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Representatives Smith, T., Plummer

Cosponsors: Representatives Wiggam, Riedel, Kent, Romanchuk, Schaffer, Green, Sheehy, Jones, LaRe, Carruthers, DeVitis, Ghanbari, Greenspan, Grendell, Hambley, Koehler, Manning, D., Perales, Roemer, Scherer, Stein, Stoltzfus, Strahorn

Senator Manning

A BILL

To amend sections 2903.11, 2903.12, 2903.13, and 1
2935.01 of the Revised Code to increase 2
penalties for certain assault offenses if the 3
victim is a hospital police officer or special 4
police officer and to include gaming agents of 5
the Casino Control Commission as peace officers 6
under the general statutory definition of that 7
term. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2903.11, 2903.12, 2903.13, and 9
2935.01 of the Revised Code be amended to read as follows: 10

Sec. 2903.11. (A) No person shall knowingly do either of 11
the following: 12

(1) Cause serious physical harm to another or to another's 13
unborn; 14

(2) Cause or attempt to cause physical harm to another or 15
to another's unborn by means of a deadly weapon or dangerous 16
ordnance. 17

(B) No person, with knowledge that the person has tested 18
positive as a carrier of a virus that causes acquired 19
immunodeficiency syndrome, shall knowingly do any of the 20
following: 21

(1) Engage in sexual conduct with another person without 22
disclosing that knowledge to the other person prior to engaging 23
in the sexual conduct; 24

(2) Engage in sexual conduct with a person whom the 25
offender knows or has reasonable cause to believe lacks the 26
mental capacity to appreciate the significance of the knowledge 27
that the offender has tested positive as a carrier of a virus 28
that causes acquired immunodeficiency syndrome; 29

(3) Engage in sexual conduct with a person under eighteen 30
years of age who is not the spouse of the offender. 31

(C) The prosecution of a person under this section does 32
not preclude prosecution of that person under section 2907.02 of 33
the Revised Code. 34

(D) (1) (a) Whoever violates this section is guilty of 35
felonious assault. Except as otherwise provided in this division 36
or division (D) (1) (b) of this section, felonious assault is a 37
felony of the second degree. If the victim of a violation of 38
division (A) of this section is a peace officer, a hospital 39
police officer, a special police officer, or an investigator of 40
the bureau of criminal identification and investigation, 41
felonious assault is a felony of the first degree. 42

(b) Regardless of whether the felonious assault is a 43

felony of the first or second degree under division (D) (1) (a) of 44
this section, if the offender also is convicted of or pleads 45
guilty to a specification as described in section 2941.1423 of 46
the Revised Code that was included in the indictment, count in 47
the indictment, or information charging the offense, except as 48
otherwise provided in this division or unless a longer prison 49
term is required under any other provision of law, the court 50
shall sentence the offender to a mandatory prison term as 51
provided in division (B) (8) of section 2929.14 of the Revised 52
Code. If the victim of the offense is a peace officer, a 53
hospital police officer, a special police officer, or an 54
investigator of the bureau of criminal identification and 55
investigation, and if the victim suffered serious physical harm 56
as a result of the commission of the offense, felonious assault 57
is a felony of the first degree, and the court, pursuant to 58
division (F) of section 2929.13 of the Revised Code, shall 59
impose as a mandatory prison term one of the definite prison 60
terms prescribed for a felony of the first degree in division 61
(A) (1) (b) of section 2929.14 of the Revised Code, except that if 62
the violation is committed on or after ~~the effective date of~~ 63
~~this amendment~~ March 22, 2019, the court shall impose as the 64
minimum prison term for the offense a mandatory prison term that 65
is one of the minimum terms prescribed for a felony of the first 66
degree in division (A) (1) (a) of section 2929.14 of the Revised 67
Code. 68

(2) In addition to any other sanctions imposed pursuant to 69
division (D) (1) of this section for felonious assault committed 70
in violation of division (A) (1) or (2) of this section, if the 71
offender also is convicted of or pleads guilty to a 72
specification of the type described in section 2941.1425 of the 73
Revised Code that was included in the indictment, count in the 74

indictment, or information charging the offense, the court shall 75
sentence the offender to a mandatory prison term under division 76
(B) (9) of section 2929.14 of the Revised Code. 77

(3) If the victim of a felonious assault committed in 78
violation of division (A) of this section is a child under ten 79
years of age and if the offender also is convicted of or pleads 80
guilty to a specification of the type described in section 81
2941.1426 of the Revised Code that was included in the 82
indictment, count in the indictment, or information charging the 83
offense, in addition to any other sanctions imposed pursuant to 84
division (D) (1) of this section, the court shall sentence the 85
offender to a mandatory prison term pursuant to division (B) (10) 86
of section 2929.14 of the Revised Code. 87

(4) In addition to any other sanctions imposed pursuant to 88
division (D) (1) of this section for felonious assault committed 89
in violation of division (A) (2) of this section, if the deadly 90
weapon used in the commission of the violation is a motor 91
vehicle, the court shall impose upon the offender a class two 92
suspension of the offender's driver's license, commercial 93
driver's license, temporary instruction permit, probationary 94
license, or nonresident operating privilege as specified in 95
division (A) (2) of section 4510.02 of the Revised Code. 96

(E) As used in this section: 97

(1) "Deadly weapon" and "dangerous ordnance" have the same 98
meanings as in section 2923.11 of the Revised Code. 99

(2) "Motor vehicle" has the same meaning as in section 100
4501.01 of the Revised Code. 101

(3) "Peace officer" has the same meaning as in section 102
2935.01 of the Revised Code. 103

(4) "Sexual conduct" has the same meaning as in section 104
2907.01 of the Revised Code, except that, as used in this 105
section, it does not include the insertion of an instrument, 106
apparatus, or other object that is not a part of the body into 107
the vaginal or anal opening of another, unless the offender knew 108
at the time of the insertion that the instrument, apparatus, or 109
other object carried the offender's bodily fluid. 110

(5) "Investigator of the bureau of criminal identification 111
and investigation" means an investigator of the bureau of 112
criminal identification and investigation who is commissioned by 113
the superintendent of the bureau as a special agent for the 114
purpose of assisting law enforcement officers or providing 115
emergency assistance to peace officers pursuant to authority 116
granted under section 109.541 of the Revised Code. 117

(6) "Investigator" has the same meaning as in section 118
109.541 of the Revised Code. 119

(7) "Hospital police officer" means a police officer who 120
is employed by a hospital that employs and maintains its own 121
proprietary police department or security department, and who is 122
appointed and commissioned by the secretary of state pursuant to 123
sections 4973.17 to 4973.22 of the Revised Code. 124

(8) "Special police officer" means a special police 125
officer designated by the superintendent of the state highway 126
patrol, with the approval of the director of public safety, to 127
preserve the peace and enforce the laws of this state with 128
respect to persons and property under the patrol's jurisdiction 129
and control pursuant to section 5503.09 of the Ohio Revised 130
Code. 131

(F) The provisions of division (D) (2) of this section and 132

of division (F) (20) of section 2929.13, divisions (B) (9) and (C) 133
(6) of section 2929.14, and section 2941.1425 of the Revised 134
Code shall be known as "Judy's Law." 135

Sec. 2903.12. (A) No person, while under the influence of 136
sudden passion or in a sudden fit of rage, either of which is 137
brought on by serious provocation occasioned by the victim that 138
is reasonably sufficient to incite the person into using deadly 139
force, shall knowingly: 140

(1) Cause serious physical harm to another or to another's 141
unborn; 142

(2) Cause or attempt to cause physical harm to another or 143
to another's unborn by means of a deadly weapon or dangerous 144
ordnance, as defined in section 2923.11 of the Revised Code. 145

(B) Whoever violates this section is guilty of aggravated 146
assault. Except as otherwise provided in this division, 147
aggravated assault is a felony of the fourth degree. If the 148
victim of the offense is a peace officer, a hospital police 149
officer, a special police officer, or an investigator of the 150
bureau of criminal identification and investigation, aggravated 151
assault is a felony of the third degree. Regardless of whether 152
the offense is a felony of the third or fourth degree under this 153
division, if the offender also is convicted of or pleads guilty 154
to a specification as described in section 2941.1423 of the 155
Revised Code that was included in the indictment, count in the 156
indictment, or information charging the offense, except as 157
otherwise provided in this division, the court shall sentence 158
the offender to a mandatory prison term as provided in division 159
(B) (8) of section 2929.14 of the Revised Code. If the victim of 160
the offense is a peace officer, a hospital police officer, a 161
special police officer, or an investigator of the bureau of 162

criminal identification and investigation, and if the victim 163
suffered serious physical harm as a result of the commission of 164
the offense, aggravated assault is a felony of the third degree, 165
and the court, pursuant to division (F) of section 2929.13 of 166
the Revised Code, shall impose as a mandatory prison term one of 167
the definite prison terms prescribed in division (A)(3)(b) of 168
section 2929.14 of the Revised Code for a felony of the third 169
degree. 170

(C) As used in this section: 171

(1) "Investigator of the bureau of criminal identification 172
and investigation," "hospital police officer," and "special 173
police officer" ~~has~~ have the same ~~meaning~~ meanings as in section 174
2903.11 of the Revised Code. 175

(2) "Peace officer" has the same meaning as in section 176
2935.01 of the Revised Code. 177

Sec. 2903.13. (A) No person shall knowingly cause or 178
attempt to cause physical harm to another or to another's 179
unborn. 180

(B) No person shall recklessly cause serious physical harm 181
to another or to another's unborn. 182

(C) (1) Whoever violates this section is guilty of assault, 183
and the court shall sentence the offender as provided in this 184
division and divisions (C)(1), (2), (3), (4), (5), (6), (7), 185
(8), (9), and (10) of this section. Except as otherwise provided 186
in division (C)(2), (3), (4), (5), (6), (7), (8), or (9) of this 187
section, assault is a misdemeanor of the first degree. 188

(2) Except as otherwise provided in this division, if the 189
offense is committed by a caretaker against a functionally 190
impaired person under the caretaker's care, assault is a felony 191

of the fourth degree. If the offense is committed by a caretaker 192
against a functionally impaired person under the caretaker's 193
care, if the offender previously has been convicted of or 194
pleaded guilty to a violation of this section or section 2903.11 195
or 2903.16 of the Revised Code, and if in relation to the 196
previous conviction the offender was a caretaker and the victim 197
was a functionally impaired person under the offender's care, 198
assault is a felony of the third degree. 199

(3) If the offense occurs in or on the grounds of a state 200
correctional institution or an institution of the department of 201
youth services, the victim of the offense is an employee of the 202
department of rehabilitation and correction or the department of 203
youth services, and the offense is committed by a person 204
incarcerated in the state correctional institution or by a 205
person institutionalized in the department of youth services 206
institution pursuant to a commitment to the department of youth 207
services, assault is a felony of the third degree. 208

(4) If the offense is committed in any of the following 209
circumstances, assault is a felony of the fifth degree: 210

(a) The offense occurs in or on the grounds of a local 211
correctional facility, the victim of the offense is an employee 212
of the local correctional facility or a probation department or 213
is on the premises of the facility for business purposes or as a 214
visitor, and the offense is committed by a person who is under 215
custody in the facility subsequent to the person's arrest for 216
any crime or delinquent act, subsequent to the person's being 217
charged with or convicted of any crime, or subsequent to the 218
person's being alleged to be or adjudicated a delinquent child. 219

(b) The offense occurs off the grounds of a state 220
correctional institution and off the grounds of an institution 221

of the department of youth services, the victim of the offense 222
is an employee of the department of rehabilitation and 223
correction, the department of youth services, or a probation 224
department, the offense occurs during the employee's official 225
work hours and while the employee is engaged in official work 226
responsibilities, and the offense is committed by a person 227
incarcerated in a state correctional institution or 228
institutionalized in the department of youth services who 229
temporarily is outside of the institution for any purpose, by a 230
parolee, by an offender under transitional control, under a 231
community control sanction, or on an escorted visit, by a person 232
under post-release control, or by an offender under any other 233
type of supervision by a government agency. 234

(c) The offense occurs off the grounds of a local 235
correctional facility, the victim of the offense is an employee 236
of the local correctional facility or a probation department, 237
the offense occurs during the employee's official work hours and 238
while the employee is engaged in official work responsibilities, 239
and the offense is committed by a person who is under custody in 240
the facility subsequent to the person's arrest for any crime or 241
delinquent act, subsequent to the person being charged with or 242
convicted of any crime, or subsequent to the person being 243
alleged to be or adjudicated a delinquent child and who 244
temporarily is outside of the facility for any purpose or by a 245
parolee, by an offender under transitional control, under a 246
community control sanction, or on an escorted visit, by a person 247
under post-release control, or by an offender under any other 248
type of supervision by a government agency. 249

(d) The victim of the offense is a school teacher or 250
administrator or a school bus operator, and the offense occurs 251
in a school, on school premises, in a school building, on a 252

school bus, or while the victim is outside of school premises or 253
a school bus and is engaged in duties or official 254
responsibilities associated with the victim's employment or 255
position as a school teacher or administrator or a school bus 256
operator, including, but not limited to, driving, accompanying, 257
or chaperoning students at or on class or field trips, athletic 258
events, or other school extracurricular activities or functions 259
outside of school premises. 260

(5) If the victim of the offense is a peace officer, a 261
hospital police officer, a special police officer, or an 262
investigator of the bureau of criminal identification and 263
investigation, a firefighter, or a person performing emergency 264
medical service, while in the performance of their official 265
duties, assault is a felony of the fourth degree. 266

(6) If the victim of the offense is a peace officer, a 267
hospital police officer, a special police officer, or an 268
investigator of the bureau of criminal identification and 269
investigation and if the victim suffered serious physical harm 270
as a result of the commission of the offense, assault is a 271
felony of the fourth degree, and the court, pursuant to division 272
(F) of section 2929.13 of the Revised Code, shall impose as a 273
mandatory prison term one of the prison terms prescribed for a 274
felony of the fourth degree that is at least twelve months in 275
duration. 276

(7) If the victim of the offense is an officer or employee 277
of a public children services agency or a private child placing 278
agency and the offense relates to the officer's or employee's 279
performance or anticipated performance of official 280
responsibilities or duties, assault is either a felony of the 281
fifth degree or, if the offender previously has been convicted 282

of or pleaded guilty to an offense of violence, the victim of 283
that prior offense was an officer or employee of a public 284
children services agency or private child placing agency, and 285
that prior offense related to the officer's or employee's 286
performance or anticipated performance of official 287
responsibilities or duties, a felony of the fourth degree. 288

(8) If the victim of the offense is a health care 289
professional of a hospital, a health care worker of a hospital, 290
or a security officer of a hospital whom the offender knows or 291
has reasonable cause to know is a health care professional of a 292
hospital, a health care worker of a hospital, or a security 293
officer of a hospital, if the victim is engaged in the 294
performance of the victim's duties, and if the hospital offers 295
de-escalation or crisis intervention training for such 296
professionals, workers, or officers, assault is one of the 297
following: 298

(a) Except as otherwise provided in division (C) (8) (b) of 299
this section, assault committed in the specified circumstances 300
is a misdemeanor of the first degree. Notwithstanding the fine 301
specified in division (A) (2) ~~(b)~~ (a) of section 2929.28 of the 302
Revised Code for a misdemeanor of the first degree, in 303
sentencing the offender under this division and if the court 304
decides to impose a fine, the court may impose upon the offender 305
a fine of not more than five thousand dollars. 306

(b) If the offender previously has been convicted of or 307
pleaded guilty to one or more assault or homicide offenses 308
committed against hospital personnel, assault committed in the 309
specified circumstances is a felony of the fifth degree. 310

(9) If the victim of the offense is a judge, magistrate, 311
prosecutor, or court official or employee whom the offender 312

knows or has reasonable cause to know is a judge, magistrate, 313
prosecutor, or court official or employee, and if the victim is 314
engaged in the performance of the victim's duties, assault is 315
one of the following: 316

(a) Except as otherwise provided in division (C) ~~(8)~~ (9) (b) 317
of this section, assault committed in the specified 318
circumstances is a misdemeanor of the first degree. In 319
sentencing the offender under this division, if the court 320
decides to impose a fine, notwithstanding the fine specified in 321
division (A) (2) ~~(b)~~ (a) of section 2929.28 of the Revised Code 322
for a misdemeanor of the first degree, the court may impose upon 323
the offender a fine of not more than five thousand dollars. 324

(b) If the offender previously has been convicted of or 325
pleaded guilty to one or more assault or homicide offenses 326
committed against justice system personnel, assault committed in 327
the specified circumstances is a felony of the fifth degree. 328

(10) If an offender who is convicted of or pleads guilty 329
to assault when it is a misdemeanor also is convicted of or 330
pleads guilty to a specification as described in section 331
2941.1423 of the Revised Code that was included in the 332
indictment, count in the indictment, or information charging the 333
offense, the court shall sentence the offender to a mandatory 334
jail term as provided in division (G) of section 2929.24 of the 335
Revised Code. 336

If an offender who is convicted of or pleads guilty to 337
assault when it is a felony also is convicted of or pleads 338
guilty to a specification as described in section 2941.1423 of 339
the Revised Code that was included in the indictment, count in 340
the indictment, or information charging the offense, except as 341
otherwise provided in division (C) (6) of this section, the court 342

shall sentence the offender to a mandatory prison term as 343
provided in division (B) (8) of section 2929.14 of the Revised 344
Code. 345

(D) As used in this section: 346

(1) "Peace officer" has the same meaning as in section 347
2935.01 of the Revised Code. 348

(2) "Firefighter" has the same meaning as in section 349
3937.41 of the Revised Code. 350

(3) "Emergency medical service" has the same meaning as in 351
section 4765.01 of the Revised Code. 352

(4) "Local correctional facility" means a county, 353
multicounty, municipal, municipal-county, or multicounty- 354
municipal jail or workhouse, a minimum security jail established 355
under section 341.23 or 753.21 of the Revised Code, or another 356
county, multicounty, municipal, municipal-county, or 357
multicounty-municipal facility used for the custody of persons 358
arrested for any crime or delinquent act, persons charged with 359
or convicted of any crime, or persons alleged to be or 360
adjudicated a delinquent child. 361

(5) "Employee of a local correctional facility" means a 362
person who is an employee of the political subdivision or of one 363
or more of the affiliated political subdivisions that operates 364
the local correctional facility and who operates or assists in 365
the operation of the facility. 366

(6) "School teacher or administrator" means either of the 367
following: 368

(a) A person who is employed in the public schools of the 369
state under a contract described in section 3311.77 or 3319.08 370

of the Revised Code in a position in which the person is 371
required to have a certificate issued pursuant to sections 372
3319.22 to 3319.311 of the Revised Code. 373

(b) A person who is employed by a nonpublic school for 374
which the state board of education prescribes minimum standards 375
under section 3301.07 of the Revised Code and who is 376
certificated in accordance with section 3301.071 of the Revised 377
Code. 378

(7) "Community control sanction" has the same meaning as 379
in section 2929.01 of the Revised Code. 380

(8) "Escorted visit" means an escorted visit granted under 381
section 2967.27 of the Revised Code. 382

(9) "Post-release control" and "transitional control" have 383
the same meanings as in section 2967.01 of the Revised Code. 384

(10) "Investigator of the bureau of criminal 385
identification and investigation," "hospital police officer," 386
and "special police officer" has have the same meaning meanings 387
as in section 2903.11 of the Revised Code. 388

(11) "Health care professional" and "health care worker" 389
have the same meanings as in section 2305.234 of the Revised 390
Code. 391

(12) "Assault or homicide offense committed against 392
hospital personnel" means a violation of this section or of 393
section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 394
2903.12, or 2903.14 of the Revised Code committed in 395
circumstances in which all of the following apply: 396

(a) The victim of the offense was a health care 397
professional of a hospital, a health care worker of a hospital, 398

or a security officer of a hospital.	399
(b) The offender knew or had reasonable cause to know that	400
the victim was a health care professional of a hospital, a	401
health care worker of a hospital, or a security officer of a	402
hospital.	403
(c) The victim was engaged in the performance of the	404
victim's duties.	405
(d) The hospital offered de-escalation or crisis	406
intervention training for such professionals, workers, or	407
officers.	408
(13) "De-escalation or crisis intervention training" means	409
de-escalation or crisis intervention training for health care	410
professionals of a hospital, health care workers of a hospital,	411
and security officers of a hospital to facilitate interaction	412
with patients, members of a patient's family, and visitors,	413
including those with mental impairments.	414
(14) "Assault or homicide offense committed against	415
justice system personnel" means a violation of this section or	416
of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041,	417
2903.11, 2903.12, or 2903.14 of the Revised Code committed in	418
circumstances in which the victim of the offense was a judge,	419
magistrate, prosecutor, or court official or employee whom the	420
offender knew or had reasonable cause to know was a judge,	421
magistrate, prosecutor, or court official or employee, and the	422
victim was engaged in the performance of the victim's duties.	423
(15) "Court official or employee" means any official or	424
employee of a court created under the constitution or statutes	425
of this state or of a United States court located in this state.	426
(16) "Judge" means a judge of a court created under the	427

constitution or statutes of this state or of a United States 428
court located in this state. 429

(17) "Magistrate" means an individual who is appointed by 430
a court of record of this state and who has the powers and may 431
perform the functions specified in Civil Rule 53, Criminal Rule 432
19, or Juvenile Rule 40, or an individual who is appointed by a 433
United States court located in this state who has similar powers 434
and functions. 435

(18) "Prosecutor" has the same meaning as in section 436
2935.01 of the Revised Code. 437

(19) (a) "Hospital" means, subject to division (D) (19) (b) 438
of this section, an institution classified as a hospital under 439
section 3701.01 of the Revised Code in which are provided to 440
patients diagnostic, medical, surgical, obstetrical, 441
psychiatric, or rehabilitation care or a hospital operated by a 442
health maintenance organization. 443

(b) "Hospital" does not include any of the following: 444

(i) A facility licensed under Chapter 3721. of the Revised 445
Code, a health care facility operated by the department of 446
mental health and addiction services or the department of 447
developmental disabilities, a health maintenance organization 448
that does not operate a hospital, or the office of any private, 449
licensed health care professional, whether organized for 450
individual or group practice; 451

(ii) An institution for the sick that is operated 452
exclusively for patients who use spiritual means for healing and 453
for whom the acceptance of medical care is inconsistent with 454
their religious beliefs, accredited by a national accrediting 455
organization, exempt from federal income taxation under section 456

501 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 457
U.S.C. 1, as amended, and providing twenty-four-hour nursing 458
care pursuant to the exemption in division (E) of section 459
4723.32 of the Revised Code from the licensing requirements of 460
Chapter 4723. of the Revised Code. 461

(20) "Health maintenance organization" has the same 462
meaning as in section 3727.01 of the Revised Code. 463

Sec. 2935.01. As used in this chapter: 464

(A) "Magistrate" has the same meaning as in section 465
2931.01 of the Revised Code. 466

(B) "Peace officer" includes, except as provided in 467
section 2935.081 of the Revised Code, a sheriff; deputy sheriff; 468
marshal; deputy marshal; member of the organized police 469
department of any municipal corporation, including a member of 470
the organized police department of a municipal corporation in an 471
adjoining state serving in Ohio under a contract pursuant to 472
section 737.04 of the Revised Code; member of a police force 473
employed by a metropolitan housing authority under division (D) 474
of section 3735.31 of the Revised Code; member of a police force 475
employed by a regional transit authority under division (Y) of 476
section 306.05 of the Revised Code; state university law 477
enforcement officer appointed under section 3345.04 of the 478
Revised Code; enforcement agent of the department of public 479
safety designated under section 5502.14 of the Revised Code; 480
employee of the department of taxation to whom investigation 481
powers have been delegated under section 5743.45 of the Revised 482
Code; employee of the department of natural resources who is a 483
natural resources law enforcement staff officer designated 484
pursuant to section 1501.013 of the Revised Code, a forest-fire 485
investigator appointed pursuant to section 1503.09 of the 486

Revised Code, a natural resources officer appointed pursuant to 487
section 1501.24 of the Revised Code, or a wildlife officer 488
designated pursuant to section 1531.13 of the Revised Code; 489
individual designated to perform law enforcement duties under 490
section 511.232, 1545.13, or 6101.75 of the Revised Code; 491
veterans' home police officer appointed under section 5907.02 of 492
the Revised Code; special police officer employed by a port 493
authority under section 4582.04 or 4582.28 of the Revised Code; 494
police constable of any township; police officer of a township 495
or joint police district; a special police officer employed by a 496
municipal corporation at a municipal airport, or other municipal 497
air navigation facility, that has scheduled operations, as 498
defined in section 119.3 of Title 14 of the Code of Federal 499
Regulations, 14 C.F.R. 119.3, as amended, and that is required 500
to be under a security program and is governed by aviation 501
security rules of the transportation security administration of 502
the United States department of transportation as provided in 503
Parts 1542. and 1544. of Title 49 of the Code of Federal 504
Regulations, as amended; the house of representatives sergeant 505
at arms if the house of representatives sergeant at arms has 506
arrest authority pursuant to division (E)(1) of section 101.311 507
of the Revised Code; an assistant house of representatives 508
sergeant at arms; the senate sergeant at arms; an assistant 509
senate sergeant at arms; officer or employee of the bureau of 510
criminal identification and investigation established pursuant 511
to section 109.51 of the Revised Code who has been awarded a 512
certificate by the executive director of the Ohio peace officer 513
training commission attesting to the officer's or employee's 514
satisfactory completion of an approved state, county, municipal, 515
or department of natural resources peace officer basic training 516
program and who is providing assistance upon request to a law 517
enforcement officer or emergency assistance to a peace officer 518

pursuant to section 109.54 or 109.541 of the Revised Code; a 519
state fire marshal law enforcement officer described in division 520
(A) (23) of section 109.71 of the Revised Code; a gaming agent, 521
as defined in section 3772.01 of the Revised Code; and, for the 522
purpose of arrests within those areas, for the purposes of 523
Chapter 5503. of the Revised Code, and the filing of and service 524
of process relating to those offenses witnessed or investigated 525
by them, the superintendent and troopers of the state highway 526
patrol. 527

(C) "Prosecutor" includes the county prosecuting attorney 528
and any assistant prosecutor designated to assist the county 529
prosecuting attorney, and, in the case of courts inferior to 530
courts of common pleas, includes the village solicitor, city 531
director of law, or similar chief legal officer of a municipal 532
corporation, any such officer's assistants, or any attorney 533
designated by the prosecuting attorney of the county to appear 534
for the prosecution of a given case. 535

(D) "Offense," except where the context specifically 536
indicates otherwise, includes felonies, misdemeanors, and 537
violations of ordinances of municipal corporations and other 538
public bodies authorized by law to adopt penal regulations. 539

Section 2. That existing sections 2903.11, 2903.12, 540
2903.13, and 2935.01 of the Revised Code are hereby repealed. 541

Section 3. Section 2903.11 of the Revised Code is 542
presented in this act as a composite of the section as amended 543
by both Sub. S.B. 20 and Am. Sub. S.B. 201 of the 132 General 544
Assembly. The General Assembly, applying the principle stated in 545
division (B) of section 1.52 of the Revised Code that amendments 546
are to be harmonized if reasonably capable of simultaneous 547
operation, finds that the composite is the resulting version of 548

the section in effect prior to the effective date of the section 549
as presented in this act. 550