

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 252

Representatives Click, Bird

Cosponsors: Representatives Thomas, D., Hiner, Miller, K.

To amend sections 2911.11, 2911.12, and 2911.13 of
the Revised Code to modify the offenses of
burglary, aggravated burglary, breaking and
entering, and trespass in a habitation when a
person is present or likely to be present.

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

Section 1. That sections 2911.11, 2911.12, and 2911.13 of
the Revised Code be amended to read as follows:

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Sec. 2911.11. (A) No person, ~~by force, stealth, or~~
~~deception,~~ shall trespass in an occupied structure or in a
separately secured or separately occupied portion of an occupied
structure, when another person other than an accomplice of the
offender is present, with purpose to commit in the structure or
in the separately secured or separately occupied portion of the
structure any criminal offense, if any of the following apply:

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(1) The offender inflicts, or attempts or threatens to
inflict physical harm on another;

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(2) The offender has a deadly weapon or dangerous ordnance
on or about the offender's person or under the offender's
control.

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(B) Whoever violates this section is guilty of aggravated
burglary, a felony of the first degree.

(C) As used in this section:

(1) "Occupied structure" has the same meaning as in
section 2909.01 of the Revised Code.

(2) "Deadly weapon" and "dangerous ordnance" have the same
meanings as in section 2923.11 of the Revised Code.

Sec. 2911.12. (A) No person, ~~by force, stealth, or~~
~~deception,~~ shall do any of the following:

(1) Trespass in an occupied structure or in a separately
secured or separately occupied portion of an occupied structure,
when another person other than an accomplice of the offender is
present, with purpose to commit in the structure or in the
separately secured or separately occupied portion of the
structure any criminal offense;

(2) Trespass in an occupied structure or in a separately
secured or separately occupied portion of an occupied structure
that is a permanent or temporary habitation of any person when
any person other than an accomplice of the offender is present
or likely to be present, with purpose to commit in the
habitation any criminal offense;

(3) Trespass in an occupied structure or in a separately
secured or separately occupied portion of an occupied structure,
with purpose to commit in the structure or separately secured or
separately occupied portion of the structure any criminal
offense.

(B) No person, ~~by force, stealth, or deception,~~ shall
trespass in a permanent or temporary habitation of any person

when any person other than an accomplice of the offender is 48
present or likely to be present. 49

(C) As used in this section, "occupied structure" has the 50
same meaning as in section 2909.01 of the Revised Code. 51

(D) Whoever violates division (A) of this section is 52
guilty of burglary. A violation of division (A) (1) or (2) of 53
this section is a felony of the second degree. A violation of 54
division (A) (3) of this section is a felony of the third degree. 55

(E) Whoever violates division (B) of this section is 56
guilty of trespass in a habitation when a person is present or 57
likely to be present, a felony of the fourth degree. 58

Sec. 2911.13. (A) No person ~~by force, stealth, or~~ 59
~~deception,~~ shall trespass in an unoccupied structure, with 60
purpose to commit therein any theft offense, as defined in 61
section 2913.01 of the Revised Code, or any felony. 62

(B) No person shall trespass on the land or premises of 63
another, with purpose to commit a felony. 64

(C) Whoever violates this section is guilty of breaking 65
and entering, a felony of the fifth degree. 66

Section 2. That existing sections 2911.11, 2911.12, and 67
2911.13 of the Revised Code are hereby repealed. 68