for the offense pursuant to division (A) of this  
section only upon offenders who committed the worst forms of the  
offense, upon offenders who pose the greatest likelihood of  
committing future crimes, upon certain major drug offenders under  
division (D)(3) of this section, and upon certain repeat violent  
offenders in accordance with division (D)(2) of this section.

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

(i) A prison term of six years if the specification is of the  
type described in section 2941.144 of the Revised Code that  
charges the offender with having a firearm that is an automatic

firearm or that was equipped with a firearm muffler or silencer on 1397  
or about the offender's person or under the offender's control 1398  
while committing the felony; 1399

(ii) A prison term of three years if the specification is of 1400  
the type described in section 2941.145 of the Revised Code that 1401  
charges the offender with having a firearm on or about the 1402  
offender's person or under the offender's control while committing 1403  
the offense and displaying the firearm, brandishing the firearm, 1404  
indicating that the offender possessed the firearm, or using it to 1405  
facilitate the offense; 1406

(iii) A prison term of one year if the specification is of 1407  
the type described in section 2941.141 of the Revised Code that 1408  
charges the offender with having a firearm on or about the 1409  
offender's person or under the offender's control while committing 1410  
the felony. 1411

(b) If a court imposes a prison term on an offender under 1412  
division (D)(1)(a) of this section, the prison term shall not be 1413  
reduced pursuant to section 2929.20, section 2967.193, or any 1414  
other provision of Chapter 2967. or Chapter 5120. of the Revised 1415  
Code. Except as provided in division (D)(1)(g) of this section, a 1416  
court shall not impose more than one prison term on an offender 1417  
under division (D)(1)(a) of this section for felonies committed as 1418  
part of the same act or transaction. 1419

(c) Except as provided in division (D)(1)(e) of this section, 1420  
if an offender who is convicted of or pleads guilty to a violation 1421  
of section 2923.161 of the Revised Code or to a felony that 1422  
includes, as an essential element, purposely or knowingly causing 1423  
or attempting to cause the death of or physical harm to another, 1424  
also is convicted of or pleads guilty to a specification of the 1425  
type described in section 2941.146 of the Revised Code that 1426  
charges the offender with committing the offense by discharging a 1427  
firearm from a motor vehicle other than a manufactured home, the 1428

court, after imposing a prison term on the offender for the 1429  
violation of section 2923.161 of the Revised Code or for the other 1430  
felony offense under division (A), (D)(2), or (D)(3) of this 1431  
section, shall impose an additional prison term of five years upon 1432  
the offender that shall not be reduced pursuant to section 1433  
2929.20, section 2967.193, or any other provision of Chapter 2967. 1434  
or Chapter 5120. of the Revised Code. A court shall not impose 1435  
more than one additional prison term on an offender under division 1436  
(D)(1)(c) of this section for felonies committed as part of the 1437  
same act or transaction. If a court imposes an additional prison 1438  
term on an offender under division (D)(1)(c) of this section 1439  
relative to an offense, the court also shall impose a prison term 1440  
under division (D)(1)(a) of this section relative to the same 1441  
offense, provided the criteria specified in that division for 1442  
imposing an additional prison term are satisfied relative to the 1443  
offender and the offense. 1444

(d) If an offender who is convicted of or pleads guilty to an 1445  
offense of violence that is a felony also is convicted of or 1446  
pleads guilty to a specification of the type described in section 1447  
2941.1411 of the Revised Code that charges the offender with 1448  
wearing or carrying body armor while committing the felony offense 1449  
of violence, the court shall impose on the offender a prison term 1450  
of two years. The prison term so imposed shall not be reduced 1451  
pursuant to section 2929.20, section 2967.193, or any other 1452  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. A 1453  
court shall not impose more than one prison term on an offender 1454  
under division (D)(1)(d) of this section for felonies committed as 1455  
part of the same act or transaction. If a court imposes an 1456  
additional prison term under division (D)(1)(a) or (c) of this 1457  
section, the court is not precluded from imposing an additional 1458  
prison term under division (D)(1)(d) of this section. 1459

(e) The court shall not impose any of the prison terms 1460



described in division (D)(1)(a) of this section or any of the 1461  
additional prison terms described in division (D)(1)(c) of this 1462  
section upon an offender for a violation of section 2923.12 or 1463  
2923.123 of the Revised Code. The court shall not impose any of 1464  
the prison terms described in division (D)(1)(a) or (b) of this 1465  
section upon an offender for a violation of section 2923.122 that 1466  
involves a deadly weapon that is a firearm other than a dangerous 1467  
ordnance, section 2923.16, or section 2923.121 of the Revised 1468  
Code. The court shall not impose any of the prison terms described 1469  
in division (D)(1)(a) of this section or any of the additional 1470  
prison terms described in division (D)(1)(c) of this section upon 1471  
an offender for a violation of section 2923.13 of the Revised Code 1472  
unless all of the following apply: 1473

(i) The offender previously has been convicted of aggravated 1474  
murder, murder, or any felony of the first or second degree. 1475

(ii) Less than five years have passed since the offender was 1476  
released from prison or post-release control, whichever is later, 1477  
for the prior offense. 1478

(f) If an offender is convicted of or pleads guilty to a 1479  
felony that includes, as an essential element, causing or 1480  
attempting to cause the death of or physical harm to another and 1481  
also is convicted of or pleads guilty to a specification of the 1482  
type described in section 2941.1412 of the Revised Code that 1483  
charges the offender with committing the offense by discharging a 1484  
firearm at a peace officer as defined in section 2935.01 of the 1485  
Revised Code or a corrections officer, as defined in section 1486  
2941.1412 of the Revised Code, the court, after imposing a prison 1487  
term on the offender for the felony offense under division (A), 1488  
(D)(2), or (D)(3) of this section, shall impose an additional 1489  
prison term of seven years upon the offender that shall not be 1490  
reduced pursuant to section 2929.20, section 2967.193, or any 1491  
other provision of Chapter 2967. or Chapter 5120. of the Revised 1492

Code. If an offender is convicted of or pleads guilty to two or 1493  
more felonies that include, as an essential element, causing or 1494  
attempting to cause the death or physical harm to another and also 1495  
is convicted of or pleads guilty to a specification of the type 1496  
described under division (D)(1)(f) of this section in connection 1497  
with two or more of the felonies of which the offender is 1498  
convicted or to which the offender pleads guilty, the sentencing 1499  
court shall impose on the offender the prison term specified under 1500  
division (D)(1)(f) of this section for each of two of the 1501  
specifications of which the offender is convicted or to which the 1502  
offender pleads guilty and, in its discretion, also may impose on 1503  
the offender the prison term specified under that division for any 1504  
or all of the remaining specifications. If a court imposes an 1505  
additional prison term on an offender under division (D)(1)(f) of 1506  
this section relative to an offense, the court shall not impose a 1507  
prison term under division (D)(1)(a) or (c) of this section 1508  
relative to the same offense. 1509

(g) If an offender is convicted of or pleads guilty to two or 1510  
more felonies, if one or more of those felonies is aggravated 1511  
murder, murder, attempted aggravated murder, attempted murder, 1512  
aggravated robbery, felonious assault, or rape, and if the 1513  
offender is convicted of or pleads guilty to a specification of 1514  
the type described under division (D)(1)(a) of this section in 1515  
connection with two or more of the felonies, the sentencing court 1516  
shall impose on the offender the prison term specified under 1517  
division (D)(1)(a) of this section for each of the two most 1518  
serious specifications of which the offender is convicted or to 1519  
which the offender pleads guilty and, in its discretion, also may 1520  
impose on the offender the prison term specified under that 1521  
division for any or all of the remaining specifications. 1522

(2)(a) If division (D)(2)(b) of this section does not apply, 1523  
the court may impose on an offender, in addition to the longest 1524

prison term authorized or required for the offense, an additional 1525  
definite prison term of one, two, three, four, five, six, seven, 1526  
eight, nine, or ten years if all of the following criteria are 1527  
met: 1528

(i) The offender is convicted of or pleads guilty to a 1529  
specification of the type described in section 2941.149 of the 1530  
Revised Code that the offender is a repeat violent offender. 1531

(ii) The offense of which the offender currently is convicted 1532  
or to which the offender currently pleads guilty is aggravated 1533  
murder and the court does not impose a sentence of death or life 1534  
imprisonment without parole, murder, terrorism and the court does 1535  
not impose a sentence of life imprisonment without parole, any 1536  
felony of the first degree that is an offense of violence and the 1537  
court does not impose a sentence of life imprisonment without 1538  
parole, or any felony of the second degree that is an offense of 1539  
violence and the trier of fact finds that the offense involved an 1540  
attempt to cause or a threat to cause serious physical harm to a 1541  
person or resulted in serious physical harm to a person. 1542

(iii) The court imposes the longest prison term for the 1543  
offense that is not life imprisonment without parole. 1544

(iv) The court finds that the prison terms imposed pursuant 1545  
to division (D)(2)(a)(iii) of this section and, if applicable, 1546  
division (D)(1) or (3) of this section are inadequate to punish 1547  
the offender and protect the public from future crime, because the 1548  
applicable factors under section 2929.12 of the Revised Code 1549  
indicating a greater likelihood of recidivism outweigh the 1550  
applicable factors under that section indicating a lesser 1551  
likelihood of recidivism. 1552

(v) The court finds that the prison terms imposed pursuant to 1553  
division (D)(2)(a)(iii) of this section and, if applicable, 1554  
division (D)(1) or (3) of this section are demeaning to the 1555

seriousness of the offense, because one or more of the factors 1556  
under section 2929.12 of the Revised Code indicating that the 1557  
offender's conduct is more serious than conduct normally 1558  
constituting the offense are present, and they outweigh the 1559  
applicable factors under that section indicating that the 1560  
offender's conduct is less serious than conduct normally 1561  
constituting the offense. 1562

(b) The court shall impose on an offender the longest prison 1563  
term authorized or required for the offense and shall impose on 1564  
the offender an additional definite prison term of one, two, 1565  
three, four, five, six, seven, eight, nine, or ten years if all of 1566  
the following criteria are met: 1567

(i) The offender is convicted of or pleads guilty to a 1568  
specification of the type described in section 2941.149 of the 1569  
Revised Code that the offender is a repeat violent offender. 1570

(ii) The offender within the preceding twenty years has been 1571  
convicted of or pleaded guilty to three or more offenses described 1572  
in division (CC)(1) of section 2929.01 of the Revised Code, 1573  
including all offenses described in that division of which the 1574  
offender is convicted or to which the offender pleads guilty in 1575  
the current prosecution and all offenses described in that 1576  
division of which the offender previously has been convicted or to 1577  
which the offender previously pleaded guilty, whether prosecuted 1578  
together or separately. 1579

(iii) The offense or offenses of which the offender currently 1580  
is convicted or to which the offender currently pleads guilty is 1581  
aggravated murder and the court does not impose a sentence of 1582  
death or life imprisonment without parole, murder, terrorism and 1583  
the court does not impose a sentence of life imprisonment without 1584  
parole, any felony of the first degree that is an offense of 1585  
violence and the court does not impose a sentence of life 1586  
imprisonment without parole, or any felony of the second degree 1587

that is an offense of violence and the trier of fact finds that 1588  
the offense involved an attempt to cause or a threat to cause 1589  
serious physical harm to a person or resulted in serious physical 1590  
harm to a person. 1591

(c) For purposes of division (D)(2)(b) of this section, two 1592  
or more offenses committed at the same time or as part of the same 1593  
act or event shall be considered one offense, and that one offense 1594  
shall be the offense with the greatest penalty. 1595

(d) A sentence imposed under division (D)(2)(a) or (b) of 1596  
this section shall not be reduced pursuant to section 2929.20 or 1597  
section 2967.193, or any other provision of Chapter 2967. or 1598  
Chapter 5120. of the Revised Code. The offender shall serve an 1599  
additional prison term imposed under this section consecutively to 1600  
and prior to the prison term imposed for the underlying offense. 1601

(e) When imposing a sentence pursuant to division (D)(2)(a) 1602  
or (b) of this section, the court shall state its findings 1603  
explaining the imposed sentence. 1604

(3)(a) Except when an offender commits a violation of section 1605  
2903.01 or 2907.02 of the Revised Code and the penalty imposed for 1606  
the violation is life imprisonment or commits a violation of 1607  
section 2903.02 of the Revised Code, if the offender commits a 1608  
violation of section 2925.03 or 2925.11 of the Revised Code and 1609  
that section classifies the offender as a major drug offender and 1610  
requires the imposition of a ten-year prison term on the offender, 1611  
if the offender commits a felony violation of section 2925.02, 1612  
2925.04, 2925.05, 2925.36, 3719.07, 3719.08, 3719.16, 3719.161, 1613  
4729.37, or 4729.61, division (C) or (D) of section 3719.172, 1614  
division (C) of section 4729.51, or division (J) of section 1615  
4729.54 of the Revised Code that includes the sale, offer to sell, 1616  
or possession of a schedule I or II controlled substance, with the 1617  
exception of marihuana, and the court imposing sentence upon the 1618  
offender finds that the offender is guilty of a specification of 1619

the type described in section 2941.1410 of the Revised Code 1620  
charging that the offender is a major drug offender, if the court 1621  
imposing sentence upon an offender for a felony finds that the 1622  
offender is guilty of corrupt activity with the most serious 1623  
offense in the pattern of corrupt activity being a felony of the 1624  
first degree, or if the offender is guilty of an attempted 1625  
violation of section 2907.02 of the Revised Code and, had the 1626  
offender completed the violation of section 2907.02 of the Revised 1627  
Code that was attempted, the offender would have been subject to a 1628  
sentence of life imprisonment or life imprisonment without parole 1629  
for the violation of section 2907.02 of the Revised Code, the 1630  
court shall impose upon the offender for the felony violation a 1631  
ten-year prison term that cannot be reduced pursuant to section 1632  
2929.20 or Chapter 2967. or 5120. of the Revised Code. 1633

(b) The court imposing a prison term on an offender under 1634  
division (D)(3)(a) of this section may impose an additional prison 1635  
term of one, two, three, four, five, six, seven, eight, nine, or 1636  
ten years, if the court, with respect to the term imposed under 1637  
division (D)(3)(a) of this section and, if applicable, divisions 1638  
(D)(1) and (2) of this section, makes both of the findings set 1639  
forth in divisions (D)(2)(a)(iv) and (v) of this section. 1640

(4) If the offender is being sentenced for a third or fourth 1641  
degree felony OVI offense under division (G)(2) of section 2929.13 1642  
of the Revised Code, the sentencing court shall impose upon the 1643  
offender a mandatory prison term in accordance with that division. 1644  
In addition to the mandatory prison term, if the offender is being 1645  
sentenced for a fourth degree felony OVI offense, the court, 1646  
notwithstanding division (A)(4) of this section, may sentence the 1647  
offender to a definite prison term of not less than six months and 1648  
not more than thirty months, and if the offender is being 1649  
sentenced for a third degree felony OVI offense, the sentencing 1650  
court may sentence the offender to an additional prison term of 1651

any duration specified in division (A)(3) of this section. In 1652  
either case, the additional prison term imposed shall be reduced 1653  
by the sixty or one hundred twenty days imposed upon the offender 1654  
as the mandatory prison term. The total of the additional prison 1655  
term imposed under division (D)(4) of this section plus the sixty 1656  
or one hundred twenty days imposed as the mandatory prison term 1657  
shall equal a definite term in the range of six months to thirty 1658  
months for a fourth degree felony OVI offense and shall equal one 1659  
of the authorized prison terms specified in division (A)(3) of 1660  
this section for a third degree felony OVI offense. If the court 1661  
imposes an additional prison term under division (D)(4) of this 1662  
section, the offender shall serve the additional prison term after 1663  
the offender has served the mandatory prison term required for the 1664  
offense. In addition to the mandatory prison term or mandatory and 1665  
additional prison term imposed as described in division (D)(4) of 1666  
this section, the court also may sentence the offender to a 1667  
community control sanction under section 2929.16 or 2929.17 of the 1668  
Revised Code, but the offender shall serve all of the prison terms 1669  
so imposed prior to serving the community control sanction. 1670

If the offender is being sentenced for a fourth degree felony 1671  
OVI offense under division (G)(1) of section 2929.13 of the 1672  
Revised Code and the court imposes a mandatory term of local 1673  
incarceration, the court may impose a prison term as described in 1674  
division (A)(1) of that section. 1675

(5) If an offender is convicted of or pleads guilty to a 1676  
violation of division (A)(1) or (2) of section 2903.06 of the 1677  
Revised Code and also is convicted of or pleads guilty to a 1678  
specification of the type described in section 2941.1414 of the 1679  
Revised Code that charges that the victim of the offense is a 1680  
peace officer, as defined in section 2935.01 of the Revised Code, 1681  
or an investigator of the bureau of criminal identification and 1682  
investigation, as defined in section 2903.11 of the Revised Code, 1683

the court shall impose on the offender a prison term of five 1684  
years. If a court imposes a prison term on an offender under 1685  
division (D)(5) of this section, the prison term shall not be 1686  
reduced pursuant to section 2929.20, section 2967.193, or any 1687  
other provision of Chapter 2967. or Chapter 5120. of the Revised 1688  
Code. A court shall not impose more than one prison term on an 1689  
offender under division (D)(5) of this section for felonies 1690  
committed as part of the same act. 1691

(6) If an offender is convicted of or pleads guilty to a 1692  
violation of division (A)(1) or (2) of section 2903.06 of the 1693  
Revised Code and also is convicted of or pleads guilty to a 1694  
specification of the type described in section 2941.1415 of the 1695  
Revised Code that charges that the offender previously has been 1696  
convicted of or pleaded guilty to three or more violations of 1697  
division (A) or (B) of section 4511.19 of the Revised Code or an 1698  
equivalent offense, as defined in section 2941.1415 of the Revised 1699  
Code, or three or more violations of any combination of those 1700  
divisions and offenses, the court shall impose on the offender a 1701  
prison term of three years. If a court imposes a prison term on an 1702  
offender under division (D)(6) of this section, the prison term 1703  
shall not be reduced pursuant to section 2929.20, section 1704  
2967.193, or any other provision of Chapter 2967. or Chapter 5120. 1705  
of the Revised Code. A court shall not impose more than one prison 1706  
term on an offender under division (D)(6) of this section for 1707  
felonies committed as part of the same act. 1708

(7)(a) If an offender is convicted of or pleads guilty to a 1709  
felony violation of section 2905.01, 2905.02, 2905.32, 2907.21, 1710  
2907.22, or 2923.32, division (A)(1) or (2) of section 2907.323, 1711  
or division (B)(1), (2), (3), (4), or (5) of section 2919.22 of 1712  
the Revised Code and also is convicted of or pleads guilty to a 1713  
specification of the type described in section 2941.1422 of the 1714  
Revised Code that charges that the offender knowingly committed 1715



the offense in furtherance of human trafficking, the court shall 1716  
impose on the offender a mandatory prison term that is one of the 1717  
following: 1718

(i) If the offense is a felony of the first degree, a 1719  
definite prison term of not less than five years and not greater 1720  
than ten years; 1721

(ii) If the offense is a felony of the second or third 1722  
degree, a definite prison term of not less than three years and 1723  
not greater than the maximum prison term allowed for the offense 1724  
by division (A) of section 2929.14 of the Revised Code; 1725

(iii) If the offense is a felony of the fourth or fifth 1726  
degree, a definite prison term that is the maximum prison term 1727  
allowed for the offense by division (A) of section 2929.14 of the 1728  
Revised Code. 1729

(b) The prison term imposed under division (D)(7)(a) of this 1730  
section shall not be reduced pursuant to section 2929.20, section 1731  
2967.193, or any other provision of Chapter 2967. of the Revised 1732  
Code. A court shall not impose more than one prison term on an 1733  
offender under division (D)(7)(a) of this section for felonies 1734  
committed as part of the same act, scheme, or plan. 1735

(8) If an offender is convicted of or pleads guilty to a 1736  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 1737  
Revised Code and also is convicted of or pleads guilty to a 1738  
specification of the type described in section 2941.1423 of the 1739  
Revised Code that charges that the victim of the violation was a 1740  
woman whom the offender knew was pregnant at the time of the 1741  
violation, notwithstanding the range of prison terms prescribed in 1742  
division (A) of this section for felonies of the same degree as 1743  
the violation, the court shall impose on the offender a mandatory 1744  
prison term that is either a definite prison term of six months or 1745  
one of the prison terms prescribed in section 2929.14 of the 1746

Revised Code for felonies of the same degree as the violation. 1747

(E)(1)(a) Subject to division (E)(1)(b) of this section, if a 1748  
mandatory prison term is imposed upon an offender pursuant to 1749  
division (D)(1)(a) of this section for having a firearm on or 1750  
about the offender's person or under the offender's control while 1751  
committing a felony, if a mandatory prison term is imposed upon an 1752  
offender pursuant to division (D)(1)(c) of this section for 1753  
committing a felony specified in that division by discharging a 1754  
firearm from a motor vehicle, or if both types of mandatory prison 1755  
terms are imposed, the offender shall serve any mandatory prison 1756  
term imposed under either division consecutively to any other 1757  
mandatory prison term imposed under either division or under 1758  
division (D)(1)(d) of this section, consecutively to and prior to 1759  
any prison term imposed for the underlying felony pursuant to 1760  
division (A), (D)(2), or (D)(3) of this section or any other 1761  
section of the Revised Code, and consecutively to any other prison 1762  
term or mandatory prison term previously or subsequently imposed 1763  
upon the offender. 1764

(b) If a mandatory prison term is imposed upon an offender 1765  
pursuant to division (D)(1)(d) of this section for wearing or 1766  
carrying body armor while committing an offense of violence that 1767  
is a felony, the offender shall serve the mandatory term so 1768  
imposed consecutively to any other mandatory prison term imposed 1769  
under that division or under division (D)(1)(a) or (c) of this 1770  
section, consecutively to and prior to any prison term imposed for 1771  
the underlying felony under division (A), (D)(2), or (D)(3) of 1772  
this section or any other section of the Revised Code, and 1773  
consecutively to any other prison term or mandatory prison term 1774  
previously or subsequently imposed upon the offender. 1775

(c) If a mandatory prison term is imposed upon an offender 1776  
pursuant to division (D)(1)(f) of this section, the offender shall 1777  
serve the mandatory prison term so imposed consecutively to and 1778

prior to any prison term imposed for the underlying felony under 1779  
division (A), (D)(2), or (D)(3) of this section or any other 1780  
section of the Revised Code, and consecutively to any other prison 1781  
term or mandatory prison term previously or subsequently imposed 1782  
upon the offender. 1783

(d) If a mandatory prison term is imposed upon an offender 1784  
pursuant to division (D)(7) or (8) of this section, the offender 1785  
shall serve the mandatory prison term so imposed consecutively to 1786  
any other mandatory prison term imposed under that division or 1787  
under any other provision of law and consecutively to any other 1788  
prison term or mandatory prison term previously or subsequently 1789  
imposed upon the offender. 1790

(2) If an offender who is an inmate in a jail, prison, or 1791  
other residential detention facility violates section 2917.02, 1792  
2917.03, 2921.34, or 2921.35 of the Revised Code, if an offender 1793  
who is under detention at a detention facility commits a felony 1794  
violation of section 2923.131 of the Revised Code, or if an 1795  
offender who is an inmate in a jail, prison, or other residential 1796  
detention facility or is under detention at a detention facility 1797  
commits another felony while the offender is an escapee in 1798  
violation of section 2921.34 of the Revised Code, any prison term 1799  
imposed upon the offender for one of those violations shall be 1800  
served by the offender consecutively to the prison term or term of 1801  
imprisonment the offender was serving when the offender committed 1802  
that offense and to any other prison term previously or 1803  
subsequently imposed upon the offender. 1804

(3) If a prison term is imposed for a violation of division 1805  
(B) of section 2911.01 of the Revised Code, a violation of 1806  
division (A) of section 2913.02 of the Revised Code in which the 1807  
stolen property is a firearm or dangerous ordnance, or a felony 1808  
violation of division (B) of section 2921.331 of the Revised Code, 1809  
the offender shall serve that prison term consecutively to any 1810

other prison term or mandatory prison term previously or 1811  
subsequently imposed upon the offender. 1812

(4) If multiple prison terms are imposed on an offender for 1813  
convictions of multiple offenses, the court may require the 1814  
offender to serve the prison terms consecutively if the court 1815  
finds that the consecutive service is necessary to protect the 1816  
public from future crime or to punish the offender and that 1817  
consecutive sentences are not disproportionate to the seriousness 1818  
of the offender's conduct and to the danger the offender poses to 1819  
the public, and if the court also finds any of the following: 1820

(a) The offender committed one or more of the multiple 1821  
offenses while the offender was awaiting trial or sentencing, was 1822  
under a sanction imposed pursuant to section 2929.16, 2929.17, or 1823  
2929.18 of the Revised Code, or was under post-release control for 1824  
a prior offense. 1825

(b) At least two of the multiple offenses were committed as 1826  
part of one or more courses of conduct, and the harm caused by two 1827  
or more of the multiple offenses so committed was so great or 1828  
unusual that no single prison term for any of the offenses 1829  
committed as part of any of the courses of conduct adequately 1830  
reflects the seriousness of the offender's conduct. 1831

(c) The offender's history of criminal conduct demonstrates 1832  
that consecutive sentences are necessary to protect the public 1833  
from future crime by the offender. 1834

(5) If a mandatory prison term is imposed upon an offender 1835  
pursuant to division (D)(5) or (6) of this section, the offender 1836  
shall serve the mandatory prison term consecutively to and prior 1837  
to any prison term imposed for the underlying violation of 1838  
division (A)(1) or (2) of section 2903.06 of the Revised Code 1839  
pursuant to division (A) of this section or section 2929.142 of 1840  
the Revised Code. If a mandatory prison term is imposed upon an 1841

offender pursuant to division (D)(5) of this section, and if a  
mandatory prison term also is imposed upon the offender pursuant  
to division (D)(6) of this section in relation to the same  
violation, the offender shall serve the mandatory prison term  
imposed pursuant to division (D)(5) of this section consecutively  
to and prior to the mandatory prison term imposed pursuant to  
division (D)(6) of this section and consecutively to and prior to  
any prison term imposed for the underlying violation of division  
(A)(1) or (2) of section 2903.06 of the Revised Code pursuant to  
division (A) of this section or section 2929.142 of the Revised  
Code.

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

(F)(1) If a court imposes a prison term for a felony of the  
first degree, for a felony of the second degree, for a felony sex  
offense, or for a felony of the third degree that is not a felony  
sex offense and in the commission of which the offender caused or  
threatened to cause physical harm to a person, it shall include in  
the sentence a requirement that the offender be subject to a  
period of post-release control after the offender's release from  
imprisonment, in accordance with that division. If a court imposes  
a sentence including a prison term of a type described in this  
division on or after July 11, 2006, the failure of a court to  
include a post-release control requirement in the sentence  
pursuant to this division does not negate, limit, or otherwise  
affect the mandatory period of post-release control that is  
required for the offender under division (B) of section 2967.28 of  
the Revised Code. Section 2929.191 of the Revised Code applies if,  
prior to July 11, 2006, a court imposed a sentence including a  
prison term of a type described in this division and failed to

include in the sentence pursuant to this division a statement 1874  
regarding post-release control. 1875

(2) If a court imposes a prison term for a felony of the 1876  
third, fourth, or fifth degree that is not subject to division 1877  
(F)(1) of this section, it shall include in the sentence a 1878  
requirement that the offender be subject to a period of 1879  
post-release control after the offender's release from 1880  
imprisonment, in accordance with that division, if the parole 1881  
board determines that a period of post-release control is 1882  
necessary. Section 2929.191 of the Revised Code applies if, prior 1883  
to July 11, 2006, a court imposed a sentence including a prison 1884  
term of a type described in this division and failed to include in 1885  
the sentence pursuant to this division a statement regarding 1886  
post-release control. 1887

(G) The court shall impose sentence upon the offender in 1888  
accordance with section 2971.03 of the Revised Code, and Chapter 1889  
2971. of the Revised Code applies regarding the prison term or 1890  
term of life imprisonment without parole imposed upon the offender 1891  
and the service of that term of imprisonment if any of the 1892  
following apply: 1893

(1) A person is convicted of or pleads guilty to a violent 1894  
sex offense or a designated homicide, assault, or kidnapping 1895  
offense, and, in relation to that offense, the offender is 1896  
adjudicated a sexually violent predator. 1897

(2) A person is convicted of or pleads guilty to a violation 1898  
of division (A)(1)(b) of section 2907.02 of the Revised Code 1899  
committed on or after January 2, 2007, and either the court does 1900  
not impose a sentence of life without parole when authorized 1901  
pursuant to division (B) of section 2907.02 of the Revised Code, 1902  
or division (B) of section 2907.02 of the Revised Code provides 1903  
that the court shall not sentence the offender pursuant to section 1904  
2971.03 of the Revised Code. 1905

(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), (C)(1)(a)(v), (C)(2)(a)(ii), (D)(2)(b), (D)(3)(a)(iv), or (E)(1)(d) of section 2929.03, or division (A) or (B) of section 2929.06 of the Revised Code requires the court to sentence the offender pursuant to division (B)(3) of section 2971.03 of the Revised Code.

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

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

(I) If an offender who is convicted of or pleads guilty to a felony that is an offense of violence also is convicted of or pleads guilty to a specification of the type described in section 2941.142 of the Revised Code that charges the offender with having

committed the felony while participating in a criminal gang, the 1937  
court shall impose upon the offender an additional prison term of 1938  
one, two, or three years. 1939

(J)(1) If an offender who is convicted of or pleads guilty to 1940  
aggravated murder, murder, or a felony of the first, second, or 1941  
third degree that is an offense of violence also is convicted of 1942  
or pleads guilty to a specification of the type described in 1943  
section 2941.143 of the Revised Code that charges the offender 1944  
with having committed the offense in a school safety zone or 1945  
towards a person in a school safety zone, the court shall impose 1946  
upon the offender an additional prison term of two years. The 1947  
offender shall serve the additional two years consecutively to and 1948  
prior to the prison term imposed for the underlying offense. 1949

(2)(a) If an offender is convicted of or pleads guilty to a 1950  
felony violation of section 2907.22, 2907.24, 2907.241, or 2907.25 1951  
of the Revised Code and to a specification of the type described 1952  
in section 2941.1421 of the Revised Code and if the court imposes 1953  
a prison term on the offender for the felony violation, the court 1954  
may impose upon the offender an additional prison term as follows: 1955

(i) Subject to division (J)(2)(a)(ii) of this section, an 1956  
additional prison term of one, two, three, four, five, or six 1957  
months; 1958

(ii) If the offender previously has been convicted of or 1959  
pleaded guilty to one or more felony or misdemeanor violations of 1960  
section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of the 1961  
Revised Code and also was convicted of or pleaded guilty to a 1962  
specification of the type described in section 2941.1421 of the 1963  
Revised Code regarding one or more of those violations, an 1964  
additional prison term of one, two, three, four, five, six, seven, 1965  
eight, nine, ten, eleven, or twelve months. 1966

(b) In lieu of imposing an additional prison term under 1967



division (J)(2)(a) of this section, the court may directly impose 1968  
on the offender a sanction that requires the offender to wear a 1969  
real-time processing, continual tracking electronic monitoring 1970  
device during the period of time specified by the court. The 1971  
period of time specified by the court shall equal the duration of 1972  
an additional prison term that the court could have imposed upon 1973  
the offender under division (J)(2)(a) of this section. A sanction 1974  
imposed under this division shall commence on the date specified 1975  
by the court, provided that the sanction shall not commence until 1976  
after the offender has served the prison term imposed for the 1977  
felony violation of section 2907.22, 2907.24, 2907.241, or 2907.25 1978  
of the Revised Code and any residential sanction imposed for the 1979  
violation under section 2929.16 of the Revised Code. A sanction 1980  
imposed under this division shall be considered to be a community 1981  
control sanction for purposes of section 2929.15 of the Revised 1982  
Code, and all provisions of the Revised Code that pertain to 1983  
community control sanctions shall apply to a sanction imposed 1984  
under this division, except to the extent that they would by their 1985  
nature be clearly inapplicable. The offender shall pay all costs 1986  
associated with a sanction imposed under this division, including 1987  
the cost of the use of the monitoring device. 1988

(K) At the time of sentencing, the court may recommend the 1989  
offender for placement in a program of shock incarceration under 1990  
section 5120.031 of the Revised Code or for placement in an 1991  
intensive program prison under section 5120.032 of the Revised 1992  
Code, disapprove placement of the offender in a program of shock 1993  
incarceration or an intensive program prison of that nature, or 1994  
make no recommendation on placement of the offender. In no case 1995  
shall the department of rehabilitation and correction place the 1996  
offender in a program or prison of that nature unless the 1997  
department determines as specified in section 5120.031 or 5120.032 1998  
of the Revised Code, whichever is applicable, that the offender is 1999  
eligible for the placement. 2000

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

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

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

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

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

aggravated vehicular homicide in violation of division (A)(1) of 2033  
section 2903.06 of the Revised Code and division (B)(2)(c) of that 2034  
section applies, the person shall be sentenced pursuant to section 2035  
2929.142 of the Revised Code. 2036

Sec. 2930.21. (A) A victim of a violation of section 2905.32 2037  
of the Revised Code who is a minor shall be provided with 2038  
appropriate services, which may include an explanation of the 2039  
victim's rights, privacy, housing, care, and age-appropriate 2040  
support and rights. 2041

(B) The department of job and family services shall develop 2042  
procedures for reuniting the minor with family members in the 2043  
minor's country of origin or destination country whenever it is 2044  
possible and safe to do so. 2045

(C) The departments of health and mental health shall develop 2046  
procedures for providing special physical and mental health care 2047  
tailored to the minor's needs. 2048

**Sec. 2941.1422.** (A) Imposition of a mandatory prison term 2049  
under division (D)(7) of section 2929.14 of the Revised Code is 2050  
precluded unless the offender is convicted of or pleads guilty to 2051  
a felony violation of section 2905.01, 2905.02, 2905.32, 2907.21, 2052  
2907.22, or 2923.32, division (A)(1) or (2) of section 2907.323, 2053  
or division (B)(1), (2), (3), (4), or (5) of section 2919.22 of 2054  
the Revised Code and unless the indictment, count in the 2055  
indictment, or information charging the offense specifies that the 2056  
offender knowingly committed the offense in furtherance of human 2057  
trafficking. The specification shall be stated at the end of the 2058  
body of the indictment, count, or information and shall be stated 2059  
in substantially the following form: 2060

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 2061  
Grand Jurors (or insert the person's or the prosecuting attorney's 2062

name when appropriate) further find and specify that (set forth 2063  
that the defendant knowingly committed the offense in furtherance 2064  
of human trafficking)." 2065

(B) As used in this section, "human trafficking" has the same 2066  
meaning as in section 2929.01 of the Revised Code. 2067

Sec. 4113.72. (A) The director of commerce shall create a 2068  
poster that provides information regarding the national human 2069  
trafficking resource center hotline. The poster shall be no 2070  
smaller than eight and one-half inches by eleven inches in size 2071  
and shall include a statement in substantially the following form: 2072

"If you or someone you know is being forced to engage in any 2073  
activity and cannot leave - whether it is commercial sex, 2074  
housework, farm work, or any other activity - call the National 2075  
Human Trafficking Resource Center Hotline at 1-888-373-7888 to 2076  
access help and services. 2077

Victims of human trafficking are protected under U.S. and 2078  
Ohio law. 2079

The toll-free Hotline is: 2080

- Available 24 hours a day, 7 days a week 2081

- Operated by a non-profit, non-governmental organization 2082

- Anonymous & confidential 2083

- Accessible in 170 languages 2084

- Able to provide help, referral to services, training, 2085  
and general information." 2086

The statement shall appear on each poster in English, 2087  
Spanish, and, for each county, any other language required for 2088  
voting materials under section 1973aa-1a of the "Voting Rights Act 2089  
of 1965," 79 Stat. 437, 42 U.S.C. 1973, as amended. 2090

(B) The director of commerce, or the appropriate regulatory 2091

authority, if any, shall provide each owner or operator of an 2092  
establishment listed in division (C) of this section with notice 2093  
of this section and a copy of the appropriate national human 2094  
trafficking resource center hotline poster for display in each 2095  
establishment. The director and each state agency having 2096  
regulatory authority over any of those establishments shall make a 2097  
copy of each version of the poster available for print on their 2098  
respective public web sites. 2099

(C) A person who owns or operates any of the following 2100  
establishments shall display conspicuously in each establishment, 2101  
in a place where employees and customers, patients, or students 2102  
have access, a national human trafficking resource center hotline 2103  
poster created under division (A) of this section for the county 2104  
in which the poster will be displayed: 2105

(1) A highway truck stop; 2106

(2) A hotel, as defined in section 3731.01 of the Revised 2107  
Code; 2108

(3) An adult entertainment establishment, as defined in 2109  
section 2907.39 of the Revised Code; 2110

(4) Any establishment that has a liquor permit issued under 2111  
Chapter 4303. of the Revised Code, except for those establishments 2112  
that also have a retail food services license or a food services 2113  
operations license issued under Chapter 3717. of the Revised Code; 2114

(5) An agricultural labor camp, as defined in section 3733.41 2115  
of the Revised Code; 2116

(6) A hospital or urgent care center; 2117

(7) Any public or chartered nonpublic school offering grades 2118  
nine through twelve; 2119

(8) Any establishment operating as a massage parlor, massage 2120  
spa, alternative health clinic, or similar entity by persons who 2121

do not hold a valid certificate from the state medical board to 2122  
practice massage therapy under Chapter 4731. of the Revised Code; 2123

(9) A fair. 2124

(D) Whoever violates division (C) of this section is guilty 2125  
of a misdemeanor of the fourth degree and, notwithstanding 2126  
sections 2929.24 and 2929.28 of the Revised Code, is punishable by 2127  
imprisonment up to ten days, a fine of up to one thousand dollars, 2128  
or both. 2129

(E) As used in this section: 2130

(1) "Fair" means the annual exposition conducted by any 2131  
county or independent agricultural society or the Ohio expositions 2132  
commission. 2133

(2) "Highway truck stop" means a gas station with a sign that 2134  
is visible from a highway, as defined in section 5501.01 of the 2135  
Revised Code, that offers amenities to commercial vehicles. 2136

**Sec. 5515.071.** The director of transportation shall display 2137  
conspicuously at each rest area within the limits of the 2138  
right-of-way of interstate highways and other state highways a 2139  
national human trafficking resource center hotline poster created 2140  
under division (A) of section 4113.72 of the Revised Code for the 2141  
county in which the poster will be displayed. 2142

**Section 2.** That existing sections 109.73, 2901.13, 2905.01, 2143  
2905.02, 2907.21, 2923.01, 2923.31, 2929.01, 2929.14, and 2144  
2941.1422 of the Revised Code are hereby repealed. 2145

**Section 3.** The General Assembly, applying the principle 2146  
stated in division (B) of section 1.52 of the Revised Code that 2147  
amendments are to be harmonized if reasonably capable of 2148  
simultaneous operation, finds that the following sections, 2149  
presented in this act as composites of the sections as amended by 2150

the acts indicated, are the resulting versions of the sections in 2151  
effect prior to the effective date of the sections as presented in 2152  
this act: 2153

Section 2901.13 of the Revised Code as amended by both Sub. 2154  
H.B. 46 and S.B. 219 of the 127th General Assembly. 2155

Sections 2929.01 and 2929.14 of the Revised Code as amended 2156  
by both Am. Sub. H.B. 130 and Am. Sub. H.B. 280 of the 127th 2157  
General Assembly. 2158