

As Introduced

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

S. B. No. 72

**Senators Williams, Thomas
Cosponsors: Senators Antonio, Craig, Maharath, Yuko, Fedor**

A BILL

To enact section 2903.17 of the Revised Code to 1
prohibit assault by a law enforcement officer. 2

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

Section 1. That section 2903.17 of the Revised Code be 3
enacted to read as follows: 4

Sec. 2903.17. (A) As used in this section: 5

(1) "Law enforcement officer" has the same meaning as in 6
section 9.69 of the Revised Code. 7

(2) "Less than lethal force" means any degree of force 8
that is not lethal force. 9

(3) "Lethal force" means any degree of force that creates 10
a substantial risk of causing death or serious physical harm to 11
another. 12

(4) "Physical harm" means any injury, illness, or other 13
physiological impairment, regardless of its gravity or duration. 14

(5) "Serious physical harm" means any of the following: 15

(a) Any mental illness or condition of such gravity as 16

would normally require hospitalization or prolonged psychiatric 17
treatment; 18

(b) Any physical harm that carries a substantial risk of 19
death; 20

(c) Any physical harm that involves some permanent 21
incapacity, whether partial or total, or that involves some 22
temporary, substantial incapacity; 23

(d) Any physical harm that involves some permanent 24
disfigurement or that involves some temporary, serious 25
disfigurement; 26

(e) Any physical harm that involves acute pain of such 27
duration as to result in substantial suffering or that involves 28
any degree of prolonged or intractable pain. 29

(B) No law enforcement officer shall knowingly cause 30
serious physical harm to another by doing any of the following: 31

(1) Impeding the normal breathing or circulation of the 32
blood of the other person by applying pressure to the throat or 33
neck, or by blocking the nose or mouth, of the other person; 34

(2) Using less than lethal force against the other person 35
unless the form of less than lethal force is necessary to arrest 36
the other person or to prevent physical harm to the officer or 37
another person; 38

(3) Using lethal force against the other person unless the 39
form of lethal force is necessary to prevent death or serious 40
physical harm to the officer or another person. 41

(C) Whoever violates this section is guilty of assault by 42
a law enforcement officer. 43

<u>(1) A violation of division (B) (1) of this section is a</u>	44
<u>misdemeanor of the first degree.</u>	45
<u>(2) A violation of division (B) (2) of this section is a</u>	46
<u>felony of the fifth degree.</u>	47
<u>(3) A violation of division (B) (3) of this section is a</u>	48
<u>felony of the first degree.</u>	49