



# *ENACTMENT NEWS*

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## **House Bill 63**

### **Additional prison term – accelerant and disfigurement/incapacity – “Judy’s Law”**

Effective October 15, 2017

On July 17, 2017, Governor Kasich signed House Bill 63 (Rep. Jim Hughes) into law. The bill requires an additional prison term for certain felonious assault offenses when an accelerant is used in committing the offense.

Under existing law, a person commits felonious assault if he or she causes serious physical harm to another or to another’s unborn. “Serious physical harm” is defined to include any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement, or a permanent incapacity (whether partial or total) or a temporary, substantial incapacity.

HB 63 creates a new specification for felonious assault. If an offender uses an accelerant in the commission of the offense, and the serious physical harm suffered by the victim is either a permanent *and* serious disfigurement or a permanent *and* substantial incapacity, then the specification requires the court to impose a mandatory prison term of six years, to be served consecutively to and prior to any term imposed for the underlying felonious assault offense. The bill defines “accelerant” as a fuel or oxidizing agent, such as an ignitable liquid, used to initiate a fire or increase the rate of growth or spread of a fire.

The bill passed the Ohio House of Representatives unanimously on May 24, 2017, and the Ohio Senate unanimously on June 28, 2017. It was signed into law on July 17, 2017 and becomes effective on October 15, 2017.