

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 236

Representatives Smith, T., Plummer

Cosponsors: Representatives Wiggam, Riedel, Kent, Romanchuk, Schaffer

A BILL

To amend section 2935.01 of the Revised Code to add 1
hospital police officers to the definition of 2
peace officer. 3

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

Section 1. That section 2935.01 of the Revised Code be 4
amended to read as follows: 5

Sec. 2935.01. As used in this chapter: 6

(A) "Magistrate" has the same meaning as in section 7
2931.01 of the Revised Code. 8

(B) "Peace officer" includes, except as provided in 9
section 2935.081 of the Revised Code, a sheriff; deputy sheriff; 10
marshal; deputy marshal; member of the organized police 11
department of any municipal corporation, including a member of 12
the organized police department of a municipal corporation in an 13
adjoining state serving in Ohio under a contract pursuant to 14
section 737.04 of the Revised Code; member of a police force 15
employed by a metropolitan housing authority under division (D) 16
of section 3735.31 of the Revised Code; member of a police force 17
employed by a regional transit authority under division (Y) of 18

section 306.05 of the Revised Code; state university law 19
enforcement officer appointed under section 3345.04 of the 20
Revised Code; enforcement agent of the department of public 21
safety designated under section 5502.14 of the Revised Code; 22
employee of the department of taxation to whom investigation 23
powers have been delegated under section 5743.45 of the Revised 24
Code; employee of the department of natural resources who is a 25
natural resources law enforcement staff officer designated 26
pursuant to section 1501.013 of the Revised Code, a forest-fire 27
investigator appointed pursuant to section 1503.09 of the 28
Revised Code, a natural resources officer appointed pursuant to 29
section 1501.24 of the Revised Code, or a wildlife officer 30
designated pursuant to section 1531.13 of the Revised Code; 31
individual designated to perform law enforcement duties under 32
section 511.232, 1545.13, or 6101.75 of the Revised Code; 33
veterans' home police officer appointed under section 5907.02 of 34
the Revised Code; police officer employed by a hospital that 35
employs and maintains its own proprietary police department or 36
security department, and appointed and commissioned by the 37
secretary of state pursuant to sections 4973.17 to 4973.22 of 38
the Revised Code; special police officer employed by a port 39
authority under section 4582.04 or 4582.28 of the Revised Code; 40
police constable of any township; police officer of a township 41
or joint police district; a special police officer employed by a 42
municipal corporation at a municipal airport, or other municipal 43
air navigation facility, that has scheduled operations, as 44
defined in section 119.3 of Title 14 of the Code of Federal 45
Regulations, 14 C.F.R. 119.3, as amended, and that is required 46
to be under a security program and is governed by aviation 47
security rules of the transportation security administration of 48
the United States department of transportation as provided in 49
Parts 1542. and 1544. of Title 49 of the Code of Federal 50

Regulations, as amended; the house of representatives sergeant at arms if the house of representatives sergeant at arms has arrest authority pursuant to division (E) (1) of section 101.311 of the Revised Code; an assistant house of representatives sergeant at arms; the senate sergeant at arms; an assistant senate sergeant at arms; officer or employee of the bureau of criminal identification and investigation established pursuant to section 109.51 of the Revised Code who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the officer's or employee's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program and who is providing assistance upon request to a law enforcement officer or emergency assistance to a peace officer pursuant to section 109.54 or 109.541 of the Revised Code; a state fire marshal law enforcement officer described in division (A) (23) of section 109.71 of the Revised Code; and, for the purpose of arrests within those areas, for the purposes of Chapter 5503. of the Revised Code, and the filing of and service of process relating to those offenses witnessed or investigated by them, the superintendent and troopers of the state highway patrol.

(C) "Prosecutor" includes the county prosecuting attorney and any assistant prosecutor designated to assist the county prosecuting attorney, and, in the case of courts inferior to courts of common pleas, includes the village solicitor, city director of law, or similar chief legal officer of a municipal corporation, any such officer's assistants, or any attorney designated by the prosecuting attorney of the county to appear for the prosecution of a given case.

(D) "Offense," except where the context specifically

indicates otherwise, includes felonies, misdemeanors, and 82
violations of ordinances of municipal corporations and other 83
public bodies authorized by law to adopt penal regulations. 84

Section 2. That existing section 2935.01 of the Revised 85
Code is hereby repealed. 86