

As Introduced

134th General Assembly

Regular Session

2021-2022

S. B. No. 149

Senators Maharath, Antonio

Cosponsors: Senators Craig, Yuko, Thomas



A BILL

To amend section 2927.12 of the Revised Code to
rename the offense of ethnic intimidation to
bias-motivated crime; to expand the scope of
bias-motivated crime; to require peace officer
training on bias-motivated crime; and to require
data collection and reporting on bias-motivated
crime.

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

Section 1. That section 2927.12 of the Revised Code be
amended to read as follows:

Sec. 2927.12. (A) As used in this section:

(1) "Disability" has the same meaning as in section
4112.01 of the Revised Code.

(2) "Gender identity" means the gender-related identity,
appearance, or mannerisms of an individual, or other gender-
related characteristics of an individual, with or without regard
to the individual's designated gender at birth.

(3) "Sexual orientation" means heterosexuality,

homosexuality, or bisexuality. 18

(4) "Peace officer" has the same meaning as in section 19
2921.51 of the Revised Code. 20

(5) "Law enforcement agency" means a government entity 21
that employs peace officers to perform law enforcement duties. 22

(B) No person shall violate section 2903.12, 2903.13, 23
2903.21, 2903.22, 2905.01, 2905.02, 2905.03, 2909.02, 2909.03, 24
2909.05, 2909.06, or 2909.07, or division (A) of section 25
2903.11, or division (A) (3), (4), or (5) of section 2917.21 of 26
the Revised Code ~~by reason, and intentionally select the person~~ 27
against whom the offender commits the violation or the property 28
that is damaged or otherwise affected by the violation, in whole 29
or in part because of the actual or perceived race, color, 30
religion, ~~or~~ ethnicity, national origin, gender, sexual 31
orientation, gender identity, or disability of ~~another~~ the other 32
person or group of persons, whether or not the offender's belief 33
or perception was correct. 34

~~(B)~~ (C) Whoever violates this section is guilty of ethnic- 35
intimidation bias-motivated crime. Ethnic intimidation Bias- 36
motivated crime is an offense of the next higher degree than the 37
offense the commission of which is a necessary element of ~~ethnic-~~ 38
intimidation bias-motivated crime. 39

(D) (1) The attorney general shall provide training for all 40
peace officers in identifying, responding to, and reporting 41
bias-motivated crime. 42

(2) The attorney general shall adopt, in accordance with 43
Chapter 119. or pursuant to section 109.74 of the Revised Code, 44
rules governing the training of peace officers in identifying, 45
responding to, and reporting bias-motivated crime, which 46

training is to be included in the curricula of basic training 47
programs at approved peace officer training schools, other than 48
the Ohio peace officer training academy. The Ohio peace officer 49
training commission shall include training in identifying, 50
responding to, and reporting bias-motivated crime in the 51
training program conducted at the Ohio peace officer training 52
academy. 53

(E) Each state and local law enforcement agency shall 54
submit data regarding the commission of bias-motivated crimes to 55
the Ohio department of public safety and the federal bureau of 56
investigation in accordance with guidelines established under 57
the federal "Hate Crime Statistics Act," 28 U.S.C. 534. The 58
department shall make this data available to the public through 59
annual reports prepared and released by the division of criminal 60
justice services. 61

Section 2. That existing section 2927.12 of the Revised 62
Code is hereby repealed. 63