

As Introduced

136th General Assembly

Regular Session

2025-2026

S. B. No. 308

Senators Brenner, Gavarone

Cosponsors: Senators Blackshear, Craig, DeMora, O'Brien, Timken

To amend section 5503.02 of the Revised Code to
expand the jurisdiction of the State Highway
Patrol, including providing security for the
Lieutenant Governor and for gubernatorial
candidates, to make an appropriation, and to
declare an emergency.

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

Section 1. That section 5503.02 of the Revised Code be
amended to read as follows:

Sec. 5503.02. (A) The state highway patrol shall enforce
the laws of the state relating to the titling, registration, and
licensing of motor vehicles; enforce on all roads and highways,
notwithstanding section 4513.39 of the Revised Code, the laws
relating to the operation and use of vehicles on the highways;
enforce and prevent the violation of the laws relating to the
size, weight, and speed of commercial motor vehicles and all
laws designed for the protection of the highway pavements and
structures on the highways; investigate and enforce rules and
laws of the public utilities commission governing the
transportation of persons and property by motor carriers and
report violations of such rules and laws to the commission;

enforce against any motor carrier as defined in section 4923.01 21
of the Revised Code those rules and laws that, if violated, may 22
result in a forfeiture as provided in section 4923.99 of the 23
Revised Code; investigate and report violations of all laws 24
relating to the collection of excise taxes on motor vehicle 25
fuels; and regulate the movement of traffic on the roads and 26
highways of the state, notwithstanding section 4513.39 of the 27
Revised Code. 28

The patrol, whenever possible, shall determine the 29
identity of the persons who are causing or who are responsible 30
for the breaking, damaging, or destruction of any improved 31
surfaced roadway, structure, sign, marker, guardrail, or other 32
appurtenance constructed or maintained by the department of 33
transportation and shall arrest the persons who are responsible 34
for the breaking, damaging, or destruction and bring them before 35
the proper officials for prosecution. 36

State highway patrol troopers shall investigate and report 37
all motor vehicle accidents on all roads and highways outside of 38
municipal corporations. The superintendent of the patrol or any 39
state highway patrol trooper may arrest, without a warrant, any 40
person, who is the driver of or a passenger in any vehicle 41
operated or standing on a state highway, whom the superintendent 42
or trooper has reasonable cause to believe is guilty of a 43
misdemeanor or felony, under the same circumstances and with the 44
same power that any peace officer may make such an arrest. 45

The superintendent or any state highway patrol trooper may 46
enforce the criminal laws on all state properties and state 47
institutions, owned or leased by the state, and, when so ordered 48
by the governor in the event of riot, civil disorder, or 49
insurrection, may, pursuant to sections 2935.03 to 2935.05 of 50

the Revised Code, arrest offenders against the criminal laws 51
wherever they may be found within the state if the violations 52
occurred upon, or resulted in injury to person or property on, 53
state properties or state institutions, or under the conditions 54
described in division (B) of this section. This authority of the 55
superintendent and any state highway patrol trooper to enforce 56
the criminal laws shall extend to the Lake Erie Correctional 57
Institution and the Northeast Ohio Correctional Center, to the 58
same extent as if those prisons were owned by this state. 59

(B) In the event of riot, civil disorder, or insurrection, 60
or the reasonable threat of riot, civil disorder, or 61
insurrection, and upon request, as provided in this section, of 62
the sheriff of a county or the mayor or other chief executive of 63
a municipal corporation, the governor may order the state 64
highway patrol to enforce the criminal laws within the area 65
threatened by riot, civil disorder, or insurrection, as 66
designated by the governor, upon finding that law enforcement 67
agencies within the counties involved will not be reasonably 68
capable of controlling the riot, civil disorder, or insurrection 69
and that additional assistance is necessary. In cities in which 70
the sheriff is under contract to provide exclusive police 71
services pursuant to section 311.29 of the Revised Code, in 72
villages, and in the unincorporated areas of the county, the 73
sheriff has exclusive authority to request the use of the 74
patrol. In cities in which the sheriff does not exclusively 75
provide police services, the mayor, or other chief executive 76
performing the duties of mayor, has exclusive authority to 77
request the use of the patrol. 78

The superintendent or any state highway patrol trooper may 79
enforce the criminal laws within the area designated by the 80
governor during the emergency arising out of the riot, civil 81

disorder, or insurrection until released by the governor upon 82
consultation with the requesting authority. State highway patrol 83
troopers shall never be used as peace officers in connection 84
with any strike or labor dispute. 85

When a request for the use of the patrol is made pursuant 86
to this division, the requesting authority shall notify the law 87
enforcement authorities in contiguous communities and the 88
sheriff of each county within which the threatened area, or any 89
part of the threatened area, lies of the request, but the 90
failure to notify the authorities or a sheriff shall not affect 91
the validity of the request. 92

(C) Any person who is arrested by the superintendent or a 93
state highway patrol trooper shall be taken before any court or 94
magistrate having jurisdiction of the offense with which the 95
person is charged. Any person who is arrested or apprehended 96
within the limits of a municipal corporation shall be brought 97
before the municipal court or other tribunal of the municipal 98
corporation. 99

(D) (1) State highway patrol troopers have the same right 100
and power of search and seizure as other peace officers. 101

No state official shall command, order, or direct any 102
state highway patrol trooper to perform any duty or service that 103
is not authorized by law. The powers and duties conferred on the 104
patrol are supplementary to, and in no way a limitation on, the 105
powers and duties of sheriffs or other peace officers of the 106
state. 107

(2) (a) A state highway patrol trooper, pursuant to the 108
policy established by the superintendent of the state highway 109
patrol under division (D) (2) (b) of this section, may render 110

~~emergency~~ assistance to any other peace officer who has arrest 111
authority under section 2935.03 of the Revised Code, at the 112
request of the other peace officer or any sheriff or chief of 113
police. A state highway patrol trooper also may render emergency 114
assistance to any other peace officer if both of the following 115
apply: 116

(i) There is a threat of imminent physical danger to the 117
peace officer, a threat of physical harm to another person, or 118
any other serious emergency situation; 119

(ii) Either the peace officer requests emergency 120
assistance, or it appears that the peace officer is unable to 121
request emergency assistance and the circumstances observed by 122
the state highway patrol trooper reasonably indicate that 123
emergency assistance is appropriate, or the peace officer 124
requests emergency assistance and in the request the peace 125
officer specifies a particular location and the state highway 126
patrol trooper arrives at that location prior to the time that 127
the peace officer arrives at that location and the circumstances 128
observed by the state highway patrol trooper reasonably indicate 129
that emergency assistance is appropriate. 130

(b) The superintendent of the state highway patrol shall 131
~~establish, within sixty days of August 8, 1991,~~ a policy that 132
sets forth the manner and procedures by which a state highway 133
patrol trooper may render assistance or emergency assistance to 134
any other peace officer under division (D) (2) (a) of this 135
section. The policy shall include a provision that a state 136
highway patrol trooper never be used as a peace officer in 137
connection with any strike or labor dispute. 138

(3) (a) A state highway patrol trooper who renders 139
assistance or emergency assistance to any other peace officer 140

under the policy established by the superintendent pursuant to 141
division (D) (2) (b) of this section shall be considered to be 142
performing regular employment for the purposes of compensation, 143
pension, indemnity fund rights, workers' compensation, and other 144
rights or benefits to which the trooper may be entitled as 145
incident to regular employment. 146

(b) A state highway patrol trooper who renders assistance 147
or emergency assistance to any other peace officer under the 148
policy established by the superintendent pursuant to division 149
(D) (2) (b) of this section retains personal immunity from 150
liability as specified in section 9.86 of the Revised Code. 151

(c) A state highway patrol trooper who renders assistance 152
or emergency assistance under the policy established by the 153
superintendent pursuant to division (D) (2) (b) of this section 154
has the same authority as the peace officer for or with whom the 155
state highway patrol trooper is providing emergency assistance. 156

(E) (1) Subject to the availability of funds specifically 157
appropriated by the general assembly for security detail 158
purposes, the state highway patrol shall provide security as 159
follows: 160

(a) (i) For the governor, the lieutenant governor, the 161
governor-elect, the lieutenant governor-elect, and, at the 162
direction of the governor, any eligible candidate upon the 163
request of the candidate; 164

(ii) For the purpose of division (E) (1) (a) (i) of this 165
division, "eligible candidate" means any of the following: 166

(I) A candidate for the office of governor or lieutenant 167
governor, upon being endorsed by the state central committee of 168
a political party as defined in division (F) of section 3501.01 169

<u>of the Revised Code;</u>	170
<u>(II) A candidate for the office of governor or lieutenant</u>	171
<u>governor, upon being nominated in a primary election as a party</u>	172
<u>candidate for election at the next general election by a</u>	173
<u>political party as defined in division (F) of section 3501.01 of</u>	174
<u>the Revised Code, as of the date that the results of the</u>	175
<u>unofficial count conducted by the boards of elections under</u>	176
<u>section 3505.30 of the Revised Code indicate that the candidate</u>	177
<u>received the most votes in the primary election;</u>	178
<u>(III) An independent candidate for the office of governor</u>	179
<u>or lieutenant governor, as of the date the independent</u>	180
<u>candidate's name has been certified on the office-type ballot at</u>	181
<u>a general election through the filing of a statement of</u>	182
<u>candidacy and nominating petition;</u>	183
<u>(IV) A candidate for the office of governor or lieutenant</u>	184
<u>governor, upon being certified to fill a vacancy on a general</u>	185
<u>election ballot under division (E) or (F) of section 3513.311 of</u>	186
<u>the Revised Code;</u>	187
<u>(V) Any candidate for statewide elected office for whom</u>	188
<u>the governor determines that a security detail is necessary.</u>	189
(b) At the direction of the governor, for other officials	190
of the state government of this state; officials of the state	191
governments of other states who are visiting this state;	192
officials of the United States government who are visiting this	193
state; officials of the governments of foreign countries or	194
their political subdivisions who are visiting this state; or	195
other officials or dignitaries who are visiting this state,	196
including, but not limited to, members of trade missions;	197
(c) For the capitol square, as defined in section 105.41	198

of the Revised Code;	199
(d) For the Vern Riffe center and the James A. Rhodes state office tower, as directed by the department of public safety;	200 201 202
(e) For other state property.	203
(2) To carry out the security responsibilities of the patrol listed in division (E)(1) of this section, the superintendent may assign state highway patrol troopers to a separate unit that is responsible for security details. The number of troopers assigned to particular security details shall be determined by the superintendent.	204 205 206 207 208 209
(3) The superintendent and any state highway patrol trooper, when providing security pursuant to division (E)(1) of this section, have the same arrest powers as other peace officers to apprehend offenders against the criminal laws who endanger or threaten the security of any person or state property being protected under division (E) of this section, no matter where the offense occurs. This arrest authority is concurrent with that of any other peace officer, as defined in section 2935.01 of the Revised Code, or any other law enforcement officer, as defined in section 2901.01 of the Revised Code, with jurisdiction at the respective location.	210 211 212 213 214 215 216 217 218 219 220
The superintendent, any state highway patrol trooper, and any special police officer designated under section 5503.09 of the Revised Code, if providing security pursuant to division (E) (1)(c) of this section, shall enforce any rules governing capitol square adopted by the capitol square review and advisory board.	221 222 223 224 225 226
(F) The governor may order the state highway patrol to	227

undertake major criminal investigations that involve state 228
property interests. If an investigation undertaken pursuant to 229
this division results in either the issuance of a no bill or the 230
filing of an indictment, the superintendent shall file a 231
complete and accurate report of the investigation with the 232
president of the senate, the speaker of the house of 233
representatives, the minority leader of the senate, and the 234
minority leader of the house of representatives within fifteen 235
days after the issuance of the no bill or the filing of an 236
indictment. If the investigation does not have as its result any 237
prosecutorial action, the superintendent shall, upon reporting 238
this fact to the governor, file a complete and accurate report 239
of the investigation with the president of the senate, the 240
speaker of the house of representatives, the minority leader of 241
the senate, and the minority leader of the house of 242
representatives. 243

(G) The superintendent may purchase or lease real property 244
and buildings needed by the patrol, negotiate the sale of real 245
property owned by the patrol, rent or lease real property owned 246
or leased by the patrol, and make or cause to be made repairs to 247
all property owned or under the control of the patrol. Any 248
instrument by which real property is acquired pursuant to this 249
division shall identify the agency of the state that has the use 250
and benefit of the real property as specified in section 251
5301.012 of the Revised Code. 252

Sections 123.01 and 125.02 of the Revised Code do not 253
limit the powers granted to the superintendent by this division. 254

Section 2. That existing section 5503.02 of the Revised 255
Code is hereby repealed. 256

Section 3. All items in this act are hereby appropriated 257

as designated out of any moneys in the state treasury to the 258
 credit of the designated fund. For all operating appropriations 259
 made in this act, those in the first column are for fiscal year 260
 2026 and those in the second column are for fiscal year 2027. 261
 The operating appropriations made in this act are in addition to 262
 any other operating appropriations made for these fiscal years. 263

Section 4. 264
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	1	2	3	4	5
A	DPS DEPARTMENT OF PUBLIC SAFETY				
B	Highway Safety Fund Group				
C	8400	764617	Security and Investigations	\$5,000,000	\$5,000,000
D	Highway Safety Fund Group Total			\$5,000,000	\$5,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$5,000,000	\$5,000,000

SECURITY AND INVESTIGATIONS 266

On the effective date of this section, or as soon as 267
 possible thereafter, the Director of Budget and Management shall 268
 transfer \$10,000,000 cash from the General Revenue Fund to the 269
 Security, Investigations, and Policing Fund (Fund 8400). 270

The foregoing appropriation item 764617, Security and 271
 Investigations, shall be used by the State Highway Patrol to 272
 provide security for the lieutenant governor, the governor- 273
 elect, the lieutenant governor-elect, and any eligible candidate 274
 upon the request of the candidate in accordance with division 275
 (E) (1) (a) of section 5503.02 of the Revised Code. 276

Section 5. Within the limits set forth in this act, the 277
Director of Budget and Management shall establish accounts 278
indicating the source and amount of funds for each appropriation 279
made in this act, and shall determine the manner in which 280
appropriation accounts shall be maintained. Expenditures from 281
operating appropriations contained in this act shall be 282
accounted for as though made in, and are subject to all 283
applicable provisions of, H.B. 96 of the 136th General Assembly. 284

Section 6. This act is hereby declared to be an emergency 285
measure necessary for the immediate preservation of the public 286
peace, health, and safety. The reason for such necessity is that 287
the gubernatorial election is approaching in an atmosphere of 288
increased political violence in the United States of America. 289
Therefore, this act shall go into immediate effect. 290