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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 111  
135<sup>th</sup> General Assembly

## Bill Analysis

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**Version:** As Introduced

**Primary Sponsors:** Reps. LaRe and K. Miller

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### SUMMARY

- Creates a presumption for a prison term for third degree felony domestic violence.
- Increases the sentencing range for third degree felony domestic violence.

### DETAILED ANALYSIS

#### Presumption for prison term

The bill creates a presumption for a prison term for the offense of third degree felony domestic violence involving a family or household member if the offender pleaded guilty to or was convicted of two or more offenses of domestic violence or substantially similar municipal ordinances.<sup>1</sup> The bill also makes the offense of domestic violence a third degree felony when the offender previously pleaded guilty to, or was convicted of two or more offenses of domestic violence or substantially similar municipal ordinances involving a family or household member, and knew that the victim of the violation was pregnant at the time of the violation.<sup>2</sup> In that circumstance, continuing law requires the court to impose a mandatory prison term on the offender.<sup>3</sup>

#### Increased sentencing ranges

The bill increases the minimum of the mandatory prison term from six to 12 months if the offender committed the crime of domestic violence that was a third degree felony and knew that

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<sup>1</sup> R.C. 2919.25(D)(4).

<sup>2</sup> R.C. 2919.25(D)(4).

<sup>3</sup> R.C. 2919.25(D)(4).

the victim of the violation was pregnant at the time of the violation.<sup>4</sup> In the same circumstances, the bill increases the court's alternative option of a third degree felony mandatory prison term of 9, 12, 18, 24, 30, or 36 months to a mandatory prison term of 12, 18, 24, 30, 36, 42, 48, 54, or 60 months.<sup>5</sup> The bill also increases the mandatory prison term from one year to 18 months for an offender who committed a third degree felony domestic violence crime, who knew the victim of the violation was pregnant, and caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy.<sup>6</sup> Under the same circumstances, the bill changes the court's alternative option of a third degree felony mandatory prison term of 9, 12, 18, 24, 30, or 36 months to a mandatory prison term of 12, 18, 24, 30, 36, 42, 48, 54, or 60 months.<sup>7</sup> The bill also requires that the prison term be 12, 18, 24, 30, 36, 42, 48, 54, or 60 months for a third degree felony domestic violence violation.<sup>8</sup>

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## HISTORY

| Action     | Date     |
|------------|----------|
| Introduced | 03-14-23 |

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<sup>4</sup> R.C. 2919.25(D)(6)(d).

<sup>5</sup> R.C. 2919.25(D)(6)(d) and 2929.14(A)(3)(a) and (b).

<sup>6</sup> R.C. 2919.25(D)(6)(e).

<sup>7</sup> R.C. 2919.25(D)(6)(e) and 2929.14(A)(3)(a) and (b).

<sup>8</sup> R.C. 2919.25(D)(4) and 2929.14(A)(3)(a).