

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 276

Representatives Rezabek, Greenspan

**Cosponsors: Representatives Hambley, Perales, Henne, Huffman, Koehler, Lipps,
Antani**

A BILL

To amend section 2903.21 of the Revised Code to 1
expand the offense of aggravated menacing to 2
prohibit threatening a utility worker with 3
intent to obstruct the operation of a utility. 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~~ 19 20

(1) Except as otherwise provided in this division, 21
aggravated menacing is a misdemeanor of the first degree. ~~If~~ 22

(2) If the victim of the offense is an officer or employee 23
of a public children services agency or a private child placing 24
agency and the offense relates to the officer's or employee's 25
performance or anticipated performance of official 26
responsibilities or duties, aggravated menacing is a felony of 27
the fifth degree or, if the offender previously has been 28
convicted of or pleaded guilty to an offense of violence, the 29
victim of that prior offense was an officer or employee of a 30
public children services agency or private child placing agency, 31
and that prior offense related to the officer's or employee's 32
performance or anticipated performance of official 33
responsibilities or duties, a felony of the fourth degree. 34

(3) If the victim of the offense is a utility worker whom 35
the offender knows or has reasonable cause to know is a utility 36
worker, if the victim is engaged in the performance of the 37
victim's duties, and if the offender threatens the victim with a 38
deadly weapon with intent to obstruct the operation of a 39
utility, aggravated menacing is a felony of the fourth degree. 40

(C) As used in this section, ~~"organization"~~: 41

(1) "Organization" includes an entity that is a 42
governmental employer. 43

(2) "Utility worker" means an employee of a person or 44
entity whose primary responsibility is the operation or 45
maintenance of a utility. 46

(3) "Utility" means an enterprise that provides gas, 47

electric, steam, water, sewage, transportation, communication 48
services, or cable and broadband services, whether publicly or 49
privately owned. 50

Section 2. That existing section 2903.21 of the Revised 51
Code is hereby repealed. 52