

As Introduced

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

S. B. No. 290

Senator Hoagland

A BILL

To amend sections 109.71, 109.741, 109.744, 1
109.747, 109.77, 109.80, 109.801, 109.803, 2
109.804, 311.01, 2929.43, 5503.01, and 5503.05 3
of the Revised Code to exempt qualifying 4
military veterans from the basic training 5
otherwise required for initial appointment or 6
hiring in a specified law enforcement capacity. 7

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

Section 1. That sections 109.71, 109.741, 109.744, 8
109.747, 109.77, 109.80, 109.801, 109.803, 109.804, 311.01, 9
2929.43, 5503.01, and 5503.05 of the Revised Code be amended to 10
read as follows: 11

Sec. 109.71. There is hereby created in the office of the 12
attorney general the Ohio peace officer training commission. The 13
commission shall consist of nine members appointed by the 14
governor with the advice and consent of the senate and selected 15
as follows: one member representing the public; two members who 16
are incumbent sheriffs; two members who are incumbent chiefs of 17
police; one member from the bureau of criminal identification 18
and investigation; one member from the state highway patrol; one 19

member who is the special agent in charge of a field office of 20
the federal bureau of investigation in this state; and one 21
member from the department of education, trade and industrial 22
education services, law enforcement training. 23

This section does not confer any arrest authority or any 24
ability or authority to detain a person, write or issue any 25
citation, or provide any disposition alternative, as granted 26
under Chapter 2935. of the Revised Code. 27

Pursuant to division (A) (9) of section 101.82 of the 28
Revised Code, the commission is exempt from the requirements of 29
sections 101.82 to 101.87 of the Revised Code. 30

As used in sections 109.71 to 109.801 of the Revised Code: 31

(A) "Peace officer" means: 32

(1) A deputy sheriff, marshal, deputy marshal, member of 33
the organized police department of a township or municipal 34
corporation, member of a township police district or joint 35
police district police force, member of a police force employed 36
by a metropolitan housing authority under division (D) of 37
section 3735.31 of the Revised Code, or township constable, who 38
is commissioned and employed as a peace officer by a political 39
subdivision of this state or by a metropolitan housing 40
authority, and whose primary duties are to preserve the peace, 41
to protect life and property, and to enforce the laws of this 42
state, ordinances of a municipal corporation, resolutions of a 43
township, or regulations of a board of county commissioners or 44
board of township trustees, or any of those laws, ordinances, 45
resolutions, or regulations; 46

(2) A police officer who is employed by a railroad company 47
and appointed and commissioned by the secretary of state 48

pursuant to sections 4973.17 to 4973.22 of the Revised Code;	49
(3) Employees of the department of taxation engaged in the enforcement of Chapter 5743. of the Revised Code and designated by the tax commissioner for peace officer training for purposes of the delegation of investigation powers under section 5743.45 of the Revised Code;	50 51 52 53 54
(4) An undercover drug agent;	55
(5) Enforcement agents of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;	56 57 58
(6) An employee of the department of natural resources who is a natural resources law enforcement staff officer designated pursuant to section 1501.013, a natural resources officer appointed pursuant to section 1501.24, a forest-fire investigator appointed pursuant to section 1503.09, or a wildlife officer designated pursuant to section 1531.13 of the Revised Code;	59 60 61 62 63 64 65
(7) An employee of a park district who is designated pursuant to section 511.232 or 1545.13 of the Revised Code;	66 67
(8) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;	68 69
(9) A police officer who is employed by a hospital that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code;	70 71 72 73 74
(10) Veterans' homes police officers designated under section 5907.02 of the Revised Code;	75 76

(11) A police officer who is employed by a qualified 77
nonprofit corporation police department pursuant to section 78
1702.80 of the Revised Code; 79

(12) A state university law enforcement officer appointed 80
under section 3345.04 of the Revised Code or a person serving as 81
a state university law enforcement officer on a permanent basis 82
on June 19, 1978, who either has been awarded a certificate by 83
the executive director of the Ohio peace officer training 84
commission attesting to the person's satisfactory completion of 85
an approved state, county, municipal, or department of natural 86
resources peace officer basic training program or is a 87
qualifying military veteran eligible for the position under 88
authority of division (H) (3) (a) of section 109.77 of the Revised 89
Code; 90

(13) A special police officer employed by the department 91
of mental health and addiction services pursuant to section 92
5119.08 of the Revised Code or the department of developmental 93
disabilities pursuant to section 5123.13 of the Revised Code; 94

(14) A member of a campus police department appointed 95
under section 1713.50 of the Revised Code; 96

(15) A member of a police force employed by a regional 97
transit authority under division (Y) of section 306.35 of the 98
Revised Code; 99

(16) Investigators appointed by the auditor of state 100
pursuant to section 117.091 of the Revised Code and engaged in 101
the enforcement of Chapter 117. of the Revised Code; 102

(17) A special police officer designated by the 103
superintendent of the state highway patrol pursuant to section 104
5503.09 of the Revised Code or a person who was serving as a 105

special police officer pursuant to that section on a permanent 106
basis on October 21, 1997, and who either has been awarded a 107
certificate by the executive director of the Ohio peace officer 108
training commission attesting to the person's satisfactory 109
completion of an approved state, county, municipal, or 110
department of natural resources peace officer basic training 111
program or is a qualifying military veteran eligible for the 112
position under authority of division (H) (3) (a) of section 109.77 113
of the Revised Code; 114

(18) A special police officer employed by a port authority 115
under section 4582.04 or 4582.28 of the Revised Code or a person 116
serving as a special police officer employed by a port authority 117
on a permanent basis on May 17, 2000, who either has been 118
awarded a certificate by the executive director of the Ohio 119
peace officer training commission attesting to the person's 120
satisfactory completion of an approved state, county, municipal, 121
or department of natural resources peace officer basic training 122
program or is a qualifying military veteran eligible for the 123
position under authority of division (H) (3) (a) of section 109.77 124
of the Revised Code; 125

(19) A special police officer employed by a municipal 126
corporation who either has been awarded a certificate by the 127
executive director of the Ohio peace officer training commission 128
for satisfactory completion of an approved peace officer basic 129
training program or is a qualifying military veteran eligible 130
for the position under authority of division (H) (3) (a) of 131
section 109.77 of the Revised Code and who is employed on a 132
permanent basis on or after March 19, 2003, at a municipal 133
airport, or other municipal air navigation facility, that has 134
scheduled operations, as defined in section 119.3 of Title 14 of 135
the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, 136

and that is required to be under a security program and is 137
governed by aviation security rules of the transportation 138
security administration of the United States department of 139
transportation as provided in Parts 1542. and 1544. of Title 49 140
of the Code of Federal Regulations, as amended; 141

(20) A police officer who is employed by an owner or 142
operator of an amusement park that has an average yearly 143
attendance in excess of six hundred thousand guests and that 144
employs and maintains its own proprietary police department or 145
security department, and who is appointed and commissioned by a 146
judge of the appropriate municipal court or county court 147
pursuant to section 4973.17 of the Revised Code; 148

(21) A police officer who is employed by a bank, savings 149
and loan association, savings bank, credit union, or association 150
of banks, savings and loan associations, savings banks, or 151
credit unions, who has been appointed and commissioned by the 152
secretary of state pursuant to sections 4973.17 to 4973.22 of 153
the Revised Code, and who either has been awarded a certificate 154
by the executive director of the Ohio peace officer training 155
commission attesting to the person's satisfactory completion of 156
a state, county, municipal, or department of natural resources 157
peace officer basic training program or is a qualifying military 158
veteran eligible for the position under authority of division 159
(H) (3) (a) of section 109.77 of the Revised Code; 160

(22) An investigator, as defined in section 109.541 of the 161
Revised Code, of the bureau of criminal identification and 162
investigation who is commissioned by the superintendent of the 163
bureau as a special agent for the purpose of assisting law 164
enforcement officers or providing emergency assistance to peace 165
officers pursuant to authority granted under that section; 166

(23) A state fire marshal law enforcement officer 167
appointed under section 3737.22 of the Revised Code or a person 168
serving as a state fire marshal law enforcement officer on a 169
permanent basis on or after July 1, 1982, who either has been 170
awarded a certificate by the executive director of the Ohio 171
peace officer training commission attesting to the person's 172
satisfactory completion of an approved state, county, municipal, 173
or department of natural resources peace officer basic training 174
program or is a qualifying military veteran eligible for the 175
position under authority of division (H) (3) (a) of section 109.77 176
of the Revised Code; 177

(24) A gaming agent employed under section 3772.03 of the 178
Revised Code; 179

(25) An employee of the state board of pharmacy designated 180
by the executive director of the board pursuant to section 181
4729.04 of the Revised Code to investigate violations of 182
Chapters 2925., 3715., 3719., 3796., 4729., and 4752. of the 183
Revised Code and rules adopted thereunder. 184

(B) "Undercover drug agent" has the same meaning as in 185
division (B) (2) of section 109.79 of the Revised Code. 186

(C) "Crisis intervention training" means training in the 187
use of interpersonal and communication skills to most 188
effectively and sensitively interview victims of rape. 189

(D) "Missing children" has the same meaning as in section 190
2901.30 of the Revised Code. 191

(E) "Tactical medical professional" means an EMT, EMT- 192
basic, AEMT, EMT-I, paramedic, nurse, or physician who is 193
trained and certified in a nationally recognized tactical 194
medical training program that is equivalent to "tactical combat 195

casualty care" (TCCC) and "tactical emergency medical support"	196
(TEMS) and who functions in the tactical or austere environment	197
while attached to a law enforcement agency of either this state	198
or a political subdivision of this state.	199
(F) "EMT-basic," "EMT-I," and "paramedic" have the same	200
meanings as in section 4765.01 of the Revised Code and "EMT" and	201
"AEMT" have the same meanings as in section 4765.011 of the	202
Revised Code.	203
(G) "Nurse" means any of the following:	204
(1) Any person who is licensed to practice nursing as a	205
registered nurse by the board of nursing;	206
(2) Any certified nurse practitioner, clinical nurse	207
specialist, certified registered nurse anesthetist, or certified	208
nurse-midwife who holds a certificate of authority issued by the	209
board of nursing under Chapter 4723. of the Revised Code;	210
(3) Any person who is licensed to practice nursing as a	211
licensed practical nurse by the board of nursing pursuant to	212
Chapter 4723. of the Revised Code.	213
(H) "Physician" means a person who is licensed pursuant to	214
Chapter 4731. of the Revised Code to practice medicine and	215
surgery or osteopathic medicine and surgery.	216
<u>(I) "Military service designation" means a person's</u>	217
<u>military occupation specialty (MOS), navy enlisted</u>	218
<u>classification (NEC), or air force specialty code (AFSC) that</u>	219
<u>applied while the person served in the armed forces of the</u>	220
<u>United States.</u>	221
<u>(J) "Qualifying military veteran" means a person to whom</u>	222
<u>each of the following applies:</u>	223

(1) The person served in the armed forces of the United States and has a report of separation from active military service, form DD-214 or DD-215, or an equivalent document. 224
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(2) The person's discharge from the armed forces was an honorable discharge. 227
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(3) The person's military service designation indicates that the person's service was in special operations. 229
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Sec. 109.741. The attorney general shall adopt, in 231
accordance with Chapter 119. or pursuant to section 109.74 of 232
the Revised Code, rules governing the training of peace officers 233
in the handling of missing children, missing persons, and child 234
abuse and neglect cases. The rules shall specify the amount of 235
that training necessary for the satisfactory completion of basic 236
training programs at approved peace officer training schools, 237
other than the Ohio peace officer training academy and the time 238
within which a peace officer is required to receive that 239
training, if the peace officer is appointed as a peace officer 240
before receiving that training. This section does not apply with 241
respect to any peace officer who is a qualifying military 242
veteran eligible for the position under authority of division 243
(H) (3) of section 109.77 of the Revised Code. 244

Sec. 109.744. The attorney general shall adopt, in 245
accordance with Chapter 119. of the Revised Code or pursuant to 246
section 109.74 of the Revised Code, rules governing the training 247
of peace officers in the handling of the offense of domestic 248
violence, other types of domestic violence-related offenses and 249
incidents, and protection orders and consent agreements issued 250
or approved under section 2919.26 or 3113.31 of the Revised 251
Code. This section does not apply with respect to any peace 252
officer who is a qualifying military veteran eligible for the 253

position under authority of division (H) (3) of section 109.77 of 254
the Revised Code. The provisions of the rules shall include, but 255
shall not be limited to, all of the following: 256

(A) A specified amount of training that is necessary for 257
the satisfactory completion of basic training programs at 258
approved peace officer training schools, other than the Ohio 259
peace officer training academy; 260

(B) A requirement that the training include, but not be 261
limited to, training in all of the following: 262

(1) All recent amendments to domestic violence-related 263
laws; 264

(2) Notifying a victim of domestic violence of the 265
victim's rights; 266

(3) Processing protection orders and consent agreements 267
issued or approved under section 2919.26 or 3113.31 of the 268
Revised Code. 269

Sec. 109.747. As used in this section, "companion animal" 270
has the same meaning as in section 959.131 of the Revised Code. 271

The attorney general shall adopt, in accordance with 272
Chapter 119. of the Revised Code or pursuant to section 109.74 273
of the Revised Code, rules governing the training of peace 274
officers on companion animal encounters and companion animal 275
behavior. This section does not apply with respect to any peace 276
officer who is a qualifying military veteran eligible for the 277
position under authority of division (H) (3) of section 109.77 of 278
the Revised Code. The provisions of the rules shall include all 279
of the following: 280

(A) A specified amount of training that is necessary for 281

satisfactory completion of basic training programs at approved 282
peace officer training schools, other than the Ohio peace 283
officer training academy; 284

(B) The time within which a peace officer is required to 285
receive that training, if the peace officer is appointed as a 286
peace officer before receiving that training; 287

(C) A requirement that the training include training in 288
all of the following: 289

(1) Handling companion animal-related calls or unplanned 290
encounters with companion animals, with an emphasis on canine- 291
related incidents and the use of nonlethal methods and tools in 292
handling an encounter with a canine; 293

(2) Identifying and understanding companion animal 294
behavior; 295

(3) State laws and municipal ordinances related to 296
companion animals; 297

(4) Avoiding a companion animal attack; 298

(5) Using nonlethal methods to defend against a companion 299
animal attack. 300

~~(D) As used in this section, "companion animal" has the 301
same meaning as in section 959.131 of the Revised Code. 302~~

Sec. 109.77. (A) As used in this section: 303

(1) "Felony" has the same meaning as in section 109.511 of 304
the Revised Code. 305

(2) "Companion animal" has the same meaning as in section 306
959.131 of the Revised Code. 307

(3) "Appointing authority" means any agency or entity that 308

appoints a person to any position specified in division (B) or 309
(C) of this section. 310

(4) "Specific appointment-governing statute" means a 311
Revised Code section other than this section that provides for 312
the appointment or employment of a specific category of peace 313
officer covered by division (B) or (C) of this section, 314
including sections 109.571, 306.352, 311.04, 505.49, 509.01, 315
511.232, 737.052, 737.162, 1501.013, 1501.25, 1531.132, 1545.13, 316
1702.80, 1713.50, 3345.04, 3735.311, 3772.03, 4582.04, 4582.28, 317
4973.171, 5119.08, 5123.13, 5502.14, 5743.45, 5907.021, and 318
6101.75 of the Revised Code. 319

(B) (1) Notwithstanding any general, special, or local law 320
or charter to the contrary, and except as otherwise provided in 321
this section, no person shall receive an original appointment on 322
a permanent basis as any of the following unless either the 323
person previously has been awarded a certificate by the 324
executive director of the Ohio peace officer training commission 325
attesting to the person's satisfactory completion of an approved 326
state, county, municipal, or department of natural resources 327
peace officer basic training program or the person qualifies for 328
such an appointment under an exception provided in division (H) 329
of this section: 330

(a) A peace officer of any county, township, municipal 331
corporation, regional transit authority, or metropolitan housing 332
authority; 333

(b) A natural resources law enforcement staff officer, 334
forest-fire investigator, wildlife officer, or natural resources 335
officer of the department of natural resources; 336

(c) An employee of a park district under section 511.232 337

or 1545.13 of the Revised Code;	338
(d) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;	339 340
(e) A state university law enforcement officer;	341
(f) A special police officer employed by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or the department of developmental disabilities pursuant to section 5123.13 of the Revised Code;	342 343 344 345
(g) An enforcement agent of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;	346 347 348
(h) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code;	349 350
(i) A special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended;	351 352 353 354 355 356 357 358 359 360
(j) A gaming agent employed under section 3772.03 of the Revised Code.	361 362
(2) Every person who is appointed on a temporary basis or for a probationary term or on other than a permanent basis as any of the following shall forfeit the appointed position unless	363 364 365

either the person previously has completed satisfactorily or, 366
within the time prescribed by rules adopted by the attorney 367
general pursuant to section 109.74 of the Revised Code, 368
satisfactorily completes a state, county, municipal, or 369
department of natural resources peace officer basic training 370
program for temporary or probationary officers and is awarded a 371
certificate by the director attesting to the satisfactory 372
completion of the program or the person qualifies for such an 373
appointment under an exception provided in division (H) of this 374
section: 375

(a) A peace officer of any county, township, municipal 376
corporation, regional transit authority, or metropolitan housing 377
authority; 378

(b) A natural resources law enforcement staff officer, 379
park officer, forest officer, preserve officer, wildlife 380
officer, or state watercraft officer of the department of 381
natural resources; 382

(c) An employee of a park district under section 511.232 383
or 1545.13 of the Revised Code; 384

(d) An employee of a conservancy district who is 385
designated pursuant to section 6101.75 of the Revised Code; 386

(e) A special police officer employed by the department of 387
mental health and addiction services pursuant to section 5119.08 388
of the Revised Code or the department of developmental 389
disabilities pursuant to section 5123.13 of the Revised Code; 390

(f) An enforcement agent of the department of public 391
safety whom the director of public safety designates under 392
section 5502.14 of the Revised Code; 393

(g) A special police officer employed by a port authority 394

under section 4582.04 or 4582.28 of the Revised Code; 395

(h) A special police officer employed by a municipal 396
corporation at a municipal airport, or other municipal air 397
navigation facility, that has scheduled operations, as defined 398
in section 119.3 of Title 14 of the Code of Federal Regulations, 399
14 C.F.R. 119.3, as amended, and that is required to be under a 400
security program and is governed by aviation security rules of 401
the transportation security administration of the United States 402
department of transportation as provided in Parts 1542. and 403
1544. of Title 49 of the Code of Federal Regulations, as 404
amended. 405

(3) For purposes of division (B) of this section, a state, 406
county, municipal, or department of natural resources peace 407
officer basic training program, regardless of whether the 408
program is to be completed by peace officers appointed on a 409
permanent or temporary, probationary, or other nonpermanent 410
basis, shall include training in the handling of the offense of 411
domestic violence, other types of domestic violence-related 412
offenses and incidents, protection orders and consent agreements 413
issued or approved under section 2919.26 or 3113.31 of the 414
Revised Code, crisis intervention training, and training on 415
companion animal encounters and companion animal behavior. The 416
requirement to complete training in the handling of the offense 417
of domestic violence, other types of domestic violence-related 418
offenses and incidents, and protection orders and consent 419
agreements issued or approved under section 2919.26 or 3113.31 420
of the Revised Code does not apply to any person serving as a 421
peace officer on March 27, 1979, and the requirement to complete 422
training in crisis intervention does not apply to any person 423
serving as a peace officer on April 4, 1985. None of those 424
requirements apply with respect to a person serving as a peace 425

officer who is a qualifying military veteran eligible for the 426
position under authority of division (H) (3) of this section. Any 427
person who is serving as a peace officer on April 4, 1985, who 428
terminates that employment after that date, and who subsequently 429
is hired as a peace officer by the same or another law 430
enforcement agency shall complete training in crisis 431
intervention as prescribed by rules adopted by the attorney 432
general pursuant to section 109.742 of the Revised Code. No 433
peace officer shall have employment as a peace officer 434
terminated and then be reinstated with intent to circumvent this 435
section. 436

(4) Division (B) of this section does not apply to any 437
person serving on a permanent basis on March 28, 1985, as a park 438
officer, forest officer, preserve officer, wildlife officer, or 439
state watercraft officer of the department of natural resources 440
or as an employee of a park district under section 511.232 or 441
1545.13 of the Revised Code, to any person serving on a 442
permanent basis on March 6, 1986, as an employee of a 443
conservancy district designated pursuant to section 6101.75 of 444
the Revised Code, to any person serving on a permanent basis on 445
January 10, 1991, as a preserve officer of the department of 446
natural resources, to any person employed on a permanent basis 447
on July 2, 1992, as a special police officer by the department 448
of mental health and addiction services pursuant to section 449
5119.08 of the Revised Code or by the department of 450
developmental disabilities pursuant to section 5123.13 of the 451
Revised Code, to any person serving on a permanent basis on May 452
17, 2000, as a special police officer employed by a port 453
authority under section 4582.04 or 4582.28 of the Revised Code, 454
to any person serving on a permanent basis on March 19, 2003, as 455
a special police officer employed by a municipal corporation at 456

a municipal airport or other municipal air navigation facility 457
described in division (A) (19) of section 109.71 of the Revised 458
Code, to any person serving on a permanent basis on June 19, 459
1978, as a state university law enforcement officer pursuant to 460
section 3345.04 of the Revised Code and who, immediately prior 461
to June 19, 1978, was serving as a special police officer 462
designated under authority of that section, or to any person 463
serving on a permanent basis on September 20, 1984, as a liquor 464
control investigator, known after June 30, 1999, as an 465
enforcement agent of the department of public safety, engaged in 466
the enforcement of Chapters 4301. and 4303. of the Revised Code. 467

(5) Division (B) of this section does not apply to any 468
person who is appointed as a regional transit authority police 469
officer pursuant to division (Y) of section 306.35 of the 470
Revised Code if, on or before July 1, 1996, the person has 471
completed satisfactorily an approved state, county, municipal, 472
or department of natural resources peace officer basic training 473
program and has been awarded a certificate by the executive 474
director of the Ohio peace officer training commission attesting 475
to the person's satisfactory completion of such an approved 476
program and if, on July 1, 1996, the person is performing peace 477
officer functions for a regional transit authority. 478

(C) No person, after September 20, 1984, shall receive an 479
original appointment on a permanent basis as a veterans' home 480
police officer designated under section 5907.02 of the Revised 481
Code unless either the person previously has been awarded a 482
certificate by the executive director of the Ohio peace officer 483
training commission attesting to the person's satisfactory 484
completion of an approved police officer basic training program 485
or the person qualifies for such an appointment under an 486
exception provided in division (H) of this section. Every person 487

who is appointed on a temporary basis or for a probationary term 488
or on other than a permanent basis as a veterans' home police 489
officer designated under section 5907.02 of the Revised Code 490
shall forfeit that position unless either the person previously 491
has completed satisfactorily or, within one year from the time 492
of appointment, satisfactorily completes an approved police 493
officer basic training program or the person qualifies for such 494
an appointment under an exception provided in division (H) of 495
this section. 496

(D) No bailiff or deputy bailiff of a court of record of 497
this state and no criminal investigator who is employed by the 498
state public defender shall carry a firearm, as defined in 499
section 2923.11 of the Revised Code, while on duty unless the 500
bailiff, deputy bailiff, or criminal investigator has done or 501
received one of the following: 502

(1) Has been awarded a certificate by the executive 503
director of the Ohio peace officer training commission, which 504
certificate attests to satisfactory completion of an approved 505
state, county, or municipal basic training program for bailiffs 506
and deputy bailiffs of courts of record and for criminal 507
investigators employed by the state public defender that has 508
been recommended by the Ohio peace officer training commission; 509

(2) Has successfully completed a firearms training program 510
approved by the Ohio peace officer training commission prior to 511
employment as a bailiff, deputy bailiff, or criminal 512
investigator; 513

(3) Prior to June 6, 1986, was authorized to carry a 514
firearm by the court that employed the bailiff or deputy bailiff 515
or, in the case of a criminal investigator, by the state public 516
defender and has received training in the use of firearms that 517

the Ohio peace officer training commission determines is 518
equivalent to the training that otherwise is required by 519
division (D) of this section. 520

(E) (1) Before a person seeking a certificate completes an 521
approved peace officer basic training program, the executive 522
director of the Ohio peace officer training commission shall 523
request the person to disclose, and the person shall disclose, 524
any previous criminal conviction of or plea of guilty of that 525
person to a felony. Before a qualifying military veteran seeking 526
employment as a peace officer under authority of division (H) (3) 527
of this section is hired or commences service in that capacity, 528
the appointing authority shall ask the person to disclose, and 529
the person shall disclose any previous criminal conviction of or 530
plea of guilty of that person to a felony. 531

(2) Before a person seeking a certificate completes an 532
approved peace officer basic training program, the executive 533
director shall request a criminal history records check on the 534
person. Before a qualifying military veteran seeking employment 535
as a peace officer under authority of division (H) (3) of this 536
section is hired or commences service in that capacity, the 537
appointing authority shall request a criminal records check on 538
the person. The executive director or appointing authority shall 539
submit the person's fingerprints to the bureau of criminal 540
identification and investigation, which shall submit the 541
fingerprints to the federal bureau of investigation for a 542
national criminal history records check. 543

Upon receipt of the executive director's or appointing 544
authority's request, the bureau of criminal identification and 545
investigation and the federal bureau of investigation shall 546
conduct a criminal history records check on the person and, upon 547

completion of the check, shall provide a copy of the criminal 548
history records check to the executive director or appointing 549
authority. The executive director shall not award any 550
certificate prescribed in this section unless the executive 551
director has received a copy of the criminal history records 552
check on the person to whom the certificate is to be awarded, 553
and the appointing authority with respect to a qualifying 554
military veteran seeking employment as a peace officer under 555
authority of division (H) (3) of this section shall not hire or 556
appoint the person to the position unless the executive director 557
has received a copy of the criminal history records check on the 558
person. 559

(3) The executive director of the commission shall not 560
award a certificate prescribed in this section to a person who 561
has been convicted of or has pleaded guilty to a felony or who 562
fails to disclose any previous criminal conviction of or plea of 563
guilty to a felony as required under division (E) (1) of this 564
section. The appointing authority with respect to a qualifying 565
military veteran seeking employment as a peace officer under 566
authority of division (H) (3) of this section shall not hire or 567
appoint the person to the position if the person has been 568
convicted of or has pleaded guilty to a felony or fails to 569
disclose any previous criminal conviction of or plea of guilty 570
to a felony as required under division (E) (1) of this section. 571

(4) The executive director of the commission shall revoke 572
the certificate awarded to a person as prescribed in this 573
section, and that person shall forfeit all of the benefits 574
derived from being certified as a peace officer under this 575
section, if the person, before completion of an approved peace 576
officer basic training program, failed to disclose any previous 577
criminal conviction of or plea of guilty to a felony as required 578

under division (E) (1) of this section. 579

(F) (1) Regardless of whether the person has been awarded 580
the certificate or has been classified as a peace officer prior 581
to, on, or after October 16, 1996, the executive director of the 582
Ohio peace officer training commission shall revoke any 583
certificate that has been awarded to a person as prescribed in 584
this section if division (F) (1) (a) or (b) of this section 585
applies. If a qualifying military veteran has been employed or 586
appointed as a peace officer under authority of division (H) (3) 587
of this section, the appointing authority shall terminate the 588
person's employment in that capacity if division (F) (1) (a) or 589
(b) of this section applies. The executive director shall revoke 590
a person's certificate and an appointing authority shall 591
terminate a qualifying military veteran's employment as 592
specified in this division if the person does either of the 593
following: 594

(a) Pleads guilty to a felony committed on or after 595
January 1, 1997; 596

(b) Pleads guilty to a misdemeanor committed on or after 597
January 1, 1997, pursuant to a negotiated plea agreement as 598
provided in division (D) of section 2929.43 of the Revised Code 599
in which the person agrees to surrender the certificate awarded 600
to the person under this section or be terminated from the 601
employment. 602

(2) The executive director of the commission shall suspend 603
any certificate that has been awarded to a person as prescribed 604
in this section if the person is convicted, after trial, of a 605
felony committed on or after January 1, 1997. The appointing 606
authority with respect to a qualifying military veteran employed 607
or appointed as a peace officer under authority of division (H) 608

(3) of this section shall suspend the person's employment if the 609
person is convicted, after trial, of a felony committed on or 610
after January 1, 1997. The executive director shall suspend the 611
certificate pursuant to division (F)(2) of this section 612
suspension shall be in effect pending the outcome of an appeal 613
by the person from that conviction to the highest court to which 614
the appeal is taken or until the expiration of the period in 615
which an appeal is required to be filed. If the person files an 616
appeal that results in that person's acquittal of the felony or 617
conviction of a misdemeanor, or in the dismissal of the felony 618
charge against that person, the executive director shall 619
reinstate the certificate awarded to the person under this 620
section or the appointing authority shall end the person's 621
suspension from employment, whichever is applicable. 622
If the person files an appeal from that person's conviction of the 623
felony and the conviction is upheld by the highest court to 624
which the appeal is taken or if the person does not file a 625
timely appeal, the executive director shall revoke the 626
certificate awarded to the person under this section or the 627
appointing authority shall terminate the person's employment, 628
whichever is applicable. 629

(3) If a person to whom division (F)(1) or (2) of this 630
section applies is a qualifying military veteran employed or 631
appointed as a peace officer under authority of division (H)(3) 632
of this section, if the peace officer position is a position 633
covered by any specific appointment-governing statute, and if 634
the specific appointment-governing statute includes any 635
provisions that address a termination or suspension for 636
specified conduct or events, the termination or suspension 637
described in division (F)(1) or (2) of this section shall be 638
accomplished in accordance with the division of the specific 639

appointment-governing statute that addresses such a termination 640
or suspension. 641

(G) (1) If a person is awarded a certificate under this 642
section and the certificate is revoked pursuant to division (E) 643
(4) or (F) of this section, the person shall not be eligible to 644
receive, at any time, a certificate attesting to the person's 645
satisfactory completion of a peace officer basic training 646
program. If a qualifying military veteran is employed or 647
appointed as a peace officer under authority of division (H) (3) 648
of this section and the person's employment is terminated 649
pursuant to division (F) of this section, the person shall be 650
disqualified from future employment, at any time in the future, 651
as a peace officer and from being issued, at any time in the 652
future, a certificate attesting to the person's satisfactory 653
completion of a peace officer basic training program. 654

(2) The revocation or suspension of a certificate, or the 655
suspension or termination of a qualifying military veteran's 656
employment, under division (E) (4) or (F) of this section shall 657
be in accordance with Chapter 119. of the Revised Code. 658

(H) (1) A person who was employed as a peace officer of a 659
county, township, or municipal corporation of the state on 660
January 1, 1966, and who has completed at least sixteen years of 661
full-time active service as such a peace officer, or equivalent 662
service as determined by the executive director of the Ohio 663
peace officer training commission, may receive an original 664
appointment on a permanent basis and serve as a peace officer of 665
a county, township, or municipal corporation, or as a state 666
university law enforcement officer, without complying with the 667
requirements of division (B) of this section. 668

(2) Any person who held an appointment as a state highway 669

trooper on January 1, 1966, may receive an original appointment 670
on a permanent basis and serve as a peace officer of a county, 671
township, or municipal corporation, or as a state university law 672
enforcement officer, without complying with the requirements of 673
division (B) of this section. 674

(3) (a) Any qualifying military veteran may receive an 675
original appointment under division (B) or (C) of this section 676
to any position specified in the particular division without 677
having to receive the certificate and training described in the 678
particular division or described in a specific appointment 679
governing statute that applies with respect to the position, in 680
the circumstances described in this division. Any qualifying 681
military veteran may continue serving in a position described in 682
division (B) or (C) of this section after having been appointed 683
on a temporary basis or for a probationary term or on other than 684
a permanent basis to any such position without having to receive 685
the certificate and training described in the particular 686
division or described in a specific appointment-governing 687
statute that applies with respect to the position, in the 688
circumstances specified in this division. 689

In order for a qualifying military veteran to serve in a 690
position under authority of this division without having to 691
receive the described certificate and training, the person must 692
provide to the agency or entity that the person will serve in 693
the position evidence that the person is a qualifying military 694
veteran, including evidence that the person satisfies all of the 695
criteria specified in divisions (J) (1), (2), and (3) of section 696
109.71 of the Revised Code. 697

(b) If a qualifying military veteran is appointed to or 698
serving in any position specified in division (B) or (C) of this 699

section under authority of division (H) (3) (a) of this section, 700
both of the following apply: 701

(i) For purposes of any section of the Revised Code that 702
refers to a certificate awarded by the executive director of the 703
Ohio peace officer training commission attesting to the person's 704
satisfactory completion of an approved state, county, municipal, 705
or department of natural resources peace officer basic training 706
program, the qualifying military veteran shall be considered to 707
have been issued such a certificate, except to the extent that 708
by its context the reference clearly is not intended to include 709
a qualifying military veteran appointed to or serving in such a 710
position. 711

(ii) All continuing training requirements and firearms 712
requalification requirements, and all restrictions on continued 713
service of persons serving in such a position, including the 714
restrictions from and disqualification for such service that are 715
specified in divisions (E) to (G) of this section and in section 716
2929.43 of the Revised Code, apply to the qualifying military 717
veteran. 718

(I) ~~No~~ Except as otherwise provided in this division, no 719
person who is appointed as a peace officer of a county, 720
township, or municipal corporation on or after April 9, 1985, 721
shall serve as a peace officer of that county, township, or 722
municipal corporation unless the person has received training in 723
the handling of missing children and child abuse and neglect 724
cases from an approved state, county, township, or municipal 725
police officer basic training program or receives the training 726
within the time prescribed by rules adopted by the attorney 727
general pursuant to section 109.741 of the Revised Code. This 728
division does not apply with respect to any peace officer who is 729

a qualifying military veteran eligible for the position under 730
authority of division (H) (3) of this section. 731

(J) No part of any approved state, county, or municipal 732
basic training program for bailiffs and deputy bailiffs of 733
courts of record and no part of any approved state, county, or 734
municipal basic training program for criminal investigators 735
employed by the state public defender shall be used as credit 736
toward the completion by a peace officer of any part of the 737
approved state, county, or municipal peace officer basic 738
training program that the peace officer is required by this 739
section to complete satisfactorily. 740

(K) This section does not apply to any member of the 741
police department of a municipal corporation in an adjoining 742
state serving in this state under a contract pursuant to section 743
737.04 of the Revised Code. 744

Sec. 109.80. (A) (1) The Ohio peace officer training 745
commission shall develop and conduct a basic training course 746
lasting at least three weeks for appointed and newly elected 747
sheriffs appointed or elected on or after January 1, 1988, other 748
than those described in division (A) (2) of this section, and 749
shall establish criteria for what constitutes successful 750
completion of the course by such sheriffs, other than those 751
described in division (A) (2) of this section. The basic training 752
course shall include instruction in contemporary law 753
enforcement, criminal investigations, the judicial process, 754
civil rules, corrections, and other topics relevant to the 755
duties and operations of the office of sheriff. The commission 756
shall offer the course every four years within six months after 757
the general election of sheriffs in each county and at other 758
times when it is needed to permit sheriffs to attend within six 759

months after appointment or election. The course shall be 760
conducted by the Ohio peace officer training academy. The 761
~~council~~commission shall provide that not less than two weeks of 762
the course conducted within six months after the general 763
election of sheriffs in each county shall be conducted prior to 764
the first Monday in January next after that general election. 765

(2) The basic training provisions described in division 766
(A) (1) of this section do not apply with respect to any 767
appointed or newly elected sheriff who is a qualifying military 768
veteran and who provides to the commission evidence that the 769
person is a qualifying military veteran, including evidence that 770
the person satisfies all of the criteria specified in divisions 771
(J) (1), (2), and (3) of section 109.71 of the Revised Code. 772

(3) If a qualifying military veteran is appointed to or 773
serving as a sheriff under authority of division (A) (2) of this 774
section, all continuing training requirements and firearms 775
requalification requirements, and all restrictions on continued 776
service of persons serving as a sheriff, including the 777
restrictions from and disqualification for such service that are 778
specified in section 2929.43 of the Revised Code, apply to the 779
qualifying military veteran. 780

(B) The attorney general shall appoint a continuing 781
education committee, consisting of not fewer than five nor more 782
than seven members, including but not limited to, members of the 783
Ohio peace officer training commission and sheriffs. The 784
commission and the committee jointly shall determine the type of 785
continuing education required for sheriffs to complete the 786
requirements of division (E) of section 311.01 of the Revised 787
Code and shall establish criteria for what constitutes 788
successful completion of the requirement. The committee shall 789

approve the courses that sheriffs may attend to complete the 790
continuing education requirement and shall publish an approved 791
list of those courses. The commission shall maintain a list of 792
approved training schools that sheriffs may attend to complete 793
the continuing education requirement. Upon request, the 794
committee may approve courses other than those courses conducted 795
as part of a certified law enforcement manager program. 796

(C) Upon presentation of evidence by a sheriff that 797
because of medical disability or for other good cause ~~that~~ the 798
sheriff is unable to complete the basic or continuing education 799
requirement, the commission may waive the requirement until the 800
disability or cause terminates. 801

(D) As used in this section, "newly elected sheriff" means 802
a person who did not hold the office of sheriff of a county on 803
the date the person was elected sheriff of that county. 804

Sec. 109.801. (A) (1) Each year, any of the following 805
persons who are authorized to carry firearms in the course of 806
their official duties shall complete successfully a firearms 807
requalification program approved by the executive director of 808
the Ohio peace officer training commission in accordance with 809
rules adopted by the attorney general pursuant to section 810
109.743 of the Revised Code: any peace officer, sheriff, chief 811
of police of an organized police department of a municipal 812
corporation or township, chief of police of a township police 813
district or joint police district police force, superintendent 814
of the state highway patrol, state highway patrol trooper, or 815
chief of police of a university or college police department; 816
any parole or probation officer who carries a firearm in the 817
course of official duties; any corrections officer of a 818
multicounty correctional center, or of a municipal-county or 819

multicounty-municipal correctional center, established under 820
section 307.93 of the Revised Code who carries a firearm in the 821
course of official duties; the house of representatives sergeant 822
at arms if the house of representatives sergeant at arms has 823
arrest authority pursuant to division (E)(1) of section 101.311 824
of the Revised Code; any assistant house of representatives 825
sergeant at arms; the senate sergeant at arms; any assistant 826
senate sergeant at arms; any tactical medical professional; or 827
any employee of the department of youth services who is 828
designated pursuant to division (A)(2) of section 5139.53 of the 829
Revised Code as being authorized to carry a firearm while on 830
duty as described in that division. 831

(2) No person listed in division (A)(1) of this section 832
shall carry a firearm during the course of official duties if 833
the person does not comply with division (A)(1) of this section. 834

(B) The hours that a sheriff spends attending a firearms 835
requalification program required by division (A) of this section 836
are in addition to the sixteen hours of continuing education 837
that are required by division (E) of section 311.01 of the 838
Revised Code. 839

(C) Divisions (A) and (B) of this section apply with 840
respect to all persons listed in division (A)(1) of this 841
section, including those who are a qualifying military veteran 842
appointed to or serving in the specified position under 843
authority of division (H)(3) of section 109.77, division (A)(2) 844
of section 109.80, division (E) of section 109.804, or division 845
(B) of either section 5503.01 or 5503.05 of the Revised Code. 846

(D) As used in this section, "firearm" has the same 847
meaning as in section 2923.11 of the Revised Code. 848

Sec. 109.803. (A) (1) Subject to divisions (A) (2) and (B) 849
of this section, every appointing authority shall require each 850
of its appointed peace officers and troopers to complete up to 851
twenty-four hours of continuing professional training each 852
calendar year, as directed by the Ohio peace officer training 853
commission. The number of hours directed by the commission, up 854
to twenty-four hours, is intended to be a minimum requirement, 855
and appointing authorities are encouraged to exceed the number 856
of hours the commission directs as the minimum. The commission 857
shall set the required minimum number of hours based upon 858
available funding for reimbursement as described in this 859
division. If no funding for the reimbursement is available, no 860
continuing professional training will be required. 861

(2) An appointing authority may submit a written request 862
to the peace officer training commission that requests for a 863
calendar year because of emergency circumstances an extension of 864
the time within which one or more of its appointed peace 865
officers or troopers must complete the required minimum number 866
of hours of continuing professional training set by the 867
commission, as described in division (A) (1) of this section. A 868
request made under this division shall set forth the name of 869
each of the appointing authority's peace officers or troopers 870
for whom an extension is requested, identify the emergency 871
circumstances related to that peace officer or trooper, include 872
documentation of those emergency circumstances, and set forth 873
the date on which the request is submitted to the commission. A 874
request shall be made under this division not later than the 875
fifteenth day of December in the calendar year for which the 876
extension is requested. 877

Upon receipt of a written request made under this 878
division, the executive director of the commission shall review 879

the request and the submitted documentation. If the executive 880
director of the commission is satisfied that emergency 881
circumstances exist for any peace officer or trooper for whom a 882
request was made under this division, the executive director may 883
approve the request for that peace officer or trooper and grant 884
an extension of the time within which that peace officer or 885
trooper must complete the required minimum number of hours of 886
continuing professional training set by the commission. An 887
extension granted under this division may be for any period of 888
time the executive director believes to be appropriate, and the 889
executive director shall specify in the notice granting the 890
extension the date on which the extension ends. Not later than 891
thirty days after the date on which a request is submitted to 892
the commission, for each peace officer and trooper for whom an 893
extension is requested, the executive director either shall 894
approve the request and grant an extension or deny the request 895
and deny an extension and shall send to the appointing authority 896
that submitted the request written notice of the executive 897
director's decision. 898

If the executive director grants an extension of the time 899
within which a particular appointed peace officer or trooper of 900
an appointing authority must complete the required minimum 901
number of hours of continuing professional training set by the 902
commission, the appointing authority shall require that peace 903
officer or trooper to complete the required minimum number of 904
hours of training not later than the date on which the extension 905
ends. 906

(B) With the advice of the Ohio peace officer training 907
commission, the attorney general shall adopt in accordance with 908
Chapter 119. of the Revised Code rules setting forth minimum 909
standards for continuing professional training for peace 910

officers and troopers and governing the administration of 911
continuing professional training programs for peace officers and 912
troopers. The rules adopted by the attorney general under 913
division (B) of this section shall do all of the following: 914

(1) Allow peace officers and troopers to earn credit for 915
up to four hours of continuing professional training for time 916
spent while on duty providing drug use prevention education 917
training that utilizes evidence-based curricula to students in 918
school districts, community schools established under Chapter 919
3314., STEM schools established under Chapter 3326., and 920
college-preparatory boarding schools established under Chapter 921
3328. of the Revised Code. 922

(2) Allow a peace officer or trooper appointed by a law 923
enforcement agency to earn hours of continuing professional 924
training for other peace officers or troopers appointed by the 925
law enforcement agency by providing drug use prevention 926
education training under division (B)(1) of this section so that 927
hours earned by the peace officer or trooper providing the 928
training in excess of four hours may be applied to offset the 929
number of continuing professional training hours required of 930
another peace officer or trooper appointed by that law 931
enforcement agency. 932

(3) Prohibit the use of continuing professional training 933
hours earned under division (B)(1) or (2) of this section from 934
being used to offset any mandatory hands-on training 935
requirement. 936

(4) Require a peace officer to complete training on proper 937
interactions with civilians during traffic stops and other in- 938
person encounters, which training shall have an online offering 939
and shall include all of the following topics: 940

(a) A person's rights during an interaction with a peace officer, including all of the following:	941 942
(i) When a peace officer may require a person to exit a vehicle;	943 944
(ii) Constitutional protections from illegal search and seizure;	945 946
(iii) The rights of a passenger in a vehicle who has been pulled over for a traffic stop;	947 948
(iv) The right for a citizen to record an encounter with a peace officer.	949 950
(b) Proper actions for interacting with a civilian and methods for diffusing a stressful encounter with a civilian;	951 952
(c) Laws regarding questioning and detention by peace officers, including any law requiring a person to present proof of identity to a peace officer, and the consequences for a person's or officer's failure to comply with those laws;	953 954 955 956
(d) Any other requirements and procedures necessary for the proper implementation of this section.	957 958
(C) The attorney general shall transmit a certified copy of any rule adopted under this section to the secretary of state.	959 960 961
<u>(D) (1) Divisions (A) to (C) of this section apply with respect to all peace officers and troopers specified in division (A) (1) of this section, including those who are a qualifying military veteran appointed to or serving in the specified position under authority of division (H) (3) of section 109.77, division (E) of section 109.804, or division (B) of either section 5503.01 or 5503.05 of the Revised Code.</u>	962 963 964 965 966 967 968

(2) As used in division (D) (1) of this section, 969
"qualifying military veteran" has the same meaning as in section 970
109.71 of the Revised Code. 971

Sec. 109.804. (A) The Ohio peace officer training 972
commission shall develop and conduct a chief of police training 973
course lasting forty hours for newly appointed chiefs of police 974
appointed on or after January 1, 2018, other than those 975
described in division (E) of this section. The commission shall 976
determine the course topics, which shall include diversity 977
training with an emphasis on historical perspectives and 978
community-police relations, and shall establish criteria for 979
what constitutes successful completion of the course. The 980
commission shall conduct the course at the Ohio peace officer 981
training academy and shall offer the course at least 982
semiannually. 983

(B) A newly appointed chief of police, other than one 984
described in division (E) of this section, may request an 985
equivalency exemption from a portion of the forty hours of the 986
chief of police training course by submitting to the Ohio peace 987
officer training commission, not more than ten calendar days 988
following the person's appointment as a chief of police, 989
evidence of training or qualification in the subject area of the 990
exempted portion. 991

(C) Upon presentation of evidence by a newly appointed 992
chief of police, other than one described in division (E) of 993
this section, that because of a medical disability or other good 994
cause the newly appointed chief of police is unable to complete 995
the chief of police training course, the Ohio peace officer 996
training commission may defer the requirement for the newly 997
appointed chief of police to complete the chief of police 998

training course until the disability or cause terminates. 999

(D) A newly appointed chief of police appointed on or 1000
after January 1, 2018, other than one described in division (E) 1001
of this section, shall attend a chief of police training course 1002
conducted by the Ohio peace officer training commission pursuant 1003
to division (A) of this section not later than six months after 1004
the person's appointment as a chief of police. While attending 1005
the chief of police training course, a newly appointed chief of 1006
police shall receive compensation in the same manner and amounts 1007
as if carrying out the powers and duties of the office of chief 1008
of police. The costs of conducting the chief of police training 1009
course shall be paid from state funds appropriated to the 1010
attorney general. The cost of meals, lodging, and travel of a 1011
newly appointed chief of police attending the chief of police 1012
training course shall be paid from the budget of the entity for 1013
which the newly appointed chief of police was appointed. 1014

(E)(1) Divisions (A) to (D) of this section do not apply 1015
to a newly appointed chief of police who is a qualifying 1016
military veteran and who provides to the commission evidence 1017
that the person is a qualifying military veteran, including 1018
evidence that the person satisfies all of the criteria specified 1019
in divisions (J)(1), (2), and (3) of section 109.71 of the 1020
Revised Code. 1021

(2) If a qualifying military veteran is appointed to or 1022
serving as a newly appointed chief of police under authority of 1023
division (E)(1) of this section, all continuing training 1024
requirements and firearms requalification requirements, and all 1025
restrictions on continued service of persons serving as a chief 1026
of police, including the restrictions from and disqualification 1027
for such service as specified in divisions (E) to (G) of section 1028

109.77 or in section 2929.43 of the Revised Code, apply to the 1029
qualifying military veteran. 1030

(F) As used in this section: 1031

"Newly appointed chief of police" means a person appointed 1032
chief of police under section 505.49, 737.05, or 737.15 of the 1033
Revised Code or any administrative official that is responsible 1034
for the daily administration and supervision of peace officers 1035
in a law enforcement agency who did not hold the office of chief 1036
of police on the date the person was appointed chief of police. 1037

"Law enforcement agency" means a municipal or township 1038
police department, or any other entity authorized by statute to 1039
appoint peace officers to enforce criminal laws and who have the 1040
statutory power of arrest. "Law enforcement agency" does not 1041
include a county sheriff's office, the state highway patrol, or 1042
the bureau of criminal identification and investigation. 1043

"Qualifying military veteran" has the same meaning as in 1044
section 109.71 of the Revised Code. 1045

Sec. 311.01. (A) A sheriff shall be elected quadrennially 1046
in each county. A sheriff shall hold office for a term of four 1047
years, beginning on the first Monday of January next after the 1048
sheriff's election. 1049

(B) Except as otherwise provided in this section, no 1050
person is eligible to be a candidate for sheriff, and no person 1051
shall be elected or appointed to the office of sheriff, unless 1052
that person meets all of the following requirements: 1053

(1) The person is a citizen of the United States. 1054

(2) The person has been a resident of the county in which 1055
the person is a candidate for or is appointed to the office of 1056

sheriff for at least one year immediately prior to the 1057
qualification date. 1058

(3) The person has the qualifications of an elector as 1059
specified in section 3503.01 of the Revised Code and has 1060
complied with all applicable election laws. 1061

(4) The person has been awarded a high school diploma or a 1062
certificate of high school equivalence issued for achievement of 1063
specified minimum scores on a high school equivalency test 1064
approved by the department of education pursuant to division (B) 1065
of section 3301.80 of the Revised Code. 1066

(5) The person has not been convicted of or pleaded guilty 1067
to a felony or any offense involving moral turpitude under the 1068
laws of this or any other state or the United States, and has 1069
not been convicted of or pleaded guilty to an offense that is a 1070
misdemeanor of the first degree under the laws of this state or 1071
an offense under the laws of any other state or the United 1072
States that carries a penalty that is substantially equivalent 1073
to the penalty for a misdemeanor of the first degree under the 1074
laws of this state. 1075

(6) The person has been fingerprinted and has been the 1076
subject of a search of local, state, and national fingerprint 1077
files to disclose any criminal record. Such fingerprints shall 1078
be taken under the direction of the administrative judge of the 1079
court of common pleas who, prior to the applicable qualification 1080
date, shall notify the board of elections, board of county 1081
commissioners, or county central committee of the proper 1082
political party, as applicable, of the judge's findings. 1083

(7) The person has prepared a complete history of the 1084
person's places of residence for a period of six years 1085

immediately preceding the qualification date and a complete 1086
history of the person's places of employment for a period of six 1087
years immediately preceding the qualification date, indicating 1088
the name and address of each employer and the period of time 1089
employed by that employer. The residence and employment 1090
histories shall be filed with the administrative judge of the 1091
court of common pleas of the county, who shall forward them with 1092
the findings under division (B) (6) of this section to the 1093
appropriate board of elections, board of county commissioners, 1094
or county central committee of the proper political party prior 1095
to the applicable qualification date. 1096

(8) The person meets at least one of the following 1097
conditions: 1098

(a) Holds a current valid peace officer certificate of 1099
training issued by the Ohio peace officer training commission or 1100
has been issued a certificate of training pursuant to section 1101
5503.05 of the Revised Code; 1102

(b) Is a qualifying military veteran who provides evidence 1103
to the Ohio peace officer training commission of the type 1104
described in division (A) (2) of section 109.80 of the Revised 1105
Code; 1106

(c) Has been employed full-time by a law enforcement 1107
agency performing duties related to the enforcement of statutes, 1108
ordinances, or codes for a minimum of thirteen consecutive pay 1109
periods within the four-year period prior to the qualification 1110
date. As used in this division, "full-time" means a minimum of 1111
eighty hours of work in a fourteen-day period. 1112

(9) The person meets at least one of the following 1113
conditions: 1114

(a) Has at least two consecutive years of supervisory 1115
experience as a peace officer at the rank of sergeant or above; 1116

(b) Has completed a bachelor's degree in any field or has 1117
an associate degree in law enforcement or criminal justice from 1118
a college or university authorized to confer degrees by the Ohio 1119
board of regents or the comparable agency of another state in 1120
which the college or university is located. 1121

(C) Persons who meet the requirements of division (B) of 1122
this section, except the requirement of division (B) (2) of this 1123
section, may take all actions otherwise necessary to comply with 1124
division (B) of this section. If, on the applicable 1125
qualification date, no person has met all the requirements of 1126
division (B) of this section, then persons who have complied 1127
with and meet the requirements of division (B) of this section, 1128
except the requirement of division (B) (2) of this section, shall 1129
be considered qualified candidates under division (B) of this 1130
section. 1131

~~(D) Newly~~ (1) Subject to division (D) (2) of this section, 1132
newly elected sheriffs shall attend a basic training course 1133
conducted by the Ohio peace officer training commission pursuant 1134
to division (A) of section 109.80 of the Revised Code. A newly 1135
elected sheriff to whom this paragraph applies shall complete 1136
not less than two weeks of this course before the first Monday 1137
in January next after the sheriff's election. While attending 1138
the basic training course, a newly elected sheriff to whom this 1139
paragraph applies may, with the approval of the board of county 1140
commissioners, receive compensation, paid for from funds 1141
established by the sheriff's county for this purpose, in the 1142
same manner and amounts as if carrying out the powers and duties 1143
of the office of sheriff. 1144

~~Appointed~~ Subject to division (D) (2) of this section, 1145
appointed sheriffs shall attend the first basic training course 1146
conducted by the Ohio peace officer training commission pursuant 1147
to division (A) of section 109.80 of the Revised Code within six 1148
months following the date of appointment or election to the 1149
office of sheriff. While attending the basic training course, 1150
appointed sheriffs to whom this paragraph applies shall receive 1151
regular compensation in the same manner and amounts as if 1152
carrying out their regular powers and duties. 1153

Five days of instruction at the basic training course 1154
shall be considered equal to one week of work. The costs of 1155
conducting the basic training course and the costs of meals, 1156
lodging, and travel of appointed and newly elected sheriffs 1157
attending the course shall be paid from state funds appropriated 1158
to the commission for this purpose. 1159

(2) Division (D) (1) of this section does not apply with 1160
respect to any newly elected sheriff or appointed sheriff who is 1161
a qualifying military veteran and who provides evidence to the 1162
Ohio peace officer training commission of the type described in 1163
division (A) (2) of section 109.80 of the Revised Code. 1164

(E) In each calendar year, each sheriff, including each 1165
sheriff who is appointed to or serving as a sheriff under 1166
authority of division (A) (2) of section 109.80 of the Revised 1167
Code, shall attend and successfully complete at least sixteen 1168
hours of continuing education approved under division (B) of 1169
section 109.80 of the Revised Code. A sheriff who receives a 1170
waiver of the continuing education requirement from the 1171
commission under division (C) of section 109.80 of the Revised 1172
Code because of medical disability or for other good cause shall 1173
complete the requirement at the earliest time after the 1174

disability or cause terminates. 1175

(F) (1) Each person who is a candidate for election to or 1176
who is under consideration for appointment to the office of 1177
sheriff shall swear before the administrative judge of the court 1178
of common pleas as to the truth of any information the person 1179
provides to verify the person's qualifications for the office. A 1180
person who violates this requirement is guilty of falsification 1181
under section 2921.13 of the Revised Code. 1182

(2) Each board of elections shall certify whether or not a 1183
candidate for the office of sheriff who has filed a declaration 1184
of candidacy, a statement of candidacy, or a declaration of 1185
intent to be a write-in candidate meets the qualifications 1186
specified in divisions (B) and (C) of this section. 1187

(G) The office of a sheriff who is required to comply with 1188
division (D) or (E) of this section and who fails to 1189
successfully complete the courses pursuant to those divisions is 1190
hereby deemed to be vacant. 1191

(H) As used in this section: 1192

(1) "Qualification date" means the last day on which a 1193
candidate for the office of sheriff can file a declaration of 1194
candidacy, a statement of candidacy, or a declaration of intent 1195
to be a write-in candidate, as applicable, in the case of a 1196
primary election for the office of sheriff; the last day on 1197
which a person may be appointed to fill a vacancy in a party 1198
nomination for the office of sheriff under Chapter 3513. of the 1199
Revised Code, in the case of a vacancy in the office of sheriff; 1200
or a date thirty days after the day on which a vacancy in the 1201
office of sheriff occurs, in the case of an appointment to such 1202
a vacancy under section 305.02 of the Revised Code. 1203

(2) "Newly elected sheriff" means a person who did not 1204
hold the office of sheriff of a county on the date the person 1205
was elected sheriff of that county. 1206

(3) "Qualifying military veteran" has the same meaning as 1207
in section 109.71 of the Revised Code. 1208

Sec. 2929.43. (A) (1) As used in this section: 1209

~~(1)(a)~~ "Peace officer" has the same meaning as in section 1210
109.71 of the Revised Code. 1211

~~(2)(b)~~ "Felony" has the same meaning as in section 109.511 1212
of the Revised Code. 1213

(c) "Qualifying military veteran" has the same meaning as 1214
in section 109.71 of the Revised Code. 1215

(2) Divisions (B) to (D) of this section apply with 1216
respect to all peace officers, including those who are a 1217
qualifying military veteran appointed to or serving in the 1218
position as a peace officer under authority of division (H) (3) 1219
of section 109.77, division (E) of section 109.804, or division 1220
(B) of either section 5503.01 or 5503.05 of the Revised Code. 1221

(B) (1) Prior to accepting a plea of guilty to an 1222
indictment, information, or complaint charging a felony, the 1223
court shall determine whether the defendant is a peace officer. 1224
If the court determines that the defendant is a peace officer, 1225
it shall address the defendant personally and provide the 1226
following advisement to the defendant that shall be entered in 1227
the record of the court. 1228

"You are hereby advised that conviction of the felony 1229
offense to which you are pleading guilty will result, pursuant 1230
to the laws of Ohio, in the termination of your employment as a 1231

peace officer and also in one of the following: if you are 1232
serving in the position as a qualifying military veteran under 1233
authority of division (H) (3) (a) of section 109.77, division (E) 1234
of section 109.804, or division (B) of either section 5503.01 or 1235
5503.05 of the Revised Code, in your disqualification from 1236
serving at any time in the future in such a capacity; or if you 1237
are serving in the position other than under that authority, in 1238
your decertification as a peace officer ~~pursuant to the laws of~~ 1239
~~Ohio.~~" 1240

Upon the request of the defendant, the court shall allow 1241
the defendant additional time to consider the appropriateness of 1242
the plea of guilty in light of the advisement described in 1243
division (B) (1) of this section. 1244

The court shall not accept a plea of guilty of a defendant 1245
who is a peace officer unless, in addition to any other 1246
procedures required under the Rules of Criminal Procedure, the 1247
court determines that the defendant voluntarily and 1248
intelligently enters that plea after being given the advisement 1249
described in division (B) (1) of this section. 1250

(2) After accepting under division (B) (1) of this section 1251
a plea of guilty to an indictment, information, or complaint 1252
charging a felony, the court shall provide to the clerk of the 1253
court of common pleas a written notice of the plea of guilty of 1254
the defendant peace officer, the name and address of the peace 1255
officer, the law enforcement agency or other governmental entity 1256
that employs the peace officer and its address, the date of the 1257
plea, the nature of the felony offense, and certified copies of 1258
court entries in the action. Upon receiving the written notice 1259
required by division (B) (2) of this section, the clerk of the 1260
court of common pleas shall transmit to the employer of the 1261

peace officer and to the Ohio peace officer training ~~council~~ 1262
commission a report that includes the information contained in 1263
the written notice and the certified copies of the court entries 1264
in the action. 1265

(C) (1) Upon the conviction of a defendant, after trial, of 1266
a felony, the trial judge shall determine whether the defendant 1267
is a peace officer. If the judge determines that the defendant 1268
is a peace officer or if the defendant states on the record that 1269
the defendant is a peace officer, the judge shall provide to the 1270
clerk of the court of common pleas a written notice of the 1271
conviction of the defendant peace officer, the name and address 1272
of the peace officer, the law enforcement agency or other 1273
governmental entity that employs the peace officer and its 1274
address, the date of the conviction, the nature of the felony 1275
offense, and certified copies of court entries in the action. 1276
Upon receiving the written notice required by division (C) (1) of 1277
this section, the clerk of the court of common pleas shall 1278
transmit to the employer of the peace officer and to the Ohio 1279
peace officer training ~~council~~ commission a report that includes 1280
the information contained in the written notice and the 1281
certified copies of the court entries in the action. 1282

(2) Upon the conclusion of the final appeal of a defendant 1283
who is a peace officer and who has been convicted of a felony, 1284
upon expiration of the time period within which that peace 1285
officer may appeal the conviction if no appeal is taken, or 1286
otherwise upon the final disposition of the criminal action 1287
against that peace officer, the trial judge shall provide to the 1288
clerk of the court of common pleas a written notice of the final 1289
disposition of the action that shall include, as appropriate, 1290
notice of the final conviction of the peace officer of the 1291
felony, the acquittal of the peace officer of the felony, the 1292

conviction of the peace officer of a misdemeanor, or the 1293
dismissal of the felony charge against the peace officer. The 1294
judge also shall provide to the clerk of the court of common 1295
pleas certified copies of the court entries in the action. Upon 1296
receiving the written notice required by division (C) (2) of this 1297
section, the clerk of the court of common pleas shall transmit 1298
to the employer of the peace officer and to the Ohio peace 1299
officer training ~~council~~commission a report that includes the 1300
information contained in the written notice and the certified 1301
copies of the court entries in the action. 1302

(D) If pursuant to a negotiated plea agreement between a 1303
prosecuting attorney and a defendant who is a peace officer and 1304
who is charged with a felony, in which the defendant agrees to 1305
enter a plea of guilty to a misdemeanor and to be disqualified 1306
from serving at any time in the future as a peace officer if the 1307
defendant is serving in the position as a qualifying military 1308
veteran under authority of division (H) (3) of section 109.77, 1309
division (E) of section 109.804, or division (B) of either 1310
section 5503.01 or 5503.05 of the Revised Code or surrender the 1311
certificate awarded to the defendant under section 109.77 of the 1312
Revised Code, whichever is applicable, the trial judge issues an 1313
order to the defendant to surrender that certificate, the trial 1314
judge shall provide to the clerk of the court a written notice 1315
of the order, the name and address of the peace officer, the law 1316
enforcement agency or other governmental entity that employs the 1317
peace officer and its address, the date of the plea, the nature 1318
of the misdemeanor to which the peace officer pleaded guilty, 1319
and certified copies of court entries in the action. Upon 1320
receiving the written notice required by this division, the 1321
clerk of the court shall transmit to the employer of the peace 1322
officer and to the executive director of the Ohio peace officer 1323

training ~~council~~commission a report that includes the 1324
information contained in the written notice and the certified 1325
copies of the court entries in the action. 1326

Sec. 5503.01. (A) There is hereby created in the 1327
department of public safety a division of state highway patrol 1328
which shall be administered by a superintendent of the state 1329
highway patrol. 1330

The superintendent shall be appointed by the director of 1331
public safety, and shall serve at the director's pleasure. The 1332
superintendent shall hold the rank of colonel and be appointed 1333
from within the eligible ranks of the patrol. The superintendent 1334
shall give bond for the faithful performance of the 1335
superintendent's official duties in such amount and with such 1336
security as the director approves. 1337

The superintendent, with the approval of the director, may 1338
appoint any number of state highway patrol troopers and radio 1339
operators as are necessary to carry out sections 5503.01 to 1340
5503.06 of the Revised Code, but the number of troopers shall 1341
not be less than eight hundred eighty. The number of radio 1342
operators shall not exceed eighty in number. Except as provided 1343
in this section, at the time of appointment, troopers shall be 1344
not less than twenty-one years of age, nor have reached thirty- 1345
five years of age. A person who is attending a training school 1346
for prospective state highway patrol troopers established under 1347
section 5503.05 of the Revised Code and attains the age of 1348
thirty-five years during the person's period of attendance at 1349
that training school shall not be disqualified as over age and 1350
shall be permitted to continue to attend the training school as 1351
long as the person otherwise is eligible to do so. Such a person 1352
also remains eligible to be appointed a trooper. Any other 1353

person who attains or will attain the age of thirty-five years 1354
prior to the time of appointment shall be disqualified as over 1355
age. 1356

At the time of appointment, troopers shall have been legal 1357
residents of Ohio for at least one year, except that this 1358
residence requirement may be waived by the superintendent. 1359

If any state highway patrol troopers become disabled 1360
through accident or illness, the superintendent, with the 1361
approval of the director, shall fill any vacancies through the 1362
appointment of other troopers from a qualified list to serve 1363
during the period of the disability. 1364

The superintendent and state highway patrol troopers shall 1365
be vested with the authority of peace officers for the purpose 1366
of enforcing the laws of the state that it is the duty of the 1367
patrol to enforce and may arrest, without warrant, any person 1368
who, in the presence of the superintendent or any trooper, is 1369
engaged in the violation of any such laws. The state highway 1370
patrol troopers shall never be used as peace officers in 1371
connection with any strike or labor dispute. 1372

Each state highway patrol trooper and radio operator, upon 1373
appointment and before entering upon official duties, shall take 1374
an oath of office for faithful performance of the trooper's or 1375
radio operator's official duties and execute a bond in the sum 1376
of twenty-five hundred dollars, payable to the state and for the 1377
use and benefit of any aggrieved party who may have a cause of 1378
action against any trooper or radio operator for misconduct 1379
while in the performance of official duties. In no event shall 1380
the bond include any claim arising out of negligent operation of 1381
a motorcycle or motor vehicle used by a trooper or radio 1382
operator in the performance of official duties. 1383

The superintendent shall prescribe a distinguishing uniform and badge which shall be worn by each state highway patrol trooper and radio operator while on duty, unless otherwise designated by the superintendent. No person shall wear the distinguishing uniform of the state highway patrol or the badge or any distinctive part of that uniform, except on order of the superintendent.

The superintendent, with the approval of the director, may appoint necessary clerks, stenographers, and employees.

(B) (1) A person who is a qualifying military veteran may be appointed and serve as a trooper without having completed any training otherwise required for a person who is not a qualifying military veteran to be appointed or serve as a trooper under division (A) of this section, and a person who is a qualifying military veteran shall not be required to receive any such training in order to be appointed or serve as a trooper, in the circumstances specified in this division. In order for a qualifying military veteran to be appointed and serve as a trooper without having to receive the training, the person must provide to the superintendent of the state highway patrol evidence that the person is a qualifying military veteran, including evidence that the person satisfies all of the criteria specified in divisions (J) (1), (2), and (3) of section 109.71 of the Revised Code.

(2) If a qualifying military veteran is appointed or serving as a trooper under authority of division (B) (1) of this section, all continuing training requirements and firearms regualification requirements, and all restrictions on continued service of persons serving as a trooper, including the restrictions from and disqualification for such service

specified in section 2929.43 of the Revised Code, apply to the 1414
qualifying military veteran. 1415

(3) As used in division (B) of this section, "qualifying 1416
military veteran" has the same meaning as in section 109.71 of 1417
the Revised Code. 1418

Sec. 5503.05. (A) The superintendent of the state highway 1419
patrol, with the approval of the director of public safety, may 1420
conduct training schools for prospective state highway patrol 1421
troopers. The prospective troopers, during the period of their 1422
training and as members of the state patrol school, shall be 1423
paid a reasonable salary out of highway funds. The 1424
superintendent may furnish the necessary supplies and equipment 1425
for the use of the prospective troopers during the training 1426
period. 1427

The superintendent may establish rules governing the 1428
qualifications for admission to training schools for prospective 1429
troopers and provide for competitive examinations to determine 1430
the fitness of the students and prospective troopers, not 1431
inconsistent with the rules of the director of administrative 1432
services. 1433

(B)(1) A person who is a qualifying military veteran may 1434
be appointed and serve as a trooper without having completed any 1435
training otherwise required for a prospective trooper to be 1436
appointed as a trooper under division (A) of this section, and a 1437
person who is a qualifying military veteran shall not be 1438
required to receive any such training in order to be appointed 1439
or serve as a trooper. In order for a person to be appointed and 1440
serve as a trooper under authority of this division, the person 1441
must provide to the superintendent of the state highway patrol 1442
the evidence specified in division (B) of section 5503.01 of the 1443

Revised Code. If a qualifying military veteran is appointed or 1444
serving as a trooper under authority of this division, division 1445
(B) (2) of section 5503.01 of the Revised Code applies with 1446
respect to the trooper. 1447

(2) As used in division (B) of this section, "qualifying 1448
military veteran" has the same meaning as in section 5503.01 of 1449
the Revised Code. 1450

Section 2. That existing sections 109.71, 109.741, 1451
109.744, 109.747, 109.77, 109.80, 109.801, 109.803, 109.804, 1452
311.01, 2929.43, 5503.01, and 5503.05 of the Revised Code are 1453
hereby repealed. 1454

Section 3. Section 109.80 of the Revised Code is presented 1455
in this act as a composite of the section as amended by both 1456
H.B. 351 and H.B. 670 of the 121st General Assembly. The General 1457
Assembly, applying the principle stated in division (B) of 1458
section 1.52 of the Revised Code that amendments are to be 1459
harmonized if reasonably capable of simultaneous operation, 1460
finds that the composite is the resulting version of the section 1461
in effect prior to the effective date of the section as 1462
presented in this act. 1463