

As Introduced

131st General Assembly

Regular Session

2015-2016

H. B. No. 569

Representative Antonio

**Cosponsors: Representatives Sheehy, Boggs, Brown, Clyde, Lepore-Hagan,
Boyd, Bocchieri, Reece, Fedor, Leland, Bishoff, Ramos, Driehaus**

A BILL

To amend section 2927.12 of the Revised Code to
rename the offense of ethnic intimidation to
bias-motivated crime; to expand the scope of the
offense to include specified crimes committed
based on a person's actual or perceived
ethnicity, gender, sexual orientation, gender
identity, or disability; to require peace
officer training on bias-motivated crime, and to
require law enforcement agencies to submit data
on bias-motivated crime to the Ohio Department
of Public Safety and the Federal Bureau of
Investigation and provide for the annual public
release of the data.

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

Section 1. That section 2927.12 of the Revised Code be
amended to read as follows:

Sec. 2927.12. (A) As used in this section:

(1) "Disability" has the same meaning as in section

4112.01 of the Revised Code. 18

(2) "Gender identity" means the gender-related identity, appearance, or mannerisms of an individual, or other gender-related characteristics of an individual, with or without regard to the individual's designated gender at birth. 19
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(3) "Sexual orientation" means heterosexuality, homosexuality, or bisexuality. 23
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(4) "Peace officer" has the same meaning as in section 2921.51 of the Revised Code. 25
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(5) "Law enforcement agency" means a government entity that employs peace officers to perform law enforcement duties. 27
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(B) No person shall violate section 2903.12, 2903.13, 2903.21, 2903.22, 2905.01, 2905.02, 2905.03, 2909.02, 2909.03, 2909.05, 2909.06, or 2909.07, or division (A) of section 2903.11 or division (A) (3), (4), or (5) of section 2917.21 of the Revised Code by reason, and intentionally select the person against whom the offender commits the violation or the property that is damaged or otherwise affected by the violation, in whole or in part because of the actual or perceived race, color, religion, ~~or~~ ethnicity, national origin, gender, sexual orientation, gender identity, or disability of another the other person or group of persons, whether or not the offender's belief or perception was correct. 29
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~~(B) (C) Whoever violates this section is guilty of ethnic intimidation bias-motivated crime. Ethnic intimidation Bias-motivated crime is an offense of the next higher degree than the offense the commission of which is a necessary element of ethnic intimidation bias-motivated crime.~~ 41
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(D) (1) The attorney general shall provide training for all 46

peace officers in identifying, responding to, and reporting 47
bias-motivated crime. 48

(2) The attorney general shall adopt, in accordance with 49
Chapter 119. or pursuant to section 109.74 of the Revised Code, 50
rules governing the training of peace officers in identifying, 51
responding to, and reporting bias-motivated crime, which 52
training is to be included in the curricula of basic training 53
programs at approved peace officer training schools, other than 54
the Ohio peace officer training academy. The Ohio peace officer 55
training commission shall include training in identifying, 56
responding to, and reporting bias-motivated crime in the 57
training program conducted at the Ohio peace officer training 58
academy. 59

(E) Each state and local law enforcement agency shall 60
submit data regarding the commission of bias-motivated crimes to 61
the Ohio department of public safety and the federal bureau of 62
investigation in accordance with guidelines established under 63
the federal Hate Crime Statistics Act, 28 U.S.C. 534. The 64
department shall make this data available to the public through 65
annual reports prepared and released by the division of criminal 66
justice services. 67

Section 2. That existing section 2927.12 of the Revised 68
Code is hereby repealed. 69