

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 318

Representatives Patterson, LaTourette

**Cosponsors: Representatives Boggs, Lepore-Hagan, Carfagna, Slaby, Rogers,
Scherer, Smith, K., Miller, Sheehy**

A BILL

To amend section 2935.03 and to enact section 1
3313.951 of the Revised Code to define the 2
necessary qualifications and responsibilities of 3
school resource officers. 4

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

Section 1. That section 2935.03 be amended and section 5
3313.951 of the Revised Code be enacted to read as follows: 6

Sec. 2935.03. (A) (1) A sheriff, deputy sheriff, marshal, 7
deputy marshal, municipal police officer, township constable, 8
police officer of a township or joint police district, member of 9
a police force employed by a metropolitan housing authority 10
under division (D) of section 3735.31 of the Revised Code, 11
member of a police force employed by a regional transit 12
authority under division (Y) of section 306.35 of the Revised 13
Code, state university law enforcement officer appointed under 14
section 3345.04 of the Revised Code, veterans' home police 15
officer appointed under section 5907.02 of the Revised Code, 16
special police officer employed by a port authority under 17
section 4582.04 or 4582.28 of the Revised Code, or a special 18

police officer employed by a municipal corporation at a 19
municipal airport, or other municipal air navigation facility, 20
that has scheduled operations, as defined in section 119.3 of 21
Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as 22
amended, and that is required to be under a security program and 23
is governed by aviation security rules of the transportation 24
security administration of the United States department of 25
transportation as provided in Parts 1542. and 1544. of Title 49 26
of the Code of Federal Regulations, as amended, shall arrest and 27
detain, until a warrant can be obtained, a person found 28
violating, within the limits of the political subdivision, 29
metropolitan housing authority housing project, regional transit 30
authority facilities or areas of a municipal corporation that 31
have been agreed to by a regional transit authority and a 32
municipal corporation located within its territorial 33
jurisdiction, college, university, veterans' home operated under 34
Chapter 5907. of the Revised Code, port authority, or municipal 35
airport or other municipal air navigation facility, in which the 36
peace officer is appointed, employed, or elected, a law of this 37
state, an ordinance of a municipal corporation, or a resolution 38
of a township. 39

(2) A peace officer of the department of natural 40
resources, a state fire marshal law enforcement officer 41
described in division (A) (23) of section 109.71 of the Revised 42
Code, or an individual designated to perform law enforcement 43
duties under section 511.232, 1545.13, or 6101.75 of the Revised 44
Code shall arrest and detain, until a warrant can be obtained, a 45
person found violating, within the limits of the peace 46
officer's, state fire marshal law enforcement officer's, or 47
individual's territorial jurisdiction, a law of this state. 48

(3) The house sergeant at arms, if the house sergeant at 49

arms has arrest authority pursuant to division (E) (1) of section 50
101.311 of the Revised Code, and an assistant house sergeant at 51
arms shall arrest and detain, until a warrant can be obtained, a 52
person found violating, within the limits of the sergeant at 53
arms's or assistant sergeant at arms's territorial jurisdiction 54
specified in division (D) (1) (a) of section 101.311 of the 55
Revised Code or while providing security pursuant to division 56
(D) (1) (f) of section 101.311 of the Revised Code, a law of this 57
state, an ordinance of a municipal corporation, or a resolution 58
of a township. 59

(4) The senate sergeant at arms and an assistant senate 60
sergeant at arms shall arrest and detain, until a warrant can be 61
obtained, a person found violating, within the limits of the 62
sergeant at arms's or assistant sergeant at arms's territorial 63
jurisdiction specified in division (B) of section 101.312 of the 64
Revised Code, a law of this state, an ordinance of a municipal 65
corporation, or a resolution of a township. 66

(5) A school resource officer shall arrest and detain, 67
until a warrant can be obtained, a person found violating, 68
within the limits of the school resource officer's territorial 69
jurisdiction specified in division (D) of section 3313.951 of 70
the Revised Code, a law of this state, an ordinance of a 71
municipal corporation, or a resolution of a township. 72

(B) (1) When there is reasonable ground to believe that an 73
offense of violence, the offense of criminal child enticement as 74
defined in section 2905.05 of the Revised Code, the offense of 75
public indecency as defined in section 2907.09 of the Revised 76
Code, the offense of domestic violence as defined in section 77
2919.25 of the Revised Code, the offense of violating a 78
protection order as defined in section 2919.27 of the Revised 79

Code, the offense of menacing by stalking as defined in section 80
2903.211 of the Revised Code, the offense of aggravated trespass 81
as defined in section 2911.211 of the Revised Code, a theft 82
offense as defined in section 2913.01 of the Revised Code, or a 83
felony drug abuse offense as defined in section 2925.01 of the 84
Revised Code, has been committed within the limits of the 85
political subdivision, metropolitan housing authority housing 86
project, regional transit authority facilities or those areas of 87
a municipal corporation that have been agreed to by a regional 88
transit authority and a municipal corporation located within its 89
territorial jurisdiction, college, university, veterans' home 90
operated under Chapter 5907. of the Revised Code, port 91
authority, or municipal airport or other municipal air 92
navigation facility, in which the peace officer is appointed, 93
employed, or elected or within the limits of the territorial 94
jurisdiction of the peace officer, a peace officer described in 95
division (A) of this section may arrest and detain until a 96
warrant can be obtained any person who the peace officer has 97
reasonable cause to believe is guilty of the violation. 98

(2) For purposes of division (B)(1) of this section, the 99
execution of any of the following constitutes reasonable ground 100
to believe that the offense alleged in the statement was 101
committed and reasonable cause to believe that the person 102
alleged in the statement to have committed the offense is guilty 103
of the violation: 104

(a) A written statement by a person alleging that an 105
alleged offender has committed the offense of menacing by 106
stalking or aggravated trespass; 107

(b) A written statement by the administrator of the 108
interstate compact on mental health appointed under section 109

5119.71 of the Revised Code alleging that a person who had been hospitalized, institutionalized, or confined in any facility under an order made pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code has escaped from the facility, from confinement in a vehicle for transportation to or from the facility, or from supervision by an employee of the facility that is incidental to hospitalization, institutionalization, or confinement in the facility and that occurs outside of the facility, in violation of section 2921.34 of the Revised Code;

(c) A written statement by the administrator of any facility in which a person has been hospitalized, institutionalized, or confined under an order made pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code alleging that the person has escaped from the facility, from confinement in a vehicle for transportation to or from the facility, or from supervision by an employee of the facility that is incidental to hospitalization, institutionalization, or confinement in the facility and that occurs outside of the facility, in violation of section 2921.34 of the Revised Code.

(3) (a) For purposes of division (B) (1) of this section, a peace officer described in division (A) of this section has reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that a particular person is guilty of committing the offense if any of the following occurs:

(i) A person executes a written statement alleging that the person in question has committed the offense of domestic

violence or the offense of violating a protection order against 140
the person who executes the statement or against a child of the 141
person who executes the statement. 142

(ii) No written statement of the type described in 143
division (B) (3) (a) (i) of this section is executed, but the peace 144
officer, based upon the peace officer's own knowledge and 145
observation of the facts and circumstances of the alleged 146
incident of the offense of domestic violence or the alleged 147
incident of the offense of violating a protection order or based 148
upon any other information, including, but not limited to, any 149
reasonably trustworthy information given to the peace officer by 150
the alleged victim of the alleged incident of the offense or any 151
witness of the alleged incident of the offense, concludes that 152
there are reasonable grounds to believe that the offense of 153
domestic violence or the offense of violating a protection order 154
has been committed and reasonable cause to believe that the 155
person in question is guilty of committing the offense. 156

(iii) No written statement of the type described in 157
division (B) (3) (a) (i) of this section is executed, but the peace 158
officer witnessed the person in question commit the offense of 159
domestic violence or the offense of violating a protection 160
order. 161

(b) If pursuant to division (B) (3) (a) of this section a 162
peace officer has reasonable grounds to believe that the offense 163
of domestic violence or the offense of violating a protection 164
order has been committed and reasonable cause to believe that a 165
particular person is guilty of committing the offense, it is the 166
preferred course of action in this state that the officer arrest 167
and detain that person pursuant to division (B) (1) of this 168
section until a warrant can be obtained. 169

If pursuant to division (B) (3) (a) of this section a peace officer has reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that family or household members have committed the offense against each other, it is the preferred course of action in this state that the officer, pursuant to division (B) (1) of this section, arrest and detain until a warrant can be obtained the family or household member who committed the offense and whom the officer has reasonable cause to believe is the primary physical aggressor. There is no preferred course of action in this state regarding any other family or household member who committed the offense and whom the officer does not have reasonable cause to believe is the primary physical aggressor, but, pursuant to division (B) (1) of this section, the peace officer may arrest and detain until a warrant can be obtained any other family or household member who committed the offense and whom the officer does not have reasonable cause to believe is the primary physical aggressor.

(c) If a peace officer described in division (A) of this section does not arrest and detain a person whom the officer has reasonable cause to believe committed the offense of domestic violence or the offense of violating a protection order when it is the preferred course of action in this state pursuant to division (B) (3) (b) of this section that the officer arrest that person, the officer shall articulate in the written report of the incident required by section 2935.032 of the Revised Code a clear statement of the officer's reasons for not arresting and detaining that person until a warrant can be obtained.

(d) In determining for purposes of division (B) (3) (b) of this section which family or household member is the primary

physical aggressor in a situation in which family or household 201
members have committed the offense of domestic violence or the 202
offense of violating a protection order against each other, a 203
peace officer described in division (A) of this section, in 204
addition to any other relevant circumstances, should consider 205
all of the following: 206

(i) Any history of domestic violence or of any other 207
violent acts by either person involved in the alleged offense 208
that the officer reasonably can ascertain; 209

(ii) If violence is alleged, whether the alleged violence 210
was caused by a person acting in self-defense; 211

(iii) Each person's fear of physical harm, if any, 212
resulting from the other person's threatened use of force 213
against any person or resulting from the other person's use or 214
history of the use of force against any person, and the 215
reasonableness of that fear; 216

(iv) The comparative severity of any injuries suffered by 217
the persons involved in the alleged offense. 218

(e) (i) A peace officer described in division (A) of this 219
section shall not require, as a prerequisite to arresting or 220
charging a person who has committed the offense of domestic 221
violence or the offense of violating a protection order, that 222
the victim of the offense specifically consent to the filing of 223
charges against the person who has committed the offense or sign 224
a complaint against the person who has committed the offense. 225

(ii) If a person is arrested for or charged with 226
committing the offense of domestic violence or the offense of 227
violating a protection order and if the victim of the offense 228
does not cooperate with the involved law enforcement or 229

prosecuting authorities in the prosecution of the offense or, 230
subsequent to the arrest or the filing of the charges, informs 231
the involved law enforcement or prosecuting authorities that the 232
victim does not wish the prosecution of the offense to continue 233
or wishes to drop charges against the alleged offender relative 234
to the offense, the involved prosecuting authorities, in 235
determining whether to continue with the prosecution of the 236
offense or whether to dismiss charges against the alleged 237
offender relative to the offense and notwithstanding the 238
victim's failure to cooperate or the victim's wishes, shall 239
consider all facts and circumstances that are relevant to the 240
offense, including, but not limited to, the statements and 241
observations of the peace officers who responded to the incident 242
that resulted in the arrest or filing of the charges and of all 243
witnesses to that incident. 244

(f) In determining pursuant to divisions (B) (3) (a) to (g) 245
of this section whether to arrest a person pursuant to division 246
(B) (1) of this section, a peace officer described in division 247
(A) of this section shall not consider as a factor any possible 248
shortage of cell space at the detention facility to which the 249
person will be taken subsequent to the person's arrest or any 250
possibility that the person's arrest might cause, contribute to, 251
or exacerbate overcrowding at that detention facility or at any 252
other detention facility. 253

(g) If a peace officer described in division (A) of this 254
section intends pursuant to divisions (B) (3) (a) to (g) of this 255
section to arrest a person pursuant to division (B) (1) of this 256
section and if the officer is unable to do so because the person 257
is not present, the officer promptly shall seek a warrant for 258
the arrest of the person. 259

(h) If a peace officer described in division (A) of this section responds to a report of an alleged incident of the offense of domestic violence or an alleged incident of the offense of violating a protection order and if the circumstances of the incident involved the use or threatened use of a deadly weapon or any person involved in the incident brandished a deadly weapon during or in relation to the incident, the deadly weapon that was used, threatened to be used, or brandished constitutes contraband, and, to the extent possible, the officer shall seize the deadly weapon as contraband pursuant to Chapter 2981. of the Revised Code. Upon the seizure of a deadly weapon pursuant to division (B) (3) (h) of this section, section 2981.12 of the Revised Code shall apply regarding the treatment and disposition of the deadly weapon. For purposes of that section, the "underlying criminal offense" that was the basis of the seizure of a deadly weapon under division (B) (3) (h) of this section and to which the deadly weapon had a relationship is any of the following that is applicable:

(i) The alleged incident of the offense of domestic violence or the alleged incident of the offense of violating a protection order to which the officer who seized the deadly weapon responded;

(ii) Any offense that arose out of the same facts and circumstances as the report of the alleged incident of the offense of domestic violence or the alleged incident of the offense of violating a protection order to which the officer who seized the deadly weapon responded.

(4) If, in the circumstances described in divisions (B) (3) (a) to (g) of this section, a peace officer described in division (A) of this section arrests and detains a person

pursuant to division (B) (1) of this section, or if, pursuant to 290
division (B) (3) (h) of this section, a peace officer described in 291
division (A) of this section seizes a deadly weapon, the 292
officer, to the extent described in and in accordance with 293
section 9.86 or 2744.03 of the Revised Code, is immune in any 294
civil action for damages for injury, death, or loss to person or 295
property that arises from or is related to the arrest and 296
detention or the seizure. 297

(C) When there is reasonable ground to believe that a 298
violation of division (A) (1), (2), (3), (4), or (5) of section 299
4506.15 or a violation of section 4511.19 of the Revised Code 300
has been committed by a person operating a motor vehicle subject 301
to regulation by the public utilities commission of Ohio under 302
Title XLIX of the Revised Code, a peace officer with authority 303
to enforce that provision of law may stop or detain the person 304
whom the officer has reasonable cause to believe was operating 305
the motor vehicle in violation of the division or section and, 306
after investigating the circumstances surrounding the operation 307
of the vehicle, may arrest and detain the person. 308

(D) If a sheriff, deputy sheriff, marshal, deputy marshal, 309
municipal police officer, member of a police force employed by a 310
metropolitan housing authority under division (D) of section 311
3735.31 of the Revised Code, member of a police force employed 312
by a regional transit authority under division (Y) of section 313
306.35 of the Revised Code, special police officer employed by a 314
port authority under section 4582.04 or 4582.28 of the Revised 315
Code, special police officer employed by a municipal corporation 316
at a municipal airport or other municipal air navigation 317
facility described in division (A) of this section, township 318
constable, police officer of a township or joint police 319
district, state university law enforcement officer appointed 320

under section 3345.04 of the Revised Code, peace officer of the 321
department of natural resources, individual designated to 322
perform law enforcement duties under section 511.232, 1545.13, 323
or 6101.75 of the Revised Code, the house sergeant at arms if 324
the house sergeant at arms has arrest authority pursuant to 325
division (E)(1) of section 101.311 of the Revised Code, or an 326
assistant house sergeant at arms is authorized by division (A) 327
or (B) of this section to arrest and detain, within the limits 328
of the political subdivision, metropolitan housing authority 329
housing project, regional transit authority facilities or those 330
areas of a municipal corporation that have been agreed to by a 331
regional transit authority and a municipal corporation located 332
within its territorial jurisdiction, port authority, municipal 333
airport or other municipal air navigation facility, college, or 334
university in which the officer is appointed, employed, or 335
elected or within the limits of the territorial jurisdiction of 336
the peace officer, a person until a warrant can be obtained, the 337
peace officer, outside the limits of that territory, may pursue, 338
arrest, and detain that person until a warrant can be obtained 339
if all of the following apply: 340

(1) The pursuit takes place without unreasonable delay 341
after the offense is committed; 342

(2) The pursuit is initiated within the limits of the 343
political subdivision, metropolitan housing authority housing 344
project, regional transit authority facilities or those areas of 345
a municipal corporation that have been agreed to by a regional 346
transit authority and a municipal corporation located within its 347
territorial jurisdiction, port authority, municipal airport or 348
other municipal air navigation facility, college, or university 349
in which the peace officer is appointed, employed, or elected or 350
within the limits of the territorial jurisdiction of the peace 351

officer; 352

(3) The offense involved is a felony, a misdemeanor of the 353
first degree or a substantially equivalent municipal ordinance, 354
a misdemeanor of the second degree or a substantially equivalent 355
municipal ordinance, or any offense for which points are 356
chargeable pursuant to section 4510.036 of the Revised Code. 357

(E) In addition to the authority granted under division 358
(A) or (B) of this section: 359

(1) A sheriff or deputy sheriff may arrest and detain, 360
until a warrant can be obtained, any person found violating 361
section 4503.11, 4503.21, or 4549.01, sections 4549.08 to 362
4549.12, section 4549.62, or Chapter 4511. or 4513. of the 363
Revised Code on the portion of any street or highway that is 364
located immediately adjacent to the boundaries of the county in 365
which the sheriff or deputy sheriff is elected or appointed. 366

(2) A member of the police force of a township police 367
district created under section 505.48 of the Revised Code, a 368
member of the police force of a joint police district created 369
under section 505.482 of the Revised Code, or a township 370
constable appointed in accordance with section 509.01 of the 371
Revised Code, who has received a certificate from the Ohio peace 372
officer training commission under section 109.75 of the Revised 373
Code, may arrest and detain, until a warrant can be obtained, 374
any person found violating any section or chapter of the Revised 375
Code listed in division (E)(1) of this section, other than 376
sections 4513.33 and 4513.34 of the Revised Code, on the portion 377
of any street or highway that is located immediately adjacent to 378
the boundaries of the township police district or joint police 379
district, in the case of a member of a township police district 380
or joint police district police force, or the unincorporated 381

territory of the township, in the case of a township constable. 382
However, if the population of the township that created the 383
township police district served by the member's police force, or 384
the townships and municipal corporations that created the joint 385
police district served by the member's police force, or the 386
township that is served by the township constable, is sixty 387
thousand or less, the member of the township police district or 388
joint police district police force or the township constable may 389
not make an arrest under division (E) (2) of this section on a 390
state highway that is included as part of the interstate system. 391

(3) A police officer or village marshal appointed, 392
elected, or employed by a municipal corporation may arrest and 393
detain, until a warrant can be obtained, any person found 394
violating any section or chapter of the Revised Code listed in 395
division (E) (1) of this section on the portion of any street or 396
highway that is located immediately adjacent to the boundaries 397
of the municipal corporation in which the police officer or 398
village marshal is appointed, elected, or employed. 399

(4) A peace officer of the department of natural 400
resources, a state fire marshal law enforcement officer 401
described in division (A) (23) of section 109.71 of the Revised 402
Code, or an individual designated to perform law enforcement 403
duties under section 511.232, 1545.13, or 6101.75 of the Revised 404
Code may arrest and detain, until a warrant can be obtained, any 405
person found violating any section or chapter of the Revised 406
Code listed in division (E) (1) of this section, other than 407
sections 4513.33 and 4513.34 of the Revised Code, on the portion 408
of any street or highway that is located immediately adjacent to 409
the boundaries of the lands and waters that constitute the 410
territorial jurisdiction of the peace officer or state fire 411
marshal law enforcement officer. 412

(F) (1) A department of mental health and addiction 413
services special police officer or a department of developmental 414
disabilities special police officer may arrest without a warrant 415
and detain until a warrant can be obtained any person found 416
committing on the premises of any institution under the 417
jurisdiction of the particular department a misdemeanor under a 418
law of the state. 419

A department of mental health and addiction services 420
special police officer or a department of developmental 421
disabilities special police officer may arrest without a warrant 422
and detain until a warrant can be obtained any person who has 423
been hospitalized, institutionalized, or confined in an 424
institution under the jurisdiction of the particular department 425
pursuant to or under authority of section 2945.37, 2945.371, 426
2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised 427
Code and who is found committing on the premises of any 428
institution under the jurisdiction of the particular department 429
a violation of section 2921.34 of the Revised Code that involves 430
an escape from the premises of the institution. 431

(2) (a) If a department of mental health and addiction 432
services special police officer or a department of developmental 433
disabilities special police officer finds any person who has 434
been hospitalized, institutionalized, or confined in an 435
institution under the jurisdiction of the particular department 436
pursuant to or under authority of section 2945.37, 2945.371, 437
2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised 438
Code committing a violation of section 2921.34 of the Revised 439
Code that involves an escape from the premises of the 440
institution, or if there is reasonable ground to believe that a 441
violation of section 2921.34 of the Revised Code has been 442
committed that involves an escape from the premises of an 443

institution under the jurisdiction of the department of mental 444
health and addiction services or the department of developmental 445
disabilities and if a department of mental health and addiction 446
services special police officer or a department of developmental 447
disabilities special police officer has reasonable cause to 448
believe that a particular person who has been hospitalized, 449
institutionalized, or confined in the institution pursuant to or 450
under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 451
2945.40, 2945.401, or 2945.402 of the Revised Code is guilty of 452
the violation, the special police officer, outside of the 453
premises of the institution, may pursue, arrest, and detain that 454
person for that violation of section 2921.34 of the Revised 455
Code, until a warrant can be obtained, if both of the following 456
apply: 457

(i) The pursuit takes place without unreasonable delay 458
after the offense is committed; 459

(ii) The pursuit is initiated within the premises of the 460
institution from which the violation of section 2921.34 of the 461
Revised Code occurred. 462

(b) For purposes of division (F) (2) (a) of this section, 463
the execution of a written statement by the administrator of the 464
institution in which a person had been hospitalized, 465
institutionalized, or confined pursuant to or under authority of 466
section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 467
or 2945.402 of the Revised Code alleging that the person has 468
escaped from the premises of the institution in violation of 469
section 2921.34 of the Revised Code constitutes reasonable 470
ground to believe that the violation was committed and 471
reasonable cause to believe that the person alleged in the 472
statement to have committed the offense is guilty of the 473

violation.	474
(G) As used in this section:	475
(1) A "department of mental health and addiction services special police officer" means a special police officer of the department of mental health and addiction services designated under section 5119.08 of the Revised Code who is certified by the Ohio peace officer training commission under section 109.77 of the Revised Code as having successfully completed an approved peace officer basic training program.	476 477 478 479 480 481 482
(2) A "department of developmental disabilities special police officer" means a special police officer of the department of developmental disabilities designated under section 5123.13 of the Revised Code who is certified by the Ohio peace officer training council under section 109.77 of the Revised Code as having successfully completed an approved peace officer basic training program.	483 484 485 486 487 488 489
(3) "Deadly weapon" has the same meaning as in section 2923.11 of the Revised Code.	490 491
(4) "Family or household member" has the same meaning as in section 2919.25 of the Revised Code.	492 493
(5) "Street" or "highway" has the same meaning as in section 4511.01 of the Revised Code.	494 495
(6) "Interstate system" has the same meaning as in section 5516.01 of the Revised Code.	496 497
(7) "Peace officer of the department of natural resources" means an employee of the department of natural resources who is a natural resources law enforcement staff officer designated pursuant to section 1501.013 of the Revised Code, a forest-fire	498 499 500 501

investigator appointed pursuant to section 1503.09 of the Revised Code, a natural resources officer appointed pursuant to section 1501.24 of the Revised Code, or a wildlife officer designated pursuant to section 1531.13 of the Revised Code.

(8) "Portion of any street or highway" means all lanes of the street or highway irrespective of direction of travel, including designated turn lanes, and any berm, median, or shoulder.

(9) "School resource officer" means an officer who provides services to a school district or school as described in section 3313.951 of the Revised Code.

Sec. 3313.951. (A) A school resource officer who provides services to a school district or school for the first time on or after the effective date of this section must satisfy both of the following conditions:

(1) Complete a training program approved by the Ohio peace officer training commission described in section 109.79 of the Revised Code;

(2) Complete at least forty hours of school resource officer training through one of the following entities:

(a) The national association of school resource officers;

(b) The Ohio school resource officer association;

(c) Any association with a certified training program that includes instruction regarding skills, tactics, and strategies necessary to address the specific nature of all of the following:

(i) School campuses;

<u>(ii) School building security needs and characteristics;</u>	529
<u>(iii) The nuances of law enforcement functions conducted inside a school environment, including understanding the psychological and physiological characteristics consistent with the ages of the students in the assigned building or buildings, deescalation techniques, and behavior management strategies;</u>	530 531 532 533 534
<u>(iv) The mechanics of being a positive role model for youth, including informal counseling techniques;</u>	535 536
<u>(v) Providing assistance on topics such as classroom management tools to provide law-related education to students and methods for managing the behaviors sometimes associated with educating children with special needs;</u>	537 538 539 540
<u>(vi) The mechanics of the laws regarding compulsory attendance, as set forth in Chapter 3321. of the Revised Code;</u>	541 542
<u>(vii) Identifying the trends in drug use, eliminating the instance of drug use, and encouraging a drug-free environment in schools.</u>	543 544 545
<u>(B) (1) A school resource officer may be employed by or assigned to one or more school districts or schools, according to the requirements set forth in this section, for the following:</u>	546 547 548 549
<u>(a) Assistance with adoption, implementation, and amendment of the comprehensive emergency management plan required under section 3313.536 of the Revised Code;</u>	550 551 552
<u>(b) Carrying out any additional responsibilities assigned to the school resource officer under the employment engagement, contract, or memorandum of understanding, including but not limited to:</u>	553 554 555 556

<u>(i) Providing a safe learning environment;</u>	557
<u>(ii) Providing valuable resources to school staff members;</u>	558
<u>(iii) Fostering positive relationships with students and staff;</u>	559 560
<u>(iv) Developing strategies to resolve problems affecting youth and protecting all students.</u>	561 562
<u>(2) A school resource officer shall consult with local law enforcement officials and first responders when assisting a school district's administrator in the development of a comprehensive emergency management plan.</u>	563 564 565 566
<u>(C) (1) A school resource officer may, in accordance with the standards and requirements applicable to Ohio peace officers, engage in all of the following acts while carrying out the school resource officer's duties:</u>	567 568 569 570
<u>(a) Make an arrest as authorized by division (A) (5) of section 2935.03 of the Revised Code;</u>	571 572
<u>(b) Conduct a search or seizure of a person or property when there is probable cause that the person has committed or is committing a criminal offense;</u>	573 574 575
<u>(c) Carry a firearm;</u>	576
<u>(d) Exercise other police powers necessary to enforce the laws of this state.</u>	577 578
<u>(2) A school resource officer shall not ask a school employee to conduct a search for law enforcement purposes. Unless there is a serious and immediate threat, the officer shall not initiate or participate in a physically invasive search of a student.</u>	579 580 581 582 583

(D) A school resource officer has jurisdiction in every 584
school within the school district engaging the officer or, if 585
stipulated in the employment engagement, contract, or memorandum 586
of understanding, in the particular school to which the officer 587
is assigned. This division does not restrict the jurisdiction 588
that a school resource officer may possess due to the officer's 589
employment with a law enforcement agency. 590

Section 2. That existing section 2935.03 of the Revised 591
Code is hereby repealed. 592