

**As Passed by the House**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Sub. H. B. No. 276**

**Representatives Rezabek, Greenspan**

**Cosponsors: Representatives Hambley, Perales, Henne, Huffman, Koehler, Lipps, Antani, Manning, Anielski, Antonio, Arndt, Ashford, Barnes, Boccieri, Boggs, Butler, Carfagna, Cera, Clyde, Craig, Fedor, Holmes, Hughes, Johnson, Kent, Leland, Lepore-Hagan, McClain, O'Brien, Patterson, Rogers, Ryan, Schaffer, Slaby, Stein, Strahorn, Sweeney, West, Young**

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**A BILL**

To amend section 2903.21 of the Revised Code to  
expand the offense of aggravated menacing to  
prohibit threatening a utility worker, cable  
operator worker, or broadband worker with intent  
to obstruct the operation of a utility.

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

**Section 1.** That section 2903.21 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 16  
that are directed at or identify a corporation, association, or 17  
other organization that employs the other person or to which the 18  
other person belongs. 19

(B) No person shall knowingly cause a utility worker, 20  
cable operator worker, or broadband worker to believe that the 21  
offender will cause serious physical harm to the worker or to 22  
property by threatening the utility worker, cable operator 23  
worker, or broadband worker with a deadly weapon when the 24  
offender knows or has reasonable cause to know the worker's 25  
profession, the worker is engaged in the performance of the 26  
worker's duties, and the offender's intent is to obstruct the 27  
operation of a utility, cable, or broadband service. 28

(C) Whoever violates this section is guilty of aggravated 29  
menacing. ~~Except~~ 30

(1) ~~Except~~ as otherwise provided in this division 31  
divisions (C) (2) and (3) of this section, aggravated menacing is 32  
a misdemeanor of the first degree. ~~If~~ 33

(2) If the victim of the offense is an officer or employee 34  
of a public children services agency or a private child placing 35  
agency and the offense relates to the officer's or employee's 36  
performance or anticipated performance of official 37  
responsibilities or duties, aggravated menacing committed in 38  
violation of division (A) of this section is a felony of the 39  
fifth degree or, if the offender previously has been convicted 40  
of or pleaded guilty to an offense of violence, the victim of 41  
that prior offense was an officer or employee of a public 42  
children services agency or private child placing agency, and 43  
that prior offense related to the officer's or employee's 44  
performance or anticipated performance of official 45

responsibilities or duties, a felony of the fourth degree. 46

(3) If the offender previously has been convicted of or 47  
pleaded guilty to aggravated menacing, aggravated menacing 48  
committed in violation of division (B) of this section is a 49  
felony of the fifth degree. 50

~~(C)~~ (D) As used in this section, "organization": 51

(1) "Broadband worker" means an employee, contractor, or 52  
agent of a person or entity, whether publicly or privately 53  
owned, that operates or maintains facilities that provide 54  
broadband services. 55

(2) "Cable operator worker" means an employee, contractor, 56  
or agent of a cable operator. 57

(3) "Cable operator" has the same meaning as in section 58  
1332.21 of the Revised Code, whether publicly or privately 59  
owned. 60

(4) "Organization" includes an entity that is a 61  
governmental employer. 62

(5) "Utility worker" means an employee, contractor, or 63  
agent of a person or entity whose primary responsibility is the 64  
operation or maintenance of a utility. 65

(6) "Utility" means an enterprise that provides gas, 66  
electric, steam, water, sewage, storm water, transportation, or 67  
communication services, whether publicly or privately owned. 68

**Section 2.** That existing section 2903.21 of the Revised 69  
Code is hereby repealed. 70