

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 276**

**Representatives Rezabek, Greenspan**

**Cosponsors: Representatives Hambley, Perales, Henne, Huffman, Koehler, Lipps,  
Antani**

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**A BILL**

To amend section 2903.21 of the Revised Code to 1  
expand the offense of aggravated menacing to 2  
prohibit threatening a utility worker with 3  
intent to obstruct the operation of a utility. 4

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

**Section 1.** That section 2903.21 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 2903.21.** (A) No person shall knowingly cause another 7  
to believe that the offender will cause serious physical harm to 8  
the person or property of the other person, the other person's 9  
unborn, or a member of the other person's immediate family. In 10  
addition to any other basis for the other person's belief that 11  
the offender will cause serious physical harm to the person or 12  
property of the other person, the other person's unborn, or a 13  
member of the other person's immediate family, the other 14  
person's belief may be based on words or conduct of the offender 15  
that are directed at or identify a corporation, association, or 16  
other organization that employs the other person or to which the 17  
other person belongs. 18

(B) Whoever violates this section is guilty of aggravated  
menacing. ~~Except~~ 19 20

(1) Except as otherwise provided in this division, 21  
aggravated menacing is a misdemeanor of the first degree. ~~If~~ 22

(2) If the victim of the offense is an officer or employee 23  
of a public children services agency or a private child placing 24  
agency and the offense relates to the officer's or employee's 25  
performance or anticipated performance of official 26  
responsibilities or duties, aggravated menacing is a felony of 27  
the fifth degree or, if the offender previously has been 28  
convicted of or pleaded guilty to an offense of violence, the 29  
victim of that prior offense was an officer or employee of a 30  
public children services agency or private child placing agency, 31  
and that prior offense related to the officer's or employee's 32  
performance or anticipated performance of official 33  
responsibilities or duties, a felony of the fourth degree. 34

(3) If the victim of the offense is a utility worker whom 35  
the offender knows or has reasonable cause to know is a utility 36  
worker, if the victim is engaged in the performance of the 37  
victim's duties, and if the offender threatens the victim with a 38  
deadly weapon with intent to obstruct the operation of a 39  
utility, aggravated menacing is a felony of the fourth degree. 40

(C) As used in this section, ~~"organization"~~: 41

(1) "Organization" includes an entity that is a 42  
governmental employer. 43

(2) "Utility worker" means an employee of a person or 44  
entity whose primary responsibility is the operation or 45  
maintenance of a utility. 46

(3) "Utility" means an enterprise that provides gas, 47

<u>electric, steam, water, sewage, transportation, communication</u>	48
<u>services, or cable and broadband services, whether publicly or</u>	49
<u>privately owned.</u>	50
<b>Section 2.</b> That existing section 2903.21 of the Revised	51
Code is hereby repealed.	52