



Ohio General Assembly House of Representatives

Sponsor Testimony for House Bill 276 Representatives Greenspan and Rezabek Senate Judiciary Committee

Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas and members of the Senate Judiciary Committee, I want to thank you for allowing Representative Greenspan and I the opportunity to provide sponsor testimony on House Bill 276. This bill will protect utility workers from being threatened while performing their duties as a utility worker.

We have seen many cases where an individual, whether they are installing cable services or cutting a tree down, is threatened with a deadly weapon. This piece of legislation aims to end this. House Bill 276 will expand the offense of aggravated menacing to prohibit threatening a utility worker with intent to obstruct the operation of a utility. The individual committing this offense would have to know or have reasonable cause to know that the victim is a utility worker.

Just recently, in Florida, a man shot out the tires of an AT&T truck because he was, “upset that the trucks were parked in front of his house.”¹ While we understand that this situation is one of the egregious variety, over the course of working through this piece of legislation, we were approached by utility companies explaining that their workers have been threatened many times and that having House Bill 276 in statute, it would protect their workers greatly.

Currently, aggravated menacing is a misdemeanor of the first degree. With our bill, this penalty would be raised to a fifth degree felony, if the offender has previously been convicted of aggravated menacing. As my colleague stated, there are multiple facets to this bill:

1. The offender has to know or has reasonable cause to know that the victim is a utility worker
2. The victim is engaged in the performance of their duties
3. The offender has to threaten the victim with a deadly weapon with intent to obstruct the operation of a utility, cable, or broadband service.

If, and only if, these three facts are present, then this new enhancement can be used. House Bill 276 was unanimously reported out of the House Criminal Justice Committee and has the support of several utility companies and associations. At this time, Representative Rezabek and I would be happy to answer any question that the committee may have.

¹ Carly Teproff, “He didn’t like the AT&T trucks parked in front of his home. So he shot them.” [The Miami Herald](#) 19 July 2017.