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**Representatives Dolan, Willamowski, Barrett, Beatty, Brown, Carano,
Cassell, Chandler, Coley, Daniels, Domenick, C. Evans, Fende, Flowers,
Hartnett, Hughes, Key, Law, Martin, McGregor, Redfern, Schaffer, Schlichter,
Schneider, Seitz, J. Stewart, Uecker, Yuko
Senators Grendell, Spada, Schuler, Mallory, Zurz, Gardner, Padgett, Dann,
Clancy, Harris**

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A B I L L

To amend sections 109.71, 109.73, 109.79, 4973.17, 1
and 4973.171 of the Revised Code relative to the 2
appointment and commissioning of amusement park 3
police officers and to the training of those 4
officers and to declare an emergency. 5

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

Section 1. That sections 109.71, 109.73, 109.79, 4973.17, and 6
4973.171 of the Revised Code be amended to read as follows: 7

Sec. 109.71. There is hereby created in the office of the 8
attorney general the Ohio peace officer training commission. The 9
commission shall consist of nine members appointed by the governor 10
with the advice and consent of the senate and selected as follows: 11
one member representing the public; two members who are incumbent 12
sheriffs; two members who are incumbent chiefs of police; one 13
member from the bureau of criminal identification and 14
investigation; one member from the state highway patrol; one 15

member who is the special agent in charge of a field office of the 16
federal bureau of investigation in this state; and one member from 17
the department of education, trade and industrial education 18
services, law enforcement training. 19

As used in sections 109.71 to 109.77 of the Revised Code: 20

(A) "Peace officer" means: 21

(1) A deputy sheriff, marshal, deputy marshal, member of the 22
organized police department of a township or municipal 23
corporation, member of a township police district or joint 24
township police district police force, member of a police force 25
employed by a metropolitan housing authority under division (D) of 26
section 3735.31 of the Revised Code, or township constable, who is 27
commissioned and employed as a peace officer by a political 28
subdivision of this state or by a metropolitan housing authority, 29
and whose primary duties are to preserve the peace, to protect 30
life and property, and to enforce the laws of this state, 31
ordinances of a municipal corporation, resolutions of a township, 32
or regulations of a board of county commissioners or board of 33
township trustees, or any of those laws, ordinances, resolutions, 34
or regulations; 35

(2) A police officer who is employed by a railroad company 36
and appointed and commissioned by the governor pursuant to 37
sections 4973.17 to 4973.22 of the Revised Code; 38

(3) Employees of the department of taxation engaged in the 39
enforcement of Chapter 5743. of the Revised Code and designated by 40
the tax commissioner for peace officer training for purposes of 41
the delegation of investigation powers under section 5743.45 of 42
the Revised Code; 43

(4) An undercover drug agent; 44

(5) Enforcement agents of the department of public safety 45
whom the director of public safety designates under section 46

5502.14 of the Revised Code;	47
(6) An employee of the department of natural resources who is	48
a natural resources law enforcement staff officer designated	49
pursuant to section 1501.013, a park officer designated pursuant	50
to section 1541.10, a forest officer designated pursuant to	51
section 1503.29, a preserve officer designated pursuant to section	52
1517.10, a wildlife officer designated pursuant to section	53
1531.13, or a state watercraft officer designated pursuant to	54
section 1547.521 of the Revised Code;	55
(7) An employee of a park district who is designated pursuant	56
to section 511.232 or 1545.13 of the Revised Code;	57
(8) An employee of a conservancy district who is designated	58
pursuant to section 6101.75 of the Revised Code;	59
(9) A police officer who is employed by a hospital that	60
employs and maintains its own proprietary police department or	61
security department, and who is appointed and commissioned by the	62
governor pursuant to sections 4973.17 to 4973.22 of the Revised	63
Code;	64
(10) Veterans' homes police officers designated under section	65
5907.02 of the Revised Code;	66
(11) A police officer who is employed by a qualified	67
nonprofit corporation police department pursuant to section	68
1702.80 of the Revised Code;	69
(12) A state university law enforcement officer appointed	70
under section 3345.04 of the Revised Code or a person serving as a	71
state university law enforcement officer on a permanent basis on	72
June 19, 1978, who has been awarded a certificate by the executive	73
director of the Ohio peace officer training commission attesting	74
to the person's satisfactory completion of an approved state,	75
county, municipal, or department of natural resources peace	76

officer basic training program;	77
(13) A special police officer employed by the department of mental health pursuant to section 5119.14 of the Revised Code or the department of mental retardation and developmental disabilities pursuant to section 5123.13 of the Revised Code;	78 79 80 81
(14) A member of a campus police department appointed under section 1713.50 of the Revised Code;	82 83
(15) A member of a police force employed by a regional transit authority under division (Y) of section 306.35 of the Revised Code;	84 85 86
(16) Investigators appointed by the auditor of state pursuant to section 117.091 of the Revised Code and engaged in the enforcement of Chapter 117. of the Revised Code;	87 88 89
(17) A special police officer designated by the superintendent of the state highway patrol pursuant to section 5503.09 of the Revised Code or a person who was serving as a special police officer pursuant to that section on a permanent basis on October 21, 1997, and who 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, county, municipal, or department of natural resources peace officer basic training program;	90 91 92 93 94 95 96 97 98
(18) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code or a person serving as a special police officer employed by a port authority on a permanent basis on May 17, 2000, who 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, county, municipal, or department of natural resources peace officer basic training program;	99 100 101 102 103 104 105 106

(19) A special police officer employed by a municipal corporation who has been awarded a certificate by the executive director of the Ohio peace officer training commission for satisfactory completion of an approved peace officer basic training program and who is employed on a permanent basis on or after ~~the effective date of this amendment~~ March 19, 2003, 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 the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended;

(20) A police officer who is employed by an owner or operator of an amusement park that has an average yearly attendance in excess of six hundred thousand guests and that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by a judge of the appropriate municipal court or county court pursuant to section 4973.17 of the Revised Code.

(B) "Undercover drug agent" has the same meaning as in division (B)(2) of section 109.79 of the Revised Code.

(C) "Crisis intervention training" means training in the use of interpersonal and communication skills to most effectively and sensitively interview victims of rape.

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

Sec. 109.73. (A) The Ohio peace officer training commission shall recommend rules to the attorney general with respect to all

of the following:	137
(1) The approval, or revocation of approval, of peace officer training schools administered by the state, counties, municipal corporations, public school districts, technical college districts, and the department of natural resources;	138 139 140 141
(2) Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved state, county, municipal, and department of natural resources peace officer training schools;	142 143 144 145
(3) Minimum qualifications for instructors at approved state, county, municipal, and department of natural resources peace officer training schools;	146 147 148
(4) The requirements of minimum basic training that peace officers appointed to probationary terms shall complete before being eligible for permanent appointment, which requirements shall include a minimum of fifteen hours of training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code, a minimum of six hours of crisis intervention training, and a specified amount of training in the handling of missing children and child abuse and neglect cases, and the time within which such basic training shall be completed following such appointment to a probationary term;	149 150 151 152 153 154 155 156 157 158 159 160
(5) The requirements of minimum basic training that peace officers not appointed for probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment, which requirements shall include a minimum of fifteen hours of training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and	161 162 163 164 165 166 167

protection orders and consent agreements issued or approved under 168
section 2919.26 or 3113.31 of the Revised Code, a minimum of six 169
hours of crisis intervention training, and a specified amount of 170
training in the handling of missing children and child abuse and 171
neglect cases, and the time within which such basic training shall 172
be completed following such appointment on other than a permanent 173
basis; 174

(6) Categories or classifications of advanced in-service 175
training programs for peace officers, including programs in the 176
handling of the offense of domestic violence, other types of 177
domestic violence-related offenses and incidents, and protection 178
orders and consent agreements issued or approved under section 179
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 180
and in the handling of missing children and child abuse and 181
neglect cases, and minimum courses of study and attendance 182
requirements with respect to such categories or classifications; 183

(7) Permitting persons who are employed as members of a 184
campus police department appointed under section 1713.50 of the 185
Revised Code, who are employed as police officers by a qualified 186
nonprofit corporation police department pursuant to section 187
1702.80 of the Revised Code, ~~or~~ who are appointed and commissioned 188
as railroad police officers or hospital police officers pursuant 189
to sections 4973.17 to 4973.22 of the Revised Code, or who are 190
appointed and commissioned as amusement park police officers 191
pursuant to section 4973.17 of the Revised Code to attend approved 192
peace officer training schools, including the Ohio peace officer 193
training academy, and to receive certificates of satisfactory 194
completion of basic training programs, if the private college or 195
university that established the campus police department, 196
qualified nonprofit corporation police department, railroad 197
company, ~~or~~ hospital, or amusement park sponsoring the police 198
officers pays the entire cost of the training and certification 199

and if trainee vacancies are available;	200
(8) Permitting undercover drug agents to attend approved	201
peace officer training schools, other than the Ohio peace officer	202
training academy, and to receive certificates of satisfactory	203
completion of basic training programs, if, for each undercover	204
drug agent, the county, township, or municipal corporation that	205
employs that undercover drug agent pays the entire cost of the	206
training and certification;	207
(9)(a) The requirements for basic training programs for	208
bailiffs and deputy bailiffs of courts of record of this state and	209
for criminal investigators employed by the state public defender	210
that those persons shall complete before they may carry a firearm	211
while on duty;	212
(b) The requirements for any training received by a bailiff	213
or deputy bailiff of a court of record of this state or by a	214
criminal investigator employed by the state public defender prior	215
to June 6, 1986, that is to be considered equivalent to the	216
training described in division (A)(9)(a) of this section.	217
(10) Establishing minimum qualifications and requirements for	218
certification for dogs utilized by law enforcement agencies;	219
(11) Establishing minimum requirements for certification of	220
persons who are employed as correction officers in a full-service	221
jail, five-day facility, or eight-hour holding facility or who	222
provide correction services in such a jail or facility;	223
(12) Establishing requirements for the training of agents of	224
a county humane society under section 1717.06 of the Revised Code,	225
including, without limitation, a requirement that the agents	226
receive instruction on traditional animal husbandry methods and	227
training techniques, including customary owner-performed	228
practices.	229
(B) The commission shall appoint an executive director, with	230

the approval of the attorney general, who shall hold office during 231
the pleasure of the commission. The executive director shall 232
perform such duties as may be assigned by the commission. The 233
executive director shall receive a salary fixed pursuant to 234
Chapter 124. of the Revised Code and reimbursement for expenses 235
within the amounts available by appropriation. The executive 236
director may appoint officers, employees, agents, and consultants 237
as the executive director considers necessary, prescribe their 238
duties, and provide for reimbursement of their expenses within the 239
amounts available for reimbursement by appropriation and with the 240
approval of the commission. 241

(C) The commission may do all of the following: 242

(1) Recommend studies, surveys, and reports to be made by the 243
executive director regarding the carrying out of the objectives 244
and purposes of sections 109.71 to 109.77 of the Revised Code; 245

(2) Visit and inspect any peace officer training school that 246
has been approved by the executive director or for which 247
application for approval has been made; 248

(3) Make recommendations, from time to time, to the executive 249
director, the attorney general, and the general assembly regarding 250
the carrying out of the purposes of sections 109.71 to 109.77 of 251
the Revised Code; 252

(4) Report to the attorney general from time to time, and to 253
the governor and the general assembly at least annually, 254
concerning the activities of the commission; 255

(5) Establish fees for the services the commission offers 256
under sections 109.71 to 109.79 of the Revised Code, including, 257
but not limited to, fees for training, certification, and testing; 258

(6) Perform such other acts as are necessary or appropriate 259
to carry out the powers and duties of the commission as set forth 260

in sections 109.71 to 109.77 of the Revised Code.

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(D) In establishing the requirements, under division (A)(12) of this section, the commission may consider any portions of the ~~curriculum~~ 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 agent for appointment under section 1717.06 of the Revised Code.

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

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The Ohio peace officer training commission shall develop the training program, which shall include courses in both the civil and criminal functions of law enforcement officers, a course in crisis intervention with six or more hours of training, and training in the handling of missing children and child abuse and neglect cases, and shall establish rules governing qualifications for admission to the academy. The commission may require competitive examinations to determine fitness of prospective trainees, so long as the examinations or other criteria for admission to the academy are consistent with the provisions of

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Chapter 124. of the Revised Code. 292

The Ohio peace officer training commission shall determine 293
tuition costs which shall be sufficient in the aggregate to pay 294
the costs of operating the academy. The costs of acquiring and 295
equipping the academy shall be paid from appropriations made by 296
the general assembly to the Ohio peace officer training commission 297
for that purpose, or from gifts or grants received for that 298
purpose. 299

The law enforcement officers, during the period of their 300
training, shall receive compensation as determined by the 301
political subdivision that sponsors them or, if the officer is a 302
criminal investigator employed by the state public defender, as 303
determined by the state public defender. The political subdivision 304
may pay the tuition costs of the law enforcement officers they 305
sponsor and the state public defender may pay the tuition costs of 306
criminal investigators of that office who attend the academy. 307

If trainee vacancies exist, the academy may train and issue 308
certificates of satisfactory completion to peace officers who are 309
employed by a campus police department pursuant to section 1713.50 310
of the Revised Code, by a qualified nonprofit corporation police 311
department pursuant to section 1702.80 of the Revised Code, or by 312
a railroad company, who are amusement park police officers 313
appointed and commissioned by a judge of the appropriate municipal 314
court or county court pursuant to section 4973.17 of the Revised 315
Code, or who are hospital police officers appointed and 316
commissioned by the governor pursuant to sections 4973.17 to 317
4973.22 of the Revised Code, provided that no such officer shall 318
be trained at the academy unless the officer meets the 319
qualifications established for admission to the academy and the 320
qualified nonprofit corporation police department, railroad 321
company, ~~or hospital~~, or amusement park or the private college or 322
university that established the campus police department prepays 323

the entire cost of the training. A qualified nonprofit corporation 324
police department, railroad company, ~~or~~ hospital, or amusement 325
park or a private college or university that has established a 326
campus police department is not entitled to reimbursement from the 327
state for any amount paid for the cost of training the railroad 328
company's peace officers or the peace officers of the qualified 329
nonprofit corporation police department, campus police department, 330
~~or~~ hospital, or amusement park. 331

The academy shall permit investigators employed by the state 332
medical board to take selected courses that the board determines 333
are consistent with its responsibilities for initial and 334
continuing training of investigators as required under sections 335
4730.26 and 4731.05 of the Revised Code. The board shall pay the 336
entire cost of training that investigators receive at the academy. 337

(B) As used in this section: 338

(1) "Law enforcement officers" include any undercover drug 339
agent, any bailiff or deputy bailiff of a court of record, and any 340
criminal investigator who is employed by the state public 341
defender. 342

(2) "Undercover drug agent" means any person who: 343

(a) Is employed by a county, township, or municipal 344
corporation for the purposes set forth in division (B)(2)(b) of 345
this section but who is not an employee of a county sheriff's 346
department, of a township constable, or of the police department 347
of a municipal corporation or township; 348

(b) In the course of the person's employment by a county, 349
township, or municipal corporation, investigates and gathers 350
information pertaining to persons who are suspected of violating 351
Chapter 2925. or 3719. of the Revised Code, and generally does not 352
wear a uniform in the performance of the person's duties. 353

(3) "Crisis intervention training" has the same meaning as in 354

section 109.71 of the Revised Code. 355

(4) "Missing children" has the same meaning as in section 356
2901.30 of the Revised Code. 357

Sec. 4973.17. (A) Upon the application of any bank, building 358
and loan association, or association of banks or building and loan 359
associations in this state, the secretary of state may appoint and 360
commission any persons that the bank, building and loan 361
association, or association of banks or building and loan 362
associations designates, or as many of those persons as the 363
secretary of state considers proper, to act as police officers for 364
and on the premises of that bank, building and loan association, 365
or association of banks or building and loan associations, or 366
elsewhere, when directly in the discharge of their duties. Police 367
officers so appointed shall be citizens of this state and of good 368
character. They shall hold office for three years, unless, for 369
good cause shown, their commission is revoked by the secretary of 370
state, or by the bank, building and loan association, or 371
association of banks or building and loan associations, as 372
provided by law. 373

(B) Upon the application of a company owning or using a 374
railroad in this state and subject to section 4973.171 of the 375
Revised Code, the secretary of state may appoint and commission 376
any persons that the railroad company designates, or as many of 377
those persons as the secretary of state considers proper, to act 378
as police officers for and on the premises of the railroad 379
company, its affiliates or subsidiaries, or elsewhere, when 380
directly in the discharge of their duties. Police officers so 381
appointed, within the time set by the Ohio peace officer training 382
commission, shall successfully complete a commission approved 383
training program and be certified by the commission. They shall 384
hold office for three years, unless, for good cause shown, their 385

commission is revoked by the secretary of state, or railroad 386
company, as provided by law. 387

Any person holding a similar commission in another state may 388
be commissioned and may hold office in this state without 389
completing the approved training program required by this division 390
provided that the person has completed a substantially equivalent 391
training program in the other state. The Ohio peace officer 392
training commission shall determine whether a training program in 393
another state meets the requirements of this division. 394

(C) Upon the application of any company under contract with 395
the United States atomic energy commission for the construction or 396
operation of a plant at a site owned by the commission, the 397
secretary of state may appoint and commission persons the company 398
designates, not to exceed one hundred fifty, to act as police 399
officers for the company at the plant or site owned by the 400
commission. Police officers so appointed shall be citizens of this 401
state and of good character. They shall hold office for three 402
years, unless, for good cause shown, their commission is revoked 403
by the secretary of state or by the company, as provided by law. 404

(D)(1) Upon the application of any hospital that is operated 405
by a public hospital agency or a nonprofit hospital agency and 406
that employs and maintains its own proprietary police department 407
or security department and subject to section 4973.171 of the 408
Revised Code, the secretary of state may appoint and commission 409
any persons that the hospital designates, or as many of those 410
persons as the secretary of state considers proper, to act as 411
police officers for the hospital. No person who is appointed as a 412
police officer under this division shall engage in any duties or 413
activities as a police officer for the hospital or any affiliate 414
or subsidiary of the hospital unless all of the following apply: 415

(a) The chief of police of the municipal corporation in which 416

the hospital is located or, if the hospital is located in the 417
unincorporated area of a county, the sheriff of that county has 418
granted approval to the hospital to permit persons appointed as 419
police officers under this division to engage in those duties and 420
activities. The approval required by this division is general in 421
nature and is intended to cover in the aggregate all persons 422
appointed as police officers for the hospital under this division; 423
a separate approval is not required for each appointee on an 424
individual basis. 425

(b) Subsequent to the grant of approval described in division 426
(D)(1)(a) of this section, the hospital has entered into a written 427
agreement with the chief of police of the municipal corporation in 428
which the hospital is located or, if the hospital is located in 429
the unincorporated area of a county, with the sheriff of that 430
county, that sets forth the standards and criteria to govern the 431
interaction and cooperation between persons appointed as police 432
officers for the hospital under this division and law enforcement 433
officers serving the agency represented by the chief of police or 434
sheriff who signed the agreement in areas of their concurrent 435
jurisdiction. The written agreement shall be signed by the 436
appointing authority of the hospital and by the chief of police or 437
sheriff. The standards and criteria may include, but are not 438
limited to, provisions governing the reporting of offenses 439
discovered by hospital police officers to the agency represented 440
by the chief of police or sheriff, provisions governing 441
investigatory responsibilities relative to offenses committed on 442
hospital property, and provisions governing the processing and 443
confinement of persons arrested for offenses committed on hospital 444
property. The agreement required by this division is intended to 445
apply in the aggregate to all persons appointed as police officers 446
for the hospital under this division; a separate agreement is not 447
required for each appointee on an individual basis. 448

(c) The person has successfully completed a training program 449
approved by the Ohio peace officer training commission and has 450
been certified by the commission. A person appointed as a police 451
officer under this division may attend a training program approved 452
by the commission and be certified by the commission regardless of 453
whether the appropriate chief of police or sheriff has granted the 454
approval described in division (D)(1)(a) of this section and 455
regardless of whether the hospital has entered into the written 456
agreement described in division (D)(1)(b) of this section with the 457
appropriate chief of police or sheriff. 458

(2)(a) A person who is appointed as a police officer under 459
division (D)(1) of this section is entitled, upon the grant of 460
approval described in division (D)(1)(a) of this section and upon 461
the person's and the hospital's compliance with the requirements 462
of divisions (D)(1)(b) and (c) of this section, to act as a police 463
officer for the hospital on the premises of the hospital and of 464
its affiliates and subsidiaries that are within the territory of 465
the municipal corporation served by the chief of police or the 466
unincorporated area of the county served by the sheriff who signed 467
the written agreement described in division (D)(1)(b) of this 468
section, whichever is applicable, and anywhere else within the 469
territory of that municipal corporation or within the 470
unincorporated area of that county. The authority to act as a 471
police officer as described in this division is granted only if 472
the person, when engaging in that activity, is directly in the 473
discharge of the person's duties as a police officer for the 474
hospital. The authority to act as a police officer as described in 475
this division shall be exercised in accordance with the standards 476
and criteria set forth in the written agreement described in 477
division (D)(1)(b) of this section. 478

(b) Additionally, a person appointed as a police officer 479
under division (D)(1) of this section is entitled, upon the grant 480

of approval described in division (D)(1)(a) of this section and
upon the person's and the hospital's compliance with the
requirements of divisions (D)(1)(b) and (c) of this section, to
act as a police officer elsewhere, within the territory of a
municipal corporation or within the unincorporated area of a
county, if the chief of police of that municipal corporation or
the sheriff of that county, respectively, has granted approval for
that activity to the hospital, police department, or security
department served by the person as a police officer and if the
person, when engaging in that activity, is directly in the
discharge of the person's duties as a police officer for the
hospital. The approval described in this division may be general
in nature or may be limited in scope, duration, or applicability,
as determined by the chief of police or sheriff granting the
approval.

(3) Police officers appointed under division (D)(1) of this
section shall hold office for three years, unless, for good cause
shown, their commission is revoked by the secretary of state or by
the hospital, as provided by law. As used in divisions (D)(1) to
(3) of this section, "public hospital agency" and "nonprofit
hospital agency" have the same meanings as in section 140.01 of
the Revised Code.

(E)(1) Upon the application of any owner or operator of an
amusement park that has an average yearly attendance in excess of
six hundred thousand guests and that employs and maintains its own
proprietary police department or security department and subject
to section 4973.171 of the Revised Code, any judge of the
municipal court or county court that has territorial jurisdiction
over the amusement park may appoint and commission any persons
that the owner or operator designates, or as many of those persons
as the judge considers proper, to act as police officers for the
amusement park. If the amusement park is located in more than one

county, any judge of the municipal court or county court of any of 513
those counties may make the appointments and commissions as 514
described in this division. No person who is appointed as a police 515
officer under this division shall engage in any duties or 516
activities as a police officer for the amusement park or any 517
affiliate or subsidiary of the owner or operator of the amusement 518
park unless all of the following apply: 519

(a) The appropriate chief or chiefs of police of the 520
political subdivision or subdivisions in which the amusement park 521
is located as specified in this division have granted approval to 522
the owner or operator of the amusement park to permit persons 523
appointed as police officers under this division to engage in 524
those duties and activities. If the amusement park is located in a 525
single municipal corporation or a single township, the chief of 526
police of that municipal corporation or township is the 527
appropriate chief of police for the grant of approval under this 528
division. If the amusement park is located in two or more 529
townships, two or more municipal corporations, or one or more 530
townships and one or more municipal corporations, the chiefs of 531
police of all of the affected townships and municipal corporations 532
are the appropriate chiefs of police for the grant of approval 533
under this division, and the approval must be jointly granted by 534
all of those chiefs of police. The approval required by this 535
division is general in nature and is intended to cover in the 536
aggregate all persons appointed as police officers for the 537
amusement park under this division. A separate approval is not 538
required for each appointee on an individual basis. 539

(b) Subsequent to the grant of approval described in division 540
(E)(1)(a) of this section, the owner or operator has entered into 541
a written agreement with the appropriate chief or chiefs of police 542
of the political subdivision or subdivisions in which the 543
amusement park is located as specified in this division and has 544

provided the sheriff of the county in which the political 545
subdivision or subdivisions are located with a copy of the 546
agreement. If the amusement park is located in a single municipal 547
corporation or a single township, the chief of police of that 548
municipal corporation or township is the appropriate chief of 549
police for entering into the written agreement under this 550
division. If the amusement park is located in two or more 551
townships, two or more municipal corporations, or one or more 552
townships and one or more municipal corporations, the chiefs of 553
police of all of the affected townships and municipal corporations 554
are the appropriate chiefs of police for entering into the written 555
agreement under this division, and the written agreement must be 556
jointly entered into by all of those chiefs of police. The written 557
agreement between the owner or operator and the chief or chiefs of 558
police shall address the scope of activities, the duration of the 559
agreement, and mutual aid arrangements and shall set forth the 560
standards and criteria to govern the interaction and cooperation 561
between persons appointed as police officers for the amusement 562
park under this division and law enforcement officers serving the 563
agency represented by the chief of police who signed the 564
agreement. The written agreement shall be signed by the owner or 565
operator and by the chief or chiefs of police who enter into it. 566
The standards and criteria may include, but are not limited to, 567
provisions governing the reporting of offenses discovered by the 568
amusement park's police officers to the agency represented by the 569
chief of police of the municipal corporation or township in which 570
the offense occurred, provisions governing investigatory 571
responsibilities relative to offenses committed on amusement park 572
property, and provisions governing the processing and confinement 573
of persons arrested for offenses committed on amusement park 574
property. The agreement required by this division is intended to 575
apply in the aggregate to all persons appointed as police officers 576
for the amusement park under this division. A separate agreement 577

is not required for each appointee on an individual basis.

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(c) The person has successfully completed a training program approved by the Ohio peace officer training commission and has been certified by the commission. A person appointed as a police officer under this division may attend a training program approved by the commission and be certified by the commission regardless of whether the appropriate chief of police has granted the approval described in division (E)(1)(a) of this section and regardless of whether the owner or operator of the amusement park has entered into the written agreement described in division (E)(1)(b) of this section with the appropriate chief of police.

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(2)(a) A person who is appointed as a police officer under division (E)(1) of this section is entitled, upon the grant of approval described in section (E)(1)(a) of this section and upon the person's and the owner or operator's compliance with the requirements of division (E)(1)(b) and (c) of this section, to act as a police officer for the amusement park and its affiliates and subsidiaries that are within the territory of the political subdivision or subdivisions served by the chief of police, or respective chiefs of police, who signed the written agreement described in division (E)(1)(b) of this section, and upon any contiguous real property of the amusement park that is covered by the written agreement, whether within or adjacent to the political subdivision or subdivisions. The authority to act as a police officer as described in this division is granted only if the person, when engaging in that activity, is directly in the discharge of the person's duties as a police officer for the amusement park. The authority to act as a police officer as described in this division shall be exercised in accordance with the standards and criteria set forth in the written agreement described in division (E)(1)(b) of this section.

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(b) In addition to the authority granted under division

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(E)(2)(a) of this section, a person appointed as a police officer 610
under division (E)(1) of this section is entitled, upon the grant 611
of approval described in division (E)(1)(a) of this section and 612
upon the person's and the owner or operator's compliance with the 613
requirements of divisions (E)(1)(b) and (c) of this section, to 614
act as a police officer elsewhere within the territory of a 615
municipal corporation or township if the chief of police of that 616
municipal corporation or township has granted approval for that 617
activity to the owner or operator served by the person as a police 618
officer and if the person, when engaging in that activity, is 619
directly in the discharge of the person's duties as a police 620
officer for the amusement park. The approval described in this 621
division may be general in nature or may be limited in scope, 622
duration, or applicability, as determined by the chief of police 623
granting the approval. 624

(3) Police officers appointed under division (E)(1) of this 625
section shall hold office for five years, unless, for good cause 626
shown, their commission is revoked by the appointing judge or the 627
judge's successor or by the owner or operator, as provided by law. 628

(F) A fee of fifteen dollars for each commission applied for 629
under this section shall be paid at the time the application is 630
made, and this amount shall be returned if for any reason a 631
commission is not issued. 632

Sec. 4973.171. (A) As used in this section, "felony" has the 633
same meaning as in section 109.511 of the Revised Code. 634

(B)(1) The governor shall not appoint or commission a person 635
as a police officer for a railroad company under division (B) of 636
section 4973.17 of the Revised Code and shall not appoint or 637
commission a person as a police officer for a hospital under 638
division (D) of section 4973.17 of the Revised Code on a permanent 639
basis, on a temporary basis, for a probationary term, or on other 640

than a permanent basis if the person previously has been convicted
of or has pleaded guilty to a felony.

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(2)(a) The governor shall revoke the appointment or
commission of a person appointed or commissioned as a police
officer for a railroad company or as a police officer for a
hospital under division (B) or (D) of section 4973.17 of the
Revised Code if that person does either of the following:

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(i) Pleads guilty to a felony;

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(ii) Pleads guilty to a misdemeanor pursuant to a negotiated
plea agreement as provided in division (D) of section 2929.43 of
the Revised Code in which the person agrees to surrender the
certificate awarded to that person under section 109.77 of the
Revised Code.

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(b) The governor shall suspend the appointment or commission
of a person appointed or commissioned as a police officer for a
railroad company or as a police officer for a hospital under
division (B) or (D) of section 4973.17 of the Revised Code if that
person is convicted, after trial, of a felony. If the person files
an appeal from that conviction and the conviction is upheld by the
highest court to which the appeal is taken or if the person does
not file a timely appeal, the governor shall revoke the
appointment or commission of that person as a police officer for a
railroad company or as a police officer for a hospital. If the
person files an appeal that results in that person's acquittal of
the felony or conviction of a misdemeanor, or in the dismissal of
the felony charge against that person, the governor shall
reinstate the appointment or commission of that person as a police
officer for a railroad company or as a police officer for a
hospital. A person whose appointment or commission is reinstated
under division (B)(2)(b) of this section shall not receive any
back pay unless that person's conviction of the felony was

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reversed on appeal, or the felony charge was dismissed, because
the court found insufficient evidence to convict the person of the
felony.

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(3) Division (B) of this section does not apply regarding an
offense that was committed prior to January 1, 1997.

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(4) The suspension or revocation of the appointment or
commission of a person as a police officer for a railroad company
or as a police officer for a hospital under division (B)(2) of
this section shall be in accordance with Chapter 119. of the
Revised Code.

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(C)(1) A judge of a municipal court or county court that has
territorial jurisdiction over an amusement park shall not appoint
or commission a person as a police officer for the amusement park
under division (E) of section 4973.17 of the Revised Code on a
permanent basis, on a temporary basis, for a probationary term, or
on other than a permanent basis if the person previously has been
convicted of or has pleaded guilty to a felony.

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(2) The judge shall revoke the appointment or commission of a
person appointed or commissioned as a police officer for an
amusement park under division (E) of section 4973.17 of the
Revised Code if that person does either of the following:

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(a) Pleads guilty to a felony;

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(b) Pleads guilty to a misdemeanor pursuant to a negotiated
plea agreement as provided in division (D) of section 2929.43 of
the Revised Code in which the person agrees to surrender the
certificate awarded to that person under section 109.77 of the
Revised Code.

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(3) The judge shall suspend the appointment or commission of
a person appointed or commissioned as a police officer for an
amusement park under division (E) of section 4973.17 of the

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Revised Code if that person is convicted, after trial, of a 702
felony. If the person files an appeal from that conviction and 703
that conviction is upheld by the highest court to which the appeal 704
is taken or if the person does not file a timely appeal, the judge 705
shall revoke the appointment or commission of that person as a 706
police officer for an amusement park. If the person files an 707
appeal that results in that person's acquittal of the felony or 708
conviction of a misdemeanor or in the dismissal of the felony 709
charge against that person, the judge shall reinstate the 710
appointment or commission of that person as a police officer for 711
an amusement park. A person whose appointment or commission is 712
reinstated under division (C)(3) of this section shall not receive 713
any back pay unless that person's conviction of the felony was 714
reversed on appeal, or the felony charge was dismissed, because 715
the court found insufficient evidence to convict the person of a 716
felony. 717

(4) Division (C) of this section does not apply regarding an 718
offense that was committed prior to January 1, 1997. 719

(5) The suspension or revocation of the appointment or 720
commission of a person as a police officer for an amusement park 721
under division (C)(2) of this section shall be in accordance with 722
Chapter 119. of the Revised Code. 723

Section 2. That existing sections 109.71, 109.73, 109.79, 724
4973.17, and 4973.171 of the Revised Code are hereby repealed. 725

Section 3. Section 109.71 of the Revised Code is presented in 726
this act as a composite of the section as amended by both Sub. 727
H.B. 545 and H.B. 675 of the 124th General Assembly. The General 728
Assembly, applying the principle stated in division (B) of section 729
1.52 of the Revised Code that amendments are to be harmonized if 730
reasonably capable of simultaneous operation, finds that the 731

composite is the resulting version of the section in effect prior 732
to the effective date of the section as presented in this act. 733

Section 4. This act is hereby declared to be an emergency 734
measure necessary for the immediate preservation of the public 735
peace, health, and safety. The reason for such necessity is that 736
it is crucial that the appointment and commissioning of amusement 737
park police officers that is authorized under this act, and the 738
protections that will be afforded by the officers so appointed and 739
commissioned, be available to the parks and their patrons by the 740
time of the parks' opening in the spring of 2005. Therefore, this 741
act shall go into immediate effect. 742