

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 243

Senator Williams

Cosponsors: Senators Fedor, Yuko, Craig, Maharath

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 biased policing and other 4
status-based profiling. 5

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

Section 1. That sections 109.73, 109.77, 109.79, 109.80, 6
4117.10, and 5503.05 be amended and sections 109.805, 109.806, 7
and 2933.84 of the Revised Code be enacted to read as follows: 8

Sec. 109.73. (A) The Ohio peace officer training 9
commission shall recommend rules to the attorney general with 10
respect to all of the following: 11

(1) The approval, or revocation of approval, of peace 12
officer training schools administered by the state, counties, 13
municipal corporations, public school districts, technical 14
college districts, and the department of natural resources; 15

(2) Minimum courses of study, attendance requirements, and 16
equipment and facilities to be required at approved state, 17
county, municipal, and department of natural resources peace 18

officer training schools;	19
(3) Minimum qualifications for instructors at approved	20
state, county, municipal, and department of natural resources	21
peace officer training schools;	22
(4) The requirements of minimum basic training that peace	23
officers appointed to probationary terms shall complete before	24
being eligible for permanent appointment, which requirements	25
shall include training in the handling of the offense of	26
domestic violence, other types of domestic violence-related	27
offenses and incidents, and protection orders and consent	28
agreements issued or approved under section 2919.26 or 3113.31	29
of the Revised Code; crisis intervention training; and training	30
in the handling of missing children and child abuse and neglect	31
cases; and training in handling violations of section 2905.32 of	32
the Revised Code; <u>training in performing law enforcement duties</u>	33
<u>and handling law enforcement matters without engaging in biased</u>	34
<u>policing or status-based profiling as described in divisions (B)</u>	35
<u>and (C) of section 2933.84 of the Revised Code;</u> and the time	36
within which such basic training shall be completed following	37
appointment to a probationary term;	38
(5) The requirements of minimum basic training that peace	39
officers not appointed for probationary terms but appointed on	40
other than a permanent basis shall complete in order to be	41
eligible for continued employment or permanent appointment,	42
which requirements shall include training in the handling of the	43
offense of domestic violence, other types of domestic violence-	44
related offenses and incidents, and protection orders and	45
consent agreements issued or approved under section 2919.26 or	46
3113.31 of the Revised Code; <u>crisis intervention training,</u> and;	47
<u>training in the handling of missing children and child abuse and</u>	48

neglect cases, ~~and;~~ training in handling violations of section 49
2905.32 of the Revised Code; training in performing law 50
enforcement duties and handling law enforcement matters without 51
engaging in biased policing or status-based profiling as 52
described in divisions (B) and (C) of section 2933.84 of the 53
Revised Code; and the time within which such basic training 54
shall be completed following appointment on other than a 55
permanent basis; 56

(6) Categories or classifications of advanced in-service 57
training programs for peace officers, including programs in the 58
handling of the offense of domestic violence, other types of 59
domestic violence-related offenses and incidents, and protection 60
orders and consent agreements issued or approved under section 61
2919.26 or 3113.31 of the Revised Code; ~~;~~ in crisis intervention, ~~and;~~ 62
~~and;~~ in the handling of missing children and child abuse and 63
neglect cases, ~~and;~~ in handling violations of section 2905.32 of 64
the Revised Code; training in performing law enforcement duties 65
and handling law enforcement matters without engaging in biased 66
policing or status-based profiling as described in divisions (B) 67
and (C) of section 2933.84 of the Revised Code; and minimum 68
courses of study and attendance requirements with respect to 69
such categories or classifications; 70

(7) Permitting persons, who are employed as members of a 71
campus police department appointed under section 1713.50 of the 72
Revised Code; who are employed as police officers by a qualified 73
nonprofit corporation police department pursuant to section 74
1702.80 of the Revised Code; who are appointed and commissioned 75
as bank, savings and loan association, savings bank, credit 76
union, or association of banks, savings and loan associations, 77
savings banks, or credit unions police officers, as railroad 78
police officers, or as hospital police officers pursuant to 79

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

(8) Permitting undercover drug agents to attend approved 94
peace officer training schools, other than the Ohio peace 95
officer training academy, and to receive certificates of 96
satisfactory completion of basic training programs, if, for each 97
undercover drug agent, the county, township, or municipal 98
corporation that employs that undercover drug agent pays the 99
entire cost of the training and certification; 100

(9) (a) The requirements for basic training programs for 101
bailiffs and deputy bailiffs of courts of record of this state 102
and for criminal investigators employed by the state public 103
defender that those persons shall complete before they may carry 104
a firearm while on duty; 105

(b) The requirements for any training received by a 106
bailiff or deputy bailiff of a court of record of this state or 107
by a criminal investigator employed by the state public defender 108
prior to June 6, 1986, that is to be considered equivalent to 109

the training described in division (A) (9) (a) of this section.	110
(10) Establishing minimum qualifications and requirements for certification for dogs utilized by law enforcement agencies;	111 112
(11) Establishing minimum requirements for certification of persons who are employed as correction officers in a full-service jail, five-day facility, or eight-hour holding facility or who provide correction services in such a jail or facility;	113 114 115 116
(12) Establishing requirements for the training of humane society agents under section 1717.061 of the Revised Code, including, without limitation, a requirement that the agents receive instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices;	117 118 119 120 121 122
(13) Permitting tactical medical professionals to attend approved peace officer training schools, including the Ohio peace officer training academy, to receive training of the type described in division (A) (14) of this section and to receive certificates of satisfactory completion of training programs described in that division;	123 124 125 126 127 128
(14) The requirements for training programs that tactical medical professionals shall complete to qualify them to carry firearms while on duty under section 109.771 of the Revised Code, which requirements shall include at least the firearms training specified in division (A) of section 109.748 of the Revised Code;	129 130 131 132 133 134
(15) Procedures and requirements for a portion of basic training that peace officers complete in proper interactions with civilians during traffic stops and other in-person encounters as specified in division (B) (4) of section 109.803 of	135 136 137 138

the Revised Code and including the topics of instruction listed 139
for active duty peace officers under divisions (B) (4) (a) to (d) 140
of that section. 141

(B) The commission shall appoint an executive director, 142
with the approval of the attorney general, who shall hold office 143
during the pleasure of the commission. The executive director 144
shall perform such duties assigned by the commission. The 145
executive director shall receive a salary fixed pursuant to 146
Chapter 124. of the Revised Code and reimbursement for expenses 147
within the amounts available by appropriation. The executive 148
director may appoint officers, employees, agents, and 149
consultants as the executive director considers necessary, 150
prescribe their duties, and provide for reimbursement of their 151
expenses within the amounts available for reimbursement by 152
appropriation and with the approval of the commission. 153

(C) The commission may do all of the following: 154

(1) Recommend studies, surveys, and reports to be made by 155
the executive director regarding the carrying out of the 156
objectives and purposes of sections 109.71 to 109.77 of the 157
Revised Code; 158

(2) Visit and inspect any peace officer training school 159
that has been approved by the executive director or for which 160
application for approval has been made; 161

(3) Make recommendations, from time to time, to the 162
executive director, the attorney general, and the general 163
assembly regarding the carrying out of the purposes of sections 164
109.71 to 109.77 of the Revised Code; 165

(4) Report to the attorney general from time to time, and 166
to the governor and the general assembly at least annually, 167

concerning the activities of the commission;	168
(5) Establish fees for the services the commission offers under sections 109.71 to 109.79 of the Revised Code, including, but not limited to, fees for training, certification, and testing;	169 170 171 172
(6) Perform such other acts as are necessary or appropriate to carry out the powers and duties of the commission as set forth in sections 109.71 to 109.77 of the Revised Code.	173 174 175
(D) In establishing the requirements, under division (A) (12) of this section, the commission may consider any portions of the curriculum for instruction on the topic of animal husbandry practices, if any, of the Ohio state university college of veterinary medicine. No person or entity that fails to provide instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices, shall qualify to train a humane society agent for appointment under section 1717.06 of the Revised Code.	176 177 178 179 180 181 182 183 184
Sec. 109.77. (A) As used in this section:	185
(1) "Felony" has the same meaning as in section 109.511 of the Revised Code.	186 187
(2) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.	188 189
(B) (1) Notwithstanding any general, special, or local law or charter to the contrary, and except as otherwise provided in this section, no person shall receive an original appointment on a permanent basis as any of the following unless the person previously has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state,	190 191 192 193 194 195 196

county, municipal, or department of natural resources peace officer basic training program:	197
	198
(a) A peace officer of any county, township, municipal corporation, regional transit authority, or metropolitan housing authority;	199
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(b) A natural resources law enforcement staff officer, forest-fire investigator, wildlife officer, or natural resources officer of the department of natural resources;	202
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(c) An employee of a park district under section 511.232 or 1545.13 of the Revised Code;	205
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(d) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;	207
	208
(e) A state university law enforcement officer;	209
(f) 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;	210
	211
	212
	213
(g) An enforcement agent of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;	214
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	216
(h) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code;	217
	218
(i) A special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of	219
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	224

the transportation security administration of the United States 225
department of transportation as provided in Parts 1542. and 226
1544. of Title 49 of the Code of Federal Regulations, as 227
amended; 228

(j) A gaming agent employed under section 3772.03 of the 229
Revised Code. 230

(2) Every person who is appointed on a temporary basis or 231
for a probationary term or on other than a permanent basis as 232
any of the following shall forfeit the appointed position unless 233
the person previously has completed satisfactorily or, within 234
the time prescribed by rules adopted by the attorney general 235
pursuant to section 109.74 of the Revised Code, satisfactorily 236
completes a state, county, municipal, or department of natural 237
resources peace officer basic training program for temporary or 238
probationary officers and is awarded a certificate by the 239
director attesting to the satisfactory completion of the 240
program: 241

(a) A peace officer of any county, township, municipal 242
corporation, regional transit authority, or metropolitan housing 243
authority; 244

(b) A natural resources law enforcement staff officer, 245
park officer, forest officer, preserve officer, wildlife 246
officer, or state watercraft officer of the department of 247
natural resources; 248

(c) An employee of a park district under section 511.232 249
or 1545.13 of the Revised Code; 250

(d) An employee of a conservancy district who is 251
designated pursuant to section 6101.75 of the Revised Code; 252

(e) A special police officer employed by the department of 253

mental health and addiction services pursuant to section 5119.08 254
of the Revised Code or the department of developmental 255
disabilities pursuant to section 5123.13 of the Revised Code; 256

(f) An enforcement agent of the department of public 257
safety whom the director of public safety designates under 258
section 5502.14 of the Revised Code; 259

(g) A special police officer employed by a port authority 260
under section 4582.04 or 4582.28 of the Revised Code; 261

(h) A special police officer employed by a municipal 262
corporation at a municipal airport, or other municipal air 263
navigation facility, that has scheduled operations, as defined 264
in section 119.3 of Title 14 of the Code of Federal Regulations, 265
14 C.F.R. 119.3, as amended, and that is required to be under a 266
security program and is governed by aviation security rules of 267
the transportation security administration of the United States 268
department of transportation as provided in Parts 1542. and 269
1544. of Title 49 of the Code of Federal Regulations, as 270
amended. 271

(3) For purposes of division (B) of this section, a state, 272
county, municipal, or department of natural resources peace 273
officer basic training program, regardless of whether the 274
program is to be completed by peace officers appointed on a 275
permanent or temporary, probationary, or other nonpermanent 276
basis, shall include training in the handling of the offense of 277
domestic violence, other types of domestic violence-related 278
offenses and incidents, and protection orders and consent 279
agreements issued or approved under section 2919.26 or 3113.31 280
of the Revised Code ; crisis intervention training; training, 281
in accordance with the rules adopted under section 109.805 of 282
the Revised Code, in performing law enforcement duties and 283

handling law enforcement matters without engaging in biased 284
policing or status-based profiling as described in divisions (B) 285
and (C) of section 2933.84 of the Revised Code; and training on 286
companion animal encounters and companion animal behavior. The 287
requirement to complete training in the handling of the offense 288
of domestic violence, other types of domestic violence-related 289
offenses and incidents, and protection orders and consent 290
agreements issued or approved under section 2919.26 or 3113.31 291
of the Revised Code does not apply to any person serving as a 292
peace officer on March 27, 1979, ~~and~~ the requirement to complete 293
training in crisis intervention does not apply to any person 294
serving as a peace officer on April 4, 1985, and the requirement 295
to complete training in performing law enforcement duties and 296
handling law enforcement matters without engaging in biased 297
policing or status-based profiling, as described in divisions 298
(B) and (C) of section 2933.84 of the Revised Code, does not 299
apply to any person serving as a peace officer on the effective 300
date of this amendment. Any person who is serving as a peace 301
officer on April 4, 1985, who terminates that employment after 302
that date, and who subsequently is hired as a peace officer by 303
the same or another law enforcement agency shall complete 304
training in crisis intervention as prescribed by rules adopted 305
by the attorney general pursuant to section 109.742 of the 306
Revised Code. Any person who is serving as a peace officer on 307
the effective date of this amendment who terminates that 308
employment after that date and who subsequently is hired as a 309
peace officer by the same or another law enforcement agency 310
shall complete training in performing law enforcement duties and 311
handling law enforcement matters without engaging in biased 312
policing or status-based profiling as described in divisions (B) 313
and (C) of section 2933.84 of the Revised Code, as prescribed by 314
rules adopted by the attorney general pursuant to section 315

109.805 of the Revised Code. No peace officer shall have 316
employment as a peace officer terminated and then be reinstated 317
with intent to circumvent this section. 318

(4) Division (B) of this section does not apply to any 319
person serving on a permanent basis on March 28, 1985, as a park 320
officer, forest officer, preserve officer, wildlife officer, or 321
state watercraft officer of the department of natural resources 322
or as an employee of a park district under section 511.232 or 323
1545.13 of the Revised Code, to any person serving on a 324
permanent basis on March 6, 1986, as an employee of a 325
conservancy district designated pursuant to section 6101.75 of 326
the Revised Code, to any person serving on a permanent basis on 327
January 10, 1991, as a preserve officer of the department of 328
natural resources, to any person employed on a permanent basis 329
on July 2, 1992, as a special police officer by the department 330
of mental health and addiction services pursuant to section 331
5119.08 of the Revised Code or by the department of 332
developmental disabilities pursuant to section 5123.13 of the 333
Revised Code, to any person serving on a permanent basis on May 334
17, 2000, as a special police officer employed by a port 335
authority under section 4582.04 or 4582.28 of the Revised Code, 336
to any person serving on a permanent basis on March 19, 2003, as 337
a special police officer employed by a municipal corporation at 338
a municipal airport or other municipal air navigation facility 339
described in division (A) (19) of section 109.71 of the Revised 340
Code, to any person serving on a permanent basis on June 19, 341
1978, as a state university law enforcement officer pursuant to 342
section 3345.04 of the Revised Code and who, immediately prior 343
to June 19, 1978, was serving as a special police officer 344
designated under authority of that section, or to any person 345
serving on a permanent basis on September 20, 1984, as a liquor 346

control investigator, known after June 30, 1999, as an 347
enforcement agent of the department of public safety, engaged in 348
the enforcement of Chapters 4301. and 4303. of the Revised Code. 349

(5) Division (B) of this section does not apply to any 350
person who is appointed as a regional transit authority police 351
officer pursuant to division (Y) of section 306.35 of the 352
Revised Code if, on or before July 1, 1996, the person has 353
completed satisfactorily an approved state, county, municipal, 354
or department of natural resources peace officer basic training 355
program and has been awarded a certificate by the executive 356
director of the Ohio peace officer training commission attesting 357
to the person's satisfactory completion of such an approved 358
program and if, on July 1, 1996, the person is performing peace 359
officer functions for a regional transit authority. 360

(C) No person, after September 20, 1984, shall receive an 361
original appointment on a permanent basis as a veterans' home 362
police officer designated under section 5907.02 of the Revised 363
Code unless the person previously has been awarded a certificate 364
by the executive director of the Ohio peace officer training 365
commission attesting to the person's satisfactory completion of 366
an approved police officer basic training program. Every person 367
who is appointed on a temporary basis or for a probationary term 368
or on other than a permanent basis as a veterans' home police 369
officer designated under section 5907.02 of the Revised Code 370
shall forfeit that position unless the person previously has 371
completed satisfactorily or, within one year from the time of 372
appointment, satisfactorily completes an approved police officer 373
basic training program. 374

(D) No bailiff or deputy bailiff of a court of record of 375
this state and no criminal investigator who is employed by the 376

state public defender shall carry a firearm, as defined in 377
section 2923.11 of the Revised Code, while on duty unless the 378
bailiff, deputy bailiff, or criminal investigator has done or 379
received one of the following: 380

(1) Has been awarded a certificate by the executive 381
director of the Ohio peace officer training commission, which 382
certificate attests to satisfactory completion of an approved 383
state, county, or municipal basic training program for bailiffs 384
and deputy bailiffs of courts of record and for criminal 385
investigators employed by the state public defender that has 386
been recommended by the Ohio peace officer training commission; 387

(2) Has successfully completed a firearms training program 388
approved by the Ohio peace officer training commission prior to 389
employment as a bailiff, deputy bailiff, or criminal 390
investigator; 391

(3) Prior to June 6, 1986, was authorized to carry a 392
firearm by the court that employed the bailiff or deputy bailiff 393
or, in the case of a criminal investigator, by the state public 394
defender and has received training in the use of firearms that 395
the Ohio peace officer training commission determines is 396
equivalent to the training that otherwise is required by 397
division (D) of this section. 398

(E) (1) Before a person seeking a certificate completes an 399
approved peace officer basic training program, the executive 400
director of the Ohio peace officer training commission shall 401
request the person to disclose, and the person shall disclose, 402
any previous criminal conviction of or plea of guilty of that 403
person to a felony. 404

(2) Before a person seeking a certificate completes an 405

approved peace officer basic training program, the executive 406
director shall request a criminal history records check on the 407
person. The executive director shall submit the person's 408
fingerprints to the bureau of criminal identification and 409
investigation, which shall submit the fingerprints to the 410
federal bureau of investigation for a national criminal history 411
records check. 412

Upon receipt of the executive director's request, the 413
bureau of criminal identification and investigation and the 414
federal bureau of investigation shall conduct a criminal history 415
records check on the person and, upon completion of the check, 416
shall provide a copy of the criminal history records check to 417
the executive director. The executive director shall not award 418
any certificate prescribed in this section unless the executive 419
director has received a copy of the criminal history records 420
check on the person to whom the certificate is to be awarded. 421

(3) The executive director of the commission shall not 422
award a certificate prescribed in this section to a person who 423
has been convicted of or has pleaded guilty to a felony or who 424
fails to disclose any previous criminal conviction of or plea of 425
guilty to a felony as required under division (E) (1) of this 426
section. 427

(4) The executive director of the commission shall revoke 428
the certificate awarded to a person as prescribed in this 429
section, and that person shall forfeit all of the benefits 430
derived from being certified as a peace officer under this 431
section, if the person, before completion of an approved peace 432
officer basic training program, failed to disclose any previous 433
criminal conviction of or plea of guilty to a felony as required 434
under division (E) (1) of this section. 435

(F) (1) Regardless of whether the person has been awarded 436
the certificate or has been classified as a peace officer prior 437
to, on, or after October 16, 1996, the executive director of the 438
Ohio peace officer training commission shall revoke any 439
certificate that has been awarded to a person as prescribed in 440
this section if the person does either of the following: 441

(a) Pleads guilty to a felony committed on or after 442
January 1, 1997; 443

(b) Pleads guilty to a misdemeanor committed on or after 444
January 1, 1997, pursuant to a negotiated plea agreement as 445
provided in division (D) of section 2929.43 of the Revised Code 446
in which the person agrees to surrender the certificate awarded 447
to the person under this section. 448

(2) The executive director of the commission shall suspend 449
any certificate that has been awarded to a person as prescribed 450
in this section if the person is convicted, after trial, of a 451
felony committed on or after January 1, 1997. The executive 452
director shall suspend the certificate pursuant to division (F) 453
(2) of this section pending the outcome of an appeal by the 454
person from that conviction to the highest court to which the 455
appeal is taken or until the expiration of the period in which 456
an appeal is required to be filed. If the person files an appeal 457
that results in that person's acquittal of the felony or 458
conviction of a misdemeanor, or in the dismissal of the felony 459
charge against that person, the executive director shall 460
reinstate the certificate awarded to the person under this 461
section. If the person files an appeal from that person's 462
conviction of the felony and the conviction is upheld by the 463
highest court to which the appeal is taken or if the person does 464
not file a timely appeal, the executive director shall revoke 465

the certificate awarded to the person under this section. 466

(G) (1) If a person is awarded a certificate under this 467
section and the certificate is revoked pursuant to division (E) 468
(4) or (F) of this section, the person shall not be eligible to 469
receive, at any time, a certificate attesting to the person's 470
satisfactory completion of a peace officer basic training 471
program. 472

(2) The revocation or suspension of a certificate under 473
division (E) (4) or (F) of this section shall be in accordance 474
with Chapter 119. of the Revised Code. 475

(H) (1) A person who was employed as a peace officer of a 476
county, township, or municipal corporation of the state on 477
January 1, 1966, and who has completed at least sixteen years of 478
full-time active service as such a peace officer, or equivalent 479
service as determined by the executive director of the Ohio 480
peace officer training commission, may receive an original 481
appointment on a permanent basis and serve as a peace officer of 482
a county, township, or municipal corporation, or as a state 483
university law enforcement officer, without complying with the 484
requirements of division (B) of this section. 485

(2) Any person who held an appointment as a state highway 486
trooper on January 1, 1966, may receive an original appointment 487
on a permanent basis and serve as a peace officer of a county, 488
township, or municipal corporation, or as a state university law 489
enforcement officer, without complying with the requirements of 490
division (B) of this section. 491

(I) No person who is appointed as a peace officer of a 492
county, township, or municipal corporation on or after April 9, 493
1985, shall serve as a peace officer of that county, township, 494

or municipal corporation unless the person has received training 495
in the handling of missing children and child abuse and neglect 496
cases from an approved state, county, township, or municipal 497
police officer basic training program or receives the training 498
within the time prescribed by rules adopted by the attorney 499
general pursuant to section 109.741 of the Revised Code. 500

(J) No part of any approved state, county, or municipal 501
basic training program for bailiffs and deputy bailiffs of 502
courts of record and no part of any approved state, county, or 503
municipal basic training program for criminal investigators 504
employed by the state public defender shall be used as credit 505
toward the completion by a peace officer of any part of the 506
approved state, county, or municipal peace officer basic 507
training program that the peace officer is required by this 508
section to complete satisfactorily. 509

(K) This section does not apply to any member of the 510
police department of a municipal corporation in an adjoining 511
state serving in this state under a contract pursuant to section 512
737.04 of the Revised Code. 513

Sec. 109.79. (A) The Ohio peace officer training 514
commission shall establish and conduct a training school for law 515
enforcement officers of any political subdivision of the state 516
or of the state public defender's office. The school shall be 517
known as the Ohio peace officer training academy. No bailiff or 518
deputy bailiff of a court of record of this state and no 519
criminal investigator employed by the state public defender 520
shall be permitted to attend the academy for training unless the 521
employing court of the bailiff or deputy bailiff or the state 522
public defender, whichever is applicable, has authorized the 523
bailiff, deputy bailiff, or investigator to attend the academy. 524

The Ohio peace officer training commission shall develop 525
the training program, which shall include courses in both the 526
civil and criminal functions of law enforcement officers, a 527
course in crisis intervention with six or more hours of 528
training, training in the handling of missing children and child 529
abuse and neglect cases, training in performing law enforcement 530
duties and handling law enforcement matters without engaging in 531
biased policing or status-based profiling as described in 532
divisions (B) and (C) of section 2933.84 of the Revised Code, 533
and training on companion animal encounters and companion animal 534
behavior, and shall establish rules governing qualifications for 535
admission to the academy. The training in performing law 536
enforcement duties and handling law enforcement matters without 537
engaging in biased policing or status-based profiling shall be 538
consistent with the training specified in the rules adopted 539
under section 109.805 of the Revised Code. The commission may 540
require competitive examinations to determine fitness of 541
prospective trainees, so long as the examinations or other 542
criteria for admission to the academy are consistent with the 543
provisions of Chapter 124. of the Revised Code. 544

The Ohio peace officer training commission shall determine 545
tuition costs sufficient in the aggregate to pay the costs of 546
operating the academy. The costs of acquiring and equipping the 547
academy shall be paid from appropriations made by the general 548
assembly to the Ohio peace officer training commission for that 549
purpose, from gifts or grants received for that purpose, or from 550
fees for goods related to the academy. 551

The Ohio peace officer training commission shall create a 552
gaming-related curriculum for gaming agents. The Ohio peace 553
officer training commission shall use money distributed to the 554
Ohio peace officer training academy from the Ohio law 555

enforcement training fund to first support the academy's 556
training programs for gaming agents and gaming-related 557
curriculum. The Ohio peace officer training commission may 558
utilize existing training programs in other states that 559
specialize in training gaming agents. 560

The law enforcement officers, during the period of their 561
training, shall receive compensation as determined by the 562
political subdivision that sponsors them or, if the officer is a 563
criminal investigator employed by the state public defender, as 564
determined by the state public defender. The political 565
subdivision may pay the tuition costs of the law enforcement 566
officers they sponsor and the state public defender may pay the 567
tuition costs of criminal investigators of that office who 568
attend the academy. 569

If trainee vacancies exist, the academy may train and 570
issue certificates of satisfactory completion to peace officers 571
who are employed by a campus police department pursuant to 572
section 1713.50 of the Revised Code, by a qualified nonprofit 573
corporation police department pursuant to section 1702.80 of the 574
Revised Code, or by a railroad company, who are amusement park 575
police officers appointed and commissioned by a judge of the 576
appropriate municipal court or county court pursuant to section 577
4973.17 of the Revised Code, or who are bank, savings and loan 578
association, savings bank, credit union, or association of 579
banks, savings and loan associations, savings banks, or credit 580
unions, or hospital police officers appointed and commissioned 581
by the secretary of state pursuant to sections 4973.17 to 582
4973.22 of the Revised Code, provided that no such officer shall 583
be trained at the academy unless the officer meets the 584
qualifications established for admission to the academy and the 585
qualified nonprofit corporation police department; bank, savings 586

and loan association, savings bank, credit union, or association 587
of banks, savings and loan associations, savings banks, or 588
credit unions; railroad company; hospital; or amusement park or 589
the private college or university that established the campus 590
police department prepays the entire cost of the training. A 591
qualified nonprofit corporation police department; bank, savings 592
and loan association, savings bank, credit union, or association 593
of banks, savings and loan associations, savings banks, or 594
credit unions; railroad company; hospital; or amusement park or 595
a private college or university that has established a campus 596
police department is not entitled to reimbursement from the 597
state for any amount paid for the cost of training the bank, 598
savings and loan association, savings bank, credit union, or 599
association of banks, savings and loan associations, savings 600
banks, or credit unions peace officers; the railroad company's 601
peace officers; or the peace officers of the qualified nonprofit 602
corporation police department, campus police department, 603
hospital, or amusement park. 604

The academy shall permit investigators employed by the 605
state medical board to take selected courses that the board 606
determines are consistent with its responsibilities for initial 607
and continuing training of investigators as required under 608
sections 4730.26 and 4731.05 of the Revised Code. The board 609
shall pay the entire cost of training that investigators receive 610
at the academy. 611

The academy shall permit tactical medical professionals to 612
attend training courses at the academy that are designed to 613
qualify the professionals to carry firearms while on duty under 614
section 109.771 of the Revised Code and that provide training 615
comparable to training mandated under the rules required by 616
division (A) of section 109.748 of the Revised Code. The 617

executive director of the Ohio peace officer training commission 618
may certify tactical medical professionals who satisfactorily 619
complete the training courses. The law enforcement agency served 620
by a tactical medical professional who attends the academy may 621
pay the tuition costs of the professional. 622

(B) As used in this section: 623

(1) "Law enforcement officers" include any undercover drug 624
agent, any bailiff or deputy bailiff of a court of record, and 625
any criminal investigator who is employed by the state public 626
defender. 627

(2) "Undercover drug agent" means any person who: 628

(a) Is employed by a county, township, or municipal 629
corporation for the purposes set forth in division (B) (2) (b) of 630
this section but who is not an employee of a county sheriff's 631
department, of a township constable, or of the police department 632
of a municipal corporation or township; 633

(b) In the course of the person's employment by a county, 634
township, or municipal corporation, investigates and gathers 635
information pertaining to persons who are suspected of violating 636
Chapter 2925. or 3719. of the Revised Code, and generally does 637
not wear a uniform in the performance of the person's duties. 638

(3) "Crisis intervention training" has the same meaning as 639
in section 109.71 of the Revised Code. 640

(4) "Missing children" has the same meaning as in section 641
2901.30 of the Revised Code. 642

(5) "Companion animal" has the same meaning as in section 643
959.131 of the Revised Code. 644

Sec. 109.80. (A) The Ohio peace officer training 645

commission shall develop and conduct a basic training course 646
lasting at least three weeks for appointed and newly elected 647
sheriffs appointed or elected on or after January 1, 1988, and 648
shall establish criteria for what constitutes successful 649
completion of the course. The basic training course shall 650
include instruction in contemporary law enforcement, criminal 651
investigations, the judicial process, civil rules, corrections, 652
and other topics relevant to the duties and operations of the 653
office of sheriff. The basic training course also shall include 654
training in performing law enforcement duties and handling law 655
enforcement matters without engaging in biased policing or 656
status-based profiling as described in divisions (B) and (C) of 657
section 2933.84 of the Revised Code. Such training shall be 658
consistent with the training specified in the rules adopted 659
under section 109.805 of the Revised Code. The commission shall 660
offer the course every four years within six months after the 661
general election of sheriffs in each county and at other times 662
when it is needed to permit sheriffs to attend within six months 663
after appointment or election. The course shall be conducted by 664
the Ohio peace officer training academy. The council-commission 665
shall provide that not less than two weeks of the course 666
conducted within six months after the general election of 667
sheriffs in each county shall be conducted prior to the first 668
Monday in January next after that general election. 669

(B) The attorney general shall appoint a continuing 670
education committee, consisting of not fewer than five nor more 671
than seven members, including but not limited to, members of the 672
Ohio peace officer training commission and sheriffs. The 673
commission and the committee jointly shall determine the type of 674
continuing education required for sheriffs to complete the 675
requirements of division (E) of section 311.01 of the Revised 676

Code, shall include as a required part of that continuing 677
education training in performing law enforcement duties and 678
handling law enforcement matters without engaging in biased 679
policing or status-based profiling as described in divisions (B) 680
and (C) of section 2933.84 of the Revised Code, and shall 681
establish criteria for what constitutes successful completion of 682
the requirement. The training in performing law enforcement 683
duties and handling law enforcement matters without engaging in 684
biased policing or status-based profiling shall be consistent 685
with the training specified in the rules adopted under section 686
109.805 of the Revised Code. The committee shall approve the 687
courses that sheriffs may attend to complete the continuing 688
education requirement and shall publish an approved list of 689
those courses. The commission shall maintain a list of approved 690
training schools that sheriffs may attend to complete the 691
continuing education requirement. Upon request, the committee 692
may approve courses other than those courses conducted as part 693
of a certified law enforcement manager program. 694

(C) Upon presentation of evidence by a sheriff that 695
because of medical disability or for other good cause ~~that~~ the 696
sheriff is unable to complete the basic or continuing education 697
requirement, the commission may waive the requirement until the 698
disability or cause terminates. 699

(D) As used in this section, "newly elected sheriff" means 700
a person who did not hold the office of sheriff of a county on 701
the date the person was elected sheriff of that county. 702

Sec. 109.805. The attorney general shall do all of the 703
following: 704

(A) Adopt, in accordance with Chapter 119. or pursuant to 705
section 109.74 of the Revised Code, rules governing the training 706

of peace officers in performing law enforcement duties and 707
handling law enforcement matters without engaging in biased 708
policing or status-based profiling, including biased policing 709
and status-based profiling of the type described in divisions 710
(B) and (C) of section 2933.84 of the Revised Code. The rules 711
shall specify the amount of that training necessary for the 712
satisfactory completion of basic training programs at approved 713
peace officer training schools other than the Ohio peace officer 714
training academy. The rules shall require that the training 715
include, but not be limited to, materials that provide an 716
understanding of the historical and cultural systems that 717
perpetuate biased policing and status-based profiling, 718
assistance in identifying biased policing and status-based 719
profiling practices, and self-evaluation strategies for officers 720
to preempt biased policing or status-based profiling before 721
stopping an individual. 722

(B) Adopt reasonable rules under Chapter 119. of the 723
Revised Code prescribing the format and timing of the submission 724
by law enforcement agencies under division (G)(1) of section 725
2933.84 of the Revised Code of information gathered under 726
divisions (E) and (F) of that section. 727

(C) In accordance with division (G) of section 2933.84 of 728
the Revised Code, analyze all data submitted to the attorney 729
general pursuant to that division, publish the data and the 730
analysis of the data in a report, and distribute copies of the 731
report. 732

Sec. 109.806. (A) There is created within the office of 733
the attorney general the racial and identity profiling advisory 734
board. The board is established for the purpose of eliminating 735
biased policing and status-based profiling as described in 736

divisions (B) and (C) of section 2933.84 of the Revised Code, 737
and improving diversity and racial and identity sensitivity in 738
law enforcement. 739

(B) Unless otherwise stated in this division, the governor 740
shall appoint members to the board with the advice and consent 741
of the senate. The board shall consist of the following members: 742

(1) The attorney general, the state public defender, and 743
the superintendent of the state highway patrol, or their 744
designees; 745

(2) The president of the Ohio association of chiefs of 746
police, or the president's designee; 747

(3) The president of the buckeye state sheriffs' 748
association, or the president's designee; 749

(4) Two members of the senate, one appointed by the 750
president of the senate and one appointed by the minority leader 751
of the senate; 752

(5) Two members of the house of representatives, one 753
appointed by the speaker of the house of representatives and one 754
appointed by the minority leader of the house of 755
representatives; 756

(6) A member of the general assembly appointed by the Ohio 757
legislative black caucus; 758

(7) A university professor who specializes in policing and 759
racial and identity equity; 760

(8) Two representatives of civil or human rights nonprofit 761
organizations who specialize in civil or human rights; 762

(9) Two representatives of community organizations who 763

specialize in civil or human rights and criminal justice and who 764
work with victims of biased policing or status-based profiling, 765
with at least one of the representatives being between sixteen 766
and twenty-four years of age; 767

(10) Two religious clergy members with experience in 768
addressing and reducing racial and identity bias toward 769
individuals and groups. 770

(C) The board shall have the following annual duties: 771

(1) Assist the attorney general in analyzing the data 772
reported by law enforcement agencies pursuant to division (G) of 773
section 2933.84 of the Revised Code; 774

(2) Assess state and local law enforcement training 775
regarding biased policing and status-based profiling; 776

(3) Work in partnership with state and local law 777
enforcement agencies to review and analyze biased policing and 778
status-based profiling policies and practices across geographic 779
areas in Ohio; 780

(4) Conduct evidence-based research or consult available 781
research on intentional and implicit biases and law enforcement 782
stop, search, and seizure tactics; 783

(5) Hold at least three public meetings across the state 784
to discuss biased policing and status-based profiling and 785
potential reforms to prevent those practices, and provide public 786
notice of each meeting at least sixty days before each meeting; 787

(6) Issue an annual report that provides the board's 788
assessment of biased policing and status-based profiling in the 789
state, detailed findings on the past and current status of 790
racial and identity profiling, and policy recommendations to 791

eliminate biased policing and profiling. 792

(D) The annual report of the board is a public record and shall be posted on the attorney general's web site. Previous annual reports shall be retained and kept available on the web site. 793
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(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. 797
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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. 802
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(3) Members of the board shall serve without compensation. 805

Sec. 2933.84. (A) As used in this section: 806

(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. 807
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(2) "Minority group" means any of the following: 811

(a) African Americans, including, but not limited to, persons of African descent; 812
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(b) Latinos, including, but not limited to, persons of Hispanic descent; 814
815

(c) Persons of Arab or Middle Eastern descent or appearance; 816
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(d) Asians; 818

<u>(e) Native Americans;</u>	819
<u>(f) Pacific Islanders;</u>	820
<u>(g) Any persons not described in division (A) (2) (a), (b),</u>	821
<u>(c), (d), (e), or (f) of this section who are members of a</u>	822
<u>socially or economically disadvantaged group, whose disadvantage</u>	823
<u>arises from discrimination on the basis of race, religion, sex,</u>	824
<u>disability, military status, national origin, ancestry, or other</u>	825
<u>similar cause.</u>	826
<u>(3) Except as otherwise provided in this division, "minor</u>	827
<u>traffic violation" means any violation of a prohibition set</u>	828
<u>forth in Title XLV of the Revised Code or of an ordinance of a</u>	829
<u>municipal corporation that is substantially equivalent to any</u>	830
<u>prohibition set forth in Title XLV of the Revised Code. "Minor</u>	831
<u>traffic violation" does not include any violation that is a</u>	832
<u>moving violation as defined in section 2743.70 of the Revised</u>	833
<u>Code.</u>	834
<u>(4) "Sexual orientation" means actual or perceived</u>	835
<u>heterosexuality, homosexuality, or bisexuality.</u>	836
<u>(5) "Traffic stop" means a law enforcement officer's stop</u>	837
<u>of a motor vehicle, bicycle, or pedestrian for any minor traffic</u>	838
<u>violation.</u>	839
<u>(B) No law enforcement officer shall do any of the</u>	840
<u>following:</u>	841
<u>(1) Target or stop an individual who is a motorist,</u>	842
<u>bicyclist, or pedestrian on the basis, in whole or in part, of</u>	843
<u>the ethnic, minority group, religious affiliation, sexual</u>	844
<u>orientation, or gender identity status of the individual by</u>	845
<u>means of detention, interdiction, or other disparate treatment,</u>	846
<u>unless all of the following apply:</u>	847

(a) The officer stops or targets the individual on that 848
basis because the individual's ethnic, minority group, religious 849
affiliation, sexual orientation, or gender identity status, as 850
perceived by the officer, matches a description of a specific 851
suspect that the officer is seeking to apprehend. 852

(b) The individual matches one or more other identifying 853
factors of the description of the suspect. 854

(c) The description of the suspect is timely and reliable. 855

(2) Use any violation of any state or local traffic law as 856
a pretense for stopping a motor vehicle, bicycle, or pedestrian 857
for any reason, unless the reason for the stop is the occurrence 858
of an offense that the officer can explicitly articulate; 859

(3) Request an operator of a motor vehicle or bicycle that 860
is stopped solely for a minor traffic violation, or a pedestrian 861
who is stopped solely for a minor traffic violation, to consent 862
to a search by the officer of the motor vehicle or bicycle or of 863
the pedestrian; 864

(4) After a traffic stop of a motor vehicle, bicycle, or 865
pedestrian, detain the motor vehicle, its operator, or its 866
passengers, the bicycle or its operator, or the pedestrian to 867
provide time for arrival of a canine unit or any other animal 868
used in an inspection or sniffing of a motor vehicle, bicycle, 869
or person, or otherwise extend the traffic stop beyond the time 870
reasonably necessary to address the traffic violation that is 871
the basis of the stop, unless there exists probable cause to 872
believe that the operator of the vehicle or bicycle, one or more 873
passengers of the vehicle, or the pedestrian has been involved 874
in criminal activity. 875

(C) No official of a law enforcement agency shall engage 876

in, or authorize or allow the law enforcement officers the 877
agency employs or is served by to engage in, a violation of 878
division (B)(1) of this section. 879

(D) Each law enforcement agency in this state that employs 880
or is served by any law enforcement officer shall do all of the 881
following: 882

(1) Develop and maintain a policy that is designed to 883
eliminate biased policing or status-based profiling by the 884
agency and its law enforcement officers, including biased 885
policing and status-based profiling of the type described in 886
divisions (B) and (C) of this section, and to cease existing 887
practices by the agency and its officers that permit, 888
perpetuate, or encourage biased policing and status-based 889
profiling; 890

(2) Develop an educational training program that is 891
designed to train its law enforcement officers and officials how 892
to perform law enforcement duties and handle law enforcement 893
matters without engaging in biased policing or status-based 894
profiling, including biased policing and status-based profiling 895
of the type described in divisions (B) and (C) of this section. 896
The educational training program shall include training 897
materials that provide an understanding of the historical and 898
cultural systems that perpetuate biased policing and status- 899
based profiling, assistance in identifying biased policing and 900
status-based profiling practices, and self-evaluation strategies 901
for officers to preempt biased policing or status-based 902
profiling prior to stopping an individual; 903

(3) Annually provide training under the program developed 904
pursuant to division (D)(2) of this section to each law 905
enforcement officer who is employed by or serves the agency and 906

to each official of the agency; 907

(4) In addition to the training required by division (D) 908
(3) of this section, provide training under the program 909
developed pursuant to division (D) (2) of this section to each 910
law enforcement officer who is employed by or serves the agency 911
and violates division (B) of this section and to each official 912
of the agency who violates division (C) of this section, within 913
a reasonable period of time after the violation. 914

(E) (1) Whenever a law enforcement officer causes the stop, 915
delay, or questioning of the operator of a motor vehicle, the 916
operator of a bicycle, or a pedestrian, the law enforcement 917
agency that employs or is served by the law enforcement officer 918
shall obtain from the law enforcement officer and record all of 919
the following data: 920

(a) Regarding a motor vehicle or bicycle, a description of 921
the motor vehicle or bicycle, including its manufacturer and 922
model; 923

(b) Regarding a motor vehicle, the identifying numerals, 924
letters, or numerals and letters that appear on the motor 925
vehicle's license plate; 926

(c) The race, ethnicity, approximate age, and gender of 927
the operator and all passengers of the motor vehicle, the 928
operator of the bicycle, or the pedestrian; 929

(d) The location of the stop, delay, or questioning, 930
including the street and address number; 931

(e) The approximate duration of the stop, delay, or 932
questioning; 933

(f) The basis for the stop, delay, or questioning, 934

including any local, state, or federal offense alleged to have 935
been committed by the operator or any passenger of the motor 936
vehicle, the operator of the bicycle, or the pedestrian; 937

(g) The date on which and exact time at which the stop, 938
delay, or questioning occurred. 939

(2) The identification of the characteristics described in 940
divisions (E) (1) (a) to (g) of this section shall be based on the 941
observation and perception of the law enforcement officer 942
conducting the stop, delay, or questioning. No operator of or 943
passenger in the involved motor vehicle, no operator of the 944
involved bicycle, and no involved pedestrian, whichever is 945
applicable, shall be asked to provide the information regarding 946
those characteristics. 947

(F) Whenever a law enforcement officer conducts a search 948
or inventory of a motor vehicle or bicycle, or otherwise causes 949
a motor vehicle, bicycle, or pedestrian to be inspected or 950
sniffed by a canine unit or any other animal for the detection 951
of illegal drugs or contraband, the law enforcement agency that 952
employs or is served by the law enforcement officer shall obtain 953
from the law enforcement officer and record all of the following 954
data: 955

(1) The legal basis and rationale for the stop, search, 956
inventory, or sniffing of the motor vehicle, bicycle, or 957
pedestrian; 958

(2) The nature of any contraband that was discovered in 959
the course of the search, inventory, or sniffing; 960

(3) The exact oral or written warning or instructions 961
given to the operator of or passenger in the motor vehicle, the 962
operator of the bicycle, or the pedestrian prior to the search, 963

inventory, or sniffing; 964

(4) The charge or charges, if any, that were filed against 965
the operator of or passenger in the motor vehicle, the operator 966
of the bicycle, or the pedestrian as a result of the search, 967
inventory, or sniffing. 968

(G) (1) Each law enforcement agency that collects data 969
under division (E) or (F) of this section shall annually submit 970
the data collected to the attorney general. The agency shall 971
submit the data not later than the first day of February of the 972
calendar year following the year for which the data is 973
collected, in accordance with the rules adopted by the attorney 974
general under division (B) of section 109.805 of the Revised 975
Code. Upon receipt of the data, the attorney general shall 976
analyze the data in accordance with general statistical 977
standards to determine whether disparities exist in the stopping 978
and searching of motor vehicles, bicycles, or pedestrians that 979
cause a disproportionately adverse effect on a particular 980
minority group or groups or any other group of persons linked by 981
ethnic, religious affiliation, sexual orientation, or gender 982
identity status. Not later than the first day of April of the 983
calendar year in which the attorney general receives the data 984
under this division, the attorney general shall publish the data 985
and the analysis conducted under this division in a report that 986
the attorney general prepares annually. 987

(2) The attorney general shall distribute copies of 988
reports published under division (G) (1) of this section to the 989
general assembly, the governor, and law enforcement agencies. 990
The reports are public records under section 149.43 of the 991
Revised Code and shall be made readily available to the public. 992

(3) The attorney general shall exclude from the reports 993

described in division (G) (1) of this section all information 994
that would personally identify any motor vehicle operator or 995
passenger, any bicycle operator, or any pedestrian who is the 996
subject of any stop, search, inventory, or sniffing described in 997
this section or any law enforcement officer who conducts any 998
stop, search, inventory, or sniffing described in this section. 999
The attorney general and local law enforcement agencies shall 1000
maintain the information so excluded for a reasonable period of 1001
time. 1002

Information of the nature described in this division that 1003
is excluded from the report described in division (G) (1) of this 1004
section is not a public record for purposes of section 149.43 of 1005
the Revised Code, and the attorney general or law enforcement 1006
agency shall redact all information of that nature from any 1007
records released by the attorney general or law enforcement 1008
agency. The attorney general or a law enforcement agency may 1009
disclose information of that nature for purposes of a civil 1010
proceeding brought under division (I) or (J) of this section and 1011
may release information of that nature to relevant parties of a 1012
motion seeking to exclude from admission as evidence any 1013
information obtained through a potentially unconstitutional or 1014
unlawful search. 1015

(H) If the attorney general determines in the analysis 1016
conducted under division (G) of this section that the 1017
statistical data collected and analyzed under this section shows 1018
any pattern of disparate traffic and law enforcement practices 1019
by a law enforcement agency or its officers or officials, that 1020
has a disproportionately adverse effect on a particular minority 1021
group or groups or any other group of persons linked by 1022
ethnicity, religious affiliation, sexual orientation, or gender 1023
identity status, the law enforcement agency shall take immediate 1024

remedial actions to eradicate the practices by the agency or its 1025
officers or officials. 1026

(I) An individual who is a victim of a violation of 1027
division (B) or (C) of this section has a cause of action 1028
against the law enforcement agency that employs or is served by 1029
the law enforcement officer or official who committed the 1030
violation. The individual may file a civil action asserting the 1031
cause under section 2307.60 of the Revised Code. In the action, 1032
the individual may seek appropriate and equitable relief in a 1033
court of record in this state having jurisdiction. The court 1034
shall award reasonable attorneys' fees, including expert fees as 1035
part of the attorneys' fee, to the prevailing party as costs. 1036

(J) The attorney general may institute civil proceedings 1037
for injunctive relief against a law enforcement agency that 1038
employs or is served by a law enforcement officer or official 1039
who violates division (B) or (C) of this section to compel the 1040
termination of the violation and prevent future violations. The 1041
attorney general may bring the proceedings in any court of 1042
competent jurisdiction. If the attorney general proves in the 1043
proceedings that a law enforcement officer or official that the 1044
agency employs or is served by has committed or is committing 1045
the violation, the court shall order the agency to discontinue 1046
all biased policing and status-based profiling, to discontinue 1047
all practices that permit, perpetuate, or encourage biased 1048
policing or status-based profiling, and to submit to the 1049
attorney general a corrective action plan for discontinuing all 1050
biased policing or status-based profiling and all such 1051
practices. The court shall order the agency to submit the 1052
corrective action plan to the attorney general by a specified 1053
date that is agreed upon by the agency and the attorney general 1054
and approved by the court. 1055

Sec. 4117.10. (A) An agreement between a public employer	1056
and an exclusive representative entered into pursuant to this	1057
chapter governs the wages, hours, and terms and conditions of	1058
public employment covered by the agreement. If the agreement	1059
provides for a final and binding arbitration of grievances,	1060
public employers, employees, and employee organizations are	1061
subject solely to that grievance procedure and the state	1062
personnel board of review or civil service commissions have no	1063
jurisdiction to receive and determine any appeals relating to	1064
matters that were the subject of a final and binding grievance	1065
procedure. Where no agreement exists or where an agreement makes	1066
no specification about a matter, the public employer and public	1067
employees are subject to all applicable state or local laws or	1068
ordinances pertaining to the wages, hours, and terms and	1069
conditions of employment for public employees. All of the	1070
following prevail over conflicting provisions of agreements	1071
between employee organizations and public employers:	1072
(1) Laws pertaining to any of the following subjects:	1073
(a) Civil rights;	1074
(b) Affirmative action;	1075
(c) Unemployment compensation;	1076
(d) Workers' compensation;	1077
(e) The retirement of public employees;	1078
(f) Residency requirements;	1079
(g) The minimum educational requirements contained in the	1080
Revised Code pertaining to public education including the	1081
requirement of a certificate by the fiscal officer of a school	1082
district pursuant to section 5705.41 of the Revised Code;	1083

(h) The provisions of division (A) of section 124.34 of 1084
the Revised Code governing the disciplining of officers and 1085
employees who have been convicted of a felony; 1086

(i) The minimum standards promulgated by the state board 1087
of education pursuant to division (D) of section 3301.07 of the 1088
Revised Code. 1089

(2) The law pertaining to the leave of absence and 1090
compensation provided under section 5923.05 of the Revised Code, 1091
if the terms of the agreement contain benefits which are less 1092
than those contained in that section or the agreement contains 1093
no such terms and the public authority is the state or any 1094
agency, authority, commission, or board of the state or if the 1095
public authority is another entity listed in division (B) of 1096
section 4117.01 of the Revised Code that elects to provide leave 1097
of absence and compensation as provided in section 5923.05 of 1098
the Revised Code; 1099

(3) The law pertaining to the leave established under 1100
section 5906.02 of the Revised Code, if the terms of the 1101
agreement contain benefits that are less than those contained in 1102
section 5906.02 of the Revised Code; 1103

(4) The law pertaining to excess benefits prohibited under 1104
section 3345.311 of the Revised Code with respect to an 1105
agreement between an employee organization and a public employer 1106
entered into on or after ~~the effective date of this amendment~~ 1107
September 29, 2015. 1108

(5) The law pertaining to law enforcement agency policies, 1109
cessation of existing practices, and training programs related 1110
to biased policing or status-based profiling required under 1111
division (D) of section 2933.84 of the Revised Code with respect 1112

to an agreement between an employee organization and a public 1113
employer entered into on or after the effective date of this 1114
amendment. 1115

Except for sections 306.08, 306.12, 306.35, and 4981.22 of 1116
the Revised Code and arrangements entered into thereunder, and 1117
section 4981.21 of the Revised Code as necessary to comply with 1118
section 13(c) of the "Urban Mass Transportation Act of 1964," 87 1119
Stat. 295, 49 U.S.C.A. 1609(c), as amended, and arrangements 1120
entered into thereunder, this chapter prevails over any and all 1121
other conflicting laws, resolutions, provisions, present or 1122
future, except as otherwise specified in this chapter or as 1123
otherwise specified by the general assembly. Nothing in this 1124
section prohibits or shall be construed to invalidate the 1125
provisions of an agreement establishing supplemental workers' 1126
compensation or unemployment compensation benefits or exceeding 1127
minimum requirements contained in the Revised Code pertaining to 1128
public education or the minimum standards promulgated by the 1129
state board of education pursuant to division (D) of section 1130
3301.07 of the Revised Code. 1131

(B) The public employer shall submit a request for funds 1132
necessary to implement an agreement and for approval of any 1133
other matter requiring the approval of the appropriate 1134
legislative body to the legislative body within fourteen days of 1135
the date on which the parties finalize the agreement, unless 1136
otherwise specified, but if the appropriate legislative body is 1137
not in session at the time, then within fourteen days after it 1138
convenes. The legislative body must approve or reject the 1139
submission as a whole, and the submission is deemed approved if 1140
the legislative body fails to act within thirty days after the 1141
public employer submits the agreement. The parties may specify 1142
that those provisions of the agreement not requiring action by a 1143

legislative body are effective and operative in accordance with 1144
the terms of the agreement, provided there has been compliance 1145
with division (C) of this section. If the legislative body 1146
rejects the submission of the public employer, either party may 1147
reopen all or part of the entire agreement. 1148

As used in this section, "legislative body" includes the 1149
governing board of a municipal corporation, school district, 1150
college or university, village, township, or board of county 1151
commissioners or any other body that has authority to approve 1152
the budget of their public jurisdiction and, with regard to the 1153
state, "legislative body" means the controlling board. 1154

(C) The chief executive officer, or the chief executive 1155
officer's representative, of each municipal corporation, the 1156
designated representative of the board of education of each 1157
school district, college or university, or any other body that 1158
has authority to approve the budget of their public 1159
jurisdiction, the designated representative of the board of 1160
county commissioners and of each elected officeholder of the 1161
county whose employees are covered by the collective 1162
negotiations, and the designated representative of the village 1163
or the board of township trustees of each township is 1164
responsible for negotiations in the collective bargaining 1165
process; except that the legislative body may accept or reject a 1166
proposed collective bargaining agreement. When the matters about 1167
which there is agreement are reduced to writing and approved by 1168
the employee organization and the legislative body, the 1169
agreement is binding upon the legislative body, the employer, 1170
and the employee organization and employees covered by the 1171
agreement. 1172

(D) There is hereby established an office of collective 1173

bargaining in the department of administrative services for the 1174
purpose of negotiating with and entering into written agreements 1175
between state agencies, departments, boards, and commissions and 1176
the exclusive representative on matters of wages, hours, terms 1177
and other conditions of employment and the continuation, 1178
modification, or deletion of an existing provision of a 1179
collective bargaining agreement. Nothing in any provision of law 1180
to the contrary shall be interpreted as excluding the bureau of 1181
workers' compensation and the industrial commission from the 1182
preceding sentence. This office shall not negotiate on behalf of 1183
other statewide elected officials or boards of trustees of state 1184
institutions of higher education who shall be considered as 1185
separate public employers for the purposes of this chapter; 1186
however, the office may negotiate on behalf of these officials 1187
or trustees where authorized by the officials or trustees. The 1188
staff of the office of collective bargaining are in the 1189
unclassified service. The director of administrative services 1190
shall fix the compensation of the staff. 1191

The office of collective bargaining shall: 1192

(1) Assist the director in formulating management's 1193
philosophy for public collective bargaining as well as planning 1194
bargaining strategies; 1195

(2) Conduct negotiations with the exclusive 1196
representatives of each employee organization; 1197

(3) Coordinate the state's resources in all mediation, 1198
fact-finding, and arbitration cases as well as in all labor 1199
disputes; 1200

(4) Conduct systematic reviews of collective bargaining 1201
agreements for the purpose of contract negotiations; 1202

(5) Coordinate the systematic compilation of data by all 1203
agencies that is required for negotiating purposes; 1204

(6) Prepare and submit an annual report and other reports 1205
as requested to the governor and the general assembly on the 1206
implementation of this chapter and its impact upon state 1207
government. 1208

Sec. 5503.05. The superintendent of the state highway 1209
patrol, with the approval of the director of public safety, may 1210
conduct training schools for prospective state highway patrol 1211
troopers. The training provided at the training schools shall 1212
include, but not be limited to, training in performing law 1213
enforcement duties and handling law enforcement matters without 1214
engaging in biased policing or status-based profiling as 1215
described in divisions (B) and (C) of section 2933.84 of the 1216
Revised Code. Training on the subject of biased policing and 1217
status-based profiling shall be consistent with the training 1218
specified in the rules adopted under section 109.805 of the 1219
Revised Code. The prospective troopers, during the period of 1220
their training and as members of the state patrol school, shall 1221
be paid a reasonable salary out of highway funds. The 1222
superintendent may furnish the necessary supplies and equipment 1223
for the use of the prospective troopers during the training 1224
period. 1225

The superintendent may establish rules governing the 1226
qualifications for admission to training schools for prospective 1227
troopers and provide for competitive examinations to determine 1228
the fitness of the students and prospective troopers, not 1229
inconsistent with the rules of the director of administrative 1230
services. 1231

Section 2. That existing sections 109.73, 109.77, 109.79, 1232

109.80, 4117.10, and 5503.05 of the Revised Code are hereby 1233
repealed. 1234

Section 3. The General Assembly, applying the principle 1235
stated in division (B) of section 1.52 of the Revised Code that 1236
amendments are to be harmonized if reasonably capable of 1237
simultaneous operation, finds that the following sections, 1238
presented in this act as composites of the sections as amended 1239
by the acts indicated, are the resulting versions of the 1240
sections in effect prior to the effective date of the sections 1241
as presented in this act: 1242

Section 109.73 of the Revised Code as amended by both H.B. 1243
24 and S.B. 68 of the 133rd General Assembly. 1244

Section 109.80 of the Revised Code as amended by both H.B. 1245
351 and H.B. 670 of the 121st General Assembly. 1246