



OHIO LEGISLATIVE SERVICE COMMISSION

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To: The Honorable Nathan H. Manning
Ohio Senate

From: Dennis M. Papp, Attorney *DMP*

Date: May 24, 2021

Subject: Comparison of S.B. 16 (As Introduced) and Sub. S.B. 16 (I_134_0067-3)

This document summarizes the provisions of S.B. 16 of the 134th General Assembly, As Introduced (S.B. 16) and the provisions of the substitute version of S.B. 16, identified as I_134_0067-3 (Sub. S.B. 16), which was accepted for consideration by the Senate Judiciary Committee.

S.B. 16 (As Introduced)	Sub. S.B. 16 (I_134_0067-3)
Civil action	
Provides a new civil action under which (<i>R.C. 2307.68</i>): 1. Any “emergency service responder” (an ESR – see “ Definitions ,” below) who suffers injury, death, or loss to person or property as a result of an abridgment of the responder’s civil rights arising out of the responder’s performance of official duties or as a result of a “known false complaint” (see (2) and (3), below) being filed against the responder, including such a complaint filed regarding a peace officer in violation of the prohibition under the offense of “making	No provisions on this topic.

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<p>a false allegation of peace officer misconduct” (see “Making a false allegation of peace officer misconduct,” below):</p> <p>(a) has a civil action against any person, group of persons, organization, corporation, or organization or corporation head that abridged the responder’s civil rights or filed the complaint and</p> <p>(b) may recover in the action full compensatory damages, including damages for emotional distress, and punitive or exemplary damages, court costs, and other reasonable expenses and attorney’s fees incurred in maintaining the action;</p> <p>2. The civil action may be maintained based on a person’s filing of a known false complaint: (a) if the complaint is made regarding a peace officer in violation of the prohibition under the offense of “making a false allegation of peace officer misconduct,” regardless of whether the person who committed the violation has been charged with or convicted of the violation and (b) even if the filing is not a violation of that prohibition; and</p> <p>3. The term “known false complaint” means a complaint filed by a person against an ESR that alleges misconduct by the ESR and that the person filing the complaint knew to be false at the time of the filing of the complaint.</p>	
Felonious assault	
<p>Under the offense of “felonious assault,” retains the current prohibitions but modifies the penalties in specified circumstances. Regarding the penalty for the offense, which currently is a second degree felony in general but is a first degree felony if the victim is a peace officer or a Bureau of Criminal Identification and Investigation (BCII) investigator (<i>R.C. 2903.11 and 2929.41(B)</i>):</p> <p>1. Expands the circumstances in which it is a first degree felony so that, in addition to the current circumstances, it also is a first</p>	<p>No provisions on this topic.</p>

<p style="text-align: center;">S.B. 16 (As Introduced)</p>	<p style="text-align: center;">Sub. S.B. 16 (I_134_0067-3)</p>
<p>degree felony if the violation caused serious physical harm to another or another’s unborn and the offender committed the violation in an attempt to intimidate, harass, or terrorize another person because of that other person’s actual or perceived employment as an “ESR” or “public servant” or because that other person is a “family or household member” or “co-worker” of a person who is employed or perceived as being employed as an ESR or public servant (see “Definitions,” below, for the meaning of the terms in quotation marks);</p> <ol style="list-style-type: none"> 2. Provides that the existing mandatory prison terms will apply with respect to a sentence imposed under the provision described above in (1); and 3. Provides that if an offender is sentenced to a prison term under the provision described above in (1), the term will run consecutively to any prison or jail term imposed for any other offense related to the acts establishing the felonious assault violation. 	
<p>Assault</p>	
<p>Under the offense of “assault,” retains the current prohibitions but modifies the penalties in specified circumstances. Regarding the penalty for the offense, which currently is a first degree misdemeanor in general but is a third, fourth, or fifth degree felony in certain specified circumstances (<i>R.C. 2903.13 and 2929.41(B)</i>):</p> <ol style="list-style-type: none"> 1. Expands the circumstances in which it is a third degree felony so that, in addition to the current circumstances, it also is a third degree felony if the victim is a “peace officer” or “BCII investigator” (regardless of whether the victim is performing official duties) or if the offender committed the violation in an attempt to intimidate, harass, or terrorize another person because 	<p>Under the offense of “assault,” retains the current prohibitions but modifies the penalties in specified circumstances. Regarding the penalty for the offense, which currently is a first degree misdemeanor in general but is a third, fourth, or fifth degree felony in certain specified circumstances (<i>R.C. 2903.13</i>):</p> <ol style="list-style-type: none"> 1. Expands the circumstances in which it is a fourth degree felony so that, in addition to the current circumstances, it also is a fourth degree felony if: (a) the victim is an “ESR,” the offender knows or reasonably should know that the victim is an ESR, and it is the offender’s specific purpose to commit the offense against an ESR or (b) the victim is a “family or household member” or “co-worker”

<p style="text-align: center;">S.B. 16 (As Introduced)</p>	<p style="text-align: center;">Sub. S.B. 16 (I_134_0067-3)</p>
<p>of that other person’s actual or perceived employment as an “ESR” or “public servant” or because that other person is a “family or household member” or “co-worker” of a person who is employed or perceived as being employed as an ESR or public servant (see “Definitions,” below, for the meaning of the terms in quotation marks);</p> <ol style="list-style-type: none"> 2. Provides that the existing “pregnant victim” mandatory prison term will apply with respect to a sentence imposed under the provision described above in (1); 3. To conform to the change described above in (1), repeals the current fourth degree felony penalty provisions that apply when the victim is a peace officer, BCII investigator, firefighter, or person performing emergency medical service, and repeals the existing “serious physical harm to a peace officer or BCII investigator” mandatory term; and 4. Provides that if an offender is sentenced to a prison term for assault when it is a third degree felony under the provision described above in (1), the term will run consecutively to any prison or jail term imposed for any other offense related to the act or acts establishing the assault violation. 	<p>of an ESR, the offender knows or reasonably should know that the victim is a family or household member or co-worker of an ESR, and it is the offender’s specific purpose to commit the offense against a family or household member or co-worker of an ESR (see “Definitions,” below, for the meaning of the terms in quotation marks); and</p> <ol style="list-style-type: none"> 2. Provides that the existing “pregnant victim” mandatory prison term will apply with respect to a sentence imposed under the provision described above in (1).
<p>Menacing</p>	
<p>Under the offense of “menacing,” retains the current prohibition and penalties but adds a new prohibition with new penalties applicable to the new prohibition, as follows (<i>R.C. 2903.22 and 2929.41(B)</i>):</p> <ol style="list-style-type: none"> 1. The new prohibition prohibits a person from knowingly placing or attempting to place another in reasonable fear of physical harm or death by displaying a deadly weapon, if the other person is an “ESR” or a “family or household member” of an ESR and the offender knows or reasonably should know that the other person 	<p>Under the offense of “menacing,” retains the current prohibition and penalties but adds a new prohibition with new penalties applicable to the new prohibition, as follows (<i>R.C. 2903.22</i>):</p> <ol style="list-style-type: none"> 1. The new prohibition prohibits a person from knowingly placing or attempting to place another in reasonable fear of physical harm or death by displaying a deadly weapon, if either: (a) the other person is an “ESR,” the person knows or reasonably should know that the other person is an ESR, and it is the person’s specific purpose to

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<p>is an ESR or a family or household member of an ESR (see “Definitions,” below, for the meaning of the terms in quotation marks);</p> <ol style="list-style-type: none"> 2. The new prohibition applies regardless of whether the deadly weapon displayed is operable or inoperable; and 3. A violation of the new prohibition is a fourth degree felony and if the offender is sentenced to a prison term for a violation of the prohibition, the term will run consecutively to any prison or jail term imposed for any other offense related to the act or acts establishing the violation. 	<p>engage in the specified conduct against an ESR or (b) the other person is a “family or household member” or “co-worker” of an ESR, the person knows or reasonably should know that the other person is a family or household member or co-worker of an ESR, and it is the person’s specific purpose to engage in the specified conduct against a family or household member or co-worker of an ESR (see “Definitions,” below, for the meaning of the terms in quotation marks);</p> <ol style="list-style-type: none"> 2. The new prohibition applies regardless of whether the deadly weapon displayed is operable or inoperable; and 3. A violation of the new prohibition generally is a first degree misdemeanor, but it is a fourth degree felony if the offender previously has been convicted of an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency or an ESR, and that prior offense related to the officer’s or employee’s performance or anticipated performance of official responsibilities or duties or to the ESR’s performance of the ESR’s official duties.
Disrupting public services	
<p>Under the offense of “disrupting public services,” retains the current prohibition and penalties, but adds a new prohibition with applicable penalties, as follows (<i>R.C. 2909.04 and 2929.41(B)</i>):</p> <ol style="list-style-type: none"> 1. The new prohibition prohibits a person from knowingly causing damage or destruction to, removal of, or tampering with the operation of, any equipment or apparatus of an “ESR” (see “Definitions,” below) with the intent to prevent the useful operation of the equipment or apparatus; 2. The penalty for a violation of the current prohibitions under the offense, unchanged by the bill, applies to violations of the new 	<p>No provisions on this topic.</p>

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<p>prohibition – under that penalty, a violation of the new prohibition is a fourth degree felony; and</p> <p>3. If an offender is sentenced to a prison term for a violation of the new prohibition, the term will run consecutively to any prison or jail term imposed for any other offense related to the act or acts establishing the violation.</p>	
Vandalism	
<p>Under the offense of “vandalism,” generally retains the current prohibitions and penalties, but modifies one of the existing prohibitions, applies penalties to it, and modifies an existing relevant definition, as follows (<i>R.C. 2909.05</i>):</p> <ol style="list-style-type: none"> 1. The modified prohibition prohibits a person from knowingly causing serious physical harm to property that is owned, leased, or controlled by a “governmental entity” (see (3), below), or any entrance or curtilage to or fixture on such property – currently, the prohibition does not expressly refer to an entrance or curtilage to or fixture on the specified property; 2. The penalties for a violation of the current prohibitions under the offense, unchanged by the bill, apply to the modified prohibition – under those penalties, vandalism generally is a fifth degree felony punishable by a fine of up to \$2,500 in addition to the standard Felony Sentencing Law penalties for a fifth degree felony, but it is a fourth degree felony if the value of the property or amount of physical harm involved is \$7,500 or more but less than \$150,000, and it is a third degree felony if the value of the property or amount of physical harm involved is \$150,000 or more; and 3. The definition of “governmental entity” that applies to the modified prohibition is changed so that the term includes, but is not limited to: (a) the state or a political subdivision of the state, a school 	<p>No provisions on this topic.</p>

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<p>district, the board of trustees of a public library or public university, or any other body corporate and politic responsible for governmental activities only in geographical areas smaller than that of the state or (b) the U.S. government or any department, agency, or instrumentality, corporate or otherwise, of the U.S. government (currently, the term does not include the entities described in this clause).</p>	
Inciting to violence	
<p>Under the offense of “inciting to violence,” retains the current prohibition but modifies the penalties when the violation involves certain conduct that might affect an ESR or family member, as follows (<i>R.C. 2917.01 and 2929.41(B)</i>):</p> <ol style="list-style-type: none"> 1. The modified penalties provide that if the offender’s conduct in committing the offense is designed to urge or incite another to commit an offense of violence against an “ESR” or a “family or household member” of an ESR, the offense is a third degree felony (see “Definitions,” below, for the meaning of the terms in quotation marks); and 2. If an offender is sentenced to a prison term for the offense when the offender’s conduct in committing the offense was designed to urge or incite another to commit an offense of violence against an ESR or a family or household member of an ESR, the term will run consecutively to any prison or jail term imposed for any other offense related to the act or acts establishing the offense. 	<p>No provisions on this topic.</p>
Harassment in place of public accommodation	
<p>Enacts the offense of “harassment in a place of public accommodation,” as follows (<i>R.C. 2917.06</i>):</p>	<p>No provisions on this topic.</p>

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<ol style="list-style-type: none"> 1. The prohibition under the offense prohibits a person from knowingly harassing or intimidating another person in a “place of public accommodation” (see (4), below) while the person is engaging in conduct prohibited under the offense of “aggravated riot” or “riot;” 2. A violation of the prohibition is a first degree misdemeanor; 3. The prohibition does not limit or affect the application of the offenses of “aggravated menacing,” “menacing,” “aggravated riot,” “riot,” “intimidation,” “obstructing official business,” or “harassing an emergency service provider or family member” or any other Revised Code section, and any conduct that is a violation of the prohibition and that also is a violation of a prohibition under any of the listed offenses or any other Revised Code section may be prosecuted under the new offense, the listed offense or other section, or both (<i>R.C. 2941.25</i>, not in the bill, the existing “allied offenses of similar import” law, is relevant to this provision); and 4. As used in the prohibition, “place of public accommodation” means any inn; restaurant; eating house; barbershop; public conveyance by air, land, or water; theater; store; other place for the sale of merchandise; or any other place of public accommodation or amusement of which the accommodations, advantages, facilities, or privileges are available to the public. 	
Unlawfully impeding public passage/unlawfully impeding public passage of an ESR	
<p>Enacts the offense of “unlawfully impeding public passage,” as follows (<i>R.C. 2917.14</i>):</p> <ol style="list-style-type: none"> 1. The prohibition under the offense prohibits a person, without privilege to do so, from recklessly: (a) obstructing any highway, street, sidewalk, or any other public passage in such a manner as to render it impassable without unreasonable inconvenience or hazard and, upon receipt of a request or order from an “ESR” (see 	<p>Enacts the offense of “unlawfully impeding public passage of an emergency service responder,” as follows (<i>R.C. 2917.14</i>):</p> <ol style="list-style-type: none"> 1. The prohibition under the offense prohibits a person, without privilege to do so, from recklessly obstructing any highway, street, sidewalk, or any other public passage in such a manner as to render it impassable without unreasonable inconvenience or hazard if: (a) the obstruction prevents an emergency vehicle from accessing a highway or street,

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<p>“Definitions,” below) to remove or cease the obstruction, refuse to remove or cease the obstruction or (b) violating clause (a) if the obstruction prevents an emergency vehicle from accessing a highway or street, prevents an ESR from responding to an emergency, or prevents access to an exit from an emergency;</p> <p>2. The penalty provides that: (a) a violation of clause (a) of the prohibition generally is a first degree misdemeanor, but if the violation was committed as part of a riot, it is a fifth degree felony, (b) a violation of clause (b) of the prohibition generally is a fifth degree felony, but if the violation was committed as part of a riot, it is a fourth degree felony, and (c) if an offender is sentenced to a prison term for a violation of the prohibition under either clause, the term will run consecutively to any prison or jail term imposed for any other offense related to the act or acts establishing the violation; and</p> <p>3. The prohibition does not limit or affect the application of the offenses of “obstructing official business” or “harassing an emergency service provider or family member” or any other Revised Code section and any conduct that is a violation of the prohibition and that also is a violation of either of the listed offenses or any other Revised Code section may be prosecuted under the new offense, the listed offense or other section, or both (<i>R.C. 2941.25</i>, not in the bill, the existing “allied offenses of similar import” law, is relevant to this provision).</p>	<p>prevents an “ESR” (see “Definitions,” below) from responding to an emergency or prevents an emergency vehicle or an ESR from having access to an exit from an emergency and (b) upon receipt of a request or order from an ESR to remove or cease the obstruction, the person refuses to remove or cease the obstruction;</p> <p>2. A violation of the prohibition is a first degree misdemeanor; and</p> <p>3. The prohibition does not limit or affect the application of “obstructing official business” or any other Revised Code section (the bill also mistakenly refers to <i>R.C. 2921.332</i>, which does not exist) and any conduct that is a violation of the prohibition and that also is a violation of the listed offense or any other Revised Code section may be prosecuted under the new offense, the listed offense or other section, or both (<i>R.C. 2941.25</i>, not in the bill, the existing “allied offenses of similar import” law, is relevant to this provision).</p>
<p>Intimidation</p>	
<p>Modifies the prohibitions and penalties under the offense of “intimidation” (<i>R.C. 2921.03</i>).</p> <p>Prohibitions</p> <p>Expands an existing prohibition under the offense so that it also</p>	<p>No provisions on this topic.</p>

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prohibits the conduct currently covered under the prohibition when it is committed in an attempt to influence, intimidate, or hinder an “ESR” in the discharge of the ESR’s duties – currently, the prohibition prohibits a person from knowingly and by force, by unlawful threat of harm to any person or property, or by filing, recording, or otherwise using a materially false or fraudulent writing with malicious purpose, in bad faith, or in a wanton or reckless manner, attempting to influence, intimidate, or hinder a “public servant,” a party official, or an attorney or witness involved in a civil action or proceeding in the discharge of the servant’s, official’s, attorney’s, or witness’ duties (see “**Definitions**,” below, for the meaning of the terms in quotation marks; *R.C. 2921.03(A)(1)*).

Enacts a new prohibition under the offense that prohibits a person from knowingly attempting to intimidate, harass, or terrorize another person because of that other person’s actual or perceived employment as an “ESR” or “public servant” or because that other person is a “family or household member” or “co-worker” of a person who is employed or perceived as being employed as an ESR or public servant, by causing damage to or destroying any real or personal property of another person if, with respect to the damage or destruction (see “**Definitions**,” below, for the meaning of the terms in quotation marks): (1) the person caused the damage to or destroyed the property because of actual or perceived employment of that other person as an ESR or public servant or because that other person is a family or household member or co-worker of a person who is employed or perceived as being employed as an ESR or public servant and (2) the damage or destruction is done without permission (*R.C. 2921.03(A)(2)*).

Penalties

Specifies that a violation of the current prohibition, both under existing law and as expanded by the bill, or a violation of the new prohibition it

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enacts, is a third degree felony (*R.C. 2921.03(B)(1)(a)*) and that if an offender is sentenced to a prison term for a violation of the new prohibition, the term will run consecutively to any prison or jail term imposed for any other offense related to the act or acts establishing the violation (*R.C. 2921.03(B)(2)* and *2929.41(B)*).

Application of other crimes

States that the new prohibition it enacts does not limit or affect the application of the offenses of “aggravated arson” and “arson” or any other Revised Code section, and that any conduct that is a violation of the new prohibition and that also is a violation of a prohibition under either of the listed offenses or of any other Revised Code section may be prosecuted under the new prohibition or current prohibition under the offense of “intimidation,” the listed offense or other section, or both (*R.C. 2921.03(B)(1)(b)*; *R.C. 2941.25*, not in the bill, the existing “allied offenses of similar import” law, is relevant to this provision).

Civil action

Expands an existing provision regarding a civil action against a person who commits “intimidation” so that it also applies with respect to the new prohibition it enacts – under the expanded provision, a person who violates either prohibition under the offense is liable in a civil action to any person harmed by the violation for injury, death, or loss to person or property incurred as a result of the commission of the offense and for reasonable attorney’s fees, court costs, and other expenses incurred as a result of prosecuting the civil action; the civil action is not the exclusive remedy of a person who incurs injury, death, or loss to person or property as a result of the violation (*R.C. 2921.03(C)*).

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Obstructing official business	
<p>Under the offense of “obstructing official business,” retains the current prohibition but modifies the penalties in specified circumstances involving conduct directed against an “ESR” (see “Definitions,” below) and adds language relating to the interaction of the offense with other offenses, as follows (<i>R.C. 2921.31 and 2929.41(B)</i>):</p> <ol style="list-style-type: none"> 1. The offense remains, generally, a second degree misdemeanor, but under the bill: (a) subject to the provision described in clause (b), it is a first degree misdemeanor if the violation involves the use or threatened use of force by the offender against an ESR and (b) it is a fifth degree felony if the violation creates a risk of physical harm to any person or causes physical harm to the property of an ESR that is used in the ESR’s official duties (currently, the offense generally is a second degree misdemeanor, but it is a fifth degree felony if the violation creates a risk of physical harm to any person); 2. If an offender is sentenced to a prison term for the offense when it is a fifth degree felony because the violation caused physical harm to the property of an ESR used in the ESR’s official duties, the term will run consecutively to any prison or jail term imposed for any other offense related to the act or acts establishing the obstructing official business offense; and 3. The prohibition under the offense does not limit or affect the application of the offenses of “unlawfully impeding public passage,” “harassing an emergency service provider or family member,” or “interfering with an emergency service provider by use of a laser” or any other Revised Code section, and any conduct that is a violation of the prohibition under the offense and that also is a violation of a prohibition under any of the listed offenses 	<p>No provisions on this topic.</p>

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<p>or any other Revised Code section may be prosecuted under “obstructing official business,” the listed offense or other section, or both (<i>R.C. 2941.25</i>, not in the bill, the existing “allied offenses of similar import” law, is relevant to this provision).</p>	
<p>Harassing an emergency service responder or family member</p>	
<p>Enacts the offense of “harassing an emergency service responder or family member,” as follows (<i>R.C. 2921.332 and 2929.41(B)</i>):</p> <ol style="list-style-type: none"> 1. The prohibition under the offense prohibits a person from recklessly: (a) taunting or tormenting another person, if the other person is an “ESR” or “family or household member” of an ESR and the person knows or reasonably should know that the other person is an ESR or a family or household member of an ESR or (b) throwing, expelling, or propelling by any means an object or substance at another person, if the other person is an ESR or family or household member of an ESR and the person knows or reasonably should know that the other person is an ESR or a family or household member of an ESR (see “Definitions,” below, for the meaning of the terms in quotation marks); 2. The offense generally is a first degree misdemeanor, but it is a fourth degree felony if the violation causes physical harm to the ESR or a family or household member of the ESR; 3. If an offender is sentenced to a prison term for the offense when it is a fourth degree felony, the term will run consecutively to any prison or jail term imposed for any other offense related to the act or acts establishing the violation of the prohibition under the offense; and 4. The prohibition does not limit or affect the application of the offense of “unlawfully impeding public passage” or “obstructing official business” or any other Revised Code section, and any 	<p>No provisions on this topic.</p>

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<p>conduct that is a violation of the prohibition under the offense and that also is a violation of a prohibition under either of the listed offenses or any other Revised Code section may be prosecuted under the new offense, the listed offense or other section, or both (<i>R.C. 2941.25</i>, not in the bill, the existing “allied offenses of similar import” law, is relevant to this provision).</p>	
<p>Interfering with an emergency service provider by use of a laser</p>	
<p>Enacts the offense of “interfering with an emergency service provider by use of a laser,” as follows (<i>R.C. 2921.333</i>):</p> <ol style="list-style-type: none"> 1. The prohibition under the offense prohibits a person, with the intent to cause physical harm to the “ESR” (see “Definitions,” below) from knowingly discharging a “laser” (see (4), below) or other device that creates visible light into the face of, or toward the head of, an ESR; 2. The offense is a first degree misdemeanor; 3. The prohibition does not limit or affect the application of the offense of “obstructing official business” or “harassing an emergency service provider or family member” or any other Revised Code section, and any conduct that is a violation of the prohibition and that also is a violation of either of the listed offenses or any other Revised Code section may be prosecuted under the new offense, the listed offense or other section, or both (<i>R.C. 2941.25</i>, not in the bill, the existing “allied offenses of similar import” law, is relevant to this provision); and 4. As used in the prohibition, “laser” means (by reference to <i>R.C. 2909.081</i>, not in the bill): (a) any device that utilizes the natural oscillations of atoms or molecules between energy levels for generating coherent electromagnetic radiation in the ultraviolet, visible, or infrared region of the spectrum and when discharged 	<p>No provisions on this topic.</p>

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exceeds one milliwatt continuous wave and (b) any device designed or used to amplify electromagnetic radiation by simulated emission that is visible to the human eye.	
Corrupt activity	
Expands the definition of “corrupt activity” under the Corrupt Activity Law to include, in addition to the activities currently included, any of the following (<i>R.C. 2923.31</i>): (1) providing material support or resources with purpose that the support or resources will be used in whole or in part to plan, prepare, carry out, or aid in conduct that constitutes a violation of a prohibition under either the offense of “aggravated riot” or the offense of “riot” or (2) organizing persons or calling persons to gather for the purpose of engaging in a violation of a prohibition under either the offense of “aggravated riot” or the offense of “riot.”	No provisions on this topic.
Aggravated arson and arson sentencing	
<p>Regarding sentencing for the offenses of “aggravated arson” and “arson,” specifies that (<i>R.C. 2909.031 and 2929.41(B)</i>, and <i>R.C. 2909.03</i>, not in the bill):</p> <ol style="list-style-type: none"> 1. If an offender is sentenced to a prison term for “aggravated arson” or for “arson” committed in circumstances described in (2) below, if the offender in committing the offense caused damage to or destroyed any real or personal property of another person, and if the offender caused the damage or destruction in an attempt to intimidate, harass, or terrorize that other person because of that other person’s actual or perceived employment as an “ESR” or “public servant” or because that other person is a “family or household member” or “co-worker” of a person who is employed 	No provisions on this topic.

<p style="text-align: center;">S.B. 16 (As Introduced)</p>	<p style="text-align: center;">Sub. S.B. 16 (I_134_0067-3)</p>
<p>or perceived as being employed as an ESR or public servant, the term will run consecutively to any prison or jail term imposed for any other offense related to the act or acts establishing the aggravated arson or arson offense (see “Definitions,” below, for the meaning of the terms in quotation marks); and</p> <p>2. The circumstances in which the provision applies with respect to “arson” are when the offender, in committing the offense by means of fire or explosion: (a) causes or creates a substantial risk of physical harm, through the offer or acceptance of an agreement for hire or other consideration, to any property of another without the other person’s consent or to any property of the offender or another with purpose to defraud or (b) causes, or creates a substantial risk of, physical harm, through the offer or acceptance of an agreement for hire or other consideration, to any structure of another that is not an occupied structure.</p>	
<p style="text-align: center;">Making a false allegation of peace officer misconduct</p>	
<p>Under the offense of “making a false allegation of peace officer misconduct,” retains the current prohibition and penalties but provides a specific civil action regarding a violation of the prohibition, as follows (<i>R.C. 2921.15</i>):</p> <ol style="list-style-type: none"> 1. The civil action specifies that a person who violates the prohibition is liable in a civil action under the bill’s provisions described above in “Civil action” to any peace officer who suffers injury, death, or loss to person or property as a result of the violation; and 2. The specific civil action is not the exclusive remedy of a person who suffers injury, death, or loss to person or property as a result of a violation of the prohibition. 	<p>No provisions on this topic.</p>

S.B. 16 (As Introduced)	Sub. S.B. 16 (I_134_0067-3)
Casino Control Commission gaming agents as peace officers	
No provisions on this topic.	Includes gaming agents of the Casino Control Commission as “peace officers” under the definition of that term that applies: (1) throughout R.C. Chapter 2935 and (2) to provisions in numerous other Revised Code sections, including the offenses of “felonious assault,” “aggravated assault,” and “assault,” several provisions related to arrest or to the issuance and execution of warrants, and many other criminal law-related provisions (<i>R.C. 2935.01</i>).
Definitions	
<p>New terms</p> <p>Defines the following terms that are used in its provisions described above (<i>R.C. 2921.01(J) through (P), 2307.68, 2903.11(E)(7), 2903.13(D)(19), 2903.22(C)(1), 2909.01(H), 2917.01(D), and 2917.14(D)</i>):</p> <p>“Emergency service responder” (or “ESR”) means any law enforcement officer, first responder, emergency medical technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic, firefighter, or volunteer firefighter.</p> <p>“Family or household member” means the natural parent of any child of whom a person who is, or is perceived as being, employed as an ESR or public servant is the other natural parent or is the putative other natural parent, or any of the following who is residing or has resided with a person who is, or is perceived as being, employed as an ESR or public servant: (1) a spouse, a person living as a spouse, or a former spouse of a person who is, or is perceived as being, employed as an ESR or public servant, (2) a parent, a foster parent, or a child of a person who is, or is perceived as being, employed as an ESR or public</p>	<p>New terms</p> <p>Defines the following terms that are used in its provisions described above (<i>R.C. 2903.13 and 2903.22</i>; note that R.C. 2917.14 mistakenly refers to definitions in R.C. 2921.01 instead of in R.C. 2903.13):</p> <p>“Emergency service responder” (or “ESR”) – Same.</p> <p>“Family or household member” means the natural parent of any child of whom a person who is employed as an ESR is the other natural parent or is the putative other natural parent, or any of the following who is residing or has resided with a person who is employed as an ESR: (1) a spouse, a person living as a spouse, or a former spouse of a person who is employed as an ESR, (2) a parent, a foster parent, or a child of a person who is employed as an ESR, or another person related by consanguinity or affinity to a person who is employed as an ESR, or (3) a parent or a child of a spouse, person living as a spouse, or former</p>

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<p>servant, or another person related by consanguinity or affinity to a person who is, or is perceived as being, employed as an ESR or public servant, or (3) a parent or a child of a spouse, person living as a spouse, or former spouse of a person who is, or is perceived as being, employed as an ESR or public servant, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of a person who is, or is perceived as being, employed as an ESR or public servant.</p> <p>“Firefighter” means any member of a fire department as defined in the Police and Fire Pension Fund Law (R.C. 742.01, not in the bill) or any person who is a firefighter as defined in a provision of the Insurance Law (R.C. 3937.41, not in the bill).</p> <p>“First responder,” “emergency medical technician-basic,” “emergency medical technician-intermediate,” and “emergency medical technician-paramedic” have the same meanings as in the Emergency Medical Services Law (R.C. 4765.01, not in the bill).</p> <p>“Volunteer firefighter” has the same meaning as in the Volunteer Fire Fighters’ Dependents Fund Law (R.C. 146.01, not in the bill).</p> <p>“Person living as a spouse” means a person who is living or has lived with a person who is, or is perceived as being, employed as an ESR or public servant in a common law marital relationship, who otherwise is cohabiting with a person who is, or is perceived as being, employed as an ESR or public servant, or who otherwise has cohabited with a person who is, or is perceived as being, employed as an ESR or public servant within five years prior to the date of the alleged commission of the act in question.</p> <p>“Co-worker” means a person who is employed by the organization or entity that is served by a person who is, or is perceived as being, employed as an ESR or public servant.</p>	<p>spouse of a person who is employed as an ESR, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of a person who is employed as an ESR.</p> <p>“Firefighter” – Same.</p> <p>“First responder,” “emergency medical technician-basic,” “emergency medical technician-intermediate,” and “emergency medical technician-paramedic” – Same.</p> <p>“Volunteer firefighter” – Same.</p> <p>“Person living as a spouse” means a person who is living or has lived with a person who is employed as an ESR in a common law marital relationship, who otherwise is cohabiting with a person who is employed as an ESR, or who otherwise has cohabited with a person who is employed as an ESR within five years prior to the date of the alleged commission of the act in question.</p> <p>“Co-worker” means a person who is employed by the organization or entity that is served by a person who is employed as an ESR.</p>

S.B. 16 (As Introduced)	Sub. S.B. 16 (I_134_0067-3)
<p>Existing terms</p> <p>Uses the following existing defined terms in its provisions described above (<i>R.C. 2921.01(A) and (B), 2903.11(E)(3) and (5), 2903.13(D)(1) and (8), 2909.01(H), and 2921.15(A)</i>):</p> <p>“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, but is not limited to, legislators, judges, and law enforcement officers (other than an employee, officer, or Governor-appointed member of the board of directors of JobsOhio).</p> <p>“Public servant” means any of the following (other than an employee, officer, or Governor-appointed member of the board of directors of JobsOhio): (1) a public official, (2) a person performing <i>ad hoc</i> a governmental function, including a juror, member of a temporary commission, master, arbitrator, advisor, or consultant, and (3) a candidate for public office, whether or not the candidate is elected or appointed to the office (a person is a candidate under this provision if the person has been nominated for election or appointment to public office, if the person has filed a petition or petitions to have the person’s name placed on the ballot in an election, or if the person campaigns as a write-in candidate in an election).</p> <p>“BCII investigator” means an investigator of BCII who is commissioned by BCII’s Superintendent as a special agent for the purpose of assisting law enforcement officers or providing emergency assistance to peace officers under authority of R.C. 109.541, not in the bill.</p> <p>“Peace officer” includes any person specified as a peace officer under the definition of that term in R.C. 2935.01, not in the bill.</p>	<p>Existing terms</p> <p>Uses the following existing terms in its provisions, or definitions, described above (<i>R.C. 2903.13 and 2903.22</i>; note that R.C. 2917.14 mistakenly refers to definitions in R.C. 2921.01 instead of to R.C. 2903.13):</p> <p>“Public official” – Does not use this term.</p> <p>“Public servant” – Does not use this term.</p> <p>“BCII investigator” – Same.</p> <p>“Peace officer” – Same, but see “Casino Control Commission gaming agents as peace officers,” above.</p>