#### As Introduced

## **133rd General Assembly**

# Regular Session 2019-2020

H. B. No. 236

#### Representatives Smith, T., Plummer

Cosponsors: Representatives Wiggam, Riedel, Kent, Romanchuk, Schaffer

### A BILL

То	amend section 2935.01 of the Revised Code to add	1
	hospital police officers to the definition of	2
	peace officer.	

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

<b>Section 1.</b> That section 2935.01 of the Revised Code be	4
amended to read as follows:	5
Sec. 2935.01. As used in this chapter:	6
(A) "Magistrate" has the same meaning as in section	7
2931.01 of the Revised Code.	8
(B) "Peace officer" includes, except as provided in	9
section 2935.081 of the Revised Code, a sheriff; deputy sheriff;	10
marshal; deputy marshal; member of the organized police	11
department of any municipal corporation, including a member of	12
the organized police department of a municipal corporation in an	13
adjoining state serving in Ohio under a contract pursuant to	14
section 737.04 of the Revised Code; member of a police force	15
employed by a metropolitan housing authority under division (D)	16
of section 3735.31 of the Revised Code; member of a police force	17
employed by a regional transit authority under division (Y) of	18

section 306.05 of the Revised Code; state university law	19
enforcement officer appointed under section 3345.04 of the	20
Revised Code; enforcement agent of the department of public	21
safety designated under section 5502.14 of the Revised Code;	22
employee of the department of taxation to whom investigation	23
powers have been delegated under section 5743.45 of the Revised	24
Code; employee of the department of natural resources who is a	25
natural resources law enforcement staff officer designated	26
pursuant to section 1501.013 of the Revised Code, a forest-fire	27
investigator appointed pursuant to section 1503.09 of the	28
Revised Code, a natural resources officer appointed pursuant to	29
section 1501.24 of the Revised Code, or a wildlife officer	30
designated pursuant to section 1531.13 of the Revised Code;	31
individual designated to perform law enforcement duties under	32
section 511.232, 1545.13, or 6101.75 of the Revised Code;	33
veterans' home police officer appointed under section 5907.02 of	34
the Revised Code; police officer employed by a hospital that	35
employs and maintains its own proprietary police department or	36
security department, and appointed and commissioned by the	37
secretary of state pursuant to sections 4973.17 to 4973.22 of	38
the Revised Code; special police officer employed by a port	39
authority under section 4582.04 or 4582.28 of the Revised Code;	40
police constable of any township; police officer of a township	41
or joint police district; a special police officer employed by a	42
municipal corporation at a municipal airport, or other municipal	43
air navigation facility, that has scheduled operations, as	44
defined in section 119.3 of Title 14 of the Code of Federal	45
Regulations, 14 C.F.R. 119.3, as amended, and that is required	46
to be under a security program and is governed by aviation	47
security rules of the transportation security administration of	48
the United States department of transportation as provided in	49
Parts 1542. and 1544. of Title 49 of the Code of Federal	50

Regulations, as amended; the house of representatives sergeant	51
at arms if the house of representatives sergeant at arms has	52
arrest authority pursuant to division (E)(1) of section 101.311	53
of the Revised Code; an assistant house of representatives	54
sergeant at arms; the senate sergeant at arms; an assistant	55
senate sergeant at arms; officer or employee of the bureau of	56
criminal identification and investigation established pursuant	57
to section 109.51 of the Revised Code who has been awarded a	58
certificate by the executive director of the Ohio peace officer	59
training commission attesting to the officer's or employee's	60
satisfactory completion of an approved state, county, municipal,	61
or department of natural resources peace officer basic training	62
program and who is providing assistance upon request to a law	63
enforcement officer or emergency assistance to a peace officer	64
pursuant to section 109.54 or 109.541 of the Revised Code; a	65
state fire marshal law enforcement officer described in division	66
(A) (23) of section 109.71 of the Revised Code; and, for the	67
purpose of arrests within those areas, for the purposes of	68
Chapter 5503. of the Revised Code, and the filing of and service	69
of process relating to those offenses witnessed or investigated	70
by them, the superintendent and troopers of the state highway	71
patrol.	72

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- (C) "Prosecutor" includes the county prosecuting attorney 73 and any assistant prosecutor designated to assist the county 74 prosecuting attorney, and, in the case of courts inferior to 75 courts of common pleas, includes the village solicitor, city 76 director of law, or similar chief legal officer of a municipal 77 corporation, any such officer's assistants, or any attorney 78 designated by the prosecuting attorney of the county to appear 79 for the prosecution of a given case. 80
  - (D) "Offense," except where the context specifically

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indicates otherwise, includes felonies, misdemeanors, and	82
violations of ordinances of municipal corporations and other	83
public bodies authorized by law to adopt penal regulations.	84
Section 2. That existing section 2935.01 of the Revised	85
Code is hereby repealed.	86