AM1218X1

S.B. 33
As Passed by the Senate

**Topic:** Organizational liability – prohibition

______________________________ moved to amend as follows:

1. In line 2 of the title, delete ", 2917.21"
2. In line 3 of the title, delete "section" and insert "sections"; after "2307.67" insert "and 2923.04"
3. In line 9, delete ", 2917.21"; delete "section" and insert "sections"; after "2307.67" insert "and 2923.04"
4. In line 12, after "(1)" insert ""Compensation" means money, thing of value, or financial benefit. "Compensation" does not include bail, fines, or court costs.
5. (2)"
6. In line 14, delete "(2)" and insert "(3)"
7. In line 26, delete "that compensates a person for"
8. Delete line 27
9. In line 28, delete "person's fines or damages in a civil action"; after "may" insert "only"
10. In line 29, delete "any" and insert "a"
11. In line 31, after "facility" insert "if the person or organization did either of the following:"
(1) Directed, authorized, facilitated, or encouraged the
person to cause damage to the critical infrastructure facility;
(2) Provided compensation to the person for damaging the
critical infrastructure facility"

Delete lines 107 and 108
Delete lines 168 through 172
Delete lines 243 through 248
In line 278, delete "Organization" has the same meaning as
in section"
Delete line 279
In line 280, delete "(4)"
In line 282, delete "(5)" and insert "(4)"
In line 366, delete "(6)" and insert "(5)"
In line 383, delete "Notwithstanding section 2929.31 of"
Delete lines 384 through 388
In line 389, delete "i;"
In line 390, delete "(1) "Critical" and insert ",
critical"
Delete lines 392 and 393
Delete lines 394 through 616
In line 658, delete "Notwithstanding section 2929.31 of the
Revised Code,"
Delete lines 659 through 663
In line 664, delete "(E)"
In line 673, reinsert "(E)"; delete "(F)"

After line 677, insert:

"Sec. 2923.04. (A) As used in this section:

(1) "Compensation" means money, thing of value, or financial benefit. "Compensation" does not include bail, fines, or court costs.

(2) "Critical infrastructure facility" has the same meaning as in section 2911.21 of the Revised Code.

(3) "Organization" has the same meaning as in section 2901.23 of the Revised Code.

(B) No organization shall knowingly direct, authorize, facilitate, or encourage a person to commit any of the following offenses or provide compensation to a person for committing any of the following offenses:

(1) Criminal mischief in violation of division (A)(7) of section 2909.07 of the Revised Code;

(2) Criminal trespass in violation of division (A)(5) of section 2911.21 of the Revised Code;

(3) Aggravated trespass in violation of division (A)(2) of section 2911.211 of the Revised Code;

(4) Telecommunications harassment in violation of division (A)(4) of section 2917.21 of the Revised Code that involves a threat of damage to or destruction of a critical infrastructure facility;

(C) Whoever violates this section is guilty of improper organizational involvement with a critical infrastructure facility. Notwithstanding section 2929.31 of the Revised Code, improper organizational involvement with a critical infrastructure facility shall be punished as follows:

(1) A violation of division (B)(1) of this section shall be punished with a fine that is ten times the maximum fine that can be imposed on an individual for a violation of division (A)(7) of section 2909.07 of the Revised Code;

(2) A violation of division (B)(2) of this section shall be punished with a fine that is ten times the maximum fine that can be imposed on an individual for a violation of division (A)(5) of section 2911.21 of the Revised Code;

(3) A violation of division (B)(3) of this section shall be punished with a fine that is ten times the maximum fine that can be imposed on an individual for a violation of division (A)(2) of section 2911.211 of the Revised Code;

(4) A violation of division (B)(4) of this section shall be punished with a fine that is ten times the maximum fine that can be imposed on an individual for a violation of division (A)(4) of section 2917.21 that involves a threat of damage to or destruction of a critical infrastructure facility;
(5) A violation of division (B)(5) of this section shall be punished with a fine that is ten times the maximum fine that can be imposed on an individual for a violation of division (A)(4) of section 2917.32 of the Revised Code."

In line 679, delete ", 2917.21"

The motion was ______ agreed to.