



Ohio Revised Code

Section 2941.1426 Imposition of mandatory sentence under section 2929.14.

Effective: March 20, 2019

Legislation: Senate Bill 20 - 132nd General Assembly

(A) Imposition of a mandatory prison term of six years upon an offender under division (B)(10) of section 2929.14 of the Revised Code is precluded unless the offender is convicted of or pleads guilty to a violation of division (A) of section 2903.11 of the Revised Code and unless the indictment, count, or information charging the offense specifies that the victim of the offense suffered permanent disabling harm as a result of the offense and that the victim was under ten years of age at the time of the offense, regardless of whether the offender knew the age of the victim. 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 suffered permanent disabling harm as a result of the offense and that the victim was under ten years of age at the time of the offense, regardless of whether the offender knew the age of the victim)."

(B) Imposition of a mandatory prison term of six years upon an offender under division (B)(10) of section 2929.14 of the Revised Code is precluded if a court imposes any other additional prison term on the offender relative to the same offense.

(C) As used in this section, "permanent disabling harm" has the same meaning as in section 2929.01 of the Revised Code.
