



# ENACTMENT NEWS

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## House Bill 96

### **Sexual Imposition and drunken disorderly conduct – increased penalties for repeat offenders**

On December 21, 2018, Governor Kasich signed House Bill 96 (Rep. Jim Hughes) into law. The bill increases penalties for certain repeat sexual-imposition and disorderly-conduct offenders. The bill passed the House of Representatives 97-0 on February 28, 2018 and the Senate 31-0 on December 13, 2018. The bill goes into effect 90 days after receiving the governor's signature.

#### *Sexual imposition – repeat offenders*

Under existing law, sexual imposition (R.C. 2907.06) is a misdemeanor of the third degree on a first offense. If the offender had previously been convicted of or pleaded guilty to sexual imposition, or a violation of rape (R.C. 2907.02), sexual battery (R.C. 2907.03), unlawful sexual conduct with a minor (R.C. 2907.04), gross sexual imposition (R.C. 2907.05), or former section 2907.12, the offense is a misdemeanor of the first degree.

Under H.B. 96, if a person convicted of sexual imposition previously has been convicted three times or more to a violation of sexual imposition, rape (R.C. 2907.02), sexual battery (R.C. 2907.03), unlawful sexual conduct with a minor (R.C. 2907.04), gross sexual imposition (R.C. 2907.05), or former section 2907.12, or any combination of those offenses, the offense remains a misdemeanor of the first degree, but the court may impose on the offender a definite jail term of up to one year.

#### *Disorderly conduct – repeat offenders*

The bill also contains a provision elevating the offense of disorderly conduct for certain repeat offenders. If a person has previously been convicted of three or more violations of R.C. 2917.11 (B) (engaging in certain disorderly conduct while voluntarily intoxicated), H.B. 96 elevates that offense from a minor misdemeanor to a misdemeanor of the fourth degree.