



Ohio Legislative Service Commission

Bill Analysis

Bill Rowland

H.B. 334

128th General Assembly
(As Introduced)

Reps. Pryor, Domenick, Fende, Hagan, Murray, B. Williams, Yuko

BILL SUMMARY

- Changes the general prison term for murder from an indefinite term of 15 years to life to an indefinite term consisting of a minimum term of 15, 16, 17, 18, 19, or 20 years and a maximum term of life imprisonment.

CONTENT AND OPERATION

Current law

Offense of murder

Current law prohibits a person from doing either of the following (R.C. 2903.02(A), (B), and (C) (not in the bill)):

(1) Purposely causing the death of another or the unlawful termination of another's pregnancy;

(2) Causing the death of another as a proximate result of the offender's committing or attempting to commit an offense of violence that is a felony of the first or second degree and that is not voluntary or involuntary manslaughter. However, the prohibition set forth in this paragraph does not apply to an offense that becomes a felony of the first or second degree only if the offender previously has been convicted of that offense or another specified offense.

Whoever violates either of the above prohibitions is guilty of murder and is punished as set forth in special sentencing provisions in R.C. 2929.02 (R.C. 2903.02(D) (not in the bill)). Whoever is convicted of or pleads guilty to murder generally must be imprisoned for an indefinite term of 15 years to life. If the victim of the murder was less than 13 and the offender is convicted of or pleads guilty to a sexual motivation

specification, the court must impose an indefinite term of 30 years to life under the Sexual Predator Law. If the offender is convicted of or pleads guilty to a sexual motivation specification and a sexually violent predator specification, the court must impose a term of life imprisonment under the Sexual Predator Law. In addition, the offender may be fined not more than \$15,000. (R.C. 2929.02(B).) Under R.C. 2967.13(A)(1) a prisoner serving a sentence of life imprisonment for murder is eligible for parole at the expiration of the prisoner's minimum term.

Operation of the bill

Changes to the penalties for murder

The bill changes the general prison term for murder to an indefinite term consisting of a minimum term of 15, 16, 17, 18, 19, or 20 years and a maximum term of life imprisonment (R.C. 2929.02(B)(1)). The bill does not otherwise change the penalty for murder.

HISTORY

ACTION	DATE
Introduced	10-27-09

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