

Representative Tom Patton Sponsor Testimony – HB 91

House Criminal Justice Committee

3/28/23

Chair Abrams, Vice Chair Williams, Ranking Member Brown, and the Members of the House Criminal Justice Committee, I would like to thank you for the opportunity and honor to stand in front of you today and provide sponsor testimony on House Bill 91. This piece of legislation aims to amend section 2903.211 of the Ohio Revised Code to generally prohibit a person from knowingly installing a tracking device or application on another person's property without the other person's consent.

This issue was first brought to my attention through a news article from February of 2022 by Reporter Lynna Lai from the Northeast Ohio based news outlet, 3News-WKYC. This article documented a frightening story where a 21 year-old Ohio resident found a tracking device was monitoring her travel. After law enforcement searched her vehicle, they had found an AirTag was placed on to the car's rear bumper using a magnet – the victim believes it was placed by her ex-boyfriend.

The law remains ambiguous and unclear regarding these types of tracking cases, even with Ohio law on stalking and menacing. Currently, 19 other states have specific laws against electronic tracking including: Michigan, Illinois, Virginia, and Texas to name a few.

If enacted, House Bill 91 would act as a deterrence to those wishing to track individuals without consent, and punish those who act on this offense as a first degree misdemeanor. This bill also highlights some exemptions to being able to use electronic tracking devices including: law enforcement for criminal investigation, and parents or legal guardians of minors, elderly adults or disabled adults.

Chair Abrams, Vice Chair Williams, Ranking Member Brown and members of this committee – I would like to thank you again for allowing me to testify on House Bill 91.

At this time, I would be happy to answer any questions the committee may have.