A BILL

To amend sections 2903.21 and 2903.22 of the Revised Code to increase the penalties that apply to aggravated menacing and menacing under certain circumstances.

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

Section 1. That sections 2903.21 and 2903.22 of the Revised Code be amended to read as follows:

Sec. 2903.21. (A) No person shall knowingly cause another to believe that the offender will cause serious physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family. In addition to any other basis for the other person's belief that the offender will cause serious physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family, the other person's belief may be based on words or conduct of the offender that are directed at or identify a corporation, association, or...
other organization that employs the other person or to which the
other person belongs.

(B)(1) Whoever violates this section is guilty of aggravated menacing. Except as otherwise provided in this division or division (B)(2) of this section, aggravated menacing is a misdemeanor of the first degree. If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer's or employee's performance or anticipated performance of official responsibilities or duties, aggravated menacing is a felony of the fifth degree or, if the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency, and that prior offense related to the officer's or employee's performance or anticipated performance of official responsibilities or duties, a felony of the fourth degree.

(2) If the victim of a violation of this section is a person that the offender knows is a protected person, aggravated menacing is a felony of the fourth degree or, if the offender previously has been convicted of or pleaded guilty to a violation of this section when the victim of the violation was a person that the offender knew was a protected person, aggravated menacing is a felony of the third degree.

(C) As used in this section, "organization":

(1) "Organization" includes an entity that is a governmental employer.

(2) "Protected person" means a person to be protected by a protection order issued or consent agreement approved pursuant
to section 2151.34, 2903.213, 2903.214, 2919.26, or 3113.31 of
the Revised Code, if the order was issued or the agreement was
approved against the offender.

Sec. 2903.22. (A) No person shall knowingly cause another
to believe that the offender will cause physical harm to the
person or property of the other person, the other person's
unborn, or a member of the other person's immediate family. In
addition to any other basis for the other person's belief that
the offender will cause physical harm to the person or property
of the other person, the other person's unborn, or a member of
the other person's immediate family, the other person's belief
may be based on words or conduct of the offender that are
directed at or identify a corporation, association, or other
organization that employs the other person or to which the other
person belongs.

(B)(1) Whoever violates this section is guilty of
menacing. Except as otherwise provided in this division or
division (B)(2) of this section, menacing is a misdemeanor of
the fourth degree. If the victim of the offense is an officer or
employee of a public children services agency or a private child
placing agency and the offense relates to the officer's or
employee's performance or anticipated performance of official
responsibilities or duties, menacing is a misdemeanor of the
first degree or, if the offender previously has been convicted
of or pleaded guilty to an offense of violence, the victim of
that prior offense was an officer or employee of a public
children services agency or private child placing agency, and
that prior offense related to the officer's or employee's
performance or anticipated performance of official
responsibilities or duties, a felony of the fourth degree.
(2) If the victim of a violation of this section is a person that the offender knows is a protected person, menacing is a felony of the fifth degree, or if the offender previously has been convicted of or pleaded guilty to a violation of this section when the victim of the violation was a person that the offender knew was a protected person, menacing is a felony of the fourth degree.

(C) As used in this section, "organization":

(1) "Organization" includes an entity that is a governmental employer.

(2) "Protected person" means a person to be protected by a protection order issued or consent agreement approved pursuant to section 2151.34, 2903.213, 2903.214, 2919.26, or 3113.31 of the Revised Code, if the order was issued or the agreement was approved against the offender.

Section 2. That existing sections 2903.21 and 2903.22 of the Revised Code are hereby repealed.