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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

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Office

H.B. 532  
135<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Lorenz

Ashley F. Dean, Attorney

### SUMMARY

- Increases the penalty for assault to a fifth degree felony if the victim is a judge, magistrate, prosecutor, or court official on a first offense and to a fourth degree felony on a subsequent offense.
- Expands the Revised Code's general definition of "peace officer" to include bailiffs or deputy bailiffs of a municipal court and probation officers.

### DETAILED ANALYSIS

#### Assault

The bill increases the penalty for assault if the victim is a judge, magistrate, prosecutor, or court official or employee engaged in the performance of the victim's duties, and the offender knows or has reasonable cause to know that the victim is a judge, magistrate, prosecutor, or court official or employee, from a first degree misdemeanor to a fifth degree felony on a first offense. If the offender previously has been convicted of or pleaded guilty to one or more assault or homicide offenses committed against justice system personnel, assault committed in the circumstances specified above is increased from a fifth degree felony to a fourth degree felony.<sup>1</sup>

The prohibitions under the existing offense of "assault," unchanged by the bill, prohibit a person from knowingly causing or attempting to cause physical harm to another or to another's unborn, or recklessly causing serious physical harm to another or to another's unborn.<sup>2</sup>

<sup>1</sup> R.C. 2903.13(C)(9)(a) and (b).

<sup>2</sup> R.C. 2903.13(A) and (B).

## Bailiffs and probation officers as peace officers

The bill expands the Revised Code’s general definition of “peace officer” to include bailiffs or deputy bailiffs of a municipal court and probation officers. Additionally, the bill defines probation officers as a probation officer appointed by a municipal court, county court, or a court of common pleas.<sup>3</sup>

As a result of the bill’s change to the definition, bailiffs or deputy bailiffs of a municipal court and probation officers are considered peace officers for purposes of at least 93 additional Revised Code sections, including several provisions related to arrest or the issuance and execution of warrants, as well as the application of increased penalties for assault when the victim is a peace officer.<sup>4</sup>

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### HISTORY

Action	Date
Introduced	05-15-24

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<sup>3</sup> R.C. 2935.01(B) and (E).

<sup>4</sup> R.C. 2903.13(C)(5)(a).