

**As Reported by the Senate Judiciary Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. H. B. No. 236**

**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**

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**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  
suffered serious physical harm as a result of the commission of  
the offense, aggravated assault is a felony of the third degree,  
and the court, pursuant to division (F) of section 2929.13 of  
the Revised Code, shall impose as a mandatory prison term one of  
the definite prison terms prescribed in division (A)(3)(b) of  
section 2929.14 of the Revised Code for a felony of the third  
degree.

(C) As used in this section:

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

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

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

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

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

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

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