

As Introduced

131st General Assembly

Regular Session

2015-2016

S. B. No. 53

Senator Hughes

Cosponsors: Senators Bacon, LaRose, Patton, Schiavoni

A BILL

To amend section 2903.21 of the Revised Code to 1
increase the penalty for aggravated menacing 2
when the victim of the offense is a law 3
enforcement officer. 4

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

Section 1. That section 2903.21 of the Revised Code be 5
amended to read as follows: 6

Sec. 2903.21. (A) No person shall knowingly cause another 7
to believe that the offender will cause serious physical harm to 8
the person or property of the other person, the other person's 9
unborn, or a member of the other person's immediate family. In 10
addition to any other basis for the other person's belief that 11
the offender will cause serious physical harm to the person or 12
property of the other person, the other person's unborn, or a 13
member of the other person's immediate family, the other 14
person's belief may be based on words or conduct of the offender 15
that are directed at or identify a corporation, association, or 16
other organization that employs the other person or to which the 17
other person belongs. 18

(B) Whoever violates this section is guilty of aggravated menacing. Except as otherwise provided in this division, 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. If the victim of the offense is a law enforcement officer and the offense occurs during the course of the officer's 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 a law enforcement officer, and that prior offense occurred during the course of the officer's duties, a felony of the fourth degree.

(C) As used in this section, "organization" includes an entity that is a governmental employer.

Section 2. That existing section 2903.21 of the Revised Code is hereby repealed.