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H.B. 478
136th General Assembly

Bill Analysis

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Version: As Passed by the House

Primary Sponsors: Reps. D. Thomas and Synenberg

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SUMMARY

- Creates the offense of "jury tampering."
- Expands the offense of "intimidation of an attorney, victim, or witness" to include a public servant involved in any criminal or delinquent child action or proceeding.

DETAILED ANALYSIS

Jury tampering

The bill creates the offense of "jury tampering," which prohibits both of the following:[1]

1. A person from knowingly attempting to influence, intimidate, or hinder a "juror" in the discharge of the juror's duties, including in the juror's consideration of the facts or evidence presented at trial for which the juror has been impaneled;
2. A person, knowingly and by force, by unlawful threat of harm to any person or property, or by unlawful threat to commit any offense or calumny against any person, from attempting to influence, intimidate, or hinder a juror in the discharge of the juror's duties, including in the juror's consideration of the facts or evidence presented at the trial for which the juror has been impaneled.

The offense does not apply to persons presenting facts and evidence to the court during the trial for which the juror has been impaneled.[2]

[1] R.C. 2921.06(B) and (C).

[2] R.C. 2921.06(D).

The penalty for a violation of (1) is a first degree misdemeanor. The penalty for a violation of (2) is a third degree felony.[3]

The bill defines "juror" as a prospective juror or juror who has been chosen and summoned for jury duty and who has been impaneled on a jury for a trial.[4]

Intimidation of an attorney, victim, witness, or public servant in a criminal case

The bill expands the class of victims for the offense of "intimidation of an attorney, victim, or witness in a criminal case" to include a public servant by reason of the public servant's involvement in any criminal or delinquent child action or proceeding. Current law prohibits a person from knowingly and by force, by unlawful threat of harm to any person or property, or by unlawful threat to commit any offense or calumny against any person, from attempting to influence, intimidate, or hinder any of the following persons:[5]

1. The victim of a crime or delinquent act in the filing or prosecution of criminal charges or a delinquent child action or proceeding;
2. A witness to a criminal or delinquent act by reason of the person being a witness to that act;
3. An attorney by reason of the attorney's involvement in any criminal or delinquent child action or proceeding.

The penalty for intimidation of an attorney, victim, witness, or public servant in a criminal case is a third degree felony.[6]

Existing law defines the following: "public servant" means any of the following: (1) any public official, (2) any person performing ad hoc a governmental function, including a juror, member of a temporary commission, master, arbitrator, advisor, or consultant, or (3) a person who is a candidate for public office, whether or not the person is elected or appointed to the office for which the person is a candidate. A person is a candidate if the person has been nominated for election or appointment to public office, or if the person has filed a petition or petitions to have the person's name placed on the ballot in a primary, general, or special election, or if the person campaigns as a write-in candidate in any primary, general, or special election. "Public servant" does not include an employee, officer, or governor-appointed member of a specified board of directors of a nonprofit corporation.[7]

"Public official" means any elected or appointed officer, or employee, or agent of the state or any political subdivision, whether in a temporary or permanent capacity, and includes,

[3] R.C. 2921.06(E).

[4] R.C. 2921.06(A).

[5] R.C. 2921.04(B).

[6] R.C. 2921.04(D).

[7] R.C. 2921.01(B), not in the bill.

but is not limited to, legislators, judges, and law enforcement officers. "Public official" does not include an employee, officer, or governor-appointed member of a specified board of directors of a nonprofit corporation.[8]

HISTORY

Action	Date
Introduced	09-29-25
Reported, H. Judiciary	05-20-26
Passed House (97-0)	05-20-26

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[8] R.C. 2921.01(A), not in the bill.