

**As Reported by the House Higher Education and Workforce Development  
Committee**

**132nd General Assembly**

**Regular Session  
2017-2018**

**H. B. No. 240**

**Representative Barnes**

**Cosponsors: Representatives Duffey, Perales**

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**A BILL**

To enact sections 5.236 and 3345.43 of the Revised Code to enact the "Respect Your Date Act" to designate the month of April as "Respect Your Date Month" and to require each state institution of higher education to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus and to declare an emergency. 1  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 5.236 and 3345.43 of the Revised Code be enacted to read as follows: 9  
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**Sec. 5.236.** The month of April is designated as "Respect Your Date Month" to increase public awareness of dating violence, domestic violence, sexual assault, stalking, and rape on college campuses. 11  
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**Sec. 3345.43.** (A) (1) Each state institution of higher education, as defined in section 3345.011 of the Revised Code, shall adopt a policy regarding incidents of dating violence, 15  
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domestic violence, sexual assault, stalking, and rape on campus. 18  
The policy shall include the procedure for reporting such 19  
incidents and the institutional plan for investigating and 20  
responding to such incidents. The policy also shall describe the 21  
consequences for committing an incident of dating violence, 22  
domestic violence, sexual assault, stalking, or rape on campus, 23  
including the institutional disciplinary proceedings and the 24  
possible penalties that may be imposed. The institution shall 25  
keep a record of all reports of such incidents that it receives. 26

Each institution may include other incidents related to 27  
dating violence, domestic violence, sexual assault, stalking, or 28  
rape in the policy adopted under this section. 29

(2) Each policy adopted pursuant to this section shall be 30  
developed with the goal of enhancing due process in regard to 31  
incidents of dating violence, domestic violence, sexual assault, 32  
stalking, and rape on campus and to better define the protocols 33  
provided for under the "Clery Act," 20 U.S.C. 1092(f), and Title 34  
IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq. 35

(3) Each policy adopted pursuant to this section shall 36  
include the definitions listed in division (C) of this section. 37

(B) Each state institution of higher education annually 38  
shall distribute copies of the policy adopted pursuant to 39  
division (A) of this section during student orientation and at 40  
other appropriate events. 41

Additionally, each state institution of higher education 42  
shall post copies of the institution's policy in multiple, 43  
prominent locations across campus and in a prominent location on 44  
the institution's web site. At a minimum, copies posted across 45  
campus shall be posted each year during the month of April to 46

coincide with "Respect Your Date Month," as designated by 47  
section 5.236 of the Revised Code. 48

(C) As used in this section: 49

(1) "Dating violence," "domestic violence," "sexual 50  
assault," and "stalking" have the same meanings as in the 51  
"Violence Against Women Act," 42 U.S.C. 13925, as amended. 52

(2) "Rape" means a violation of section 2907.02 of the 53  
Revised Code. 54

For purposes of the definitions listed in divisions (C) (1) 55  
and (2) of this section, "consent" shall have the same meaning 56  
as in the federal uniform code of military justice, 10 U.S.C. 57  
920. 58

Each state institution of higher education may expand upon 59  
these definitions to address additional situations and incidents 60  
related to the policy adopted pursuant to this section. 61

**Section 2.** This act shall be known as the "Respect Your 62  
Date Act." 63

**Section 3.** This act is hereby declared to be an emergency 64  
measure necessary for the immediate preservation of the public 65  
peace, health, and safety. The reason for such necessity is to 66  
ensure safety on college campuses across the state for the 67  
upcoming academic year. Therefore, this act shall go into 68  
immediate effect. 69