

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 559

Representative Abdullahi

**Cosponsors: Representatives Williams, Robinson, McNally, Upchurch,
Dell'Aquila, Miller, A., Brown**

A BILL

To amend sections 2929.14, 2941.1414, 4123.01, 1
4123.026, and 4123.46; to enact section 4123.87; 2
and to repeal section 126.65 of the Revised Code 3
concerning workers' compensation coverage for 4
peace officers, firefighters, and emergency 5
medical workers diagnosed with psychiatric 6
conditions arising from employment without an 7
accompanying physical injury. 8

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

Section 1. That sections 2929.14, 2941.1414, 4123.01, 9
4123.026, and 4123.46 be amended and section 4123.87 of the 10
Revised Code be enacted to read as follows: 11

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

impose a prison term on the offender pursuant to this chapter, 19
the court shall impose a prison term that shall be one of the 20
following: 21

(1) (a) For a felony of the first degree committed on or 22
after March 22, 2019, the prison term shall be an indefinite 23
prison term with a stated minimum term selected by the court of 24
three, four, five, six, seven, eight, nine, ten, or eleven years 25
and a maximum term that is determined pursuant to section 26
2929.144 of the Revised Code, except that if the section that 27
criminalizes the conduct constituting the felony specifies a 28
different minimum term or penalty for the offense, the specific 29
language of that section shall control in determining the 30
minimum term or otherwise sentencing the offender but the 31
minimum term or sentence imposed under that specific language 32
shall be considered for purposes of the Revised Code as if it 33
had been imposed under this division. 34

(b) For a felony of the first degree committed prior to 35
March 22, 2019, the prison term shall be a definite prison term 36
of three, four, five, six, seven, eight, nine, ten, or eleven 37
years. 38

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

sentence imposed under that specific language shall be 49
considered for purposes of the Revised Code as if it had been 50
imposed under this division. 51

(b) For a felony of the second degree committed prior to 52
March 22, 2019, the prison term shall be a definite term of two, 53
three, four, five, six, seven, or eight years. 54

(3) (a) For a felony of the third degree that is a 55
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 56
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 57
Code, that is a violation of division (A) of section 4511.19 of 58
the Revised Code if the offender previously has been convicted 59
of or pleaded guilty to a violation of division (A) of that 60
section that was a felony, or that is a violation of section 61
2911.02 or 2911.12 of the Revised Code if the offender 62
previously has been convicted of or pleaded guilty in two or 63
more separate proceedings to two or more violations of section 64
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, the 65
prison term shall be a definite term of twelve, eighteen, 66
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 67
four, or sixty months. 68

(b) For a felony of the third degree that is not an 69
offense for which division (A) (3) (a) of this section applies, 70
the prison term shall be a definite term of nine, twelve, 71
eighteen, twenty-four, thirty, or thirty-six months. 72

(4) For a felony of the fourth degree, the prison term 73
shall be a definite term of six, seven, eight, nine, ten, 74
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 75
or eighteen months. 76

(5) For a felony of the fifth degree, the prison term 77

shall be a definite term of six, seven, eight, nine, ten, 78
eleven, or twelve months. 79

(B) (1) (a) Except as provided in division (B) (1) (e) of this 80
section, if an offender who is convicted of or pleads guilty to 81
a felony also is convicted of or pleads guilty to a 82
specification of the type described in section 2941.141, 83
2941.144, or 2941.145 of the Revised Code, the court shall 84
impose on the offender one of the following prison terms: 85

(i) A prison term of six years if the specification is of 86
the type described in division (A) of section 2941.144 of the 87
Revised Code that charges the offender with having a firearm 88
that is an automatic firearm or that was equipped with a firearm 89
muffler or suppressor on or about the offender's person or under 90
the offender's control while committing the offense; 91

(ii) A prison term of three years if the specification is 92
of the type described in division (A) of section 2941.145 of the 93
Revised Code that charges the offender with having a firearm on 94
or about the offender's person or under the offender's control 95
while committing the offense and displaying the firearm, 96
brandishing the firearm, indicating that the offender possessed 97
the firearm, or using it to facilitate the offense; 98

(iii) A prison term of one year if the specification is of 99
the type described in division (A) of section 2941.141 of the 100
Revised Code that charges the offender with having a firearm on 101
or about the offender's person or under the offender's control 102
while committing the offense; 103

(iv) A prison term of nine years if the specification is 104
of the type described in division (D) of section 2941.144 of the 105
Revised Code that charges the offender with having a firearm 106

that is an automatic firearm or that was equipped with a firearm 107
muffler or suppressor on or about the offender's person or under 108
the offender's control while committing the offense and 109
specifies that the offender previously has been convicted of or 110
pleaded guilty to a specification of the type described in 111
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 112
the Revised Code; 113

(v) A prison term of fifty-four months if the 114
specification is of the type described in division (D) of 115
section 2941.145 of the Revised Code that charges the offender 116
with having a firearm on or about the offender's person or under 117
the offender's control while committing the offense and 118
displaying the firearm, brandishing the firearm, indicating that 119
the offender possessed the firearm, or using the firearm to 120
facilitate the offense and that the offender previously has been 121
convicted of or pleaded guilty to a specification of the type 122
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 123
2941.1412 of the Revised Code; 124

(vi) A prison term of eighteen months if the specification 125
is of the type described in division (D) of section 2941.141 of 126
the Revised Code that charges the offender with having a firearm 127
on or about the offender's person or under the offender's 128
control while committing the offense and that the offender 129
previously has been convicted of or pleaded guilty to a 130
specification of the type described in section 2941.141, 131
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 132

(b) If a court imposes a prison term on an offender under 133
division (B)(1)(a) of this section, the prison term shall not be 134
reduced pursuant to section 2929.20, division (A)(2) or (3) of 135
section 2967.193 or 2967.194, or any other provision of Chapter 136

2967. or Chapter 5120. of the Revised Code. Except as provided 137
in division (B) (1) (g) of this section, a court shall not impose 138
more than one prison term on an offender under division (B) (1) 139
(a) of this section for felonies committed as part of the same 140
act or transaction. 141

(c) (i) Except as provided in division (B) (1) (e) of this 142
section, if an offender who is convicted of or pleads guilty to 143
a violation of section 2923.161 of the Revised Code or to a 144
felony that includes, as an essential element, purposely or 145
knowingly causing or attempting to cause the death of or 146
physical harm to another, also is convicted of or pleads guilty 147
to a specification of the type described in division (A) of 148
section 2941.146 of the Revised Code that charges the offender 149
with committing the offense by discharging a firearm from a 150
motor vehicle other than a manufactured home, the court, after 151
imposing a prison term on the offender for the violation of 152
section 2923.161 of the Revised Code or for the other felony 153
offense under division (A), (B) (2), or (B) (3) of this section, 154
shall impose an additional prison term of five years upon the 155
offender that shall not be reduced pursuant to section 2929.20, 156
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 157
other provision of Chapter 2967. or Chapter 5120. of the Revised 158
Code. 159

(ii) Except as provided in division (B) (1) (e) of this 160
section, if an offender who is convicted of or pleads guilty to 161
a violation of section 2923.161 of the Revised Code or to a 162
felony that includes, as an essential element, purposely or 163
knowingly causing or attempting to cause the death of or 164
physical harm to another, also is convicted of or pleads guilty 165
to a specification of the type described in division (C) of 166
section 2941.146 of the Revised Code that charges the offender 167

with committing the offense by discharging a firearm from a 168
motor vehicle other than a manufactured home and that the 169
offender previously has been convicted of or pleaded guilty to a 170
specification of the type described in section 2941.141, 171
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 172
the court, after imposing a prison term on the offender for the 173
violation of section 2923.161 of the Revised Code or for the 174
other felony offense under division (A), (B) (2), or (3) of this 175
section, shall impose an additional prison term of ninety months 176
upon the offender that shall not be reduced pursuant to section 177
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 178
or any other provision of Chapter 2967. or Chapter 5120. of the 179
Revised Code. 180

(iii) A court shall not impose more than one additional 181
prison term on an offender under division (B) (1) (c) of this 182
section for felonies committed as part of the same act or 183
transaction. If a court imposes an additional prison term on an 184
offender under division (B) (1) (c) of this section relative to an 185
offense, the court also shall impose a prison term under 186
division (B) (1) (a) of this section relative to the same offense, 187
provided the criteria specified in that division for imposing an 188
additional prison term are satisfied relative to the offender 189
and the offense. 190

(d) If an offender who is convicted of or pleads guilty to 191
an offense of violence that is a felony also is convicted of or 192
pleads guilty to a specification of the type described in 193
section 2941.1411 of the Revised Code that charges the offender 194
with wearing or carrying body armor while committing the felony 195
offense of violence, the court shall impose on the offender an 196
additional prison term of two years. The prison term so imposed 197
shall not be reduced pursuant to section 2929.20, division (A) 198

(2) or (3) of section 2967.193 or 2967.194, or any other 199
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 200
A court shall not impose more than one prison term on an 201
offender under division (B) (1) (d) of this section for felonies 202
committed as part of the same act or transaction. If a court 203
imposes an additional prison term under division (B) (1) (a) or 204
(c) of this section, the court is not precluded from imposing an 205
additional prison term under division (B) (1) (d) of this section. 206

(e) The court shall not impose any of the prison terms 207
described in division (B) (1) (a) of this section or any of the 208
additional prison terms described in division (B) (1) (c) of this 209
section upon an offender for a violation of section 2923.12 or 210
2923.123 of the Revised Code. The court shall not impose any of 211
the prison terms described in division (B) (1) (a) or (b) of this 212
section upon an offender for a violation of section 2923.122 213
that involves a deadly weapon that is a firearm other than a 214
dangerous ordnance, section 2923.16, or section 2923.121 of the 215
Revised Code. The court shall not impose any of the prison terms 216
described in division (B) (1) (a) of this section or any of the 217
additional prison terms described in division (B) (1) (c) of this 218
section upon an offender for a violation of section 2923.13 of 219
the Revised Code unless all of the following apply: 220

(i) The offender previously has been convicted of 221
aggravated murder, murder, or any felony of the first or second 222
degree. 223

(ii) Less than five years have passed since the offender 224
was released from prison or post-release control, whichever is 225
later, for the prior offense. 226

(f) (i) If an offender is convicted of or pleads guilty to 227
a felony that includes, as an essential element, causing or 228

attempting to cause the death of or physical harm to another and 229
also is convicted of or pleads guilty to a specification of the 230
type described in division (A) of section 2941.1412 of the 231
Revised Code that charges the offender with committing the 232
offense by discharging a firearm at a peace officer as defined 233
in section 2935.01 of the Revised Code or a corrections officer, 234
as defined in section 2941.1412 of the Revised Code, the court, 235
after imposing a prison term on the offender for the felony 236
offense under division (A), (B) (2), or (B) (3) of this section, 237
shall impose an additional prison term of seven years upon the 238
offender that shall not be reduced pursuant to section 2929.20, 239
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 240
other provision of Chapter 2967. or Chapter 5120. of the Revised 241
Code. 242

(ii) If an offender is convicted of or pleads guilty to a 243
felony that includes, as an essential element, causing or 244
attempting to cause the death of or physical harm to another and 245
also is convicted of or pleads guilty to a specification of the 246
type described in division (B) of section 2941.1412 of the 247
Revised Code that charges the offender with committing the 248
offense by discharging a firearm at a peace officer, as defined 249
in section 2935.01 of the Revised Code, or a corrections 250
officer, as defined in section 2941.1412 of the Revised Code, 251
and that the offender previously has been convicted of or 252
pleaded guilty to a specification of the type described in 253
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 254
the Revised Code, the court, after imposing a prison term on the 255
offender for the felony offense under division (A), (B) (2), or 256
(3) of this section, shall impose an additional prison term of 257
one hundred twenty-six months upon the offender that shall not 258
be reduced pursuant to section 2929.20, division (A) (2) or (3) 259

of section 2967.193 or 2967.194, or any other provision of 260
Chapter 2967. or 5120. of the Revised Code. 261

(iii) If an offender is convicted of or pleads guilty to 262
two or more felonies that include, as an essential element, 263
causing or attempting to cause the death or physical harm to 264
another and also is convicted of or pleads guilty to a 265
specification of the type described under division (B)(1)(f) of 266
this section in connection with two or more of the felonies of 267
which the offender is convicted or to which the offender pleads 268
guilty, the sentencing court shall impose on the offender the 269
prison term specified under division (B)(1)(f) of this section 270
for each of two of the specifications of which the offender is 271
convicted or to which the offender pleads guilty and, in its 272
discretion, also may impose on the offender the prison term 273
specified under that division for any or all of the remaining 274
specifications. If a court imposes an additional prison term on 275
an offender under division (B)(1)(f) of this section relative to 276
an offense, the court shall not impose a prison term under 277
division (B)(1)(a) or (c) of this section relative to the same 278
offense. 279

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

discretion, also may impose on the offender the prison term 291
specified under that division for any or all of the remaining 292
specifications. 293

(2) (a) If division (B) (2) (b) of this section does not 294
apply, the court may impose on an offender, in addition to the 295
longest prison term authorized or required for the offense or, 296
for offenses for which division (A) (1) (a) or (2) (a) of this 297
section applies, in addition to the longest minimum prison term 298
authorized or required for the offense, an additional definite 299
prison term of one, two, three, four, five, six, seven, eight, 300
nine, or ten years if all of the following criteria are met: 301

(i) The offender is convicted of or pleads guilty to a 302
specification of the type described in section 2941.149 of the 303
Revised Code that the offender is a repeat violent offender. 304

(ii) The offense of which the offender currently is 305
convicted or to which the offender currently pleads guilty is 306
aggravated murder and the court does not impose a sentence of 307
death or life imprisonment without parole, murder, terrorism and 308
the court does not impose a sentence of life imprisonment 309
without parole, any felony of the first degree that is an 310
offense of violence and the court does not impose a sentence of 311
life imprisonment without parole, or any felony of the second 312
degree that is an offense of violence and the trier of fact 313
finds that the offense involved an attempt to cause or a threat 314
to cause serious physical harm to a person or resulted in 315
serious physical harm to a person. 316

(iii) The court imposes the longest prison term for the 317
offense or the longest minimum prison term for the offense, 318
whichever is applicable, that is not life imprisonment without 319
parole. 320

(iv) The court finds that the prison terms imposed 321
pursuant to division (B) (2) (a) (iii) of this section and, if 322
applicable, division (B) (1) or (3) of this section are 323
inadequate to punish the offender and protect the public from 324
future crime, because the applicable factors under section 325
2929.12 of the Revised Code indicating a greater likelihood of 326
recidivism outweigh the applicable factors under that section 327
indicating a lesser likelihood of recidivism. 328

(v) The court finds that the prison terms imposed pursuant 329
to division (B) (2) (a) (iii) of this section and, if applicable, 330
division (B) (1) or (3) of this section are demeaning to the 331
seriousness of the offense, because one or more of the factors 332
under section 2929.12 of the Revised Code indicating that the 333
offender's conduct is more serious than conduct normally 334
constituting the offense are present, and they outweigh the 335
applicable factors under that section indicating that the 336
offender's conduct is less serious than conduct normally 337
constituting the offense. 338

(b) The court shall impose on an offender the longest 339
prison term authorized or required for the offense or, for 340
offenses for which division (A) (1) (a) or (2) (a) of this section 341
applies, the longest minimum prison term authorized or required 342
for the offense, and shall impose on the offender an additional 343
definite prison term of one, two, three, four, five, six, seven, 344
eight, nine, or ten years if all of the following criteria are 345
met: 346

(i) The offender is convicted of or pleads guilty to a 347
specification of the type described in section 2941.149 of the 348
Revised Code that the offender is a repeat violent offender. 349

(ii) The offender within the preceding twenty years has 350

been convicted of or pleaded guilty to three or more offenses 351
described in division (CC) (1) of section 2929.01 of the Revised 352
Code, including all offenses described in that division of which 353
the offender is convicted or to which the offender pleads guilty 354
in the current prosecution and all offenses described in that 355
division of which the offender previously has been convicted or 356
to which the offender previously pleaded guilty, whether 357
prosecuted together or separately. 358

(iii) The offense or offenses of which the offender 359
currently is convicted or to which the offender currently pleads 360
guilty is aggravated murder and the court does not impose a 361
sentence of death or life imprisonment without parole, murder, 362
terrorism and the court does not impose a sentence of life 363
imprisonment without parole, any felony of the first degree that 364
is an offense of violence and the court does not impose a 365
sentence of life imprisonment without parole, or any felony of 366
the second degree that is an offense of violence and the trier 367
of fact finds that the offense involved an attempt to cause or a 368
threat to cause serious physical harm to a person or resulted in 369
serious physical harm to a person. 370

(c) For purposes of division (B) (2) (b) of this section, 371
two or more offenses committed at the same time or as part of 372
the same act or event shall be considered one offense, and that 373
one offense shall be the offense with the greatest penalty. 374

(d) A sentence imposed under division (B) (2) (a) or (b) of 375
this section shall not be reduced pursuant to section 2929.20, 376
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 377
other provision of Chapter 2967. or Chapter 5120. of the Revised 378
Code. The offender shall serve an additional prison term imposed 379
under division (B) (2) (a) or (b) of this section consecutively to 380

and prior to the prison term imposed for the underlying offense. 381

(e) When imposing a sentence pursuant to division (B) (2) 382
(a) or (b) of this section, the court shall state its findings 383
explaining the imposed sentence. 384

(3) Except when an offender commits a violation of section 385
2903.01 or 2907.02 of the Revised Code and the penalty imposed 386
for the violation is life imprisonment or commits a violation of 387
section 2903.02 of the Revised Code, if the offender commits a 388
violation of section 2925.03 or 2925.11 of the Revised Code and 389
that section classifies the offender as a major drug offender, 390
if the offender commits a violation of section 2925.05 of the 391
Revised Code and division (E) (1) of that section classifies the 392
offender as a major drug offender, if the offender commits a 393
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 394
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 395
division (C) or (D) of section 3719.172, division (E) of section 396
4729.51, or division (J) of section 4729.54 of the Revised Code 397
that includes the sale, offer to sell, or possession of a 398
schedule I or II controlled substance, with the exception of 399
marihuana, and the court imposing sentence upon the offender 400
finds that the offender is guilty of a specification of the type 401
described in division (A) of section 2941.1410 of the Revised 402
Code charging that the offender is a major drug offender, if the 403
court imposing sentence upon an offender for a felony finds that 404
the offender is guilty of corrupt activity with the most serious 405
offense in the pattern of corrupt activity being a felony of the 406
first degree, or if the offender is guilty of an attempted 407
violation of section 2907.02 of the Revised Code and, had the 408
offender completed the violation of section 2907.02 of the 409
Revised Code that was attempted, the offender would have been 410
subject to a sentence of life imprisonment or life imprisonment 411

without parole for the violation of section 2907.02 of the Revised Code, the court shall impose upon the offender for the felony violation a mandatory prison term determined as described in this division that cannot be reduced pursuant to section 2929.20, division (A)(2) or (3) of section 2967.193 or 2967.194, or any other provision of Chapter 2967. or 5120. of the Revised Code. The mandatory prison term shall be the maximum definite prison term prescribed in division (A)(1)(b) of this section for a felony of the first degree, except that for offenses for which division (A)(1)(a) of this section applies, the mandatory prison term shall be the longest minimum prison term prescribed in that division for the offense.

(4) If the offender is being sentenced for a third or fourth degree felony OVI offense under division (G)(2) of section 2929.13 of the Revised Code, the sentencing court shall impose upon the offender a mandatory prison term in accordance with that division. In addition to the mandatory prison term, if the offender is being sentenced for a fourth degree felony OVI offense, the court, notwithstanding division (A)(4) of this section, may sentence the offender to a definite prison term of not less than six months and not more than thirty months, and if the offender is being sentenced for a third degree felony OVI offense, the sentencing court may sentence the offender to an additional prison term of any duration specified in division (A)(3) of this section. In either case, the additional prison term imposed shall be reduced by the sixty or one hundred twenty days imposed upon the offender as the mandatory prison term. The total of the additional prison term imposed under division (B)(4) of this section plus the sixty or one hundred twenty days imposed as the mandatory prison term shall equal a definite term in the range of six months to thirty months for a fourth degree

felony OVI offense and shall equal one of the authorized prison 443
terms specified in division (A) (3) of this section for a third 444
degree felony OVI offense. If the court imposes an additional 445
prison term under division (B) (4) of this section, the offender 446
shall serve the additional prison term after the offender has 447
served the mandatory prison term required for the offense. In 448
addition to the mandatory prison term or mandatory and 449
additional prison term imposed as described in division (B) (4) 450
of this section, the court also may sentence the offender to a 451
community control sanction under section 2929.16 or 2929.17 of 452
the Revised Code, but the offender shall serve all of the prison 453
terms so imposed prior to serving the community control 454
sanction. 455

If the offender is being sentenced for a fourth degree 456
felony OVI offense under division (G) (1) of section 2929.13 of 457
the Revised Code and the court imposes a mandatory term of local 458
incarceration, the court may impose a prison term as described 459
in division (A) (1) of that section. 460

(5) If an offender is convicted of or pleads guilty to a 461
violation of division (A) (1) or (2) of section 2903.06 of the 462
Revised Code and also is convicted of or pleads guilty to a 463
specification of the type described in section 2941.1414 of the 464
Revised Code that charges that the victim of the offense is a 465
peace officer, as defined in section 2935.01 of the Revised 466
Code, an investigator of the bureau of criminal identification 467
and investigation, as defined in section 2903.11 of the Revised 468
Code, or a firefighter or emergency medical worker, both as 469
defined in section ~~4123.026~~ 4123.01 of the Revised Code, the 470
court shall impose on the offender a prison term of five years. 471
If a court imposes a prison term on an offender under division 472
(B) (5) of this section, the prison term shall not be reduced 473

pursuant to section 2929.20, division (A) (2) or (3) of section 474
2967.193 or 2967.194, or any other provision of Chapter 2967. or 475
Chapter 5120. of the Revised Code. A court shall not impose more 476
than one prison term on an offender under division (B) (5) of 477
this section for felonies committed as part of the same act. 478

(6) If an offender is convicted of or pleads guilty to a 479
violation of division (A) (1) or (2) of section 2903.06 of the 480
Revised Code and also is convicted of or pleads guilty to a 481
specification of the type described in section 2941.1415 of the 482
Revised Code that charges that the offender previously has been 483
convicted of or pleaded guilty to three or more violations of 484
division (A) of section 4511.19 of the Revised Code or an 485
equivalent offense, as defined in section 2941.1415 of the 486
Revised Code, or three or more violations of any combination of 487
those offenses, the court shall impose on the offender a prison 488
term of three years. If a court imposes a prison term on an 489
offender under division (B) (6) of this section, the prison term 490
shall not be reduced pursuant to section 2929.20, division (A) 491
(2) or (3) of section 2967.193 or 2967.194, or any other 492
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 493
A court shall not impose more than one prison term on an 494
offender under division (B) (6) of this section for felonies 495
committed as part of the same act. 496

(7) (a) If an offender is convicted of or pleads guilty to 497
a felony violation of section 2905.01, 2905.02, 2907.21, 498
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 499
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 500
section 2919.22 of the Revised Code and also is convicted of or 501
pleads guilty to a specification of the type described in 502
section 2941.1422 of the Revised Code that charges that the 503
offender knowingly committed the offense in furtherance of human 504

trafficking, the court shall impose on the offender a mandatory 505
prison term that is one of the following: 506

(i) If the offense is a felony of the first degree, a 507
definite prison term of not less than five years and not greater 508
than eleven years, except that if the offense is a felony of the 509
first degree committed on or after March 22, 2019, the court 510
shall impose as the minimum prison term a mandatory term of not 511
less than five years and not greater than eleven years; 512

(ii) If the offense is a felony of the second or third 513
degree, a definite prison term of not less than three years and 514
not greater than the maximum prison term allowed for the offense 515
by division (A) (2) (b) or (3) of this section, except that if the 516
offense is a felony of the second degree committed on or after 517
March 22, 2019, the court shall impose as the minimum prison 518
term a mandatory term of not less than three years and not 519
greater than eight years; 520

(iii) If the offense is a felony of the fourth or fifth 521
degree, a definite prison term that is the maximum prison term 522
allowed for the offense by division (A) of section 2929.14 of 523
the Revised Code. 524

(b) The prison term imposed under division (B) (7) (a) of 525
this section shall not be reduced pursuant to section 2929.20, 526
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 527
other provision of Chapter 2967. of the Revised Code. A court 528
shall not impose more than one prison term on an offender under 529
division (B) (7) (a) of this section for felonies committed as 530
part of the same act, scheme, or plan. 531

(8) If an offender is convicted of or pleads guilty to a 532
felony violation of section 2903.11, 2903.12, or 2903.13 of the 533

Revised Code and also is convicted of or pleads guilty to a 534
specification of the type described in section 2941.1423 of the 535
Revised Code that charges that the victim of the violation was a 536
woman whom the offender knew was pregnant at the time of the 537
violation, notwithstanding the range prescribed in division (A) 538
of this section as the definite prison term or minimum prison 539
term for felonies of the same degree as the violation, the court 540
shall impose on the offender a mandatory prison term that is 541
either a definite prison term of six months or one of the prison 542
terms prescribed in division (A) of this section for felonies of 543
the same degree as the violation, except that if the violation 544
is a felony of the first or second degree committed on or after 545
arch 22, 2019, the court shall impose as the minimum prison term 546
under division (A) (1) (a) or (2) (a) of this section a mandatory 547
term that is one of the terms prescribed in that division, 548
whichever is applicable, for the offense. 549

(9) (a) If an offender is convicted of or pleads guilty to 550
a violation of division (A) (1) or (2) of section 2903.11 of the 551
Revised Code and also is convicted of or pleads guilty to a 552
specification of the type described in section 2941.1425 of the 553
Revised Code, the court shall impose on the offender a mandatory 554
prison term of six years if either of the following applies: 555

(i) The violation is a violation of division (A) (1) of 556
section 2903.11 of the Revised Code and the specification 557
charges that the offender used an accelerant in committing the 558
violation and the serious physical harm to another or to 559
another's unborn caused by the violation resulted in a 560
permanent, serious disfigurement or permanent, substantial 561
incapacity; 562

(ii) The violation is a violation of division (A) (2) of 563

section 2903.11 of the Revised Code and the specification 564
charges that the offender used an accelerant in committing the 565
violation, that the violation caused physical harm to another or 566
to another's unborn, and that the physical harm resulted in a 567
permanent, serious disfigurement or permanent, substantial 568
incapacity. 569

(b) If a court imposes a prison term on an offender under 570
division (B) (9) (a) of this section, the prison term shall not be 571
reduced pursuant to section 2929.20, division (A) (2) or (3) of 572
section 2967.193 or 2967.194, or any other provision of Chapter 573
2967. or Chapter 5120. of the Revised Code. A court shall not 574
impose more than one prison term on an offender under division 575
(B) (9) of this section for felonies committed as part of the 576
same act. 577

(c) The provisions of divisions (B) (9) and (C) (6) of this 578
section and of division (D) (2) of section 2903.11, division (F) 579
(20) of section 2929.13, and section 2941.1425 of the Revised 580
Code shall be known as "Judy's Law." 581

(10) If an offender is convicted of or pleads guilty to a 582
violation of division (A) of section 2903.11 of the Revised Code 583
and also is convicted of or pleads guilty to a specification of 584
the type described in section 2941.1426 of the Revised Code that 585
charges that the victim of the offense suffered permanent 586
disabling harm as a result of the offense and that the victim 587
was under ten years of age at the time of the offense, 588
regardless of whether the offender knew the age of the victim, 589
the court shall impose upon the offender an additional definite 590
prison term of six years. A prison term imposed on an offender 591
under division (B) (10) of this section shall not be reduced 592
pursuant to section 2929.20, division (A) (2) or (3) of section 593

2967.193 or 2967.194, or any other provision of Chapter 2967. or 594
Chapter 5120. of the Revised Code. If a court imposes an 595
additional prison term on an offender under this division 596
relative to a violation of division (A) of section 2903.11 of 597
the Revised Code, the court shall not impose any other 598
additional prison term on the offender relative to the same 599
offense. 600

(11) If an offender is convicted of or pleads guilty to a 601
felony violation of section 2925.03 or 2925.05 of the Revised 602
Code or a felony violation of section 2925.11 of the Revised 603
Code for which division (C)(11) of that section applies in 604
determining the sentence for the violation, if the drug involved 605
in the violation is a fentanyl-related compound or a compound, 606
mixture, preparation, or substance containing a fentanyl-related 607
compound, and if the offender also is convicted of or pleads 608
guilty to a specification of the type described in division (B) 609
of section 2941.1410 of the Revised Code that charges that the 610
offender is a major drug offender, in addition to any other 611
penalty imposed for the violation, the court shall impose on the 612
offender a mandatory prison term of three, four, five, six, 613
seven, or eight years. If a court imposes a prison term on an 614
offender under division (B)(11) of this section, the prison term 615
shall not be reduced pursuant to section 2929.20, division (A) 616
(2) or (3) of section 2967.193 or 2967.194, or any other 617
provision of Chapter 2967. or 5120. of the Revised Code. A court 618
shall not impose more than one prison term on an offender under 619
division (B)(11) of this section for felonies committed as part 620
of the same act. 621

(C)(1)(a) Subject to division (C)(1)(b) of this section, 622
if a mandatory prison term is imposed upon an offender pursuant 623
to division (B)(1)(a) of this section for having a firearm on or 624

about the offender's person or under the offender's control 625
while committing a felony, if a mandatory prison term is imposed 626
upon an offender pursuant to division (B)(1)(c) of this section 627
for committing a felony specified in that division by 628
discharging a firearm from a motor vehicle, or if both types of 629
mandatory prison terms are imposed, the offender shall serve any 630
mandatory prison term imposed under either division 631
consecutively to any other mandatory prison term imposed under 632
either division or under division (B)(1)(d) of this section, 633
consecutively to and prior to any prison term imposed for the 634
underlying felony pursuant to division (A), (B)(2), or (B)(3) of 635
this section or any other section of the Revised Code, and 636
consecutively to any other prison term or mandatory prison term 637
previously or subsequently imposed upon the offender. 638

(b) If a mandatory prison term is imposed upon an offender 639
pursuant to division (B)(1)(d) of this section for wearing or 640
carrying body armor while committing an offense of violence that 641
is a felony, the offender shall serve the mandatory term so 642
imposed consecutively to any other mandatory prison term imposed 643
under that division or under division (B)(1)(a) or (c) of this 644
section, consecutively to and prior to any prison term imposed 645
for the underlying felony under division (A), (B)(2), or (B)(3) 646
of this section or any other section of the Revised Code, and 647
consecutively to any other prison term or mandatory prison term 648
previously or subsequently imposed upon the offender. 649

(c) If a mandatory prison term is imposed upon an offender 650
pursuant to division (B)(1)(f) of this section, the offender 651
shall serve the mandatory prison term so imposed consecutively 652
to and prior to any prison term imposed for the underlying 653
felony under division (A), (B)(2), or (B)(3) of this section or 654
any other section of the Revised Code, and consecutively to any 655

other prison term or mandatory prison term previously or 656
subsequently imposed upon the offender. 657

(d) If a mandatory prison term is imposed upon an offender 658
pursuant to division (B) (7) or (8) of this section, the offender 659
shall serve the mandatory prison term so imposed consecutively 660
to any other mandatory prison term imposed under that division 661
or under any other provision of law and consecutively to any 662
other prison term or mandatory prison term previously or 663
subsequently imposed upon the offender. 664

(e) If a mandatory prison term is imposed upon an offender 665
pursuant to division (B) (11) of this section, the offender shall 666
serve the mandatory prison term consecutively to any other 667
mandatory prison term imposed under that division, consecutively 668
to and prior to any prison term imposed for the underlying 669
felony, and consecutively to any other prison term or mandatory 670
prison term previously or subsequently imposed upon the 671
offender. 672

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

imprisonment the offender was serving when the offender 686
committed that offense and to any other prison term previously 687
or subsequently imposed upon the offender. 688

(3) If a prison term is imposed for a violation of 689
division (B) of section 2911.01 of the Revised Code, a violation 690
of division (A) of section 2913.02 of the Revised Code in which 691
the stolen property is a firearm or dangerous ordnance, or a 692
felony violation of division (B) of section 2921.331 of the 693
Revised Code, the offender shall serve that prison term 694
consecutively to any other prison term or mandatory prison term 695
previously or subsequently imposed upon the offender. 696

(4) If multiple prison terms are imposed on an offender 697
for convictions of multiple offenses, the court may require the 698
offender to serve the prison terms consecutively if the court 699
finds that the consecutive service is necessary to protect the 700
public from future crime or to punish the offender and that 701
consecutive sentences are not disproportionate to the 702
seriousness of the offender's conduct and to the danger the 703
offender poses to the public, and if the court also finds any of 704
the following: 705

(a) The offender committed one or more of the multiple 706
offenses while the offender was awaiting trial or sentencing, 707
was under a sanction imposed pursuant to section 2929.16, 708
2929.17, or 2929.18 of the Revised Code, or was under post- 709
release control for a prior offense. 710

(b) At least two of the multiple offenses were committed 711
as part of one or more courses of conduct, and the harm caused 712
by two or more of the multiple offenses so committed was so 713
great or unusual that no single prison term for any of the 714
offenses committed as part of any of the courses of conduct 715

adequately reflects the seriousness of the offender's conduct. 716

(c) The offender's history of criminal conduct 717
demonstrates that consecutive sentences are necessary to protect 718
the public from future crime by the offender. 719

(5) If a mandatory prison term is imposed upon an offender 720
pursuant to division (B) (5) or (6) of this section, the offender 721
shall serve the mandatory prison term consecutively to and prior 722
to any prison term imposed for the underlying violation of 723
division (A) (1) or (2) of section 2903.06 of the Revised Code 724
pursuant to division (A) of this section or section 2929.142 of 725
the Revised Code. If a mandatory prison term is imposed upon an 726
offender pursuant to division (B) (5) of this section, and if a 727
mandatory prison term also is imposed upon the offender pursuant 728
to division (B) (6) of this section in relation to the same 729
violation, the offender shall serve the mandatory prison term 730
imposed pursuant to division (B) (5) of this section 731
consecutively to and prior to the mandatory prison term imposed 732
pursuant to division (B) (6) of this section and consecutively to 733
and prior to any prison term imposed for the underlying 734
violation of division (A) (1) or (2) of section 2903.06 of the 735
Revised Code pursuant to division (A) of this section or section 736
2929.142 of the Revised Code. 737

(6) If a mandatory prison term is imposed on an offender 738
pursuant to division (B) (9) of this section, the offender shall 739
serve the mandatory prison term consecutively to and prior to 740
any prison term imposed for the underlying violation of division 741
(A) (1) or (2) of section 2903.11 of the Revised Code and 742
consecutively to and prior to any other prison term or mandatory 743
prison term previously or subsequently imposed on the offender. 744

(7) If a mandatory prison term is imposed on an offender 745

pursuant to division (B)(10) of this section, the offender shall 746
serve that mandatory prison term consecutively to and prior to 747
any prison term imposed for the underlying felonious assault. 748
Except as otherwise provided in division (C) of this section, 749
any other prison term or mandatory prison term previously or 750
subsequently imposed upon the offender may be served 751
concurrently with, or consecutively to, the prison term imposed 752
pursuant to division (B)(10) of this section. 753

(8) Any prison term imposed for a violation of section 754
2903.04 of the Revised Code that is based on a violation of 755
section 2925.03 or 2925.11 of the Revised Code or on a violation 756
of section 2925.05 of the Revised Code that is not funding of 757
marihuana trafficking shall run consecutively to any prison term 758
imposed for the violation of section 2925.03 or 2925.11 of the 759
Revised Code or for the violation of section 2925.05 of the 760
Revised Code that is not funding of marihuana trafficking. 761

(9) When consecutive prison terms are imposed pursuant to 762
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 763
division (H)(1) or (2) of this section, subject to division (C) 764
(10) of this section, the term to be served is the aggregate of 765
all of the terms so imposed. 766

(10) When a court sentences an offender to a non-life 767
felony indefinite prison term, any definite prison term or 768
mandatory definite prison term previously or subsequently 769
imposed on the offender in addition to that indefinite sentence 770
that is required to be served consecutively to that indefinite 771
sentence shall be served prior to the indefinite sentence. 772

(11) If a court is sentencing an offender for a felony of 773
the first or second degree, if division (A)(1)(a) or (2)(a) of 774
this section applies with respect to the sentencing for the 775

offense, and if the court is required under the Revised Code 776
section that sets forth the offense or any other Revised Code 777
provision to impose a mandatory prison term for the offense, the 778
court shall impose the required mandatory prison term as the 779
minimum term imposed under division (A) (1) (a) or (2) (a) of this 780
section, whichever is applicable. 781

(D) (1) If a court imposes a prison term, other than a term 782
of life imprisonment, for a felony of the first degree, for a 783
felony of the second degree, for a felony sex offense, or for a 784
felony of the third degree that is an offense of violence and 785
that is not a felony sex offense, it shall include in the 786
sentence a requirement that the offender be subject to a period 787
of post-release control after the offender's release from 788
imprisonment, in accordance with section 2967.28 of the Revised 789
Code. If a court imposes a sentence including a prison term of a 790
type described in this division on or after July 11, 2006, the 791
failure of a court to include a post-release control requirement 792
in the sentence pursuant to this division does not negate, 793
limit, or otherwise affect the mandatory period of post-release 794
control that is required for the offender under division (B) of 795
section 2967.28 of the Revised Code. Section 2929.191 of the 796
Revised Code applies if, prior to July 11, 2006, a court imposed 797
a sentence including a prison term of a type described in this 798
division and failed to include in the sentence pursuant to this 799
division a statement regarding post-release control. 800

(2) If a court imposes a prison term for a felony of the 801
third, fourth, or fifth degree that is not subject to division 802
(D) (1) of this section, it shall include in the sentence a 803
requirement that the offender be subject to a period of post- 804
release control after the offender's release from imprisonment, 805
in accordance with that division, if the parole board determines 806

that a period of post-release control is necessary. Section 807
2929.191 of the Revised Code applies if, prior to July 11, 2006, 808
a court imposed a sentence including a prison term of a type 809
described in this division and failed to include in the sentence 810
pursuant to this division a statement regarding post-release 811
control. 812

(E) The court shall impose sentence upon the offender in 813
accordance with section 2971.03 of the Revised Code, and Chapter 814
2971. of the Revised Code applies regarding the prison term or 815
term of life imprisonment without parole imposed upon the 816
offender and the service of that term of imprisonment if any of 817
the following apply: 818

(1) A person is convicted of or pleads guilty to a violent 819
sex offense or a designated homicide, assault, or kidnapping 820
offense, and, in relation to that offense, the offender is 821
adjudicated a sexually violent predator. 822

(2) A person is convicted of or pleads guilty to a 823
violation of division (A) (1) (b) of section 2907.02 of the 824
Revised Code committed on or after January 2, 2007, and either 825
the court does not impose a sentence of life without parole when 826
authorized pursuant to division (B) of section 2907.02 of the 827
Revised Code, or division (B) of section 2907.02 of the Revised 828
Code provides that the court shall not sentence the offender 829
pursuant to section 2971.03 of the Revised Code. 830

(3) A person is convicted of or pleads guilty to attempted 831
rape committed on or after January 2, 2007, and a specification 832
of the type described in section 2941.1418, 2941.1419, or 833
2941.1420 of the Revised Code. 834

(4) A person is convicted of or pleads guilty to a 835

violation of section 2905.01 of the Revised Code committed on or 836
after January 1, 2008, and that section requires the court to 837
sentence the offender pursuant to section 2971.03 of the Revised 838
Code. 839

(5) A person is convicted of or pleads guilty to 840
aggravated murder committed on or after January 1, 2008, and 841
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 842
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 843
(a) (iv) of section 2929.03, or division (A) or (B) of section 844
2929.06 of the Revised Code requires the court to sentence the 845
offender pursuant to division (B) (3) of section 2971.03 of the 846
Revised Code. 847

(6) A person is convicted of or pleads guilty to murder 848
committed on or after January 1, 2008, and division (B) (2) of 849
section 2929.02 of the Revised Code requires the court to 850
sentence the offender pursuant to section 2971.03 of the Revised 851
Code. 852

(F) If a person who has been convicted of or pleaded 853
guilty to a felony is sentenced to a prison term or term of 854
imprisonment under this section, sections 2929.02 to 2929.06 of 855
the Revised Code, section 2929.142 of the Revised Code, section 856
2971.03 of the Revised Code, or any other provision of law, 857
section 5120.163 of the Revised Code applies regarding the 858
person while the person is confined in a state correctional 859
institution. 860

(G) If an offender who is convicted of or pleads guilty to 861
a felony that is an offense of violence also is convicted of or 862
pleads guilty to a specification of the type described in 863
section 2941.142 of the Revised Code that charges the offender 864
with having committed the felony while participating in a 865

criminal gang, the court shall impose upon the offender an 866
additional prison term of one, two, or three years. 867

(H) (1) If an offender who is convicted of or pleads guilty 868
to aggravated murder, murder, or a felony of the first, second, 869
or third degree that is an offense of violence also is convicted 870
of or pleads guilty to a specification of the type described in 871
section 2941.143 of the Revised Code that charges the offender 872
with having committed the offense in a school safety zone or 873
towards a person in a school safety zone, the court shall impose 874
upon the offender an additional prison term of two years. The 875
offender shall serve the additional two years consecutively to 876
and prior to the prison term imposed for the underlying offense. 877

(2) (a) If an offender is convicted of or pleads guilty to 878
a felony violation of section 2907.22, 2907.24, 2907.241, or 879
2907.25 of the Revised Code and to a specification of the type 880
described in section 2941.1421 of the Revised Code and if the 881
court imposes a prison term on the offender for the felony 882
violation, the court may impose upon the offender an additional 883
prison term as follows: 884

(i) Subject to division (H) (2) (a) (ii) of this section, an 885
additional prison term of one, two, three, four, five, or six 886
months; 887

(ii) If the offender previously has been convicted of or 888
pleaded guilty to one or more felony or misdemeanor violations 889
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 890
the Revised Code and also was convicted of or pleaded guilty to 891
a specification of the type described in section 2941.1421 of 892
the Revised Code regarding one or more of those violations, an 893
additional prison term of one, two, three, four, five, six, 894
seven, eight, nine, ten, eleven, or twelve months. 895

(b) In lieu of imposing an additional prison term under 896
division (H) (2) (a) of this section, the court may directly 897
impose on the offender a sanction that requires the offender to 898
wear a real-time processing, continual tracking electronic 899
monitoring device during the period of time specified by the 900
court. The period of time specified by the court shall equal the 901
duration of an additional prison term that the court could have 902
imposed upon the offender under division (H) (2) (a) of this 903
section. A sanction imposed under this division shall commence 904
on the date specified by the court, provided that the sanction 905
shall not commence until after the offender has served the 906
prison term imposed for the felony violation of section 2907.22, 907
2907.24, 2907.241, or 2907.25 of the Revised Code and any 908
residential sanction imposed for the violation under section 909
2929.16 of the Revised Code. A sanction imposed under this 910
division shall be considered to be a community control sanction 911
for purposes of section 2929.15 of the Revised Code, and all 912
provisions of the Revised Code that pertain to community control 913
sanctions shall apply to a sanction imposed under this division, 914
except to the extent that they would by their nature be clearly 915
inapplicable. The offender shall pay all costs associated with a 916
sanction imposed under this division, including the cost of the 917
use of the monitoring device. 918

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

offender in a program or prison of that nature unless the 927
department determines as specified in section 5120.031 or 928
5120.032 of the Revised Code, whichever is applicable, that the 929
offender is eligible for the placement. 930

If the court disapproves placement of the offender in a 931
program or prison of that nature, the department of 932
rehabilitation and correction shall not place the offender in 933
any program of shock incarceration or intensive program prison. 934

If the court recommends placement of the offender in a 935
program of shock incarceration or in an intensive program 936
prison, and if the offender is subsequently placed in the 937
recommended program or prison, the department shall notify the 938
court of the placement and shall include with the notice a brief 939
description of the placement. 940

If the court recommends placement of the offender in a 941
program of shock incarceration or in an intensive program prison 942
and the department does not subsequently place the offender in 943
the recommended program or prison, the department shall send a 944
notice to the court indicating why the offender was not placed 945
in the recommended program or prison. 946

If the court does not make a recommendation under this 947
division with respect to an offender and if the department 948
determines as specified in section 5120.031 or 5120.032 of the 949
Revised Code, whichever is applicable, that the offender is 950
eligible for placement in a program or prison of that nature, 951
the department shall screen the offender and determine if there 952
is an available program of shock incarceration or an intensive 953
program prison for which the offender is suited. If there is an 954
available program of shock incarceration or an intensive program 955
prison for which the offender is suited, the department shall 956

notify the court of the proposed placement of the offender as 957
specified in section 5120.031 or 5120.032 of the Revised Code 958
and shall include with the notice a brief description of the 959
placement. The court shall have ten days from receipt of the 960
notice to disapprove the placement. 961

(J) If a person is convicted of or pleads guilty to 962
aggravated vehicular homicide in violation of division (A) (1) of 963
section 2903.06 of the Revised Code and division (B) (2) (c) of 964
that section applies, the person shall be sentenced pursuant to 965
section 2929.142 of the Revised Code. 966

(K) (1) The court shall impose an additional mandatory 967
prison term of two, three, four, five, six, seven, eight, nine, 968
ten, or eleven years on an offender who is convicted of or 969
pleads guilty to a violent felony offense if the offender also 970
is convicted of or pleads guilty to a specification of the type 971
described in section 2941.1424 of the Revised Code that charges 972
that the offender is a violent career criminal and had a firearm 973
on or about the offender's person or under the offender's 974
control while committing the presently charged violent felony 975
offense and displayed or brandished the firearm, indicated that 976
the offender possessed a firearm, or used the firearm to 977
facilitate the offense. The offender shall serve the prison term 978
imposed under this division consecutively to and prior to the 979
prison term imposed for the underlying offense. The prison term 980
shall not be reduced pursuant to section 2929.20, division (A) 981
(2) or (3) of section 2967.193 or 2967.194, or any other 982
provision of Chapter 2967. or 5120. of the Revised Code. A court 983
may not impose more than one sentence under division (B) (2) (a) 984
of this section and this division for acts committed as part of 985
the same act or transaction. 986

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

(L) If an offender receives or received a sentence of life imprisonment without parole, a sentence of life imprisonment, a definite sentence, or a sentence to an indefinite prison term under this chapter for a felony offense that was committed when the offender was under eighteen years of age, the offender's parole eligibility shall be determined under section 2967.132 of the Revised Code.

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

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

(B) The specification described in division (A) of this section may be used in a delinquent child proceeding in the

manner and for the purpose described in section 2152.17 of the Revised Code. 1017
1018

(C) As used in this section: 1019

(1) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 1020
1021

(2) "Investigator of the bureau of criminal identification and investigation" has the same meaning as in section 2903.11 of the Revised Code. 1022
1023
1024

(3) "Firefighter" and "emergency medical worker" have the same meanings as in section ~~4123.026~~4123.01 of the Revised Code. 1025
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1027

Sec. 4123.01. As used in this chapter: 1028

(A) (1) "Employee" means: 1029

(a) Every person in the service of the state, or of any county, municipal corporation, township, or school district therein, including regular members of lawfully constituted police and fire departments of municipal corporations and townships, whether paid or volunteer, and wherever serving within the state or on temporary assignment outside thereof, and executive officers of boards of education, under any appointment or contract of hire, express or implied, oral or written, including any elected official of the state, or of any county, municipal corporation, or township, or members of boards of education. 1030
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As used in division (A) (1) (a) of this section, the term "employee" includes the following persons when responding to an inherently dangerous situation that calls for an immediate response on the part of the person, regardless of whether the 1041
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person is within the limits of the jurisdiction of the person's 1045
regular employment or voluntary service when responding, on the 1046
condition that the person responds to the situation as the 1047
person otherwise would if the person were on duty in the 1048
person's jurisdiction: 1049

(i) Off-duty peace officers. ~~As used in division (A) (1) (a)~~ 1050
~~(i) of this section, "peace officer" has the same meaning as in~~ 1051
~~section 2935.01 of the Revised Code.~~ 1052

(ii) Off-duty firefighters, ~~whether paid or volunteer, of~~ 1053
~~a lawfully constituted fire department.~~ 1054

(iii) Off-duty ~~first responders, emergency medical~~ 1055
~~technicians basic, emergency medical technicians intermediate,~~ 1056
~~or emergency medical technicians paramedic, whether paid or~~ 1057
~~volunteer, emergency medical workers~~ of an ambulance service 1058
organization or emergency medical service organization ~~pursuant~~ 1059
~~to Chapter 4765. of the Revised Code.~~ 1060

(b) Every person in the service of any person, firm, or 1061
private corporation, including any public service corporation, 1062
that (i) employs one or more persons regularly in the same 1063
business or in or about the same establishment under any 1064
contract of hire, express or implied, oral or written, including 1065
aliens and minors, household workers who earn one hundred sixty 1066
dollars or more in cash in any calendar quarter from a single 1067
household and casual workers who earn one hundred sixty dollars 1068
or more in cash in any calendar quarter from a single employer, 1069
or (ii) is bound by any such contract of hire or by any other 1070
written contract, to pay into the state insurance fund the 1071
premiums provided by this chapter. 1072

(c) Every person who performs labor or provides services 1073

pursuant to a construction contract, as defined in section 1074
4123.79 of the Revised Code, if at least ten of the following 1075
criteria apply: 1076

(i) The person is required to comply with instructions 1077
from the other contracting party regarding the manner or method 1078
of performing services; 1079

(ii) The person is required by the other contracting party 1080
to have particular training; 1081

(iii) The person's services are integrated into the 1082
regular functioning of the other contracting party; 1083

(iv) The person is required to perform the work 1084
personally; 1085

(v) The person is hired, supervised, or paid by the other 1086
contracting party; 1087

(vi) A continuing relationship exists between the person 1088
and the other contracting party that contemplates continuing or 1089
recurring work even if the work is not full time; 1090

(vii) The person's hours of work are established by the 1091
other contracting party; 1092

(viii) The person is required to devote full time to the 1093
business of the other contracting party; 1094

(ix) The person is required to perform the work on the 1095
premises of the other contracting party; 1096

(x) The person is required to follow the order of work set 1097
by the other contracting party; 1098

(xi) The person is required to make oral or written 1099
reports of progress to the other contracting party; 1100

(xii) The person is paid for services on a regular basis	1101
such as hourly, weekly, or monthly;	1102
(xiii) The person's expenses are paid for by the other	1103
contracting party;	1104
(xiv) The person's tools and materials are furnished by	1105
the other contracting party;	1106
(xv) The person is provided with the facilities used to	1107
perform services;	1108
(xvi) The person does not realize a profit or suffer a	1109
loss as a result of the services provided;	1110
(xvii) The person is not performing services for a number	1111
of employers at the same time;	1112
(xviii) The person does not make the same services	1113
available to the general public;	1114
(xix) The other contracting party has a right to discharge	1115
the person;	1116
(xx) The person has the right to end the relationship with	1117
the other contracting party without incurring liability pursuant	1118
to an employment contract or agreement.	1119
Every person in the service of any independent contractor	1120
or subcontractor who has failed to pay into the state insurance	1121
fund the amount of premium determined and fixed by the	1122
administrator of workers' compensation for the person's	1123
employment or occupation or who is a self-insuring employer and	1124
who has failed to pay compensation and benefits directly to the	1125
employer's injured and to the dependents of the employer's	1126
killed employees as required by section 4123.35 of the Revised	1127
Code, shall be considered as the employee of the person who has	1128

entered into a contract, whether written or verbal, with such 1129
independent contractor unless such employees or their legal 1130
representatives or beneficiaries elect, after injury or death, 1131
to regard such independent contractor as the employer. 1132

(d) Every person who operates a vehicle or vessel in the 1133
performance of services for or on behalf of a motor carrier 1134
transporting property, unless all of the following factors apply 1135
to the person: 1136

(i) The person owns the vehicle or vessel that is used in 1137
performing the services for or on behalf of the carrier, or the 1138
person leases the vehicle or vessel under a bona fide lease 1139
agreement that is not a temporary replacement lease agreement. 1140
For purposes of this division, a bona fide lease agreement does 1141
not include an agreement between the person and the motor 1142
carrier transporting property for which, or on whose behalf, the 1143
person provides services. 1144

(ii) The person is responsible for supplying the necessary 1145
personal services to operate the vehicle or vessel used to 1146
provide the service. 1147

(iii) The compensation paid to the person is based on 1148
factors related to work performed, including on a mileage-based 1149
rate or a percentage of any schedule of rates, and not solely on 1150
the basis of the hours or time expended. 1151

(iv) The person substantially controls the means and 1152
manner of performing the services, in conformance with 1153
regulatory requirements and specifications of the shipper. 1154

(v) The person enters into a written contract with the 1155
carrier for whom the person is performing the services that 1156
describes the relationship between the person and the carrier to 1157

be that of an independent contractor and not that of an 1158
employee. 1159

(vi) The person is responsible for substantially all of 1160
the principal operating costs of the vehicle or vessel and 1161
equipment used to provide the services, including maintenance, 1162
fuel, repairs, supplies, vehicle or vessel insurance, and 1163
personal expenses, except that the person may be paid by the 1164
carrier the carrier's fuel surcharge and incidental costs, 1165
including tolls, permits, and lump sum fees. 1166

(vii) The person is responsible for any economic loss or 1167
economic gain from the arrangement with the carrier. 1168

(2) "Employee" does not mean any of the following: 1169

(a) A duly ordained, commissioned, or licensed minister or 1170
assistant or associate minister of a church in the exercise of 1171
ministry; 1172

(b) Any officer of a family farm corporation; 1173

(c) An individual incorporated as a corporation; 1174

(d) An officer of a nonprofit corporation, as defined in 1175
section 1702.01 of the Revised Code, who volunteers the person's 1176
services as an officer; 1177

(e) An individual who otherwise is an employee of an 1178
employer but who signs the waiver and affidavit specified in 1179
section 4123.15 of the Revised Code on the condition that the 1180
administrator has granted a waiver and exception to the 1181
individual's employer under section 4123.15 of the Revised Code; 1182

(f) (i) A qualifying employee described in division (A) (14) 1183
(a) of section 5703.94 of the Revised Code when the qualifying 1184
employee is performing disaster work in this state during a 1185

disaster response period pursuant to a qualifying solicitation 1186
received by the employee's employer; 1187

(ii) A qualifying employee described in division (A)(14) 1188
(b) of section 5703.94 of the Revised Code when the qualifying 1189
employee is performing disaster work in this state during a 1190
disaster response period on critical infrastructure owned or 1191
used by the employee's employer; 1192

(iii) As used in division (A)(2)(f) of this section, 1193
"critical infrastructure," "disaster response period," "disaster 1194
work," and "qualifying employee" have the same meanings as in 1195
section 5703.94 of the Revised Code. 1196

Any employer may elect to include as an "employee" within 1197
this chapter, any person excluded from the definition of 1198
"employee" pursuant to division (A)(1)(d) or (A)(2)(a), (b), 1199
(c), or (e) of this section in accordance with rules adopted by 1200
the administrator, with the advice and consent of the bureau of 1201
workers' compensation board of directors. If an employer is a 1202
partnership, sole proprietorship, individual incorporated as a 1203
corporation, or family farm corporation, such employer may elect 1204
to include as an "employee" within this chapter, any member of 1205
such partnership, the owner of the sole proprietorship, the 1206
individual incorporated as a corporation, or the officers of the 1207
family farm corporation. Nothing in this section shall prohibit 1208
a partner, sole proprietor, or any person excluded from the 1209
definition of "employee" pursuant to division (A)(2)(a), (b), 1210
(c), or (e) of this section from electing to be included as an 1211
"employee" under this chapter in accordance with rules adopted 1212
by the administrator, with the advice and consent of the board. 1213

In the event of an election, the employer or person 1214
electing coverage shall serve upon the bureau of workers' 1215

compensation written notice naming the person to be covered and 1216
include the person's remuneration for premium purposes in all 1217
future payroll reports. No partner, sole proprietor, or person 1218
excluded from the definition of "employee" pursuant to division 1219
(A) (1) (d) or (A) (2) (a), (b), (c), or (e) of this section, shall 1220
receive benefits or compensation under this chapter until the 1221
bureau receives written notice of the election permitted by this 1222
section. 1223

For informational purposes only, the bureau shall 1224
prescribe such language as it considers appropriate, on such of 1225
its forms as it considers appropriate, to advise employers of 1226
their right to elect to include as an "employee" within this 1227
chapter a sole proprietor, any member of a partnership, or a 1228
person excluded from the definition of "employee" under division 1229
(A) (1) (d) or (A) (2) (a), (b), (c), or (e) of this section, that 1230
they should check any health and disability insurance policy, or 1231
other form of health and disability plan or contract, presently 1232
covering them, or the purchase of which they may be considering, 1233
to determine whether such policy, plan, or contract excludes 1234
benefits for illness or injury that they might have elected to 1235
have covered by workers' compensation. 1236

(B) (1) "Employer" means: 1237

(a) The state, including state hospitals, each county, 1238
municipal corporation, township, school district, and hospital 1239
owned by a political subdivision or subdivisions other than the 1240
state; 1241

(b) Every person, firm, professional employer 1242
organization, alternate employer organization, and private 1243
corporation, including any public service corporation, that (i) 1244
has in service one or more employees or shared employees 1245

regularly in the same business or in or about the same 1246
establishment under any contract of hire, express or implied, 1247
oral or written, or (ii) is bound by any such contract of hire 1248
or by any other written contract, to pay into the insurance fund 1249
the premiums provided by this chapter. 1250

All such employers are subject to this chapter. Any member 1251
of a firm or association, who regularly performs manual labor in 1252
or about a mine, factory, or other establishment, including a 1253
household establishment, shall be considered an employee in 1254
determining whether such person, firm, or private corporation, 1255
or public service corporation, has in its service, one or more 1256
employees and the employer shall report the income derived from 1257
such labor to the bureau as part of the payroll of such 1258
employer, and such member shall thereupon be entitled to all the 1259
benefits of an employee. 1260

(2) "Employer" does not include a franchisor with respect 1261
to the franchisor's relationship with a franchisee or an 1262
employee of a franchisee, unless the franchisor agrees to assume 1263
that role in writing or a court of competent jurisdiction 1264
determines that the franchisor exercises a type or degree of 1265
control over the franchisee or the franchisee's employees that 1266
is not customarily exercised by a franchisor for the purpose of 1267
protecting the franchisor's trademark, brand, or both. For 1268
purposes of this division, "franchisor" and "franchisee" have 1269
the same meanings as in 16 C.F.R. 436.1. 1270

(C) "Injury" includes any injury, whether caused by 1271
external accidental means or accidental in character and result, 1272
received in the course of, and arising out of, the injured 1273
employee's employment. "Injury" does not include: 1274

(1) Psychiatric conditions except ~~where~~ as follows: 1275

(a) Where the claimant's psychiatric conditions have 1276
arisen from an injury or occupational disease sustained by that 1277
claimant ~~or where~~; 1278

(b) Where the claimant's psychiatric conditions have 1279
arisen from sexual conduct in which the claimant was forced by 1280
threat of physical harm to engage or participate; 1281

(c) Where the claimant is a peace officer, firefighter, or 1282
emergency medical worker and is diagnosed with a psychiatric 1283
condition that has been received in the course of, and has 1284
arisen out of, the claimant's employment as a peace officer, 1285
firefighter, or emergency medical worker. 1286

(2) Injury or disability caused primarily by the natural 1287
deterioration of tissue, an organ, or part of the body; 1288

(3) Injury or disability incurred in voluntary 1289
participation in an employer-sponsored recreation or fitness 1290
activity if the employee signs a waiver of the employee's right 1291
to compensation or benefits under this chapter prior to engaging 1292
in the recreation or fitness activity; 1293

(4) Injury or disability sustained by an employee who 1294
performs the employee's duties in a work area that is located 1295
within the employee's home and that is separate and distinct 1296
from the location of the employer, unless all of the following 1297
apply: 1298

(a) The employee's injury or disability arises out of the 1299
employee's employment. 1300

(b) The employee's injury or disability was caused by a 1301
special hazard of the employee's employment activity. 1302

(c) The employee's injury or disability is sustained in 1303

the course of an activity undertaken by the employee for the 1304
exclusive benefit of the employer. 1305

(5) A condition that pre-existed an injury unless that 1306
pre-existing condition is substantially aggravated by the 1307
injury. Such a substantial aggravation must be documented by 1308
objective diagnostic findings, objective clinical findings, or 1309
objective test results. Subjective complaints may be evidence of 1310
such a substantial aggravation. However, subjective complaints 1311
without objective diagnostic findings, objective clinical 1312
findings, or objective test results are insufficient to 1313
substantiate a substantial aggravation. 1314

(D) "Child" includes a posthumous child and a child 1315
legally adopted prior to the injury. 1316

(E) "Family farm corporation" means a corporation founded 1317
for the purpose of farming agricultural land in which the 1318
majority of the voting stock is held by and the majority of the 1319
stockholders are persons or the spouse of persons related to 1320
each other within the fourth degree of kinship, according to the 1321
rules of the civil law, and at least one of the related persons 1322
is residing on or actively operating the farm, and none of whose 1323
stockholders are a corporation. A family farm corporation does 1324
not cease to qualify under this division where, by reason of any 1325
devise, bequest, or the operation of the laws of descent or 1326
distribution, the ownership of shares of voting stock is 1327
transferred to another person, as long as that person is within 1328
the degree of kinship stipulated in this division. 1329

(F) "Occupational disease" means a disease contracted in 1330
the course of employment, which by its causes and the 1331
characteristics of its manifestation or the condition of the 1332
employment results in a hazard which distinguishes the 1333

employment in character from employment generally, and the 1334
employment creates a risk of contracting the disease in greater 1335
degree and in a different manner from the public in general. 1336

(G) "Self-insuring employer" means an employer who is 1337
granted the privilege of paying compensation and benefits 1338
directly under section 4123.35 of the Revised Code, including a 1339
board of county commissioners for the sole purpose of 1340
constructing a sports facility as defined in section 307.696 of 1341
the Revised Code, provided that the electors of the county in 1342
which the sports facility is to be built have approved 1343
construction of a sports facility by ballot election no later 1344
than November 6, 1997. 1345

(H) "Private employer" means an employer as defined in 1346
division (B) (1) (b) of this section. 1347

(I) "Professional employer organization" has the same 1348
meaning as in section 4125.01 of the Revised Code. 1349

(J) "Public employer" means an employer as defined in 1350
division (B) (1) (a) of this section. 1351

(K) "Sexual conduct" means vaginal intercourse between a 1352
male and female; anal intercourse, fellatio, and cunnilingus 1353
between persons regardless of gender; and, without privilege to 1354
do so, the insertion, however slight, of any part of the body or 1355
any instrument, apparatus, or other object into the vaginal or 1356
anal cavity of another. Penetration, however slight, is 1357
sufficient to complete vaginal or anal intercourse. 1358

(L) "Other-states' insurer" means an insurance company 1359
that is authorized to provide workers' compensation insurance 1360
coverage in any of the states that permit employers to obtain 1361
insurance for workers' compensation claims through insurance 1362

companies. 1363

(M) "Other-states' coverage" means both of the following: 1364

(1) Insurance coverage secured by an eligible employer for 1365
workers' compensation claims of employees who are in employment 1366
relationships localized in a state other than this state or 1367
those employees' dependents; 1368

(2) Insurance coverage secured by an eligible employer for 1369
workers' compensation claims that arise in a state other than 1370
this state where an employer elects to obtain coverage through 1371
either the administrator or an other-states' insurer. 1372

(N) "Limited other-states coverage" means insurance 1373
coverage provided by the administrator to an eligible employer 1374
for workers' compensation claims of employees who are in an 1375
employment relationship localized in this state but are 1376
temporarily working in a state other than this state, or those 1377
employees' dependents. 1378

(O) "Motor carrier" has the same meaning as in section 1379
4923.01 of the Revised Code. 1380

(P) "Alternate employer organization" has the same meaning 1381
as in section 4133.01 of the Revised Code. 1382

(Q) "Peace officer" has the same meaning as in section 1383
2935.01 of the Revised Code. 1384

(R) "Firefighter" means a firefighter, whether paid or 1385
volunteer, of a lawfully constituted fire department. 1386

(S) "Emergency medical worker" means a first responder, 1387
emergency medical technician-basic, emergency medical 1388
technician-intermediate, or emergency medical technician- 1389
paramedic, certified under Chapter 4765. of the Revised Code, 1390

whether paid or volunteer. 1391

Sec. 4123.026. (A) The administrator of workers' 1392
compensation, a self-insuring public employer for the peace 1393
officers, firefighters, and emergency medical workers employed 1394
by or volunteering for that self-insuring public employer, or a 1395
detention facility that is a self-insuring employer for the 1396
facility's employees, including corrections officers, shall pay 1397
the costs of conducting post-exposure medical diagnostic 1398
services, consistent with the standards of medical care existing 1399
at the time of the exposure, to investigate whether an injury or 1400
occupational disease was sustained by a peace officer, 1401
firefighter, emergency medical worker, or detention facility 1402
employee, including a corrections officer, when coming into 1403
contact with the blood or other body fluid of another person in 1404
the course of and arising out of the peace officer's, 1405
firefighter's, emergency medical worker's, or detention facility 1406
employee's employment, or when responding to an inherently 1407
dangerous situation in the manner described in, and in 1408
accordance with the conditions specified under, division (A)(1) 1409
(a) of section 4123.01 of the Revised Code, through any of the 1410
following means: 1411

(1) Splash or spatter in the eye or mouth, including when 1412
received in the course of conducting mouth-to-mouth 1413
resuscitation; 1414

(2) A puncture in the skin; 1415

(3) A cut in the skin or another opening in the skin such 1416
as an open sore, wound, lesion, abrasion, or ulcer. 1417

(B) The administrator, a self-insuring public employer, or 1418
a detention facility that is a self-insuring employer shall pay 1419

the costs of conducting post-exposure medical diagnostic 1420
services to investigate whether an employee described in 1421
division (A) of this section sustained an injury or occupational 1422
disease if both of the following apply: 1423

(1) In the course of employment the employee is exposed to 1424
a drug or other chemical substance. 1425

(2) The post-exposure medical diagnostic service is 1426
consistent with the standards of medical care existing at the 1427
time of exposure. 1428

(C) As used in this section: 1429

~~(1) "Peace officer" has the same meaning as in section 1430
2935.01 of the Revised Code. 1431~~

~~(2) "Firefighter" means a firefighter, whether paid or 1432
volunteer, of a lawfully constituted fire department. 1433~~

~~(3) "Emergency medical worker" means a first responder, 1434
emergency medical technician basic, emergency medical 1435
technician intermediate, or emergency medical technician 1436
paramedic, certified under Chapter 4765. of the Revised Code, 1437
whether paid or volunteer. 1438~~

~~(4) "Corrections officer" means a person employed by a 1439
detention facility as a corrections officer. 1440~~

~~(5) (2) "Detention facility" means any public or private 1441
place used for the confinement of a person charged with or 1442
convicted of any crime in this state or another state or under 1443
the laws of the United States or alleged or found to be a 1444
delinquent child or unruly child in this state or another state 1445
or under the laws of the United States. 1446~~

Sec. 4123.46. (A) (1) Except as provided in division (A) (2) 1447

of this section, the bureau of workers' compensation shall 1448
disburse the state insurance fund to employees of employers who 1449
have paid into the fund the premiums applicable to the classes 1450
to which they belong when the employees have been injured in the 1451
course of their employment, wherever the injuries have occurred, 1452
and provided the injuries have not been purposely self- 1453
inflicted, or to the dependents of the employees in case death 1454
has ensued. 1455

(2) As long as injuries have not been purposely self- 1456
inflicted, the bureau shall disburse the surplus fund created 1457
under section 4123.34 of the Revised Code to off-duty peace 1458
officers, firefighters, ~~and emergency medical technicians, and~~ 1459
~~first responders workers~~, or to their dependents if death 1460
ensues, who are injured while responding to inherently dangerous 1461
situations that call for an immediate response on the part of 1462
the person, regardless of whether the person was within the 1463
limits of the person's jurisdiction when responding, on the 1464
condition that the person responds to the situation as the 1465
person otherwise would if the person were on duty in the 1466
person's jurisdiction. 1467

~~As used in division (A) (2) of this section, "peace~~ 1468
~~officer," "firefighter," "emergency medical technician," "first~~ 1469
~~responder," and "jurisdiction" have the same meanings as in~~ 1470
~~section 4123.01 of the Revised Code.~~ 1471

(B) All self-insuring employers, in compliance with this 1472
chapter, shall pay the compensation to injured employees, or to 1473
the dependents of employees who have been killed in the course 1474
of their employment, unless the injury or death of the employee 1475
was purposely self-inflicted, and shall furnish the medical, 1476
surgical, nurse, and hospital care and attention or funeral 1477

expenses as would have been paid and furnished by virtue of this 1478
chapter under a similar state of facts by the bureau out of the 1479
state insurance fund if the employer had paid the premium into 1480
the fund. 1481

If any rule or regulation of a self-insuring employer 1482
provides for or authorizes the payment of greater compensation 1483
or more complete or extended medical care, nursing, surgical, 1484
and hospital attention, or funeral expenses to the injured 1485
employees, or to the dependents of the employees as may be 1486
killed, the employer shall pay to the employees, or to the 1487
dependents of employees killed, the amount of compensation and 1488
furnish the medical care, nursing, surgical, and hospital 1489
attention or funeral expenses provided by the self-insuring 1490
employer's rules and regulations. 1491

(C) Payment to injured employees, or to their dependents 1492
in case death has ensued, is in lieu of any and all rights of 1493
action against the employer of the injured or killed employees. 1494

Sec. 4123.87. Notwithstanding any provision in section 1495
4123.52, 4123.54, 4123.55, 4123.56, 4123.57, 4123.58, 4123.59, 1496
4123.60, or 4123.66 of the Revised Code to the contrary, in the 1497
case of disability due to an injury described in division (C)(1) 1498
(c) of section 4123.01 of the Revised Code, any entitlement of a 1499
claimant to compensation as a result of any order issued under 1500
this chapter or Chapter 4121., 4127., or 4131. of the Revised 1501
Code regarding that injury shall cease not later than one year 1502
after the date those payments commence under division (H) of 1503
section 4123.511 of the Revised Code. 1504

Section 2. That existing sections 2929.14, 2941.1414, 1505
4123.01, 4123.026, and 4123.46 of the Revised Code are hereby 1506
repealed. 1507

Section 3. That section 126.65 of the Revised Code is 1508
hereby repealed. 1509