

As Introduced

**126th General Assembly
Regular Session
2005-2006**

H. B. No. 422

**Representatives Hughes, Flowers, Reidelbach, Latta, Evans, D., Bocchieri,
Yuko, Chandler, Wolpert**

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A B I L L

To amend sections 149.433, 3301.56, 3313.536, 1
3314.03, 3737.73, and 3737.99 of the Revised Code 2
to require community schools and chartered 3
nonpublic schools to adopt school safety plans in 4
the same manner as school districts, to exempt 5
school safety plans and school building blueprints 6
from the Public Records Law, to require all public 7
and nonpublic schools to conduct at least one 8
school safety drill annually, and to increase the 9
fine for failure to conduct any required drill to 10
one thousand dollars. 11

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

Section 1. That sections 149.433, 3301.56, 3313.536, 3314.03, 12
3737.73, and 3737.99 of the Revised Code be amended to read as 13
follows: 14

Sec. 149.433. (A) As used in this section: 15

(1) "Act of terrorism" has the same meaning as in section 16
2909.21 of the Revised Code. 17

(2) "Infrastructure record" means any record that discloses 18
the configuration of a public office's or chartered nonpublic 19

school's critical systems including, but not limited to, 20
communication, computer, electrical, mechanical, ventilation, 21
water, and plumbing systems, security codes, or the infrastructure 22
or structural configuration of the building in which a public 23
office or chartered nonpublic school is located. "Infrastructure 24
record" does not mean a simple floor plan that discloses only the 25
spatial relationship of components of a public office or chartered 26
nonpublic school or the building in which a public office or 27
chartered nonpublic school is located. 28

(3) "Security record" means ~~either~~ any of the following: 29

(a) Any record that contains information directly used for 30
protecting or maintaining the security of a public office against 31
attack, interference, or sabotage; 32

(b) Any record assembled, prepared, or maintained by a public 33
office or public body to prevent, mitigate, or respond to acts of 34
terrorism, including any of the following: 35

(i) Those portions of records containing specific and unique 36
vulnerability assessments or specific and unique response plans 37
either of which is intended to prevent or mitigate acts of 38
terrorism, and communication codes or deployment plans of law 39
enforcement or emergency response personnel; 40

(ii) Specific intelligence information and specific 41
investigative records shared by federal and international law 42
enforcement agencies with state and local law enforcement and 43
public safety agencies; 44

(iii) National security records classified under federal 45
executive order and not subject to public disclosure under federal 46
law that are shared by federal agencies, and other records related 47
to national security briefings to assist state and local 48
government with domestic preparedness for acts of terrorism. 49

(c) A school safety plan adopted pursuant to section 3313.536 50

of the Revised Code.

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(B) A record kept by a public office that is a security record or an infrastructure record is not a public record under section 149.43 of the Revised Code and is not subject to mandatory release or disclosure under that section.

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(C) Notwithstanding any other section of the Revised Code, a ~~public office's or a public employee's~~ disclosure by a public office, public employee, chartered nonpublic school, or chartered nonpublic school employee of a security record or infrastructure record that is necessary for construction, renovation, or remodeling work on any public building or project or chartered nonpublic school does not constitute public disclosure for purposes of waiving division (B) of this section and does not result in that record becoming a public record for purposes of section 149.43 of the Revised Code.

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Sec. 3301.56. (A) The director of each preschool program shall be responsible for the following:

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(1) Ensuring that the health and safety of the children are safeguarded by an organized program of school health services designed to identify child health problems and to coordinate school and community health resources for children, as evidenced by but not limited to:

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(a) Requiring immunization and compliance with emergency medical authorization requirements in accordance with rules adopted by the state board of education under section 3301.53 of the Revised Code;

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(b) Providing procedures for emergency situations, including fire drills, rapid dismissals, ~~and~~ tornado drills, and school safety drills in accordance with section 3737.73 of the Revised Code, and keeping records of such drills or dismissals;

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(c) Posting emergency procedures in preschool rooms and making them available to school personnel, children, and parents;	81 82
(d) Posting emergency numbers by each telephone;	83
(e) Supervising grounds, play areas, and other facilities when scheduled for use by children;	84 85
(f) Providing first-aid facilities and materials.	86
(2) Maintaining cumulative records for each child;	87
(3) Supervising each child's admission, placement, and withdrawal according to established procedures;	88 89
(4) Preparing at least once annually for each group of children in the program a roster of names and telephone numbers of parents, guardians, and custodians of children in the group and, on request, furnishing the roster for each group to the parents, guardians, and custodians of children in that group. The director may prepare a similar roster of all children in the program and, on request, make it available to the parents, guardians, and custodians, of children in the program. The director shall not include in either roster the name or telephone number of any parent, guardian, or custodian who requests that the parent's, guardian's, or custodian's name or number not be included, and shall not furnish any roster to any person other than a parent, guardian, or custodian of a child in the program.	90 91 92 93 94 95 96 97 98 99 100 101 102
(5) Ensuring that clerical and custodial services are provided for the program;	103 104
(6) Supervising the instructional program and the daily operation of the program;	105 106
(7) Supervising and evaluating preschool staff members according to a planned sequence of observations and evaluation conferences, and supervising nonteaching employees.	107 108 109
(B)(1) In each program the maximum number of children per	110

preschool staff member and the maximum group size by age category 111
of children shall be as follows: 112

	Maximum		
Age Group	Group	Staff Member/ Child Ratio	
Birth to less than 12 months	12	1:5, or 2:12 if two preschool staff members are in the room	113 114 115 116 117 118 119
12 months to less than 18 months	12	1:6	120
18 months to less than 30 months	14	1:7	121
30 months to less than 3 years	16	1:8	122
3-year-olds	24	1:12	123
4- and 5-year-olds not in school	28	1:14	124

(2) When age groups are combined, the maximum number of 125
children per preschool staff member shall be determined by the age 126
of the youngest child in the group, except that when no more than 127
one child thirty months of age or older receives child care in a 128
group in which all the other children are in the next older age 129
group, the maximum number of children per child-care staff member 130
and maximum group size requirements of the older age group 131
established under division (B)(1) of this section shall apply. 132

(3) In a room where children are napping, if all the children 133
are at least eighteen months of age, the maximum number of 134
children per preschool staff member shall, for a period not to 135
exceed one and one-half hours in any twenty-four hour day, be 136
twice the maximum number of children per preschool staff member 137
established under division (B)(1) of this section if all the 138
following criteria are met: 139

(a) At least one preschool staff member is present in the 140
room; 141

(b) Sufficient preschool staff members are present on the 142
preschool program premises to comply with division (B)(1) of this 143
section; 144

(c) Naptime preparations have been completed and the children 145
are resting or napping. 146

(4) Any accredited program that uses the Montessori method 147
endorsed by the American Montessori society or the association 148
Montessori internationale as its primary method of instruction and 149
is licensed as a preschool program under section 3301.58 of the 150
Revised Code may combine preschool children of ages three to five 151
years old with children enrolled in kindergarten. Notwithstanding 152
anything to the contrary in division (B)(2) of this section, when 153
such age groups are combined, the maximum number of children per 154
preschool staff member shall be twelve and the maximum group size 155
shall be twenty-four children. 156

(C) In each building in which a preschool program is operated 157
there shall be on the premises, and readily available at all 158
times, at least one employee who has completed a course in first 159
aid and in the prevention, recognition, and management of 160
communicable diseases which is approved by the state department of 161
health, and an employee who has completed a course in child abuse 162
recognition and prevention. 163

(D) Any parent, guardian, or custodian of a child enrolled in 164
a preschool program shall be permitted unlimited access to the 165
school during its hours of operation to contact the parent's, 166
guardian's, or custodian's child, evaluate the care provided by 167
the program, or evaluate the premises, or for other purposes 168
approved by the director. Upon entering the premises, the parent, 169
guardian, or custodian shall report to the school office. 170

Sec. 3313.536. (A) The board of education of each city, 171

exempted village, and local school district and the governing 172
authority of each chartered nonpublic school shall adopt a 173
comprehensive school safety plan for each school building under 174
the board's or governing authority's control. The board or 175
governing authority shall examine the environmental conditions and 176
operations of each building to determine potential hazards to 177
student and staff safety and shall propose operating changes to 178
promote the prevention of potentially dangerous problems and 179
circumstances. In developing the plan for each building, the board 180
or governing authority shall involve community law enforcement and 181
safety officials, parents of students who are assigned to the 182
building, and teachers and nonteaching employees who are assigned 183
to the building. The board or governing authority shall consider 184
incorporating remediation strategies into the plan for any 185
building where documented safety problems have occurred. ~~The board~~ 186
~~shall file a copy of the safety plan with each law enforcement~~ 187
~~agency that has jurisdiction over the school building.~~ 188

The board or governing authority shall incorporate into the 189
plan both of the following: 190

~~(A)~~(1) A protocol for addressing serious threats to the 191
safety of school property, students, employees, or administrators; 192

~~(B)~~(2) A protocol for responding to any emergency events that 193
do occur and that compromise the safety of school property, 194
students, employees, or administrators. 195

Each protocol shall include procedures deemed appropriate by 196
the board or governing authority for responding to threats and 197
emergency events, respectively, including such things as 198
notification of appropriate law enforcement personnel, calling 199
upon specified emergency response personnel for assistance, and 200
informing parents of affected students. 201

(B) The board or governing authority shall update the safety 202

plan at least once every three years and whenever a major 203
modification to the building requires changes in the procedures 204
outlined in the plan. The board or governing authority shall file 205
a copy of the current safety plan and building blueprint with each 206
law enforcement agency that has jurisdiction over the school 207
building and, upon request, with the fire department that serves 208
the political subdivision in which the building is located. Copies 209
of the safety plan and building blueprint are not a public record 210
pursuant to section 149.433 of the Revised Code. The board or 211
governing authority and each law enforcement agency and fire 212
department to which copies of the safety plan and building 213
blueprint are provided shall keep the copies in a secure place. 214

(C) The board or governing authority shall grant access to 215
each school building under its control to law enforcement 216
personnel to enable the personnel to hold training sessions for 217
responding to threats and emergency events affecting the building, 218
provided that the access occurs outside of student instructional 219
hours and an employee of the board or governing authority is 220
present in the building during the training sessions. 221

Sec. 3314.03. A copy of every contract entered into under 222
this section shall be filed with the superintendent of public 223
instruction. 224

(A) Each contract entered into between a sponsor and the 225
governing authority of a community school shall specify the 226
following: 227

(1) That the school shall be established as either of the 228
following: 229

(a) A nonprofit corporation established under Chapter 1702. 230
of the Revised Code, if established prior to April 8, 2003; 231

(b) A public benefit corporation established under Chapter 232

1702. of the Revised Code, if established after April 8, 2003;	233
(2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;	234 235 236 237
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement tests;	238 239 240
(4) Performance standards by which the success of the school will be evaluated by the sponsor. If the sponsor will evaluate the school in accordance with division (D) of section 3314.36 of the Revised Code, the contract shall specify the number of school years that the school will be evaluated under that division.	241 242 243 244 245
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	246 247
(6)(a) Dismissal procedures;	248
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in one hundred five consecutive hours of the learning opportunities offered to the student.	249 250 251 252 253 254
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	255 256
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state, and the audits shall be conducted in accordance with section 117.10 of the Revised Code.	257 258 259 260 261 262

(9) The facilities to be used and their locations;	263
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code;	264 265 266 267 268 269
(11) That the school will comply with the following requirements:	270 271
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year;	272 273 274
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school;	275 276 277
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution;	278 279 280 281
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.358, 2151.421, 2313.18, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3313.50, <u>3313.536</u> , 3313.608, 3313.6012, 3313.643, 3313.648, 3313.66, 3313.661, 3313.662, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.80, 3313.96, 3319.073, 3319.321, 3319.39, 3321.01, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district and will comply with section 3301.0714 of the Revised Code in the manner specified in section 3314.17 of the Revised Code;	282 283 284 285 286 287 288 289 290 291 292 293

(e) The school shall comply with Chapter 102. of the Revised Code except that nothing in that chapter shall prohibit a member of the school's governing board from also being an employee of the school and nothing in that chapter or section 2921.42 of the Revised Code shall prohibit a member of the school's governing board from having an interest in a contract into which the governing board enters that is not a contract with a for-profit firm for the operation or management of a school under the auspices of the governing authority;

(f) The school will comply with sections 3313.61, 3313.611, and 3313.614 of the Revised Code, except that the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum in any high school prior to receiving a high school diploma may be met by completing the curriculum adopted by the governing authority of the community school rather than the curriculum specified in Title XXXIII of the Revised Code or any rules of the state board of education;

(g) The school governing authority will submit within four months after the end of each school year a report of its activities and progress in meeting the goals and standards of divisions (A)(3) and (4) of this section and its financial status to the sponsor, the parents of all students enrolled in the school, and the legislative office of education oversight. The school will collect and provide any data that the legislative office of education oversight requests in furtherance of any study or research that the general assembly requires the office to conduct, including the studies required under Section 50.39 of Am. Sub. H.B. 215 of the 122nd general assembly and Section 50.52.2 of Am. Sub. H.B. 215 of the 122nd general assembly, as amended.

(12) Arrangements for providing health and other benefits to employees;

(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.

(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;

(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year. The plan shall specify for each year the base formula amount that will be used for purposes of funding calculations under section 3314.08 of the Revised Code. This base formula amount for any year shall not exceed the formula amount defined under section 3317.02 of the Revised Code. The plan may also specify for any year a percentage figure to be used for reducing the per pupil amount of the subsidy calculated pursuant to section 3317.029 of the Revised Code the school is to receive that year under section 3314.08 of the Revised Code.

(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;

(17) Whether the school is to be created by converting all or part of an existing public school or is to be a new start-up school, and if it is a converted public school, specification of any duties or responsibilities of an employer that the board of education that operated the school before conversion is delegating to the governing board of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;

(18) Provisions establishing procedures for resolving

disputes or differences of opinion between the sponsor and the governing authority of the community school; 356
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(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following: 358
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(a) Prohibit the enrollment of students who reside outside the district in which the school is located; 364
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(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located; 366
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(c) Permit the enrollment of students who reside in any other district in the state. 368
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(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code; 370
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(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code; 374
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(22) A provision recognizing both of the following: 377

(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations; 378
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(b) The authority of the department of education as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the 382
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school that pose an imminent danger to the health and safety of 386
the school's students and employees and the sponsor refuses to 387
take such action; 388

(23) A description of the learning opportunities that will be 389
offered to students including both classroom-based and 390
non-classroom-based learning opportunities that is in compliance 391
with criteria for student participation established by the 392
department under division (L)(2) of section 3314.08 of the Revised 393
Code; 394

(24) The school will comply with section 3302.04 of the 395
Revised Code, including division (E) of that section to the extent 396
possible, except that any action required to be taken by a school 397
district pursuant to that section shall be taken by the sponsor of 398
the school. However, the sponsor shall not be required to take any 399
action described in division (F) of that section. 400

(25) Beginning in the 2006-2007 school year, the school will 401
open for operation not later than the thirtieth day of September 402
each school year, unless the mission of the school as specified 403
under division (A)(2) of this section is solely to serve dropouts. 404
In its initial year of operation, if the school fails to open by 405
the thirtieth day of September, or within one year after the 406
adoption of the contract pursuant to division (D) of section 407
3314.02 of the Revised Code if the mission of the school is solely 408
to serve dropouts, the contract shall be void. 409

(B) The community school shall also submit to the sponsor a 410
comprehensive plan for the school. The plan shall specify the 411
following: 412

(1) The process by which the governing authority of the 413
school will be selected in the future; 414

(2) The management and administration of the school; 415

(3) If the community school is a currently existing public school, alternative arrangements for current public school students who choose not to attend the school and teachers who choose not to teach in the school after conversion;

(4) The instructional program and educational philosophy of the school;

(5) Internal financial controls.

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for oversight and monitoring of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.

(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department of education under division (B) of section 3314.015 of the Revised Code and shall include the following:

(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;

(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;

(3) Report on an annual basis the results of the evaluation conducted under division (D)(2) of this section to the department of education and to the parents of students enrolled in the community school;

(4) Provide technical assistance to the community school in 446
complying with laws applicable to the school and terms of the 447
contract; 448

(5) Take steps to intervene in the school's operation to 449
correct problems in the school's overall performance, declare the 450
school to be on probationary status pursuant to section 3314.073 451
of the Revised Code, suspend the operation of the school pursuant 452
to section 3314.072 of the Revised Code, or terminate the contract 453
of the school pursuant to section 3314.07 of the Revised Code as 454
determined necessary by the sponsor; 455

(6) Have in place a plan of action to be undertaken in the 456
event the community school experiences financial difficulties or 457
closes prior to the end of a school year. 458

(E) Upon the expiration of a contract entered into under this 459
section, the sponsor of a community school may, with the approval 460
of the governing authority of the school, renew that contract for 461
a period of time determined by the sponsor, but not ending earlier 462
than the end of any school year, if the sponsor finds that the 463
school's compliance with applicable laws and terms of the contract 464
and the school's progress in meeting the academic goals prescribed 465
in the contract have been satisfactory. Any contract that is 466
renewed under this division remains subject to the provisions of 467
sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 468

(F) If a community school fails to open for operation within 469
one year after the contract entered into under this section is 470
adopted pursuant to division (D) of section 3314.02 of the Revised 471
Code or permanently closes prior to the expiration of the 472
contract, the contract shall be void and the school shall not 473
enter into a contract with any other sponsor. A school shall not 474
be considered permanently closed because the operations of the 475
school have been suspended pursuant to section 3314.072 of the 476

Revised Code. Any contract that becomes void under this division 477
shall not count toward any statewide limit on the number of such 478
contracts prescribed by section 3314.013 of the Revised Code. 479

Sec. 3737.73. (A) No principal or person in charge of a 480
public or private school or educational institution having an 481
average daily attendance of fifty or more pupils, and no person in 482
charge of any children's home or orphanage housing twenty or more 483
minor persons, shall willfully neglect to instruct and train such 484
children by means of drills or rapid dismissals ~~at least once a~~ 485
~~month while such school, institution, or children's home is in~~ 486
~~operation,~~ so that such children in a sudden emergency may leave 487
the building in the shortest possible time without confusion. The 488
principal or person in charge of a school or educational 489
institution shall conduct drills or rapid dismissals at least nine 490
times during the school year. The principal or person in charge of 491
a children's home or orphanage shall conduct drills or rapid 492
dismissals at least once each month while the home is in 493
operation. In the case of schools, no ~~such person~~ principal or 494
person in charge of a school shall willfully neglect to keep the 495
doors and exits of such building unlocked during school hours. The 496
fire marshal may order the immediate installation of necessary 497
fire gongs or signals in such schools, institutions, or children's 498
homes and enforce this section. 499

(B) In conjunction with the drills or rapid dismissals 500
required by division (A) of this section, principals or persons in 501
charge of public or private primary and secondary schools, or 502
educational institutions, shall instruct pupils in safety 503
precautions to be taken in case of a tornado alert or warning. 504
Such principals or persons in charge of such schools or 505
institutions shall designate, in accordance with standards 506
prescribed by the fire marshal, appropriate locations to be used 507

to shelter pupils in case of a tornado, tornado alert, or warning.

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~~(C)~~ The fire marshal or ~~his~~ the fire marshal's designee shall annually inspect each school or institution subject to this division ~~(B) of this section~~ to ascertain whether the locations comply with the prescribed standards. Nothing in this section shall require a school or institution to construct or improve a facility or location for use as a shelter area.

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(C) The principal or person in charge of each public or private school or educational institution shall conduct a school safety drill at least once each school year to provide pupils with instruction in the procedures to follow in the case of a threat to the school involving an act of terrorism; a person possessing a deadly weapon or dangerous ordnance, as defined in section 2923.11 of the Revised Code, on school property; or other act of violence. The principal or person in charge of the school or institution shall hold annual training sessions for employees of the school or institution regarding the conduct of school safety drills.

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(D) The fire marshal or ~~his~~ the fire marshal's designee shall issue a warning to any person found in violation of division (A) or (B) of this section. The police chief or other similar chief law enforcement officer of a municipal corporation, township, or township police district, or, in the absence of any such person, the county sheriff shall issue a warning to any person found in violation of division (C) of this section. The warning shall indicate the specific violation and a date by which such violation shall be corrected. No person shall fail to correct violations by the date indicated on a warning issued under this division.

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Sec. 3737.99. (A) Whoever violates section 3737.28 of the Revised Code may be summarily punished, by the officer concerned, by a fine of not more than one hundred dollars or commitment to the county jail until that person is willing to comply with the

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order of such officer. 539

(B) Except as a violation of section 2923.17 of the Revised 540
Code involves subject matter covered by the state fire code and 541
except as such a violation is covered by division (G) of this 542
section, whoever violates division (A) of section 3737.51 of the 543
Revised Code is guilty of a misdemeanor of the first degree. 544

(C) Whoever violates section 3737.61 of the Revised Code is 545
guilty of a minor misdemeanor. 546

(D) Whoever violates section 3737.62 or 3737.64 of the 547
Revised Code is guilty of a misdemeanor of the fourth degree. 548

(E) Whoever violates section 3737.63 or division (A) or (B) 549
of section 3737.65 of the Revised Code is guilty of a misdemeanor 550
of the third degree. 551

(F) Whoever violates division (D) of section 3737.73 of the 552
Revised Code shall be fined ~~not less than five nor more than~~ 553
twenty one thousand dollars. 554

(G) Whoever violates section 3737.66 of the Revised Code is 555
guilty of a misdemeanor of the first degree. 556

(H) Whoever knowingly violates division (C) of section 557
3737.882 of the Revised Code is guilty of an unclassified felony 558
and shall be fined not more than twenty-five thousand dollars or 559
imprisoned for not more than fourteen months, or both. Whoever 560
recklessly violates division (C) of section 3737.882 of the 561
Revised Code is guilty of a misdemeanor of the first degree. 562

(I) Whoever knowingly violates division (F)(1), (2), or (3) 563
of section 3737.881 or section 3737.93 of the Revised Code is 564
guilty of a misdemeanor of the fourth degree. 565

(J) Whoever knowingly violates division (B) or (C) of section 566
3737.91 of the Revised Code is guilty of a misdemeanor of the 567
second degree. 568

Section 2. That existing sections 149.434, 3301.56, 3313.536, 569
3314.03, 3737.73, and 3737.99 of the Revised Code are hereby 570
repealed. 571

Section 3. It is the intent of the General Assembly to 572
encourage the United States Congress and the United States 573
Department of Homeland Security to broaden the definition of 574
"critical infrastructure" enacted in the "Homeland Security Act of 575
2002," 6 U.S.C. 101 et seq., to include school buildings as they 576
are a potential target of terrorist attacks. Including school 577
buildings as critical infrastructure would enable the Department 578
to prioritize the security of school buildings by integrating them 579
into its risk assessments and plans for protecting the national 580
safety and welfare. 581