

**As Introduced**

**134th General Assembly**

**Regular Session**

**2021-2022**

**H. B. No. 341**

**Representatives Miller, A., Weinstein**

**Cosponsors: Representatives Boggs, Brent, Brown, Crawley, Crossman,  
Galonski, Jarrells, Leland, Miranda, Miller, J., Smith, K., Smith, M., Sheehy,  
Skindell, Sobecki, Robinson, Russo, Upchurch, West**

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**A BILL**

To enact sections 109.50 and 109.96 of the Revised 1  
Code to create the Bureau of Hate Crimes in the 2  
Office of the Attorney General and to authorize 3  
the Attorney General to prosecute a hate crime. 4

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

**Section 1.** That sections 109.50 and 109.96 of the Revised 5  
Code be enacted to read as follows: 6

**Sec. 109.50.** (A) As used in this section, "hate crime" 7  
means a crime motivated by, or that manifests evidence of, 8  
prejudice based on actual or perceived race, color, gender and 9  
gender identity, religion, national origin, ethnicity, 10  
disability, or sexual orientation. 11

(B) There is created in the office of the attorney 12  
general, the bureau of hate crimes. The attorney general shall 13  
appoint a director of the bureau. The director may appoint, with 14  
the approval of the attorney general, such assistants as are 15  
necessary to carry out the functions and duties of the bureau 16

under this section.

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(C) The bureau of hate crimes may create a staff of  
investigators skilled in the solution and control of hate crimes  
and related criminal activity, investigate such crimes, keep  
statistics and other necessary data, assist in the prevention of  
hate crime, and engage in such other activities as will aid law  
enforcement officers in solving hate crimes and controlling  
related criminal activity.

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(D) The bureau of hate crimes, when necessary, may  
request, from the United States Attorney General, such  
technical, forensic, prosecutorial, or any other form of  
assistance in the criminal investigation of a hate crime that is  
available to the state or a local government of the state, under  
34 U.S.C. 30303.

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(E) The attorney general may prosecute any crime that the  
attorney general has cause to believe is a hate crime in  
accordance with section 109.96 of the Revised Code.

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(F) The attorney general shall include on the web site of  
the attorney general a page dedicated to the bureau of hate  
crimes, on which is made known a telephone number to be used for  
reporting suspected occurrences of hate crime.

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**Sec. 109.96.** (A) As used in this section, "hate crime" has  
the meaning defined in section 109.50 of the Revised Code.

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(B) Notwithstanding any provision of the Revised Code to  
the contrary pertaining to prosecutorial authority, the attorney  
general may initiate a criminal proceeding for any crime that  
the attorney general has reasonable cause to believe is a hate  
crime by presenting evidence of a criminal violation in question  
to the prosecuting attorney of any county in which the violation

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may be prosecuted. If the prosecuting attorney does not 46  
prosecute the violation within a reasonable time or requests the 47  
attorney general to do so, the attorney general may proceed with 48  
the prosecution of the violation with all of the rights, 49  
privileges, and powers conferred by law on a prosecuting 50  
attorney, including the power to appear before a grand jury and 51  
to interrogate witnesses before a grand jury. 52