

**As Introduced**

**134th General Assembly**

**Regular Session**

**2021-2022**

**H. B. No. 331**

**Representatives Smith, K., Blackshear**

**Cosponsors: Representatives Galonski, Smith, M., Crossman, Brown, Lepore-Hagan, Sheehy**

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**A BILL**

To enact section 2901.44 of the Revised Code to 1  
require certain law enforcement officers to wear 2  
a clearly visible badge and identification on 3  
their person while on duty. 4

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

**Section 1.** That section 2901.44 of the Revised Code be 5  
enacted to read as follows: 6

**Sec. 2901.44.** (A) As used in this section: 7

(1) "Appointing authority" has the same meaning as in 8  
section 124.01 of the Revised Code. 9

(2) "Law enforcement officer" means any of the following: 10

(a) A sheriff, deputy sheriff, constable, police officer 11  
of a township or joint police district, marshal, deputy marshal, 12  
municipal police officer, member of a police force employed by a 13  
metropolitan housing authority under division (D) of section 14  
3735.31 of the Revised Code, or state highway patrol trooper; 15

(b) An officer, agent, or employee of the state or any of 16

its agencies, instrumentalities, or political subdivisions, upon 17  
whom, by statute, a duty to conserve the peace or to enforce all 18  
or certain laws is imposed and the authority to arrest violators 19  
is conferred, within the limits of that statutory duty and 20  
authority; 21

(c) A member of an auxiliary police force organized by 22  
county, township, or municipal law enforcement authorities, 23  
within the scope of the member's appointment or commission; 24

(d) A person appointed by a mayor pursuant to section 25  
737.10 of the Revised Code as a special patrolling officer 26  
during riot or emergency, for the purposes and during the time 27  
when the person is appointed; 28

(e) A member of the organized militia of this state, 29  
lawfully called to duty to aid civil authorities in keeping the 30  
peace or protect against domestic violence; 31

(f) A member of a police force employed by a regional 32  
transit authority under section 306.35 of the Revised Code. 33

(3) "Undercover drug agent" has the same meaning as in 34  
section 109.79 of the Revised Code. 35

(B) Except as otherwise provided in division (C) of this 36  
section, a law enforcement officer shall wear the law 37  
enforcement officer's badge and identification that is clearly 38  
visible on the law enforcement officer's person whenever the law 39  
enforcement officer is on duty, including during an emergency 40  
declared by the governor or mayor. The identification shall be 41  
easily identifiable, shall include the appointing authority of 42  
the law enforcement officer, and may include the law enforcement 43  
officer's name and badge number. 44

(C) Division (B) of this section does not apply to a law 45

enforcement officer who is undercover, including as an 46  
undercover drug agent. 47

(D) (1) Any person who directly or indirectly encounters a 48  
law enforcement officer failing to comply with the requirements 49  
of division (B) of this section may submit a complaint to the 50  
attorney general by mail, by telephone, or electronically 51  
through an online portal established by the attorney general for 52  
that purpose. Instructions for submitting a complaint and a link 53  
to the online portal shall be published on the attorney 54  
general's web site within thirty days of the effective date of 55  
this section. The attorney general shall investigate all 56  
complaints submitted pursuant to this division. 57

(2) If, after an investigation, the attorney general 58  
determines that reasonable evidence exists that a law 59  
enforcement officer failed to comply with division (B) of this 60  
section and the officer is not exempted from those requirements 61  
under division (C) of this section, the attorney general shall 62  
fine the officer's appointing authority one thousand dollars for 63  
each instance of noncompliance. Fines shall be remitted by the 64  
appointing authority to the attorney general within thirty days 65  
after receiving notification of the attorney general's 66  
determination and deposited in the general revenue fund. 67

(3) For the purpose of division (D) (2) of this section, 68  
each day or partial day that a law enforcement officer fails to 69  
comply with division (B) of this section is a separate instance 70  
of noncompliance. If more than one law enforcement officer fails 71  
to comply with division (B) of this section, each officer's 72  
failure to comply is a separate instance of noncompliance even 73  
if such failures occur on the same day. 74

(E) Notwithstanding any provisions of section 4117.10 of 75

the Revised Code to the contrary, this section prevails over any 76  
conflicting provision of a collective bargaining agreement 77  
entered into under Chapter 4117. of the Revised Code on or after 78  
the effective date of this section. 79

**Section 2.** Section 1 of this act takes effect April 1, 80  
2022. 81