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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**

**Senators Manning, Brenner, Burke, Eklund, Gavarone, Hoagland, Huffman, M.,
Huffman, S., Johnson, McColley, Obhof, Roegner, Schaffer**

A BILL

To amend sections 2903.11, 2903.12, 2903.13,	1
2935.01, and 5502.63 and to enact section 9.71	2
of the Revised Code to increase penalties for	3
certain assault offenses if the victim is a	4
hospital police officer or special police	5
officer, to include gaming agents of the Casino	6
Control Commission as peace officers under the	7
general statutory definition of that term, to	8
generally bar public officials from prohibiting	9
federally licensed firearms dealers in the state	10
or a specified geographic area from the	11
commercial sale or transfer of firearms or their	12
components or ammunition, and to modify the	13
definition of federally licensed firearms	14
dealer.	15

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

Section 1. That sections 2903.11, 2903.12, 2903.13, 16
2935.01, and 5502.63 be amended and section 9.71 of the Revised 17
Code be enacted to read as follows: 18

Sec. 9.71. (A) As used in this section: 19

(1) "Federally licensed firearms dealer" has the same 20
meaning as in section 5502.63 of the Revised Code. 21

(2) "Firearm" has the same meaning as in section 2923.11 22
of the Revised Code. 23

(3) "Public official" means any elected or appointed 24
officer, employee, or agent of the state or any political 25
subdivision, board, commission, bureau, or other public body 26
established by law. 27

(B) Notwithstanding any contrary provision of the Revised 28
Code, subject to division (C) of this section, no public 29
official shall issue an order that prohibits federally licensed 30
firearms dealers in the state or in a geographic area of the 31
state from engaging in the commercial sale, giving, furnishing, 32
or transfer of firearms, firearm components, or ammunition for 33
firearms. This division does not prohibit a public official from 34
issuing an order, pursuant to the official's authority under the 35
Revised Code or a local ordinance, that prohibits a particular 36
federally licensed firearms dealer from engaging in the 37
commercial sale, giving, furnishing, or transfer of firearms, 38
firearm components, or ammunition for firearms. 39

(C) Division (B) of this section does not apply to either 40
a zoning ordinance of the type described in division (D) (1) of 41
section 9.68 of the Revised Code or a zoning ordinance of the 42
type described in division (D) (2) of that section. 43

Sec. 2903.11. (A) No person shall knowingly do either of 44

the following: 45

(1) Cause serious physical harm to another or to another's 46
unborn; 47

(2) Cause or attempt to cause physical harm to another or 48
to another's unborn by means of a deadly weapon or dangerous 49
ordnance. 50

(B) No person, with knowledge that the person has tested 51
positive as a carrier of a virus that causes acquired 52
immunodeficiency syndrome, shall knowingly do any of the 53
following: 54

(1) Engage in sexual conduct with another person without 55
disclosing that knowledge to the other person prior to engaging 56
in the sexual conduct; 57

(2) Engage in sexual conduct with a person whom the 58
offender knows or has reasonable cause to believe lacks the 59
mental capacity to appreciate the significance of the knowledge 60
that the offender has tested positive as a carrier of a virus 61
that causes acquired immunodeficiency syndrome; 62

(3) Engage in sexual conduct with a person under eighteen 63
years of age who is not the spouse of the offender. 64

(C) The prosecution of a person under this section does 65
not preclude prosecution of that person under section 2907.02 of 66
the Revised Code. 67

(D) (1) (a) Whoever violates this section is guilty of 68
felonious assault. Except as otherwise provided in this division 69
or division (D) (1) (b) of this section, felonious assault is a 70
felony of the second degree. If the victim of a violation of 71
division (A) of this section is a peace officer, a hospital 72

police officer, a special police officer, or an investigator of 73
the bureau of criminal identification and investigation, 74
felonious assault is a felony of the first degree. 75

(b) Regardless of whether the felonious assault is a 76
felony of the first or second degree under division (D)(1)(a) of 77
this section, if the offender also is convicted of or pleads 78
guilty to a specification as described in section 2941.1423 of 79
the Revised Code that was included in the indictment, count in 80
the indictment, or information charging the offense, except as 81
otherwise provided in this division or unless a longer prison 82
term is required under any other provision of law, the court 83
shall sentence the offender to a mandatory prison term as 84
provided in division (B)(8) of section 2929.14 of the Revised 85
Code. If the victim of the offense is a peace officer, a 86
hospital police officer, a special police officer, or an 87
investigator of the bureau of criminal identification and 88
investigation, and if the victim suffered serious physical harm 89
as a result of the commission of the offense, felonious assault 90
is a felony of the first degree, and the court, pursuant to 91
division (F) of section 2929.13 of the Revised Code, shall 92
impose as a mandatory prison term one of the definite prison 93
terms prescribed for a felony of the first degree in division 94
(A)(1)(b) of section 2929.14 of the Revised Code, except that if 95
the violation is committed on or after ~~the effective date of~~ 96
~~this amendment~~ March 22, 2019, the court shall impose as the 97
minimum prison term for the offense a mandatory prison term that 98
is one of the minimum terms prescribed for a felony of the first 99
degree in division (A)(1)(a) of section 2929.14 of the Revised 100
Code. 101

(2) In addition to any other sanctions imposed pursuant to 102
division (D)(1) of this section for felonious assault committed 103

in violation of division (A) (1) or (2) of this section, if the 104
offender also is convicted of or pleads guilty to a 105
specification of the type described in section 2941.1425 of the 106
Revised Code that was included in the indictment, count in the 107
indictment, or information charging the offense, the court shall 108
sentence the offender to a mandatory prison term under division 109
(B) (9) of section 2929.14 of the Revised Code. 110

(3) If the victim of a felonious assault committed in 111
violation of division (A) of this section is a child under ten 112
years of age and if the offender also is convicted of or pleads 113
guilty to a specification of the type described in section 114
2941.1426 of the Revised Code that was included in the 115
indictment, count in the indictment, or information charging the 116
offense, in addition to any other sanctions imposed pursuant to 117
division (D) (1) of this section, the court shall sentence the 118
offender to a mandatory prison term pursuant to division (B) (10) 119
of section 2929.14 of the Revised Code. 120

(4) In addition to any other sanctions imposed pursuant to 121
division (D) (1) of this section for felonious assault committed 122
in violation of division (A) (2) of this section, if the deadly 123
weapon used in the commission of the violation is a motor 124
vehicle, the court shall impose upon the offender a class two 125
suspension of the offender's driver's license, commercial 126
driver's license, temporary instruction permit, probationary 127
license, or nonresident operating privilege as specified in 128
division (A) (2) of section 4510.02 of the Revised Code. 129

(E) As used in this section: 130

(1) "Deadly weapon" and "dangerous ordnance" have the same 131
meanings as in section 2923.11 of the Revised Code. 132

(2) "Motor vehicle" has the same meaning as in section 133
4501.01 of the Revised Code. 134

(3) "Peace officer" has the same meaning as in section 135
2935.01 of the Revised Code. 136

(4) "Sexual conduct" has the same meaning as in section 137
2907.01 of the Revised Code, except that, as used in this 138
section, it does not include the insertion of an instrument, 139
apparatus, or other object that is not a part of the body into 140
the vaginal or anal opening of another, unless the offender knew 141
at the time of the insertion that the instrument, apparatus, or 142
other object carried the offender's bodily fluid. 143

(5) "Investigator of the bureau of criminal identification 144
and investigation" means an investigator of the bureau of 145
criminal identification and investigation who is commissioned by 146
the superintendent of the bureau as a special agent for the 147
purpose of assisting law enforcement officers or providing 148
emergency assistance to peace officers pursuant to authority 149
granted under section 109.541 of the Revised Code. 150

(6) "Investigator" has the same meaning as in section 151
109.541 of the Revised Code. 152

(7) "Hospital police officer" means a police officer who 153
is employed by a hospital that employs and maintains its own 154
proprietary police department or security department, and who is 155
appointed and commissioned by the secretary of state pursuant to 156
sections 4973.17 to 4973.22 of the Revised Code. 157

(8) "Special police officer" means a special police 158
officer designated by the superintendent of the state highway 159
patrol, with the approval of the director of public safety, to 160
preserve the peace and enforce the laws of this state with 161

respect to persons and property under the patrol's jurisdiction 162
and control pursuant to section 5503.09 of the Ohio Revised 163
Code. 164

(F) The provisions of division (D) (2) of this section and 165
of division (F) (20) of section 2929.13, divisions (B) (9) and (C) 166
(6) of section 2929.14, and section 2941.1425 of the Revised 167
Code shall be known as "Judy's Law." 168

Sec. 2903.12. (A) No person, while under the influence of 169
sudden passion or in a sudden fit of rage, either of which is 170
brought on by serious provocation occasioned by the victim that 171
is reasonably sufficient to incite the person into using deadly 172
force, shall knowingly: 173

(1) Cause serious physical harm to another or to another's 174
unborn; 175

(2) Cause or attempt to cause physical harm to another or 176
to another's unborn by means of a deadly weapon or dangerous 177
ordnance, as defined in section 2923.11 of the Revised Code. 178

(B) Whoever violates this section is guilty of aggravated 179
assault. Except as otherwise provided in this division, 180
aggravated assault is a felony of the fourth degree. If the 181
victim of the offense is a peace officer, a hospital police 182
officer, a special police officer, or an investigator of the 183
bureau of criminal identification and investigation, aggravated 184
assault is a felony of the third degree. Regardless of whether 185
the offense is a felony of the third or fourth degree under this 186
division, if the offender also is convicted of or pleads guilty 187
to a specification as described in section 2941.1423 of the 188
Revised Code that was included in the indictment, count in the 189
indictment, or information charging the offense, except as 190

otherwise provided in this division, the court shall sentence 191
the offender to a mandatory prison term as provided in division 192
(B) (8) of section 2929.14 of the Revised Code. If the victim of 193
the offense is a peace officer, a hospital police officer, a 194
special police officer, or an investigator of the bureau of 195
criminal identification and investigation, and if the victim 196
suffered serious physical harm as a result of the commission of 197
the offense, aggravated assault is a felony of the third degree, 198
and the court, pursuant to division (F) of section 2929.13 of 199
the Revised Code, shall impose as a mandatory prison term one of 200
the definite prison terms prescribed in division (A) (3) (b) of 201
section 2929.14 of the Revised Code for a felony of the third 202
degree. 203

(C) As used in this section: 204

(1) "Investigator of the bureau of criminal identification 205
and investigation," "hospital police officer," and "special 206
police officer" ~~has have~~ the same ~~meaning meanings~~ as in section 207
2903.11 of the Revised Code. 208

(2) "Peace officer" has the same meaning as in section 209
2935.01 of the Revised Code. 210

Sec. 2903.13. (A) No person shall knowingly cause or 211
attempt to cause physical harm to another or to another's 212
unborn. 213

(B) No person shall recklessly cause serious physical harm 214
to another or to another's unborn. 215

(C) (1) Whoever violates this section is guilty of assault, 216
and the court shall sentence the offender as provided in this 217
division and divisions (C) (1), (2), (3), (4), (5), (6), (7), 218
(8), (9), and (10) of this section. Except as otherwise provided 219

in division (C) (2), (3), (4), (5), (6), (7), (8), or (9) of this 220
section, assault is a misdemeanor of the first degree. 221

(2) Except as otherwise provided in this division, if the 222
offense is committed by a caretaker against a functionally 223
impaired person under the caretaker's care, assault is a felony 224
of the fourth degree. If the offense is committed by a caretaker 225
against a functionally impaired person under the caretaker's 226
care, if the offender previously has been convicted of or 227
pleaded guilty to a violation of this section or section 2903.11 228
or 2903.16 of the Revised Code, and if in relation to the 229
previous conviction the offender was a caretaker and the victim 230
was a functionally impaired person under the offender's care, 231
assault is a felony of the third degree. 232

(3) If the offense occurs in or on the grounds of a state 233
correctional institution or an institution of the department of 234
youth services, the victim of the offense is an employee of the 235
department of rehabilitation and correction or the department of 236
youth services, and the offense is committed by a person 237
incarcerated in the state correctional institution or by a 238
person institutionalized in the department of youth services 239
institution pursuant to a commitment to the department of youth 240
services, assault is a felony of the third degree. 241

(4) If the offense is committed in any of the following 242
circumstances, assault is a felony of the fifth degree: 243

(a) The offense occurs in or on the grounds of a local 244
correctional facility, the victim of the offense is an employee 245
of the local correctional facility or a probation department or 246
is on the premises of the facility for business purposes or as a 247
visitor, and the offense is committed by a person who is under 248
custody in the facility subsequent to the person's arrest for 249

any crime or delinquent act, subsequent to the person's being 250
charged with or convicted of any crime, or subsequent to the 251
person's being alleged to be or adjudicated a delinquent child. 252

(b) The offense occurs off the grounds of a state 253
correctional institution and off the grounds of an institution 254
of the department of youth services, the victim of the offense 255
is an employee of the department of rehabilitation and 256
correction, the department of youth services, or a probation 257
department, the offense occurs during the employee's official 258
work hours and while the employee is engaged in official work 259
responsibilities, and the offense is committed by a person 260
incarcerated in a state correctional institution or 261
institutionalized in the department of youth services who 262
temporarily is outside of the institution for any purpose, by a 263
parolee, by an offender under transitional control, under a 264
community control sanction, or on an escorted visit, by a person 265
under post-release control, or by an offender under any other 266
type of supervision by a government agency. 267

(c) The offense occurs off the grounds of a local 268
correctional facility, the victim of the offense is an employee 269
of the local correctional facility or a probation department, 270
the offense occurs during the employee's official work hours and 271
while the employee is engaged in official work responsibilities, 272
and the offense is committed by a person who is under custody in 273
the facility subsequent to the person's arrest for any crime or 274
delinquent act, subsequent to the person being charged with or 275
convicted of any crime, or subsequent to the person being 276
alleged to be or adjudicated a delinquent child and who 277
temporarily is outside of the facility for any purpose or by a 278
parolee, by an offender under transitional control, under a 279
community control sanction, or on an escorted visit, by a person 280

under post-release control, or by an offender under any other 281
type of supervision by a government agency. 282

(d) The victim of the offense is a school teacher or 283
administrator or a school bus operator, and the offense occurs 284
in a school, on school premises, in a school building, on a 285
school bus, or while the victim is outside of school premises or 286
a school bus and is engaged in duties or official 287
responsibilities associated with the victim's employment or 288
position as a school teacher or administrator or a school bus 289
operator, including, but not limited to, driving, accompanying, 290
or chaperoning students at or on class or field trips, athletic 291
events, or other school extracurricular activities or functions 292
outside of school premises. 293

(5) If the victim of the offense is a peace officer, a 294
hospital police officer, a special police officer, or an 295
investigator of the bureau of criminal identification and 296
investigation, a firefighter, or a person performing emergency 297
medical service, while in the performance of their official 298
duties, assault is a felony of the fourth degree. 299

(6) If the victim of the offense is a peace officer, a 300
hospital police officer, a special police officer, or an 301
investigator of the bureau of criminal identification and 302
investigation and if the victim suffered serious physical harm 303
as a result of the commission of the offense, assault is a 304
felony of the fourth degree, and the court, pursuant to division 305
(F) of section 2929.13 of the Revised Code, shall impose as a 306
mandatory prison term one of the prison terms prescribed for a 307
felony of the fourth degree that is at least twelve months in 308
duration. 309

(7) If the victim of the offense is an officer or employee 310

of a public children services agency or a private child placing 311
agency and the offense relates to the officer's or employee's 312
performance or anticipated performance of official 313
responsibilities or duties, assault is either a felony of the 314
fifth degree or, if the offender previously has been convicted 315
of or pleaded guilty to an offense of violence, the victim of 316
that prior offense was an officer or employee of a public 317
children services agency or private child placing agency, and 318
that prior offense related to the officer's or employee's 319
performance or anticipated performance of official 320
responsibilities or duties, a felony of the fourth degree. 321

(8) If the victim of the offense is a health care 322
professional of a hospital, a health care worker of a hospital, 323
or a security officer of a hospital whom the offender knows or 324
has reasonable cause to know is a health care professional of a 325
hospital, a health care worker of a hospital, or a security 326
officer of a hospital, if the victim is engaged in the 327
performance of the victim's duties, and if the hospital offers 328
de-escalation or crisis intervention training for such 329
professionals, workers, or officers, assault is one of the 330
following: 331

(a) Except as otherwise provided in division (C) (8) (b) of 332
this section, assault committed in the specified circumstances 333
is a misdemeanor of the first degree. Notwithstanding the fine 334
specified in division (A) (2) ~~(b)~~ (a) of section 2929.28 of the 335
Revised Code for a misdemeanor of the first degree, in 336
sentencing the offender under this division and if the court 337
decides to impose a fine, the court may impose upon the offender 338
a fine of not more than five thousand dollars. 339

(b) If the offender previously has been convicted of or 340

pleaded guilty to one or more assault or homicide offenses 341
committed against hospital personnel, assault committed in the 342
specified circumstances is a felony of the fifth degree. 343

(9) If the victim of the offense is a judge, magistrate, 344
prosecutor, or court official or employee whom the offender 345
knows or has reasonable cause to know is a judge, magistrate, 346
prosecutor, or court official or employee, and if the victim is 347
engaged in the performance of the victim's duties, assault is 348
one of the following: 349

(a) Except as otherwise provided in division (C) ~~(8)~~ (9) (b) 350
of this section, assault committed in the specified 351
circumstances is a misdemeanor of the first degree. In 352
sentencing the offender under this division, if the court 353
decides to impose a fine, notwithstanding the fine specified in 354
division (A) (2) ~~(b)~~ (a) of section 2929.28 of the Revised Code 355
for a misdemeanor of the first degree, the court may impose upon 356
the offender a fine of not more than five thousand dollars. 357

(b) If the offender previously has been convicted of or 358
pleaded guilty to one or more assault or homicide offenses 359
committed against justice system personnel, assault committed in 360
the specified circumstances is a felony of the fifth degree. 361

(10) If an offender who is convicted of or pleads guilty 362
to assault when it is a misdemeanor also is convicted of or 363
pleads guilty to a specification as described in section 364
2941.1423 of the Revised Code that was included in the 365
indictment, count in the indictment, or information charging the 366
offense, the court shall sentence the offender to a mandatory 367
jail term as provided in division (G) of section 2929.24 of the 368
Revised Code. 369

If an offender who is convicted of or pleads guilty to 370
assault when it is a felony also is convicted of or pleads 371
guilty to a specification as described in section 2941.1423 of 372
the Revised Code that was included in the indictment, count in 373
the indictment, or information charging the offense, except as 374
otherwise provided in division (C)(6) of this section, the court 375
shall sentence the offender to a mandatory prison term as 376
provided in division (B)(8) of section 2929.14 of the Revised 377
Code. 378

(D) As used in this section: 379

(1) "Peace officer" has the same meaning as in section 380
2935.01 of the Revised Code. 381

(2) "Firefighter" has the same meaning as in section 382
3937.41 of the Revised Code. 383

(3) "Emergency medical service" has the same meaning as in 384
section 4765.01 of the Revised Code. 385

(4) "Local correctional facility" means a county, 386
multicounty, municipal, municipal-county, or multicounty- 387
municipal jail or workhouse, a minimum security jail established 388
under section 341.23 or 753.21 of the Revised Code, or another 389
county, multicounty, municipal, municipal-county, or 390
multicounty-municipal facility used for the custody of persons 391
arrested for any crime or delinquent act, persons charged with 392
or convicted of any crime, or persons alleged to be or 393
adjudicated a delinquent child. 394

(5) "Employee of a local correctional facility" means a 395
person who is an employee of the political subdivision or of one 396
or more of the affiliated political subdivisions that operates 397
the local correctional facility and who operates or assists in 398

the operation of the facility. 399

(6) "School teacher or administrator" means either of the 400
following: 401

(a) A person who is employed in the public schools of the 402
state under a contract described in section 3311.77 or 3319.08 403
of the Revised Code in a position in which the person is 404
required to have a certificate issued pursuant to sections 405
3319.22 to 3319.311 of the Revised Code. 406

(b) A person who is employed by a nonpublic school for 407
which the state board of education prescribes minimum standards 408
under section 3301.07 of the Revised Code and who is 409
certificated in accordance with section 3301.071 of the Revised 410
Code. 411

(7) "Community control sanction" has the same meaning as 412
in section 2929.01 of the Revised Code. 413

(8) "Escorted visit" means an escorted visit granted under 414
section 2967.27 of the Revised Code. 415

(9) "Post-release control" and "transitional control" have 416
the same meanings as in section 2967.01 of the Revised Code. 417

(10) "Investigator of the bureau of criminal 418
identification and investigation," "hospital police officer," 419
and "special police officer" ~~has have~~ the same ~~meaning meanings~~ 420
as in section 2903.11 of the Revised Code. 421

(11) "Health care professional" and "health care worker" 422
have the same meanings as in section 2305.234 of the Revised 423
Code. 424

(12) "Assault or homicide offense committed against 425
hospital personnel" means a violation of this section or of 426

section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 427
2903.12, or 2903.14 of the Revised Code committed in 428
circumstances in which all of the following apply: 429

(a) The victim of the offense was a health care 430
professional of a hospital, a health care worker of a hospital, 431
or a security officer of a hospital. 432

(b) The offender knew or had reasonable cause to know that 433
the victim was a health care professional of a hospital, a 434
health care worker of a hospital, or a security officer of a 435
hospital. 436

(c) The victim was engaged in the performance of the 437
victim's duties. 438

(d) The hospital offered de-escalation or crisis 439
intervention training for such professionals, workers, or 440
officers. 441

(13) "De-escalation or crisis intervention training" means 442
de-escalation or crisis intervention training for health care 443
professionals of a hospital, health care workers of a hospital, 444
and security officers of a hospital to facilitate interaction 445
with patients, members of a patient's family, and visitors, 446
including those with mental impairments. 447

(14) "Assault or homicide offense committed against 448
justice system personnel" means a violation of this section or 449
of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 450
2903.11, 2903.12, or 2903.14 of the Revised Code committed in 451
circumstances in which the victim of the offense was a judge, 452
magistrate, prosecutor, or court official or employee whom the 453
offender knew or had reasonable cause to know was a judge, 454
magistrate, prosecutor, or court official or employee, and the 455

victim was engaged in the performance of the victim's duties. 456

(15) "Court official or employee" means any official or 457
employee of a court created under the constitution or statutes 458
of this state or of a United States court located in this state. 459

(16) "Judge" means a judge of a court created under the 460
constitution or statutes of this state or of a United States 461
court located in this state. 462

(17) "Magistrate" means an individual who is appointed by 463
a court of record of this state and who has the powers and may 464
perform the functions specified in Civil Rule 53, Criminal Rule 465
19, or Juvenile Rule 40, or an individual who is appointed by a 466
United States court located in this state who has similar powers 467
and functions. 468

(18) "Prosecutor" has the same meaning as in section 469
2935.01 of the Revised Code. 470

(19) (a) "Hospital" means, subject to division (D) (19) (b) 471
of this section, an institution classified as a hospital under 472
section 3701.01 of the Revised Code in which are provided to 473
patients diagnostic, medical, surgical, obstetrical, 474
psychiatric, or rehabilitation care or a hospital operated by a 475
health maintenance organization. 476

(b) "Hospital" does not include any of the following: 477

(i) A facility licensed under Chapter 3721. of the Revised 478
Code, a health care facility operated by the department of 479
mental health and addiction services or the department of 480
developmental disabilities, a health maintenance organization 481
that does not operate a hospital, or the office of any private, 482
licensed health care professional, whether organized for 483
individual or group practice; 484

(ii) An institution for the sick that is operated 485
exclusively for patients who use spiritual means for healing and 486
for whom the acceptance of medical care is inconsistent with 487
their religious beliefs, accredited by a national accrediting 488
organization, exempt from federal income taxation under section 489
501 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 490
U.S.C. 1, as amended, and providing twenty-four-hour nursing 491
care pursuant to the exemption in division (E) of section 492
4723.32 of the Revised Code from the licensing requirements of 493
Chapter 4723. of the Revised Code. 494

(20) "Health maintenance organization" has the same 495
meaning as in section 3727.01 of the Revised Code. 496

Sec. 2935.01. As used in this chapter: 497

(A) "Magistrate" has the same meaning as in section 498
2931.01 of the Revised Code. 499

(B) "Peace officer" includes, except as provided in 500
section 2935.081 of the Revised Code, a sheriff; deputy sheriff; 501
marshal; deputy marshal; member of the organized police 502
department of any municipal corporation, including a member of 503
the organized police department of a municipal corporation in an 504
adjoining state serving in Ohio under a contract pursuant to 505
section 737.04 of the Revised Code; member of a police force 506
employed by a metropolitan housing authority under division (D) 507
of section 3735.31 of the Revised Code; member of a police force 508
employed by a regional transit authority under division (Y) of 509
section 306.05 of the Revised Code; state university law 510
enforcement officer appointed under section 3345.04 of the 511
Revised Code; enforcement agent of the department of public 512
safety designated under section 5502.14 of the Revised Code; 513
employee of the department of taxation to whom investigation 514

powers have been delegated under section 5743.45 of the Revised 515
Code; employee of the department of natural resources who is a 516
natural resources law enforcement staff officer designated 517
pursuant to section 1501.013 of the Revised Code, a forest-fire 518
investigator appointed pursuant to section 1503.09 of the 519
Revised Code, a natural resources officer appointed pursuant to 520
section 1501.24 of the Revised Code, or a wildlife officer 521
designated pursuant to section 1531.13 of the Revised Code; 522
individual designated to perform law enforcement duties under 523
section 511.232, 1545.13, or 6101.75 of the Revised Code; 524
veterans' home police officer appointed under section 5907.02 of 525
the Revised Code; special police officer employed by a port 526
authority under section 4582.04 or 4582.28 of the Revised Code; 527
police constable of any township; police officer of a township 528
or joint police district; a special police officer employed by a 529
municipal corporation at a municipal airport, or other municipal 530
air navigation facility, that has scheduled operations, as 531
defined in section 119.3 of Title 14 of the Code of Federal 532
Regulations, 14 C.F.R. 119.3, as amended, and that is required 533
to be under a security program and is governed by aviation 534
security rules of the transportation security administration of 535
the United States department of transportation as provided in 536
Parts 1542. and 1544. of Title 49 of the Code of Federal 537
Regulations, as amended; the house of representatives sergeant 538
at arms if the house of representatives sergeant at arms has 539
arrest authority pursuant to division (E)(1) of section 101.311 540
of the Revised Code; an assistant house of representatives 541
sergeant at arms; the senate sergeant at arms; an assistant 542
senate sergeant at arms; officer or employee of the bureau of 543
criminal identification and investigation established pursuant 544
to section 109.51 of the Revised Code who has been awarded a 545
certificate by the executive director of the Ohio peace officer 546

training commission attesting to the officer's or employee's 547
satisfactory completion of an approved state, county, municipal, 548
or department of natural resources peace officer basic training 549
program and who is providing assistance upon request to a law 550
enforcement officer or emergency assistance to a peace officer 551
pursuant to section 109.54 or 109.541 of the Revised Code; a 552
state fire marshal law enforcement officer described in division 553
(A) (23) of section 109.71 of the Revised Code; a gaming agent, 554
as defined in section 3772.01 of the Revised Code; and, for the 555
purpose of arrests within those areas, for the purposes of 556
Chapter 5503. of the Revised Code, and the filing of and service 557
of process relating to those offenses witnessed or investigated 558
by them, the superintendent and troopers of the state highway 559
patrol. 560

(C) "Prosecutor" includes the county prosecuting attorney 561
and any assistant prosecutor designated to assist the county 562
prosecuting attorney, and, in the case of courts inferior to 563
courts of common pleas, includes the village solicitor, city 564
director of law, or similar chief legal officer of a municipal 565
corporation, any such officer's assistants, or any attorney 566
designated by the prosecuting attorney of the county to appear 567
for the prosecution of a given case. 568

(D) "Offense," except where the context specifically 569
indicates otherwise, includes felonies, misdemeanors, and 570
violations of ordinances of municipal corporations and other 571
public bodies authorized by law to adopt penal regulations. 572

Sec. 5502.63. (A) The division of criminal justice 573
services in the department of public safety shall prepare a 574
poster and a brochure that describe safe firearms practices. The 575
poster and brochure shall contain typeface that is at least one- 576

quarter inch tall. The division shall furnish copies of the 577
poster and brochure free of charge to each federally licensed 578
firearms dealer in this state. 579

As used in this division, "federally licensed firearms 580
dealer" means an importer, manufacturer, or dealer having a 581
license to deal in destructive devices ~~or their~~, ammunition for 582
destructive devices, firearms, or ammunition for firearms, 583
issued and in effect pursuant to the federal "Gun Control Act of 584
1968," 82 Stat. 1213, 18 U.S.C. 923 et seq., and any amendments 585
or additions to that act or reenactments of that act. 586

(B) (1) The division of criminal justice services shall 587
create a poster that provides information regarding the national 588
human trafficking resource center hotline. The poster shall be 589
no smaller than eight and one-half inches by eleven inches in 590
size and shall include a statement in substantially the 591
following form: 592

"If you or someone you know is being forced to engage in 593
any activity and cannot leave - whether it is commercial sex, 594
housework, farm work, or any other activity - call the National 595
Human Trafficking Resource Center Hotline at 1-888-373-7888 to 596
access help and services. 597

Victims of human trafficking are protected under U.S. and 598
Ohio law. 599

The toll-free Hotline is: 600

- Available 24 hours a day, 7 days a week 601

- Operated by a non-profit, non-governmental organization 602

- Anonymous & confidential 603

- Accessible in 170 languages 604

- Able to provide help, referral to services, training, 605
and general information." 606

The statement shall appear on each poster in English, 607
Spanish, and, for each county, any other language required for 608
voting materials in that county under section 1973aa-1a of the 609
"Voting Rights Act of 1965," 79 Stat. 437, 42 U.S.C. 1973, as 610
amended. In addition to the national human trafficking resource 611
center hotline, the statement may contain any additional 612
hotlines regarding human trafficking for access to help and 613
services. 614

(2) The division shall make the poster available for print 615
on its public web site and shall make the poster available to 616
and encourage its display at each of the following places: 617

(a) A highway truck stop; 618

(b) A hotel, as defined in section 3731.01 of the Revised 619
Code; 620

(c) An adult entertainment establishment, as defined in 621
section 2907.39 of the Revised Code; 622

(d) A beauty salon, as defined in section 4713.01 of the 623
Revised Code; 624

(e) An agricultural labor camp, as defined in section 625
3733.41 of the Revised Code; 626

(f) A hospital or urgent care center; 627

(g) Any place where there is occurring a contest for the 628
championship of a division, conference, or league of a 629
professional athletic association or of a national collegiate 630
athletic association division I intercollegiate sport or where 631
there is occurring an athletic competition at which cash prizes 632

are awarded to individuals or teams; 633

(h) Any establishment operating as a massage parlor, 634
massage spa, alternative health clinic, or similar entity by 635
persons who do not hold a valid license from the state medical 636
board to practice massage therapy under Chapter 4731. of the 637
Revised Code; 638

(i) A fair. 639

(3) As used in this section: 640

(a) "Fair" means the annual exposition conducted by any 641
county or independent agricultural society or the Ohio 642
expositions commission. 643

(b) "Highway truck stop" means a gas station with a sign 644
that is visible from a highway, as defined in section 5501.01 of 645
the Revised Code, that offers amenities to commercial vehicles. 646

Section 2. That existing sections 2903.11, 2903.12, 647
2903.13, 2935.01, and 5502.63 of the Revised Code are hereby 648
repealed. 649

Section 3. Section 2903.11 of the Revised Code is 650
presented in this act as a composite of the section as amended 651
by both Sub. S.B. 20 and Am. Sub. S.B. 201 of the 132 General 652
Assembly. The General Assembly, applying the principle stated in 653
division (B) of section 1.52 of the Revised Code that amendments 654
are to be harmonized if reasonably capable of simultaneous 655
operation, finds that the composite is the resulting version of 656
the section in effect prior to the effective date of the section 657
as presented in this act. 658