

**As Reported by the House Criminal Justice Committee**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Sub. H. B. No. 276**

**Representatives Rezabek, Greenspan**

**Cosponsors: Representatives Hambley, Perales, Henne, Huffman, Koehler, Lipps,  
Antani, Manning**

---

**A BILL**

To amend section 2903.21 of the Revised Code to 1  
expand the offense of aggravated menacing to 2  
prohibit threatening a utility worker, cable 3  
operator worker, or broadband worker with intent 4  
to obstruct the operation of a utility. 5

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

**Section 1.** That section 2903.21 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 2903.21.** (A) No person shall knowingly cause another 8  
to believe that the offender will cause serious physical harm to 9  
the person or property of the other person, the other person's 10  
unborn, or a member of the other person's immediate family. In 11  
addition to any other basis for the other person's belief that 12  
the offender will cause serious physical harm to the person or 13  
property of the other person, the other person's unborn, or a 14  
member of the other person's immediate family, the other 15  
person's belief may be based on words or conduct of the offender 16  
that are directed at or identify a corporation, association, or 17  
other organization that employs the other person or to which the 18

other person belongs. 19

(B) No person shall knowingly cause a utility worker, cable operator worker, or broadband worker to believe that the offender will cause serious physical harm to the worker or to property by threatening the utility worker, cable operator worker, or broadband worker with a deadly weapon when the offender knows or has reasonable cause to know the worker's profession, the worker is engaged in the performance of the worker's duties, and the offender's intent is to obstruct the operation of a utility, cable, or broadband service. 20  
21  
22  
23  
24  
25  
26  
27  
28

(C) Whoever violates this section is guilty of aggravated menacing. ~~Except~~ 29  
30

(1) Except as otherwise provided in ~~this division~~ divisions (C) (2) and (3) of this section, aggravated menacing is a misdemeanor of the first degree. ~~If~~ 31  
32  
33

(2) If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer's or employee's performance or anticipated performance of official responsibilities or duties, aggravated menacing committed in violation of division (A) of this section is a felony of the fifth degree or, if the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency, and that prior offense related to the officer's or employee's performance or anticipated performance of official responsibilities or duties, a felony of the fourth degree. 34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

(3) If the offender previously has been convicted of or 47

pleaded guilty to aggravated menacing, aggravated menacing 48  
committed in violation of division (B) of this section is a 49  
felony of the fifth degree. 50

~~(C)~~ (D) As used in this section, "organization": 51

(1) "Broadband worker" means an employee, contractor, or 52  
agent of a person or entity, whether publicly or privately 53  
owned, that operates or maintains facilities that provide 54  
broadband services. 55

(2) "Cable operator worker" means an employee, contractor, 56  
or agent of a cable operator. 57

(3) "Cable operator" has the same meaning as in section 58  
1332.21 of the Revised Code, whether publicly or privately 59  
owned. 60

(4) "Organization" includes an entity that is a 61  
governmental employer. 62

(5) "Utility worker" means an employee, contractor, or 63  
agent of a person or entity whose primary responsibility is the 64  
operation or maintenance of a utility. 65

(6) "Utility" means an enterprise that provides gas, 66  
electric, steam, water, sewage, storm water, transportation, or 67  
communication services, whether publicly or privately owned. 68

**Section 2.** That existing section 2903.21 of the Revised 69  
Code is hereby repealed. 70