

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 362

Representative Ingram

Cosponsors: Representatives Brent, Galonski, Crawley, Crossman, Howse, West

A BILL

To amend sections 109.71 and 109.79 and to enact 1
section 109.7410 of the Revised Code to require 2
training on emotional intelligence for peace 3
officers. 4

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

Section 1. That sections 109.71 and 109.79 be amended and 5
section 109.7410 of the Revised Code be enacted to read as 6
follows: 7

Sec. 109.71. There is hereby created in the office of the 8
attorney general the Ohio peace officer training commission. The 9
commission shall consist of nine members appointed by the 10
governor with the advice and consent of the senate and selected 11
as follows: one member representing the public; two members who 12
are incumbent sheriffs; two members who are incumbent chiefs of 13
police; one member from the bureau of criminal identification 14
and investigation; one member from the state highway patrol; one 15
member who is the special agent in charge of a field office of 16
the federal bureau of investigation in this state; and one 17
member from the department of education, trade and industrial 18

education services, law enforcement training. 19

This section does not confer any arrest authority or any 20
ability or authority to detain a person, write or issue any 21
citation, or provide any disposition alternative, as granted 22
under Chapter 2935. of the Revised Code. 23

Pursuant to division (A) (9) of section 101.82 of the 24
Revised Code, the commission is exempt from the requirements of 25
sections 101.82 to 101.87 of the Revised Code. 26

As used in sections 109.71 to 109.801 of the Revised Code: 27

(A) "Peace officer" means: 28

(1) A deputy sheriff, marshal, deputy marshal, member of 29
the organized police department of a township or municipal 30
corporation, member of a township police district or joint 31
police district police force, member of a police force employed 32
by a metropolitan housing authority under division (D) of 33
section 3735.31 of the Revised Code, or township constable, who 34
is commissioned and employed as a peace officer by a political 35
subdivision of this state or by a metropolitan housing 36
authority, and whose primary duties are to preserve the peace, 37
to protect life and property, and to enforce the laws of this 38
state, ordinances of a municipal corporation, resolutions of a 39
township, or regulations of a board of county commissioners or 40
board of township trustees, or any of those laws, ordinances, 41
resolutions, or regulations; 42

(2) A police officer who is employed by a railroad company 43
and appointed and commissioned by the secretary of state 44
pursuant to sections 4973.17 to 4973.22 of the Revised Code; 45

(3) Employees of the department of taxation engaged in the 46
enforcement of Chapter 5743. of the Revised Code and designated 47

by the tax commissioner for peace officer training for purposes	48
of the delegation of investigation powers under section 5743.45	49
of the Revised Code;	50
(4) An undercover drug agent;	51
(5) Enforcement agents of the department of public safety	52
whom the director of public safety designates under section	53
5502.14 of the Revised Code;	54
(6) An employee of the department of natural resources who	55
is a natural resources law enforcement staff officer designated	56
pursuant to section 1501.013, a natural resources officer	57
appointed pursuant to section 1501.24, a forest-fire	58
investigator appointed pursuant to section 1503.09, or a	59
wildlife officer designated pursuant to section 1531.13 of the	60
Revised Code;	61
(7) An employee of a park district who is designated	62
pursuant to section 511.232 or 1545.13 of the Revised Code;	63
(8) An employee of a conservancy district who is	64
designated pursuant to section 6101.75 of the Revised Code;	65
(9) A police officer who is employed by a hospital that	66
employs and maintains its own proprietary police department or	67
security department, and who is appointed and commissioned by	68
the secretary of state pursuant to sections 4973.17 to 4973.22	69
of the Revised Code;	70
(10) Veterans' homes police officers designated under	71
section 5907.02 of the Revised Code;	72
(11) A police officer who is employed by a qualified	73
nonprofit corporation police department pursuant to section	74
1702.80 of the Revised Code;	75

(12) A state university law enforcement officer appointed	76
under section 3345.04 of the Revised Code or a person serving as	77
a state university law enforcement officer on a permanent basis	78
on June 19, 1978, who has been awarded a certificate by the	79
executive director of the Ohio peace officer training commission	80
attesting to the person's satisfactory completion of an approved	81
state, county, municipal, or department of natural resources	82
peace officer basic training program;	83
(13) A special police officer employed by the department	84
of mental health and addiction services pursuant to section	85
5119.08 of the Revised Code or the department of developmental	86
disabilities pursuant to section 5123.13 of the Revised Code;	87
(14) A member of a campus police department appointed	88
under section 1713.50 of the Revised Code;	89
(15) A member of a police force employed by a regional	90
transit authority under division (Y) of section 306.35 of the	91
Revised Code;	92
(16) Investigators appointed by the auditor of state	93
pursuant to section 117.091 of the Revised Code and engaged in	94
the enforcement of Chapter 117. of the Revised Code;	95
(17) A special police officer designated by the	96
superintendent of the state highway patrol pursuant to section	97
5503.09 of the Revised Code or a person who was serving as a	98
special police officer pursuant to that section on a permanent	99
basis on October 21, 1997, and who has been awarded a	100
certificate by the executive director of the Ohio peace officer	101
training commission attesting to the person's satisfactory	102
completion of an approved state, county, municipal, or	103
department of natural resources peace officer basic training	104

program; 105

(18) A special police officer employed by a port authority 106
under section 4582.04 or 4582.28 of the Revised Code or a person 107
serving as a special police officer employed by a port authority 108
on a permanent basis on May 17, 2000, who has been awarded a 109
certificate by the executive director of the Ohio peace officer 110
training commission attesting to the person's satisfactory 111
completion of an approved state, county, municipal, or 112
department of natural resources peace officer basic training 113
program; 114

(19) A special police officer employed by a municipal 115
corporation who has been awarded a certificate by the executive 116
director of the Ohio peace officer training commission for 117
satisfactory completion of an approved peace officer basic 118
training program and who is employed on a permanent basis on or 119
after March 19, 2003, at a municipal airport, or other municipal 120
air navigation facility, that has scheduled operations, as 121
defined in section 119.3 of Title 14 of the Code of Federal 122
Regulations, 14 C.F.R. 119.3, as amended, and that is required 123
to be under a security program and is governed by aviation 124
security rules of the transportation security administration of 125
the United States department of transportation as provided in 126
Parts 1542. and 1544. of Title 49 of the Code of Federal 127
Regulations, as amended; 128

(20) A police officer who is employed by an owner or 129
operator of an amusement park that has an average yearly 130
attendance in excess of six hundred thousand guests and that 131
employs and maintains its own proprietary police department or 132
security department, and who is appointed and commissioned by a 133
judge of the appropriate municipal court or county court 134

pursuant to section 4973.17 of the Revised Code;	135
(21) A police officer who is employed by a bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions, who has been appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code, and who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of a state, county, municipal, or department of natural resources peace officer basic training program;	136 137 138 139 140 141 142 143 144 145
(22) An investigator, as defined in section 109.541 of the Revised Code, of the bureau of criminal identification and investigation who is commissioned by the superintendent of the bureau as a special agent for the purpose of assisting law enforcement officers or providing emergency assistance to peace officers pursuant to authority granted under that section;	146 147 148 149 150 151
(23) A state fire marshal law enforcement officer appointed under section 3737.22 of the Revised Code or a person serving as a state fire marshal law enforcement officer on a permanent basis on or after July 1, 1982, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;	152 153 154 155 156 157 158 159 160
(24) A gaming agent employed under section 3772.03 of the Revised Code;	161 162
(25) An employee of the state board of pharmacy designated	163

by the executive director of the board pursuant to section 164
4729.04 of the Revised Code to investigate violations of 165
Chapters 2925., 3715., 3719., 3796., 4729., and 4752. of the 166
Revised Code and rules adopted thereunder. 167

(B) "Undercover drug agent" has the same meaning as in 168
division (B) (2) of section 109.79 of the Revised Code. 169

(C) "Crisis intervention training" means training in the 170
use of interpersonal and communication skills to most 171
effectively and sensitively interview victims of rape. 172

(D) "Missing children" has the same meaning as in section 173
2901.30 of the Revised Code. 174

(E) "Tactical medical professional" means an EMT, EMT- 175
basic, AEMT, EMT-I, paramedic, nurse, or physician who is 176
trained and certified in a nationally recognized tactical 177
medical training program that is equivalent to "tactical combat 178
casualty care" (TCCC) and "tactical emergency medical support" 179
(TEMS) and who functions in the tactical or austere environment 180
while attached to a law enforcement agency of either this state 181
or a political subdivision of this state. 182

(F) "EMT-basic," "EMT-I," and "paramedic" have the same 183
meanings as in section 4765.01 of the Revised Code and "EMT" and 184
"AEMT" have the same meanings as in section 4765.011 of the 185
Revised Code. 186

(G) "Nurse" means any of the following: 187

(1) Any person who is licensed to practice nursing as a 188
registered nurse by the board of nursing; 189

(2) Any certified nurse practitioner, clinical nurse 190
specialist, certified registered nurse anesthetist, or certified 191

nurse-midwife who holds a certificate of authority issued by the 192
board of nursing under Chapter 4723. of the Revised Code; 193

(3) Any person who is licensed to practice nursing as a 194
licensed practical nurse by the board of nursing pursuant to 195
Chapter 4723. of the Revised Code. 196

(H) "Physician" means a person who is licensed pursuant to 197
Chapter 4731. of the Revised Code to practice medicine and 198
surgery or osteopathic medicine and surgery. 199

(I) "Emotional intelligence" means the ability to identify 200
and manage a person's own emotions, as well as the emotions of 201
others, and includes self-awareness, self-management, social 202
awareness, and relationship management. 203

Sec. 109.7410. The attorney general shall adopt, in 204
accordance with Chapter 119. or pursuant to section 109.74 of 205
the Revised Code, rules governing the training of peace officers 206
on emotional intelligence. The rules shall specify the amount of 207
training necessary for the satisfactory completion of basic 208
training programs at approved peace officer training schools, 209
other than the Ohio peace officer training academy and the time 210
within which a peace officer is required to receive that 211
training, if the peace officer is appointed as a peace officer 212
before receiving that training. 213

Sec. 109.79. (A) The Ohio peace officer training 214
commission shall establish and conduct a training school for law 215
enforcement officers of any political subdivision of the state 216
or of the state public defender's office. The school shall be 217
known as the Ohio peace officer training academy. No bailiff or 218
deputy bailiff of a court of record of this state and no 219
criminal investigator employed by the state public defender 220

shall be permitted to attend the academy for training unless the 221
employing court of the bailiff or deputy bailiff or the state 222
public defender, whichever is applicable, has authorized the 223
bailiff, deputy bailiff, or investigator to attend the academy. 224

The Ohio peace officer training commission shall develop 225
the training program, which shall include courses in both the 226
civil and criminal functions of law enforcement officers, a 227
course in crisis intervention with six or more hours of 228
training, training in the handling of missing children and child 229
abuse and neglect cases, training on emotional intelligence, and 230
training on companion animal encounters and companion animal 231
behavior, and shall establish rules governing qualifications for 232
admission to the academy. The commission may require competitive 233
examinations to determine fitness of prospective trainees, so 234
long as the examinations or other criteria for admission to the 235
academy are consistent with the provisions of Chapter 124. of 236
the Revised Code. 237

The Ohio peace officer training commission shall determine 238
tuition costs sufficient in the aggregate to pay the costs of 239
operating the academy. The costs of acquiring and equipping the 240
academy shall be paid from appropriations made by the general 241
assembly to the Ohio peace officer training commission for that 242
purpose, from gifts or grants received for that purpose, or from 243
fees for goods related to the academy. 244

The Ohio peace officer training commission shall create a 245
gaming-related curriculum for gaming agents. The Ohio peace 246
officer training commission shall use money distributed to the 247
Ohio peace officer training academy from the Ohio law 248
enforcement training fund to first support the academy's 249
training programs for gaming agents and gaming-related 250

curriculum. The Ohio peace officer training commission may 251
utilize existing training programs in other states that 252
specialize in training gaming agents. 253

The law enforcement officers, during the period of their 254
training, shall receive compensation as determined by the 255
political subdivision that sponsors them or, if the officer is a 256
criminal investigator employed by the state public defender, as 257
determined by the state public defender. The political 258
subdivision may pay the tuition costs of the law enforcement 259
officers they sponsor and the state public defender may pay the 260
tuition costs of criminal investigators of that office who 261
attend the academy. 262

If trainee vacancies exist, the academy may train and 263
issue certificates of satisfactory completion to peace officers 264
who are employed by a campus police department pursuant to 265
section 1713.50 of the Revised Code, by a qualified nonprofit 266
corporation police department pursuant to section 1702.80 of the 267
Revised Code, or by a railroad company, who are amusement park 268
police officers appointed and commissioned by a judge of the 269
appropriate municipal court or county court pursuant to section 270
4973.17 of the Revised Code, or who are bank, savings and loan 271
association, savings bank, credit union, or association of 272
banks, savings and loan associations, savings banks, or credit 273
unions, or hospital police officers appointed and commissioned 274
by the secretary of state pursuant to sections 4973.17 to 275
4973.22 of the Revised Code, provided that no such officer shall 276
be trained at the academy unless the officer meets the 277
qualifications established for admission to the academy and the 278
qualified nonprofit corporation police department; bank, savings 279
and loan association, savings bank, credit union, or association 280
of banks, savings and loan associations, savings banks, or 281

credit unions; railroad company; hospital; or amusement park or 282
the private college or university that established the campus 283
police department prepays the entire cost of the training. A 284
qualified nonprofit corporation police department; bank, savings 285
and loan association, savings bank, credit union, or association 286
of banks, savings and loan associations, savings banks, or 287
credit unions; railroad company; hospital; or amusement park or 288
a private college or university that has established a campus 289
police department is not entitled to reimbursement from the 290
state for any amount paid for the cost of training the bank, 291
savings and loan association, savings bank, credit union, or 292
association of banks, savings and loan associations, savings 293
banks, or credit unions peace officers; the railroad company's 294
peace officers; or the peace officers of the qualified nonprofit 295
corporation police department, campus police department, 296
hospital, or amusement park. 297

The academy shall permit investigators employed by the 298
state medical board to take selected courses that the board 299
determines are consistent with its responsibilities for initial 300
and continuing training of investigators as required under 301
sections 4730.26 and 4731.05 of the Revised Code. The board 302
shall pay the entire cost of training that investigators receive 303
at the academy. 304

The academy shall permit tactical medical professionals to 305
attend training courses at the academy that are designed to 306
qualify the professionals to carry firearms while on duty under 307
section 109.771 of the Revised Code and that provide training 308
comparable to training mandated under the rules required by 309
division (A) of section 109.748 of the Revised Code. The 310
executive director of the Ohio peace officer training commission 311
may certify tactical medical professionals who satisfactorily 312

complete the training courses. The law enforcement agency served 313
by a tactical medical professional who attends the academy may 314
pay the tuition costs of the professional. 315

(B) As used in this section: 316

(1) "Law enforcement officers" include any undercover drug 317
agent, any bailiff or deputy bailiff of a court of record, and 318
any criminal investigator who is employed by the state public 319
defender. 320

(2) "Undercover drug agent" means any person who: 321

(a) Is employed by a county, township, or municipal 322
corporation for the purposes set forth in division (B) (2) (b) of 323
this section but who is not an employee of a county sheriff's 324
department, of a township constable, or of the police department 325
of a municipal corporation or township; 326

(b) In the course of the person's employment by a county, 327
township, or municipal corporation, investigates and gathers 328
information pertaining to persons who are suspected of violating 329
Chapter 2925. or 3719. of the Revised Code, and generally does 330
not wear a uniform in the performance of the person's duties. 331

(3) "Crisis intervention training" has the same meaning as 332
in section 109.71 of the Revised Code. 333

(4) "Missing children" has the same meaning as in section 334
2901.30 of the Revised Code. 335

(5) "Companion animal" has the same meaning as in section 336
959.131 of the Revised Code. 337

Section 2. That existing sections 109.71 and 109.79 of the 338
Revised Code are hereby repealed. 339