



Ohio Revised Code

Section 2941.1412 Discharged firearm at peace officer or corrections officer specification.

Effective: September 14, 2016

Legislation: Senate Bill 97 - 131st General Assembly

(A) Imposition of a seven-year mandatory prison term upon an offender under division (B)(1)(f) (i) of section 2929.14 of the Revised Code is precluded unless the indictment, count in the indictment, or information charging the offense specifies that the offender discharged a firearm at a peace officer or a corrections officer while committing the offense. The specification shall be stated at the end of the body of the indictment, count, or information and shall be 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 offender discharged a firearm at a peace officer or a corrections officer while committing the offense)."

(B) Imposition of a mandatory prison term of one hundred twenty-six months upon an offender under division (B)(1)(f)(ii) of section 2929.14 of the Revised Code is precluded unless the indictment, count in the indictment, or information charging the offense specifies that the offender discharged a firearm at a peace officer or a corrections officer while committing the offense and that the offender previously has been convicted of or pleaded guilty to a firearm specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. The specification shall be stated at the end of the body of the indictment, count, or information, and shall be substantially in 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 offender discharged a firearm at a peace officer or corrections officer while committing the offense and that the offender previously has been convicted of or pleaded guilty to a firearm specification of the type described in section 2941.141, 2941.144,



2941.145, 2941.146, or 2941.1412 of the Revised Code)."

(C) As used in this section:

- (1) "Firearm" has the same meaning as in section 2923.11 of the Revised Code.
- (2) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.
- (3) "Corrections officer" means a person employed by a detention facility as a corrections officer.
- (4) "Detention facility" has the same meaning as in section 2921.01 of the Revised Code.