

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**S. B. No. 338**

**Senator Williams**

**Cosponsors: Senators Craig, Antonio, Yuko, Maharath, Fedor, Thomas**

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**A BILL**

To amend sections 109.73, 109.77, 109.79, 109.80, 1  
4117.10, and 5503.05 and to enact sections 2  
109.805, 109.806, and 2933.84 of the Revised 3  
Code to prohibit police officers from engaging 4  
in biased policing and other status-based 5  
profiling, and to require the attorney general's 6  
office to establish rules regarding such police 7  
practices. 8

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

**Section 1.** That sections 109.73, 109.77, 109.79, 109.80, 9  
4117.10, and 5503.05 be amended and sections 109.805, 109.806, 10  
and 2933.84 of the Revised Code be enacted to read as follows: 11

**Sec. 109.73.** (A) The Ohio peace officer training 12  
commission shall recommend rules to the attorney general with 13  
respect to all of the following: 14

(1) The approval, or revocation of approval, of peace 15  
officer training schools administered by the state, counties, 16  
municipal corporations, public school districts, technical 17  
college districts, and the department of natural resources; 18

(2) Minimum courses of study, attendance requirements, and 19  
equipment and facilities to be required at approved state, 20  
county, municipal, and department of natural resources peace 21  
officer training schools; 22

(3) Minimum qualifications for instructors at approved 23  
state, county, municipal, and department of natural resources 24  
peace officer training schools; 25

(4) The requirements of minimum basic training that peace 26  
officers appointed to probationary terms shall complete before 27  
being eligible for permanent appointment, which requirements 28  
shall include training in the handling of the offense of 29  
domestic violence, other types of domestic violence-related 30  
offenses and incidents, and protection orders and consent 31  
agreements issued or approved under section 2919.26 or 3113.31 32  
of the Revised Code; crisis intervention training; ~~and~~ training 33  
in the handling of missing children and child abuse and neglect 34  
cases; ~~and~~ training in handling violations of section 2905.32 of 35  
the Revised Code; training in performing law enforcement duties 36  
and handling law enforcement matters without engaging in biased 37  
policing or status-based profiling as described in divisions (B) 38  
and (C) of section 2933.84 of the Revised Code; and the time 39  
within which such basic training shall be completed following 40  
appointment to a probationary term; 41

(5) The requirements of minimum basic training that peace 42  
officers not appointed for probationary terms but appointed on 43  
other than a permanent basis shall complete in order to be 44  
eligible for continued employment or permanent appointment, 45  
which requirements shall include training in the handling of the 46  
offense of domestic violence, other types of domestic violence- 47  
related offenses and incidents, and protection orders and 48

consent agreements issued or approved under section 2919.26 or 49  
3113.31 of the Revised Code~~;~~ crisis intervention training~~;~~ and~~;~~ 50  
training in the handling of missing children and child abuse and 51  
neglect cases~~;~~ and~~;~~ training in handling violations of section 52  
2905.32 of the Revised Code~~;~~ training in performing law 53  
enforcement duties and handling law enforcement matters without 54  
engaging in biased policing or status-based profiling as 55  
described in divisions (B) and (C) of section 2933.84 of the 56  
Revised Code; and the time within which such basic training 57  
shall be completed following appointment on other than a 58  
permanent basis; 59

(6) Categories or classifications of advanced in-service 60  
training programs for peace officers, including programs in the 61  
handling of the offense of domestic violence, other types of 62  
domestic violence-related offenses and incidents, and protection 63  
orders and consent agreements issued or approved under section 64  
2919.26 or 3113.31 of the Revised Code~~;~~ in crisis intervention~~;~~ 65  
~~and;~~ in the handling of missing children and child abuse and 66  
neglect cases~~;~~ and~~;~~ in handling violations of section 2905.32 of 67  
the Revised Code~~;~~ training in performing law enforcement duties 68  
and handling law enforcement matters without engaging in biased 69  
policing or status-based profiling as described in divisions (B) 70  
and (C) of section 2933.84 of the Revised Code; and minimum 71  
courses of study and attendance requirements with respect to 72  
such categories or classifications; 73

(7) Permitting persons, who are employed as members of a 74  
campus police department appointed under section 1713.50 of the 75  
Revised Code; who are employed as police officers by a qualified 76  
nonprofit corporation police department pursuant to section 77  
1702.80 of the Revised Code; who are appointed and commissioned 78  
as bank, savings and loan association, savings bank, credit 79

union, or association of banks, savings and loan associations, 80  
savings banks, or credit unions police officers, as railroad 81  
police officers, or as hospital police officers pursuant to 82  
sections 4973.17 to 4973.22 of the Revised Code; or who are 83  
appointed and commissioned as amusement park police officers 84  
pursuant to section 4973.17 of the Revised Code, to attend 85  
approved peace officer training schools, including the Ohio 86  
peace officer training academy, and to receive certificates of 87  
satisfactory completion of basic training programs, if the 88  
private college or university that established the campus police 89  
department; qualified nonprofit corporation police department; 90  
bank, savings and loan association, savings bank, credit union, 91  
or association of banks, savings and loan associations, savings 92  
banks, or credit unions; railroad company; hospital; or 93  
amusement park sponsoring the police officers pays the entire 94  
cost of the training and certification and if trainee vacancies 95  
are available; 96

(8) Permitting undercover drug agents to attend approved 97  
peace officer training schools, other than the Ohio peace 98  
officer training academy, and to receive certificates of 99  
satisfactory completion of basic training programs, if, for each 100  
undercover drug agent, the county, township, or municipal 101  
corporation that employs that undercover drug agent pays the 102  
entire cost of the training and certification; 103

(9) (a) The requirements for basic training programs for 104  
bailiffs and deputy bailiffs of courts of record of this state 105  
and for criminal investigators employed by the state public 106  
defender that those persons shall complete before they may carry 107  
a firearm while on duty; 108

(b) The requirements for any training received by a 109

bailiff or deputy bailiff of a court of record of this state or 110  
by a criminal investigator employed by the state public defender 111  
prior to June 6, 1986, that is to be considered equivalent to 112  
the training described in division (A) (9) (a) of this section. 113

(10) Establishing minimum qualifications and requirements 114  
for certification for dogs utilized by law enforcement agencies; 115

(11) Establishing minimum requirements for certification 116  
of persons who are employed as correction officers in a full- 117  
service jail, five-day facility, or eight-hour holding facility 118  
or who provide correction services in such a jail or facility; 119

(12) Establishing requirements for the training of agents 120  
of a county humane society under section 1717.06 of the Revised 121  
Code, including, without limitation, a requirement that the 122  
agents receive instruction on traditional animal husbandry 123  
methods and training techniques, including customary owner- 124  
performed practices; 125

(13) Permitting tactical medical professionals to attend 126  
approved peace officer training schools, including the Ohio 127  
peace officer training academy, to receive training of the type 128  
described in division (A) (14) of this section and to receive 129  
certificates of satisfactory completion of training programs 130  
described in that division; 131

(14) The requirements for training programs that tactical 132  
medical professionals shall complete to qualify them to carry 133  
firearms while on duty under section 109.771 of the Revised 134  
Code, which requirements shall include at least the firearms 135  
training specified in division (A) of section 109.748 of the 136  
Revised Code. 137

(B) The commission shall appoint an executive director, 138

with the approval of the attorney general, who shall hold office 139  
during the pleasure of the commission. The executive director 140  
shall perform such duties assigned by the commission. The 141  
executive director shall receive a salary fixed pursuant to 142  
Chapter 124. of the Revised Code and reimbursement for expenses 143  
within the amounts available by appropriation. The executive 144  
director may appoint officers, employees, agents, and 145  
consultants as the executive director considers necessary, 146  
prescribe their duties, and provide for reimbursement of their 147  
expenses within the amounts available for reimbursement by 148  
appropriation and with the approval of the commission. 149

(C) The commission may do all of the following: 150

(1) Recommend studies, surveys, and reports to be made by 151  
the executive director regarding the carrying out of the 152  
objectives and purposes of sections 109.71 to 109.77 of the 153  
Revised Code; 154

(2) Visit and inspect any peace officer training school 155  
that has been approved by the executive director or for which 156  
application for approval has been made; 157

(3) Make recommendations, from time to time, to the 158  
executive director, the attorney general, and the general 159  
assembly regarding the carrying out of the purposes of sections 160  
109.71 to 109.77 of the Revised Code; 161

(4) Report to the attorney general from time to time, and 162  
to the governor and the general assembly at least annually, 163  
concerning the activities of the commission; 164

(5) Establish fees for the services the commission offers 165  
under sections 109.71 to 109.79 of the Revised Code, including, 166  
but not limited to, fees for training, certification, and 167

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| testing;  | 168   |
| (6) Perform such other acts as are necessary or<br>appropriate to carry out the powers and duties of the commission<br>as set forth in sections 109.71 to 109.77 of the Revised Code.   | 169<br>170<br>171   |
| (D) In establishing the requirements, under division (A)<br>(12) of this section, the commission may consider any portions<br>of the curriculum for instruction on the topic of animal<br>husbandry practices, if any, of the Ohio state university<br>college of veterinary medicine. No person or entity that fails<br>to provide instruction on traditional animal husbandry methods<br>and training techniques, including customary owner-performed<br>practices, shall qualify to train a humane agent for appointment<br>under section 1717.06 of the Revised Code. | 172<br>173<br>174<br>175<br>176<br>177<br>178<br>179<br>180 |
| <b>Sec. 109.77.</b> (A) As used in this section:  | 181   |
| (1) "Felony" has the same meaning as in section 109.511 of<br>the Revised Code.   | 182<br>183  |
| (2) "Companion animal" has the same meaning as in section<br>959.131 of the Revised Code.   | 184<br>185  |
| (B) (1) Notwithstanding any general, special, or local law<br>or charter to the contrary, and except as otherwise provided in<br>this section, no person shall receive an original appointment on<br>a permanent basis as any of the following unless the person<br>previously has been awarded a certificate by the executive<br>director of the Ohio peace officer training commission attesting<br>to the person's satisfactory completion of an approved state,<br>county, municipal, or department of natural resources peace<br>officer basic training program:     | 186<br>187<br>188<br>189<br>190<br>191<br>192<br>193<br>194 |
| (a) A peace officer of any county, township, municipal<br>corporation, regional transit authority, or metropolitan housing  | 195<br>196  |

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| authority;   | 197 |
| (b) A natural resources law enforcement staff officer,           | 198 |
| forest-fire investigator, wildlife officer, or natural resources | 199 |
| officer of the department of natural resources;                  | 200 |
| (c) An employee of a park district under section 511.232         | 201 |
| or 1545.13 of the Revised Code;                                  | 202 |
| (d) An employee of a conservancy district who is                 | 203 |
| designated pursuant to section 6101.75 of the Revised Code;      | 204 |
| (e) A state university law enforcement officer;                  | 205 |
| (f) A special police officer employed by the department of       | 206 |
| mental health and addiction services pursuant to section 5119.08 | 207 |
| of the Revised Code or the department of developmental           | 208 |
| disabilities pursuant to section 5123.13 of the Revised Code;    | 209 |
| (g) An enforcement agent of the department of public             | 210 |
| safety whom the director of public safety designates under       | 211 |
| section 5502.14 of the Revised Code;                             | 212 |
| (h) A special police officer employed by a port authority        | 213 |
| under section 4582.04 or 4582.28 of the Revised Code;            | 214 |
| (i) A special police officer employed by a municipal             | 215 |
| corporation at a municipal airport, or other municipal air       | 216 |
| navigation facility, that has scheduled operations, as defined   | 217 |
| in section 119.3 of Title 14 of the Code of Federal Regulations, | 218 |
| 14 C.F.R. 119.3, as amended, and that is required to be under a  | 219 |
| security program and is governed by aviation security rules of   | 220 |
| the transportation security administration of the United States  | 221 |
| department of transportation as provided in Parts 1542. and      | 222 |
| 1544. of Title 49 of the Code of Federal Regulations, as         | 223 |
| amended;   | 224 |



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| (j) A gaming agent employed under section 3772.03 of the Revised Code.  | 225<br>226  |
| (2) Every person who is appointed on a temporary basis or for a probationary term or on other than a permanent basis as any of the following shall forfeit the appointed position unless the person previously has completed satisfactorily or, within the time prescribed by rules adopted by the attorney general pursuant to section 109.74 of the Revised Code, satisfactorily completes a state, county, municipal, or department of natural resources peace officer basic training program for temporary or probationary officers and is awarded a certificate by the director attesting to the satisfactory completion of the program: | 227<br>228<br>229<br>230<br>231<br>232<br>233<br>234<br>235<br>236<br>237 |
| (a) A peace officer of any county, township, municipal corporation, regional transit authority, or metropolitan housing authority;  | 238<br>239<br>240   |
| (b) A natural resources law enforcement staff officer, park officer, forest officer, preserve officer, wildlife officer, or state watercraft officer of the department of natural resources;  | 241<br>242<br>243<br>244  |
| (c) An employee of a park district under section 511.232 or 1545.13 of the Revised Code;  | 245<br>246  |
| (d) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;  | 247<br>248  |
| (e) A special police officer employed by the department of mental health and addiction services pursuant to section 5119.08 of the Revised Code or the department of developmental disabilities pursuant to section 5123.13 of the Revised Code;  | 249<br>250<br>251<br>252  |
| (f) An enforcement agent of the department of public  | 253   |

safety whom the director of public safety designates under 254  
section 5502.14 of the Revised Code; 255

(g) A special police officer employed by a port authority 256  
under section 4582.04 or 4582.28 of the Revised Code; 257

(h) A special police officer employed by a municipal 258  
corporation at a municipal airport, or other municipal air 259  
navigation facility, that has scheduled operations, as defined 260  
in section 119.3 of Title 14 of the Code of Federal Regulations, 261  
14 C.F.R. 119.3, as amended, and that is required to be under a 262  
security program and is governed by aviation security rules of 263  
the transportation security administration of the United States 264  
department of transportation as provided in Parts 1542. and 265  
1544. of Title 49 of the Code of Federal Regulations, as 266  
amended. 267

(3) For purposes of division (B) of this section, a state, 268  
county, municipal, or department of natural resources peace 269  
officer basic training program, regardless of whether the 270  
program is to be completed by peace officers appointed on a 271  
permanent or temporary, probationary, or other nonpermanent 272  
basis, shall include training in the handling of the offense of 273  
domestic violence, other types of domestic violence-related 274  
offenses and incidents, and protection orders and consent 275  
agreements issued or approved under section 2919.26 or 3113.31 276  
of the Revised Code; crisis intervention training; training, 277  
in accordance with the rules adopted under section 109.805 of 278  
the Revised Code, in performing law enforcement duties and 279  
handling law enforcement matters without engaging in biased 280  
policing or status-based profiling as described in divisions (B) 281  
and (C) of section 2933.84 of the Revised Code; and training on 282  
companion animal encounters and companion animal behavior. The 283

requirement to complete training in the handling of the offense 284  
of domestic violence, other types of domestic violence-related 285  
offenses and incidents, and protection orders and consent 286  
agreements issued or approved under section 2919.26 or 3113.31 287  
of the Revised Code does not apply to any person serving as a 288  
peace officer on March 27, 1979, ~~and~~ the requirement to complete 289  
training in crisis intervention does not apply to any person 290  
serving as a peace officer on April 4, 1985, and the requirement 291  
to complete training in performing law enforcement duties and 292  
handling law enforcement matters without engaging in biased 293  
policing or status-based profiling, as described in divisions 294  
(B) and (C) of section 2933.84 of the Revised Code, does not 295  
apply to any person serving as a peace officer on the effective 296  
date of this amendment. Any person who is serving as a peace 297  
officer on April 4, 1985, who terminates that employment after 298  
that date, and who subsequently is hired as a peace officer by 299  
the same or another law enforcement agency shall complete 300  
training in crisis intervention as prescribed by rules adopted 301  
by the attorney general pursuant to section 109.742 of the 302  
Revised Code. Any person who is serving as a peace officer on 303  
the effective date of this amendment who terminates that 304  
employment after that date and who subsequently is hired as a 305  
peace officer by the same or another law enforcement agency 306  
shall complete training in performing law enforcement duties and 307  
handling law enforcement matters without engaging in biased 308  
policing or status-based profiling as described in divisions (B) 309  
and (C) of section 2933.84 of the Revised Code, as prescribed by 310  
rules adopted by the attorney general pursuant to section 311  
109.805 of the Revised Code. No peace officer shall have 312  
employment as a peace officer terminated and then be reinstated 313  
with intent to circumvent this section. 314

(4) Division (B) of this section does not apply to any 315  
person serving on a permanent basis on March 28, 1985, as a park 316  
officer, forest officer, preserve officer, wildlife officer, or 317  
state watercraft officer of the department of natural resources 318  
or as an employee of a park district under section 511.232 or 319  
1545.13 of the Revised Code, to any person serving on a 320  
permanent basis on March 6, 1986, as an employee of a 321  
conservancy district designated pursuant to section 6101.75 of 322  
the Revised Code, to any person serving on a permanent basis on 323  
January 10, 1991, as a preserve officer of the department of 324  
natural resources, to any person employed on a permanent basis 325  
on July 2, 1992, as a special police officer by the department 326  
of mental health and addiction services pursuant to section 327  
5119.08 of the Revised Code or by the department of 328  
developmental disabilities pursuant to section 5123.13 of the 329  
Revised Code, to any person serving on a permanent basis on May 330  
17, 2000, as a special police officer employed by a port 331  
authority under section 4582.04 or 4582.28 of the Revised Code, 332  
to any person serving on a permanent basis on March 19, 2003, as 333  
a special police officer employed by a municipal corporation at 334  
a municipal airport or other municipal air navigation facility 335  
described in division (A)(19) of section 109.71 of the Revised 336  
Code, to any person serving on a permanent basis on June 19, 337  
1978, as a state university law enforcement officer pursuant to 338  
section 3345.04 of the Revised Code and who, immediately prior 339  
to June 19, 1978, was serving as a special police officer 340  
designated under authority of that section, or to any person 341  
serving on a permanent basis on September 20, 1984, as a liquor 342  
control investigator, known after June 30, 1999, as an 343  
enforcement agent of the department of public safety, engaged in 344  
the enforcement of Chapters 4301. and 4303. of the Revised Code. 345

(5) Division (B) of this section does not apply to any 346  
person who is appointed as a regional transit authority police 347  
officer pursuant to division (Y) of section 306.35 of the 348  
Revised Code if, on or before July 1, 1996, the person has 349  
completed satisfactorily an approved state, county, municipal, 350  
or department of natural resources peace officer basic training 351  
program and has been awarded a certificate by the executive 352  
director of the Ohio peace officer training commission attesting 353  
to the person's satisfactory completion of such an approved 354  
program and if, on July 1, 1996, the person is performing peace 355  
officer functions for a regional transit authority. 356

(C) No person, after September 20, 1984, shall receive an 357  
original appointment on a permanent basis as a veterans' home 358  
police officer designated under section 5907.02 of the Revised 359  
Code unless the person previously has been awarded a certificate 360  
by the executive director of the Ohio peace officer training 361  
commission attesting to the person's satisfactory completion of 362  
an approved police officer basic training program. Every person 363  
who is appointed on a temporary basis or for a probationary term 364  
or on other than a permanent basis as a veterans' home police 365  
officer designated under section 5907.02 of the Revised Code 366  
shall forfeit that position unless the person previously has 367  
completed satisfactorily or, within one year from the time of 368  
appointment, satisfactorily completes an approved police officer 369  
basic training program. 370

(D) No bailiff or deputy bailiff of a court of record of 371  
this state and no criminal investigator who is employed by the 372  
state public defender shall carry a firearm, as defined in 373  
section 2923.11 of the Revised Code, while on duty unless the 374  
bailiff, deputy bailiff, or criminal investigator has done or 375  
received one of the following: 376

(1) Has been awarded a certificate by the executive 377  
director of the Ohio peace officer training commission, which 378  
certificate attests to satisfactory completion of an approved 379  
state, county, or municipal basic training program for bailiffs 380  
and deputy bailiffs of courts of record and for criminal 381  
investigators employed by the state public defender that has 382  
been recommended by the Ohio peace officer training commission; 383

(2) Has successfully completed a firearms training program 384  
approved by the Ohio peace officer training commission prior to 385  
employment as a bailiff, deputy bailiff, or criminal 386  
investigator; 387

(3) Prior to June 6, 1986, was authorized to carry a 388  
firearm by the court that employed the bailiff or deputy bailiff 389  
or, in the case of a criminal investigator, by the state public 390  
defender and has received training in the use of firearms that 391  
the Ohio peace officer training commission determines is 392  
equivalent to the training that otherwise is required by 393  
division (D) of this section. 394

(E) (1) Before a person seeking a certificate completes an 395  
approved peace officer basic training program, the executive 396  
director of the Ohio peace officer training commission shall 397  
request the person to disclose, and the person shall disclose, 398  
any previous criminal conviction of or plea of guilty of that 399  
person to a felony. 400

(2) Before a person seeking a certificate completes an 401  
approved peace officer basic training program, the executive 402  
director shall request a criminal history records check on the 403  
person. The executive director shall submit the person's 404  
fingerprints to the bureau of criminal identification and 405  
investigation, which shall submit the fingerprints to the 406

federal bureau of investigation for a national criminal history 407  
records check. 408

Upon receipt of the executive director's request, the 409  
bureau of criminal identification and investigation and the 410  
federal bureau of investigation shall conduct a criminal history 411  
records check on the person and, upon completion of the check, 412  
shall provide a copy of the criminal history records check to 413  
the executive director. The executive director shall not award 414  
any certificate prescribed in this section unless the executive 415  
director has received a copy of the criminal history records 416  
check on the person to whom the certificate is to be awarded. 417

(3) The executive director of the commission shall not 418  
award a certificate prescribed in this section to a person who 419  
has been convicted of or has pleaded guilty to a felony or who 420  
fails to disclose any previous criminal conviction of or plea of 421  
guilty to a felony as required under division (E)(1) of this 422  
section. 423

(4) The executive director of the commission shall revoke 424  
the certificate awarded to a person as prescribed in this 425  
section, and that person shall forfeit all of the benefits 426  
derived from being certified as a peace officer under this 427  
section, if the person, before completion of an approved peace 428  
officer basic training program, failed to disclose any previous 429  
criminal conviction of or plea of guilty to a felony as required 430  
under division (E)(1) of this section. 431

(F)(1) Regardless of whether the person has been awarded 432  
the certificate or has been classified as a peace officer prior 433  
to, on, or after October 16, 1996, the executive director of the 434  
Ohio peace officer training commission shall revoke any 435  
certificate that has been awarded to a person as prescribed in 436

this section if the person does either of the following: 437

(a) Pleads guilty to a felony committed on or after 438  
January 1, 1997; 439

(b) Pleads guilty to a misdemeanor committed on or after 440  
January 1, 1997, pursuant to a negotiated plea agreement as 441  
provided in division (D) of section 2929.43 of the Revised Code 442  
in which the person agrees to surrender the certificate awarded 443  
to the person under this section. 444

(2) The executive director of the commission shall suspend 445  
any certificate that has been awarded to a person as prescribed 446  
in this section if the person is convicted, after trial, of a 447  
felony committed on or after January 1, 1997. The executive 448  
director shall suspend the certificate pursuant to division (F) 449  
(2) of this section pending the outcome of an appeal by the 450  
person from that conviction to the highest court to which the 451  
appeal is taken or until the expiration of the period in which 452  
an appeal is required to be filed. If the person files an appeal 453  
that results in that person's acquittal of the felony or 454  
conviction of a misdemeanor, or in the dismissal of the felony 455  
charge against that person, the executive director shall 456  
reinstate the certificate awarded to the person under this 457  
section. If the person files an appeal from that person's 458  
conviction of the felony and the conviction is upheld by the 459  
highest court to which the appeal is taken or if the person does 460  
not file a timely appeal, the executive director shall revoke 461  
the certificate awarded to the person under this section. 462

(G) (1) If a person is awarded a certificate under this 463  
section and the certificate is revoked pursuant to division (E) 464  
(4) or (F) of this section, the person shall not be eligible to 465  
receive, at any time, a certificate attesting to the person's 466



satisfactory completion of a peace officer basic training program. 467  
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(2) The revocation or suspension of a certificate under division (E) (4) or (F) of this section shall be in accordance with Chapter 119. of the Revised Code. 469  
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(H) (1) A person who was employed as a peace officer of a county, township, or municipal corporation of the state on January 1, 1966, and who has completed at least sixteen years of full-time active service as such a peace officer, or equivalent service as determined by the executive director of the Ohio peace officer training commission, may receive an original appointment on a permanent basis and serve as a peace officer of a county, township, or municipal corporation, or as a state university law enforcement officer, without complying with the requirements of division (B) of this section. 472  
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(2) Any person who held an appointment as a state highway trooper on January 1, 1966, may receive an original appointment on a permanent basis and serve as a peace officer of a county, township, or municipal corporation, or as a state university law enforcement officer, without complying with the requirements of division (B) of this section. 482  
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(I) No person who is appointed as a peace officer of a county, township, or municipal corporation on or after April 9, 1985, shall serve as a peace officer of that county, township, or municipal corporation unless the person has received training in the handling of missing children and child abuse and neglect cases from an approved state, county, township, or municipal police officer basic training program or receives the training within the time prescribed by rules adopted by the attorney general pursuant to section 109.741 of the Revised Code. 488  
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(J) No part of any approved state, county, or municipal 497  
basic training program for bailiffs and deputy bailiffs of 498  
courts of record and no part of any approved state, county, or 499  
municipal basic training program for criminal investigators 500  
employed by the state public defender shall be used as credit 501  
toward the completion by a peace officer of any part of the 502  
approved state, county, or municipal peace officer basic 503  
training program that the peace officer is required by this 504  
section to complete satisfactorily. 505

(K) This section does not apply to any member of the 506  
police department of a municipal corporation in an adjoining 507  
state serving in this state under a contract pursuant to section 508  
737.04 of the Revised Code. 509

**Sec. 109.79.** (A) The Ohio peace officer training 510  
commission shall establish and conduct a training school for law 511  
enforcement officers of any political subdivision of the state 512  
or of the state public defender's office. The school shall be 513  
known as the Ohio peace officer training academy. No bailiff or 514  
deputy bailiff of a court of record of this state and no 515  
criminal investigator employed by the state public defender 516  
shall be permitted to attend the academy for training unless the 517  
employing court of the bailiff or deputy bailiff or the state 518  
public defender, whichever is applicable, has authorized the 519  
bailiff, deputy bailiff, or investigator to attend the academy. 520

The Ohio peace officer training commission shall develop 521  
the training program, which shall include courses in both the 522  
civil and criminal functions of law enforcement officers, a 523  
course in crisis intervention with six or more hours of 524  
training, training in the handling of missing children and child 525  
abuse and neglect cases, training in performing law enforcement 526

duties and handling law enforcement matters without engaging in 527  
biased policing or status-based profiling as described in 528  
divisions (B) and (C) of section 2933.84 of the Revised Code, 529  
and training on companion animal encounters and companion animal 530  
behavior, and shall establish rules governing qualifications for 531  
admission to the academy. The training in performing law 532  
enforcement duties and handling law enforcement matters without 533  
engaging in biased policing or status-based profiling shall be 534  
consistent with the training specified in the rules adopted 535  
under section 109.805 of the Revised Code. The commission may 536  
require competitive examinations to determine fitness of 537  
prospective trainees, so long as the examinations or other 538  
criteria for admission to the academy are consistent with the 539  
provisions of Chapter 124. of the Revised Code. 540

The Ohio peace officer training commission shall determine 541  
tuition costs sufficient in the aggregate to pay the costs of 542  
operating the academy. The costs of acquiring and equipping the 543  
academy shall be paid from appropriations made by the general 544  
assembly to the Ohio peace officer training commission for that 545  
purpose, from gifts or grants received for that purpose, or from 546  
fees for goods related to the academy. 547

The Ohio peace officer training commission shall create a 548  
gaming-related curriculum for gaming agents. The Ohio peace 549  
officer training commission shall use money distributed to the 550  
Ohio peace officer training academy from the Ohio law 551  
enforcement training fund to first support the academy's 552  
training programs for gaming agents and gaming-related 553  
curriculum. The Ohio peace officer training commission may 554  
utilize existing training programs in other states that 555  
specialize in training gaming agents. 556

The law enforcement officers, during the period of their training, shall receive compensation as determined by the political subdivision that sponsors them or, if the officer is a criminal investigator employed by the state public defender, as determined by the state public defender. The political subdivision may pay the tuition costs of the law enforcement officers they sponsor and the state public defender may pay the tuition costs of criminal investigators of that office who attend the academy.

If trainee vacancies exist, the academy may train and issue certificates of satisfactory completion to peace officers who are employed by a campus police department pursuant to section 1713.50 of the Revised Code, by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code, or by a railroad company, who are amusement park police officers appointed and commissioned by a judge of the appropriate municipal court or county court pursuant to section 4973.17 of the Revised Code, or who are bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions, or hospital police officers appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code, provided that no such officer shall be trained at the academy unless the officer meets the qualifications established for admission to the academy and the qualified nonprofit corporation police department; bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions; railroad company; hospital; or amusement park or the private college or university that established the campus police department prepays the entire cost of the training. A

qualified nonprofit corporation police department; bank, savings 588  
and loan association, savings bank, credit union, or association 589  
of banks, savings and loan associations, savings banks, or 590  
credit unions; railroad company; hospital; or amusement park or 591  
a private college or university that has established a campus 592  
police department is not entitled to reimbursement from the 593  
state for any amount paid for the cost of training the bank, 594  
savings and loan association, savings bank, credit union, or 595  
association of banks, savings and loan associations, savings 596  
banks, or credit unions peace officers; the railroad company's 597  
peace officers; or the peace officers of the qualified nonprofit 598  
corporation police department, campus police department, 599  
hospital, or amusement park. 600

The academy shall permit investigators employed by the 601  
state medical board to take selected courses that the board 602  
determines are consistent with its responsibilities for initial 603  
and continuing training of investigators as required under 604  
sections 4730.26 and 4731.05 of the Revised Code. The board 605  
shall pay the entire cost of training that investigators receive 606  
at the academy. 607

The academy shall permit tactical medical professionals to 608  
attend training courses at the academy that are designed to 609  
qualify the professionals to carry firearms while on duty under 610  
section 109.771 of the Revised Code and that provide training 611  
comparable to training mandated under the rules required by 612  
division (A) of section 109.748 of the Revised Code. The 613  
executive director of the Ohio peace officer training commission 614  
may certify tactical medical professionals who satisfactorily 615  
complete the training courses. The law enforcement agency served 616  
by a tactical medical professional who attends the academy may 617  
pay the tuition costs of the professional. 618

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| (B) As used in this section:  | 619                                    |
| (1) "Law enforcement officers" include any undercover drug agent, any bailiff or deputy bailiff of a court of record, and any criminal investigator who is employed by the state public defender.   | 620<br>621<br>622<br>623               |
| (2) "Undercover drug agent" means any person who:   | 624                                    |
| (a) Is employed by a county, township, or municipal corporation for the purposes set forth in division (B)(2)(b) of this section but who is not an employee of a county sheriff's department, of a township constable, or of the police department of a municipal corporation or township;  | 625<br>626<br>627<br>628<br>629        |
| (b) In the course of the person's employment by a county, township, or municipal corporation, investigates and gathers information pertaining to persons who are suspected of violating Chapter 2925. or 3719. of the Revised Code, and generally does not wear a uniform in the performance of the person's duties.  | 630<br>631<br>632<br>633<br>634        |
| (3) "Crisis intervention training" has the same meaning as in section 109.71 of the Revised Code.   | 635<br>636                             |
| (4) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.  | 637<br>638                             |
| (5) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.  | 639<br>640                             |
| <b>Sec. 109.80.</b> (A) The Ohio peace officer training commission shall develop and conduct a basic training course lasting at least three weeks for appointed and newly elected sheriffs appointed or elected on or after January 1, 1988, and shall establish criteria for what constitutes successful completion of the course. The basic training course shall | 641<br>642<br>643<br>644<br>645<br>646 |

include instruction in contemporary law enforcement, criminal 647  
investigations, the judicial process, civil rules, corrections, 648  
and other topics relevant to the duties and operations of the 649  
office of sheriff. The basic training course also shall include 650  
training in performing law enforcement duties and handling law 651  
enforcement matters without engaging in biased policing or 652  
status-based profiling as described in divisions (B) and (C) of 653  
section 2933.84 of the Revised Code. Such training shall be 654  
consistent with the training specified in the rules adopted 655  
under section 109.805 of the Revised Code. The commission shall 656  
offer the course every four years within six months after the 657  
general election of sheriffs in each county and at other times 658  
when it is needed to permit sheriffs to attend within six months 659  
after appointment or election. The course shall be conducted by 660  
the Ohio peace officer training academy. The ~~council~~ commission 661  
shall provide that not less than two weeks of the course 662  
conducted within six months after the general election of 663  
sheriffs in each county shall be conducted prior to the first 664  
Monday in January next after that general election. 665

(B) The attorney general shall appoint a continuing 666  
education committee, consisting of not fewer than five nor more 667  
than seven members, including but not limited to, members of the 668  
Ohio peace officer training commission and sheriffs. The 669  
commission and the committee jointly shall determine the type of 670  
continuing education required for sheriffs to complete the 671  
requirements of division (E) of section 311.01 of the Revised 672  
Code, shall include as a required part of that continuing 673  
education training in performing law enforcement duties and 674  
handling law enforcement matters without engaging in biased 675  
policing or status-based profiling as described in divisions (B) 676  
and (C) of section 2933.84 of the Revised Code, and shall 677

establish criteria for what constitutes successful completion of 678  
the requirement. The training in performing law enforcement 679  
duties and handling law enforcement matters without engaging in 680  
biased policing or status-based profiling shall be consistent 681  
with the training specified in the rules adopted under section 682  
109.805 of the Revised Code. The committee shall approve the 683  
courses that sheriffs may attend to complete the continuing 684  
education requirement and shall publish an approved list of 685  
those courses. The commission shall maintain a list of approved 686  
training schools that sheriffs may attend to complete the 687  
continuing education requirement. Upon request, the committee 688  
may approve courses other than those courses conducted as part 689  
of a certified law enforcement manager program. 690

(C) Upon presentation of evidence by a sheriff that 691  
because of medical disability or for other good cause ~~that~~ the 692  
sheriff is unable to complete the basic or continuing education 693  
requirement, the commission may waive the requirement until the 694  
disability or cause terminates. 695

(D) As used in this section, "newly elected sheriff" means 696  
a person who did not hold the office of sheriff of a county on 697  
the date the person was elected sheriff of that county. 698

**Sec. 109.805.** The attorney general shall do all of the 699  
following: 700

(A) Adopt, in accordance with Chapter 119. or pursuant to 701  
section 109.74 of the Revised Code, rules governing the training 702  
of peace officers in performing law enforcement duties and 703  
handling law enforcement matters without engaging in biased 704  
policing or status-based profiling, including biased policing 705  
and status-based profiling of the type described in divisions 706  
(B) and (C) of section 2933.84 of the Revised Code. The rules 707



shall specify the amount of that training necessary for the 708  
satisfactory completion of basic training programs at approved 709  
peace officer training schools other than the Ohio peace officer 710  
training academy. The rules shall require that the training 711  
include, but not be limited to, materials that provide an 712  
understanding of the historical and cultural systems that 713  
perpetuate biased policing and status-based profiling, 714  
assistance in identifying biased policing and status-based 715  
profiling practices, and self-evaluation strategies for officers 716  
to preempt biased policing or status-based profiling prior to 717  
stopping an individual. 718

(B) Adopt reasonable rules under Chapter 119. of the 719  
Revised Code prescribing the format and timing of the submission 720  
by law enforcement agencies under division (G) (1) of section 721  
2933.84 of the Revised Code of information gathered under 722  
divisions (E) and (F) of that section. 723

(C) In accordance with division (G) of section 2933.84 of 724  
the Revised Code, analyze all data submitted to the attorney 725  
general pursuant to that division, publish the data and the 726  
analysis of the data in a report, and distribute copies of the 727  
report. 728

**Sec. 109.806.** (A) There is hereby created within the 729  
office of the attorney general the racial and identity profiling 730  
advisory board. The board is established for the purpose of 731  
eliminating biased policing and status-based profiling as 732  
described in divisions (B) and (C) of section 2933.84 of the 733  
Revised Code, and improving diversity and racial and identity 734  
sensitivity in law enforcement. 735

(B) Unless otherwise stated in this division, the governor 736  
shall appoint members to the board with the advice and consent 737

- of the senate. The board shall consist of the following members: 738
- (1) The attorney general, the state public defender, and 739  
the superintendent of the state highway patrol, or their 740  
designees; 741
- (2) The president of the Ohio association of chiefs of 742  
police, or the president's designee; 743
- (3) The president of the buckeye state sheriffs' 744  
association, or the president's designee; 745
- (4) Two members of the senate, one appointed by the 746  
president of the senate and one appointed by the minority leader 747  
of the senate; 748
- (5) Two members of the house of representatives, one 749  
appointed by the speaker of the house of representatives and one 750  
appointed by the minority leader of the house of 751  
representatives; 752
- (6) A member of the general assembly appointed by the Ohio 753  
legislative black caucus; 754
- (7) A university professor who specializes in policing and 755  
racial and identity equity; 756
- (8) Two representatives of civil or human rights nonprofit 757  
organizations who specialize in civil or human rights; 758
- (9) Two representatives of community organizations who 759  
specialize in civil or human rights and criminal justice and who 760  
work with victims of biased policing or status-based profiling, 761  
with at least one of the representatives being between sixteen 762  
and twenty-four years of age; 763
- (10) Two religious clergy members with experience in 764

addressing and reducing racial and identity bias toward 765  
individuals and groups. 766

(C) The board shall have the following annual duties: 767

(1) Assist the attorney general in analyzing the data 768  
reported by law enforcement agencies pursuant to division (G) of 769  
section 2933.84 of the Revised Code; 770

(2) Assess state and local law enforcement training 771  
regarding biased policing and status-based profiling; 772

(3) Work in partnership with state and local law 773  
enforcement agencies to review and analyze biased policing and 774  
status-based profiling policies and practices across geographic 775  
areas in Ohio; 776

(4) Conduct evidence-based research or consult available 777  
research on intentional and implicit biases and law enforcement 778  
stop, search, and seizure tactics; 779

(5) Hold at least three public meetings across the state 780  
to discuss biased policing and status-based profiling and 781  
potential reforms to prevent those practices, and provide public 782  
notice of each meeting at least sixty days before each meeting; 783

(6) Issue an annual report that provides the board's 784  
assessment of biased policing and status-based profiling in the 785  
state, detailed findings on the past and current status of 786  
racial and identity profiling, and policy recommendations to 787  
eliminate biased policing and profiling. 788

(D) The annual report of the board is a public record and 789  
shall be posted on the attorney general's web site. Previous 790  
annual reports shall be retained and kept available on the web 791  
site. 792

(E) (1) Members of the board shall serve initial four-year terms. At the end of each term the original appointing authority may renew the member's appointment. Any vacancy that occurs on the board shall be filled in the same manner as the original appointment. 793  
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(2) The board shall annually elect two of its members as co-chairpersons. No action of the board shall be valid unless agreed to by a majority of its members. 798  
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(3) Members of the board shall serve without compensation. 801

**Sec. 2933.84. (A) As used in this section:** 802

(1) "Gender identity" means the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated gender at birth. 803  
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(2) "Minority group" means any of the following: 807

(a) African Americans, including, but not limited to, persons of African descent; 808  
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(b) Latinos, including, but not limited to, persons of Hispanic descent; 810  
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(c) Persons of Arab or Middle Eastern descent or appearance; 812  
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(d) Asians; 814

(e) Native Americans; 815

(f) Pacific Islanders; 816

(g) Any persons not described in division (A) (2) (a), (b), (c), (d), (e), or (f) of this section who are members of a socially or economically disadvantaged group, whose disadvantage 817  
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arises from discrimination on the basis of race, religion, sex, 820  
disability, military status, national origin, ancestry, or other 821  
similar cause. 822

(3) Except as otherwise provided in this division, "minor 823  
traffic violation" means any violation of a prohibition set 824  
forth in Title XLV of the Revised Code or of an ordinance of a 825  
municipal corporation that is substantially equivalent to any 826  
prohibition set forth in Title XLV of the Revised Code. "Minor 827  
traffic violation" does not include any violation that is a 828  
moving violation as defined in section 2743.70 of the Revised 829  
Code. 830

(4) "Sexual orientation" means actual or perceived 831  
heterosexuality, homosexuality, or bisexuality. 832

(5) "Traffic stop" means a law enforcement officer's stop 833  
of a motor vehicle, bicycle, or pedestrian for any minor traffic 834  
violation. 835

(B) No law enforcement officer shall do any of the 836  
following: 837

(1) Engage in a practice of targeting or stopping an 838  
individual who is a motorist, bicyclist, or pedestrian on the 839  
basis, in whole or in part, of the ethnic, minority group, 840  
religious affiliation, sexual orientation, or gender identity 841  
status of the individual by means of detention, interdiction, or 842  
other disparate treatment, unless that status is used in 843  
combination with one or more other identifying factors seeking 844  
to apprehend a specific suspect whose ethnic, minority group, 845  
religious affiliation, sexual orientation, or gender identity 846  
status as perceived by the officer is part of the description of 847  
the suspect and that description is timely and reliable; 848

(2) Use any violation of any state or local traffic law as a pretense for stopping a motor vehicle, bicycle, or pedestrian for any reason, unless the reason for the stop is the occurrence of an offense that the officer can explicitly articulate; 849  
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(3) Request an operator of a motor vehicle or bicycle that is stopped solely for a minor traffic violation, or a pedestrian who is stopped solely for a minor traffic violation, to consent to a search by the officer of the motor vehicle or bicycle or of the pedestrian; 853  
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(4) After a traffic stop of a motor vehicle, bicycle, or pedestrian, detain the motor vehicle, its operator, or its passengers, the bicycle or its operator, or the pedestrian to provide time for arrival of a canine unit or any other animal used in an inspection or sniffing of a motor vehicle, bicycle, or person, or otherwise extend the traffic stop beyond the time reasonably necessary to address the traffic violation that is the basis of the stop, unless there exists probable cause to believe that the operator of the vehicle or bicycle, one or more passengers of the vehicle, or the pedestrian has been involved in criminal activity. 858  
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(C) No official of a law enforcement agency shall engage in, or authorize or allow the law enforcement officers the agency employs or is served by to engage in a practice of targeting or stopping an individual who is a motorist, bicyclist, or pedestrian on the basis, in whole or in part, of the ethnic, minority group, religious affiliation, sexual orientation, or gender identity status of the individual by means of detention, interdiction, or other disparate treatment, unless that status is used in combination with one or more other identifying factors seeking to apprehend a specific suspect 869  
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whose ethnic, minority group, religious affiliation, sexual orientation, or gender identity status as perceived by the officer is part of the description of the suspect and that description is timely and reliable. 879  
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(D) Each law enforcement agency in this state that employs or is served by any law enforcement officer shall do all of the following: 883  
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(1) Develop and maintain a policy that is designed to eliminate biased policing or status-based profiling by the agency and its law enforcement officers, including biased policing and status-based profiling of the type described in divisions (B) and (C) of this section, and to cease existing practices by the agency and its officers that permit, perpetuate, or encourage biased policing and status-based profiling; 886  
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(2) Develop an educational training program that is designed to train its law enforcement officers and officials how to perform law enforcement duties and handle law enforcement matters without engaging in biased policing or status-based profiling, including biased policing and status-based profiling of the type described in divisions (B) and (C) of this section. The educational training program shall include training materials that provide an understanding of the historical and cultural systems that perpetuate biased policing and status-based profiling, assistance in identifying biased policing and status-based profiling practices, and self-evaluation strategies for officers to preempt biased policing or status-based profiling prior to stopping an individual; 894  
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(3) Annually provide training under the program developed pursuant to division (D)(2) of this section to each law 907  
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enforcement officer who is employed by or serves the agency and 909  
to each official of the agency; 910

(4) In addition to the training required by division (D) 911  
(3) of this section, provide training under the program 912  
developed pursuant to division (D)(2) of this section to each 913  
law enforcement officer who is employed by or serves the agency 914  
and violates division (B) of this section and to each official 915  
of the agency who violates division (C) of this section, within 916  
a reasonable period of time after the violation. 917

(E)(1) Whenever a law enforcement officer causes the stop, 918  
delay, or questioning of the operator of a motor vehicle, the 919  
operator of a bicycle, or a pedestrian, the law enforcement 920  
agency that employs or is served by the law enforcement officer 921  
shall obtain from the law enforcement officer and record all of 922  
the following data: 923

(a) Regarding a motor vehicle or bicycle, a description of 924  
the motor vehicle or bicycle, including its manufacturer and 925  
model; 926

(b) Regarding a motor vehicle, the identifying numerals, 927  
letters, or numerals and letters that appear on the motor 928  
vehicle's license plate; 929

(c) The race, ethnicity, approximate age, and gender of 930  
the operator and all passengers of the motor vehicle, the 931  
operator of the bicycle, or the pedestrian; 932

(d) The location of the stop, delay, or questioning, 933  
including the street and address number; 934

(e) The approximate duration of the stop, delay, or 935  
questioning; 936



(f) The basis for the stop, delay, or questioning, 937  
including any local, state, or federal offense alleged to have 938  
been committed by the operator or any passenger of the motor 939  
vehicle, the operator of the bicycle, or the pedestrian; 940

(g) The date on which and exact time at which the stop, 941  
delay, or questioning occurred. 942

(2) The identification of the characteristics described in 943  
divisions (E) (1) (a) to (g) of this section shall be based on the 944  
observation and perception of the law enforcement officer 945  
conducting the stop, delay, or questioning. No operator of or 946  
passenger in the involved motor vehicle, no operator of the 947  
involved bicycle, and no involved pedestrian, whichever is 948  
applicable, shall be asked to provide the information regarding 949  
those characteristics. 950

(F) Whenever a law enforcement officer conducts a search 951  
or inventory of a motor vehicle or bicycle, or otherwise causes 952  
a motor vehicle, bicycle, or pedestrian to be inspected or 953  
sniffed by a canine unit or any other animal for the detection 954  
of illegal drugs or contraband, the law enforcement agency that 955  
employs or is served by the law enforcement officer shall obtain 956  
from the law enforcement officer and record all of the following 957  
data: 958

(1) The legal basis and rationale for the stop, search, 959  
inventory, or sniffing of the motor vehicle, bicycle, or 960  
pedestrian; 961

(2) The nature of any contraband that was discovered in 962  
the course of the search, inventory, or sniffing; 963

(3) The exact oral or written warning or instructions 964  
given to the operator of or passenger in the motor vehicle, the 965

operator of the bicycle, or the pedestrian prior to the search, 966  
inventory, or sniffing; 967

(4) The charge or charges, if any, that were filed against 968  
the operator of or passenger in the motor vehicle, the operator 969  
of the bicycle, or the pedestrian as a result of the search, 970  
inventory, or sniffing; 971

(5) The reason as to why the search, inventory, or 972  
sniffing was instituted. 973

(G) (1) Each law enforcement agency that collects data 974  
under division (E) or (F) of this section shall annually submit 975  
the data collected to the attorney general. The agency shall 976  
submit the data not later than the first day of February of the 977  
calendar year following the year for which the data is 978  
collected, in accordance with the rules adopted by the attorney 979  
general under division (B) of section 109.805 of the Revised 980  
Code. Upon receipt of the data, the attorney general shall 981  
analyze the data in accordance with general statistical 982  
standards to determine whether disparities exist in the stopping 983  
and searching of motor vehicles, bicycles, or pedestrians that 984  
cause a disproportionately adverse effect on a particular 985  
minority group or groups or any other group of persons linked by 986  
ethnic, religious affiliation, sexual orientation, or gender 987  
identity status. Not later than the first day of April of the 988  
calendar year in which the attorney general receives the data 989  
under this division, the attorney general shall publish the data 990  
and the analysis conducted under this division in a report that 991  
the attorney general prepares annually and shall distribute 992  
copies of the report in accordance with division (G) (3) of this 993  
section. 994

(2) The attorney general shall distribute copies of 995

reports published under division (G) (1) of this section to the 996  
general assembly, the governor, and law enforcement agencies. 997  
The reports are public records under section 149.43 of the 998  
Revised Code and shall be made readily available to the public. 999

(3) The attorney general shall exclude from the reports 1000  
described in division (G) (1) of this section all information 1001  
that would personally identify any motor vehicle operator or 1002  
passenger, any bicycle operator, or any pedestrian who is the 1003  
subject of any stop, search, inventory, or sniffing described in 1004  
this section or any law enforcement officer who conducts any 1005  
stop, search, inventory, or sniffing described in this section. 1006  
The attorney general and local law enforcement agencies shall 1007  
maintain the information so excluded for a reasonable period of 1008  
time. 1009

Information of the nature described in this division that 1010  
is excluded from the report described in division (G) (1) of this 1011  
section is not a public record for purposes of section 149.43 of 1012  
the Revised Code, and the attorney general or law enforcement 1013  
agency shall redact all information of that nature from any 1014  
records released by the attorney general or law enforcement 1015  
agency. The attorney general or a law enforcement agency may 1016  
disclose information of that nature for purposes of a civil 1017  
proceeding brought under division (I) or (J) of this section and 1018  
may release information of that nature to relevant parties of a 1019  
motion seeking to exclude from admission as evidence any 1020  
information obtained through a potentially unconstitutional or 1021  
unlawful search. 1022

(H) If the attorney general determines in the analysis 1023  
conducted under division (G) of this section that the 1024  
statistical data collected and analyzed under this section shows 1025

any pattern of disparate traffic and law enforcement practices 1026  
by a law enforcement agency or its officers or officials, that 1027  
has a disproportionately adverse effect on a particular minority 1028  
group or groups or any other group of persons linked by 1029  
ethnicity, religious affiliation, sexual orientation, or gender 1030  
identity status, the law enforcement agency shall take immediate 1031  
remedial actions to eradicate the practices by the agency or its 1032  
officers or officials. 1033

(I) An individual who is a victim of a violation of 1034  
division (B) or (C) of this section has a cause of action 1035  
against the law enforcement agency that employs or is served by 1036  
the law enforcement officer or official who committed the 1037  
violation. The individual may file a civil action asserting the 1038  
cause under section 2307.60 of the Revised Code. In the action, 1039  
the individual may seek appropriate and equitable relief in a 1040  
court of record in this state having jurisdiction. The court 1041  
shall award reasonable attorneys' fees, including expert fees as 1042  
part of the attorneys' fee, to the prevailing party as costs. 1043

(J) The attorney general may institute civil proceedings 1044  
for injunctive relief against a law enforcement agency that 1045  
employs or is served by a law enforcement officer or official 1046  
who violates division (B) or (C) of this section to compel the 1047  
termination of the violation and prevent future violations. The 1048  
attorney general may bring the proceedings in any court of 1049  
competent jurisdiction. If the attorney general proves in the 1050  
proceedings that a law enforcement officer or official that the 1051  
agency employs or is served by has committed or is committing 1052  
the violation, the court shall order the agency to discontinue 1053  
all biased policing and status-based profiling, to discontinue 1054  
all practices that permit, perpetuate, or encourage biased 1055  
policing or status-based profiling, and to submit to the 1056

attorney general a corrective action plan for discontinuing all 1057  
biased policing or status-based profiling and all such 1058  
practices. The court shall order the agency to submit the 1059  
corrective action plan to the attorney general by a specified 1060  
date that is agreed upon by the agency and the attorney general 1061  
and approved by the court. 1062

**Sec. 4117.10.** (A) An agreement between a public employer 1063  
and an exclusive representative entered into pursuant to this 1064  
chapter governs the wages, hours, and terms and conditions of 1065  
public employment covered by the agreement. If the agreement 1066  
provides for a final and binding arbitration of grievances, 1067  
public employers, employees, and employee organizations are 1068  
subject solely to that grievance procedure and the state 1069  
personnel board of review or civil service commissions have no 1070  
jurisdiction to receive and determine any appeals relating to 1071  
matters that were the subject of a final and binding grievance 1072  
procedure. Where no agreement exists or where an agreement makes 1073  
no specification about a matter, the public employer and public 1074  
employees are subject to all applicable state or local laws or 1075  
ordinances pertaining to the wages, hours, and terms and 1076  
conditions of employment for public employees. All of the 1077  
following prevail over conflicting provisions of agreements 1078  
between employee organizations and public employers: 1079

- (1) Laws pertaining to any of the following subjects: 1080
  - (a) Civil rights; 1081
  - (b) Affirmative action; 1082
  - (c) Unemployment compensation; 1083
  - (d) Workers' compensation; 1084
  - (e) The retirement of public employees; 1085

|  |  |
|--|--|
| (f) Residency requirements;  | 1086   |
| (g) The minimum educational requirements contained in the Revised Code pertaining to public education including the requirement of a certificate by the fiscal officer of a school district pursuant to section 5705.41 of the Revised Code;   | 1087<br>1088<br>1089<br>1090   |
| (h) The provisions of division (A) of section 124.34 of the Revised Code governing the disciplining of officers and employees who have been convicted of a felony;   | 1091<br>1092<br>1093   |
| (i) The minimum standards promulgated by the state board of education pursuant to division (D) of section 3301.07 of the Revised Code.   | 1094<br>1095<br>1096   |
| (2) The law pertaining to the leave of absence and compensation provided under section 5923.05 of the Revised Code, if the terms of the agreement contain benefits which are less than those contained in that section or the agreement contains no such terms and the public authority is the state or any agency, authority, commission, or board of the state or if the public authority is another entity listed in division (B) of section 4117.01 of the Revised Code that elects to provide leave of absence and compensation as provided in section 5923.05 of the Revised Code; | 1097<br>1098<br>1099<br>1100<br>1101<br>1102<br>1103<br>1104<br>1105<br>1106 |
| (3) The law pertaining to the leave established under section 5906.02 of the Revised Code, if the terms of the agreement contain benefits that are less than those contained in section 5906.02 of the Revised Code;   | 1107<br>1108<br>1109<br>1110   |
| (4) The law pertaining to excess benefits prohibited under section 3345.311 of the Revised Code with respect to an agreement between an employee organization and a public employer entered into on or after <del>the effective date of this amendment</del>   | 1111<br>1112<br>1113<br>1114   |

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(5) The law pertaining to law enforcement agency policies, 1116  
cessation of existing practices, and training programs related 1117  
to biased policing or status-based profiling required under 1118  
division (D) of section 2933.84 of the Revised Code with respect 1119  
to an agreement between an employee organization and a public 1120  
employer entered into on or after the effective date of this 1121  
amendment. 1122

Except for sections 306.08, 306.12, 306.35, and 4981.22 of 1123  
the Revised Code and arrangements entered into thereunder, and 1124  
section 4981.21 of the Revised Code as necessary to comply with 1125  
section 13(c) of the "Urban Mass Transportation Act of 1964," 87 1126  
Stat. 295, 49 U.S.C.A. 1609(c), as amended, and arrangements 1127  
entered into thereunder, this chapter prevails over any and all 1128  
other conflicting laws, resolutions, provisions, present or 1129  
future, except as otherwise specified in this chapter or as 1130  
otherwise specified by the general assembly. Nothing in this 1131  
section prohibits or shall be construed to invalidate the 1132  
provisions of an agreement establishing supplemental workers' 1133  
compensation or unemployment compensation benefits or exceeding 1134  
minimum requirements contained in the Revised Code pertaining to 1135  
public education or the minimum standards promulgated by the 1136  
state board of education pursuant to division (D) of section 1137  
3301.07 of the Revised Code. 1138

(B) The public employer shall submit a request for funds 1139  
necessary to implement an agreement and for approval of any 1140  
other matter requiring the approval of the appropriate 1141  
legislative body to the legislative body within fourteen days of 1142  
the date on which the parties finalize the agreement, unless 1143  
otherwise specified, but if the appropriate legislative body is 1144

not in session at the time, then within fourteen days after it 1145  
convenes. The legislative body must approve or reject the 1146  
submission as a whole, and the submission is deemed approved if 1147  
the legislative body fails to act within thirty days after the 1148  
public employer submits the agreement. The parties may specify 1149  
that those provisions of the agreement not requiring action by a 1150  
legislative body are effective and operative in accordance with 1151  
the terms of the agreement, provided there has been compliance 1152  
with division (C) of this section. If the legislative body 1153  
rejects the submission of the public employer, either party may 1154  
reopen all or part of the entire agreement. 1155

As used in this section, "legislative body" includes the 1156  
governing board of a municipal corporation, school district, 1157  
college or university, village, township, or board of county 1158  
commissioners or any other body that has authority to approve 1159  
the budget of their public jurisdiction and, with regard to the 1160  
state, "legislative body" means the controlling board. 1161

(C) The chief executive officer, or the chief executive 1162  
officer's representative, of each municipal corporation, the 1163  
designated representative of the board of education of each 1164  
school district, college or university, or any other body that 1165  
has authority to approve the budget of their public 1166  
jurisdiction, the designated representative of the board of 1167  
county commissioners and of each elected officeholder of the 1168  
county whose employees are covered by the collective 1169  
negotiations, and the designated representative of the village 1170  
or the board of township trustees of each township is 1171  
responsible for negotiations in the collective bargaining 1172  
process; except that the legislative body may accept or reject a 1173  
proposed collective bargaining agreement. When the matters about 1174  
which there is agreement are reduced to writing and approved by 1175



the employee organization and the legislative body, the 1176  
agreement is binding upon the legislative body, the employer, 1177  
and the employee organization and employees covered by the 1178  
agreement. 1179

(D) There is hereby established an office of collective 1180  
bargaining in the department of administrative services for the 1181  
purpose of negotiating with and entering into written agreements 1182  
between state agencies, departments, boards, and commissions and 1183  
the exclusive representative on matters of wages, hours, terms 1184  
and other conditions of employment and the continuation, 1185  
modification, or deletion of an existing provision of a 1186  
collective bargaining agreement. Nothing in any provision of law 1187  
to the contrary shall be interpreted as excluding the bureau of 1188  
workers' compensation and the industrial commission from the 1189  
preceding sentence. This office shall not negotiate on behalf of 1190  
other statewide elected officials or boards of trustees of state 1191  
institutions of higher education who shall be considered as 1192  
separate public employers for the purposes of this chapter; 1193  
however, the office may negotiate on behalf of these officials 1194  
or trustees where authorized by the officials or trustees. The 1195  
staff of the office of collective bargaining are in the 1196  
unclassified service. The director of administrative services 1197  
shall fix the compensation of the staff. 1198

The office of collective bargaining shall: 1199

(1) Assist the director in formulating management's 1200  
philosophy for public collective bargaining as well as planning 1201  
bargaining strategies; 1202

(2) Conduct negotiations with the exclusive 1203  
representatives of each employee organization; 1204

(3) Coordinate the state's resources in all mediation, 1205  
fact-finding, and arbitration cases as well as in all labor 1206  
disputes; 1207

(4) Conduct systematic reviews of collective bargaining 1208  
agreements for the purpose of contract negotiations; 1209

(5) Coordinate the systematic compilation of data by all 1210  
agencies that is required for negotiating purposes; 1211

(6) Prepare and submit an annual report and other reports 1212  
as requested to the governor and the general assembly on the 1213  
implementation of this chapter and its impact upon state 1214  
government. 1215

**Sec. 5503.05.** The superintendent of the state highway 1216  
patrol, with the approval of the director of public safety, may 1217  
conduct training schools for prospective state highway patrol 1218  
troopers. The training provided at the training schools shall 1219  
include, but not be limited to, training in performing law 1220  
enforcement duties and handling law enforcement matters without 1221  
engaging in biased policing or status-based profiling as 1222  
described in divisions (B) and (C) of section 2933.84 of the 1223  
Revised Code. Training on the subject of biased policing and 1224  
status-based profiling shall be consistent with the training 1225  
specified in the rules adopted under section 109.805 of the 1226  
Revised Code. The prospective troopers, during the period of 1227  
their training and as members of the state patrol school, shall 1228  
be paid a reasonable salary out of highway funds. The 1229  
superintendent may furnish the necessary supplies and equipment 1230  
for the use of the prospective troopers during the training 1231  
period. 1232

The superintendent may establish rules governing the 1233

qualifications for admission to training schools for prospective 1234  
troopers and provide for competitive examinations to determine 1235  
the fitness of the students and prospective troopers, not 1236  
inconsistent with the rules of the director of administrative 1237  
services. 1238

**Section 2.** That existing sections 109.73, 109.77, 109.79, 1239  
109.80, 4117.10, and 5503.05 of the Revised Code are hereby 1240  
repealed. 1241

**Section 3.** Section 109.80 of the Revised Code is presented 1242  
in this act as a composite of the section as amended by both 1243  
H.B. 351 and H.B. 670 of the 121st General Assembly. The General 1244  
Assembly, applying the principle stated in division (B) of 1245  
section 1.52 of the Revised Code that amendments are to be 1246  
harmonized if reasonably capable of simultaneous operation, 1247  
finds that the composite is the resulting version of the section 1248  
in effect prior to the effective date of the section as 1249  
presented in this act. 1250