

Ohio Penalties for Common Substance Abuse, Drug Trafficking, and Other Offenses

- [Chapter 2925 | Drug Offenses](#)
- [Section 2925.03 | Trafficking, aggravated trafficking in drugs](#)
- Any person who sells, offers for sale, prescribes, dispenses, or administers for livestock or other non human species an anabolic steroid that is expressly intended for administration through implants to livestock or other non human species and approved for that purpose under the FDA
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- (1) If the drug involved in the violation is any compound, mixture, preparation, or substance included in schedule I or schedule II, with the exception of marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, hashish, and any controlled substance analog, whoever violates division (A) of this section is guilty of aggravated trafficking in drugs. The penalty for the offense shall be determined as follows:
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 - (a) Except as otherwise provided in division (C)(1)(b), (c), (d), (e), or (f) of this section, aggravated trafficking in drugs is a felony of the fourth degree, and division (C) of section [ORC §2929.13](#) of the Revised Code applies in determining whether to impose a prison term on the offender.
 - (b) if committed within the vicinity of a school or in the vicinity a juvenile, aggravated trafficking in drugs is a felony of the third degree.
 - (c) the amount of drugs involved equals or exceeds the bulk amount but is less than five times the bulk amount. Aggravated trafficking in drugs is a felony of the third degree. There is a presumption for a prison term for the offense. If trafficking takes places in the vicinity of a school in in the vicinity of a juvenile, aggravated trafficking I drugs is a felony of the second degree, and the court shall impose a mandatory prison term a second degree felony mandatory prison term.
 - (d) if the amount of drugs involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, aggravated trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, aggravated trafficking in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term.
- [ORC §2925.02 | Corrupting another with drugs.](#)
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- (1) If the offense is a violation of division (A)(1), (2), (3), or (4) of this section and the drug involved is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, the offender shall be punished as follows:
 - (a) Except as otherwise provided in division (C)(1)(b) of this section, corrupting another with drugs committed in those circumstances is a felony of the second degree and, subject to division (E) of this

section, the court shall impose as a mandatory prison term a second degree felony mandatory prison term.

- (b) If the offense was committed in the vicinity of a school, corrupting another with drugs committed in those circumstances is a felony of the first degree, and, subject to division (E) of this section, the court shall impose as a mandatory prison term a first degree felony mandatory prison term.

Alcohol Offenses Title 43 Liquor Control Laws

- [ORC §4301.62](#) - Opened container of beer or intoxicating liquor prohibited at certain premises.
 - No person shall have in the person's possession an opened container of beer or intoxicating liquor in any of the following circumstances:
 - while operating or being a passenger in or on a motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking;
 - while being in or on a stationary motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking
- [ORC § 4301.63](#) - Purchase of beer or intoxicating liquor by persons under twenty-one prohibited.
- [ORC § 4301.631](#) - Purchase or consumption low-alcohol beverage by persons under eighteen prohibited.
 - No underage person shall purchase any low-alcohol beverage.
 - No underage person shall order, pay for, share the cost of, or attempt to purchase any low-alcohol beverage
 - No person shall knowingly furnish any false information as to the name, age, or other identification of any underage person for the purpose of obtaining or with the intent to obtain any low-alcohol beverage for an underage person, by purchase or as a gift.
 - No underage person shall knowingly possess or consume any low-alcohol beverage in any public or private place, unless accompanied by a parent, spouse who is not an underage person, or legal guardian, or unless the low-alcohol beverage is given by a physician in the regular line of the physician's practice or given for established religious purposes.
 - First Offense: A first offense is prosecuted as a fourth-degree misdemeanor. It is at the discretion of the court to decide whether to impose a jail term of up to 30 days or a fine of up to \$250.
 - Second Offense: If an underage offender faces charges for the second time within a year, then the prosecutor can pursue third-degree misdemeanor charges. The court can impose a class four judicial suspension, which is a definite suspension of the driver's license or permit for one to five years. The court is given discretion to impose other penalties, which might include a jail term of up to 60 days. The defendant may be ordered to pay a fine of up to \$500.
- [ORC §4399.18](#) - Liability for acts of intoxicated person
- [ORC §4511.19](#) - Operating vehicle under the influence of alcohol or drugs – OVI
 - First Offense in 10 year span (OVI/low drug test) – Misdemeanor 1
 - 3 days – 6 months in jail
 - \$375 - \$1,075
 - Restricted Plates Optional

- First Offense in 10 years and either; high test OR refusal with prior in 20 years
 - 6 days to 6 months in jail
 - \$375 - \$1,075
 - Restricted Plates Required
- 2nd Offense in 10 years
 - 10 days – up to 6 months in jail
 - \$525 - \$1,625
 - Driving privileges reinstated after 45 days
- 2nd Offense in 10 years and either high test, OR refusal with prior in 20 years
 - Misdemeanor
 - 20 days – 6 months in jail
 - \$525 - \$1,625
 - Driving privileges reinstated after 45 days
- 3rd Offense in 10 years (OVI low test or drugs) – unclassified misdemeanor
 - 30 days to 1 year in jail
 - \$850 - \$2,750
 - Driving privileges reinstated after 180 days
- 3rd Offense in 10 years and either high test OR refusal with prior in 20 years – unclassified misdemeanor
 - 60 days to 1 year in jail
 - \$850 - \$2,750
 - Driving privileges reinstated after 180 days
- Either 4th or 5th Offense in 10 years OR 6th Offense in 20 years – Felony
 - 60 days to 30 months in jail
 - \$1,350 - \$10,500
 - Driving Privileges reinstated after 3 years
- o Either 4th or 5th Offense in 10 years OR 6th Offense in 20 years and high test or refusal
 - 120 days to 30 months in jail
 - \$1,350 - \$10,500
 - Driving Privileges Reinstated after 3 years
- 2nd Felony in a lifetime
 - 60 days to 3 months in prison
 - \$1,350 - \$10,500
 - Driving Privileges Reinstated after 3 years
- Either 2nd Felony in a lifetime and high test or refusal
 - 120 – 36 months in prison
 - \$1,350 - \$10,500
 - Driving Privileges Reinstated after 3 years
- 1st or 2nd felony in a lifetime with [ORC 2941.1413](#) specifications
 - Up to 5 years in prison
 - \$1,350 - \$10,500
 - Driving Privileges Reinstated after 3 years

