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Representative Barnes

Cosponsors: Representatives Duffey, Perales, Anielski, Arndt, Boggs, Boyd, Brown, Celebrezze, Cera, Craig, Edwards, Galonski, Gavarone, Holmes, Hughes, Kent, Leland, Lepore-Hagan, Manning, Miller, O'Brien, Patterson, Patton, Pelanda, Ramos, Rogers, Ryan, Sheehy, Sykes, West, Speaker Smith

A BILL

To enact sections 5.236 and 3345.43 of the Revised Code to enact the "Respect Your Date Act" to designate the month of April as "Respect Your Date Month" and to require each state institution of higher education to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus and to declare an emergency.

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

Section 1. That sections 5.236 and 3345.43 of the Revised Code be enacted to read as follows:

Sec. 5.236. The month of April is designated as "Respect Your Date Month" to increase public awareness of dating violence, domestic violence, sexual assault, stalking, and rape on college campuses.

Sec. 3345.43. (A) (1) Each state institution of higher education, as defined in section 3345.011 of the Revised Code,

shall adopt a policy regarding incidents of dating violence, 17
domestic violence, sexual assault, stalking, and rape on campus. 18
The policy shall include the procedure for reporting such 19
incidents and the institutional plan for investigating and 20
responding to such incidents. The policy also shall describe the 21
consequences for committing an incident of dating violence, 22
domestic violence, sexual assault, stalking, or rape on campus, 23
including the institutional disciplinary proceedings and the 24
possible penalties that may be imposed. The institution shall 25
keep a record of all reports of such incidents that it receives. 26

Each institution may include other incidents related to 27
dating violence, domestic violence, sexual assault, stalking, or 28
rape in the policy adopted under this section. 29

(2) Each policy adopted pursuant to this section shall be 30
developed with the goal of enhancing due process in regard to 31
incidents of dating violence, domestic violence, sexual assault, 32
stalking, and rape on campus and to better define the protocols 33
provided for under the "Clery Act," 20 U.S.C. 1092(f), and Title 34
IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq. 35

(3) Each policy adopted pursuant to this section shall 36
include the definitions listed in division (C) of this section. 37

(B) Each state institution of higher education annually 38
shall distribute copies of the policy adopted pursuant to 39
division (A) of this section during student orientation and at 40
other appropriate events. 41

Additionally, each state institution of higher education 42
shall post copies of the institution's policy in multiple, 43
prominent locations across campus and in a prominent location on 44
the institution's web site. At a minimum, copies posted across 45

campus shall be posted each year during the month of April to 46
coincide with "Respect Your Date Month," as designated by 47
section 5.236 of the Revised Code. 48

(C) As used in this section: 49

(1) "Dating violence," "domestic violence," "sexual 50
assault," and "stalking" have the same meanings as in the 51
"Violence Against Women Act," 42 U.S.C. 13925, as amended. 52

(2) "Rape" means a violation of section 2907.02 of the 53
Revised Code. 54

For purposes of the definitions listed in divisions (C) (1) 55
and (2) of this section, "consent" shall have the same meaning 56
as in the federal uniform code of military justice, 10 U.S.C. 57
920. 58

Each state institution of higher education may expand upon 59
these definitions to address additional situations and incidents 60
related to the policy adopted pursuant to this section. 61

Section 2. This act shall be known as the "Respect Your 62
Date Act." 63

Section 3. This act is hereby declared to be an emergency 64
measure necessary for the immediate preservation of the public 65
peace, health, and safety. The reason for such necessity is to 66
ensure safety on college campuses across the state for the 67
upcoming academic year. Therefore, this act shall go into 68
immediate effect. 69