

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 227**

**Representative Yuko**

**Cosponsors: Representatives Evans, Williams, B., Budish, Foley, Luckie,  
Wagoner**

**—**

**A B I L L**

To amend sections 109.71, 109.73, and 109.77 and to 1  
enact sections 6119.60, 6119.61, 6119.62, 6119.63, 2  
and 6119.64 of the Revised Code to authorize 3  
regional water and sewer districts to establish 4  
police departments. 5

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

**Section 1.** That sections 109.71, 109.73, and 109.77 be 6  
amended and sections 6119.60, 6119.61, 6119.62, 6119.63, and 7  
6119.64 of the Revised Code be enacted to read as follows: 8

**Sec. 109.71.** There is hereby created in the office of the 9  
attorney general the Ohio peace officer training commission. The 10  
commission shall consist of nine members appointed by the governor 11  
with the advice and consent of the senate and selected as follows: 12  
one member representing the public; two members who are incumbent 13  
sheriffs; two members who are incumbent chiefs of police; one 14  
member from the bureau of criminal identification and 15  
investigation; one member from the state highway patrol; one 16  
member who is the special agent in charge of a field office of the 17  
federal bureau of investigation in this state; and one member from 18

the department of education, trade and industrial education 19  
services, law enforcement training. 20

This section does not confer any arrest authority or any 21  
ability or authority to detain a person, write or issue any 22  
citation, or provide any disposition alternative, as granted under 23  
Chapter 2935. of the Revised Code. 24

As used in sections 109.71 to 109.801 of the Revised Code: 25

(A) "Peace officer" means: 26

(1) A deputy sheriff, marshal, deputy marshal, member of the 27  
organized police department of a township or municipal 28  
corporation, member of a township police district or joint 29  
township police district police force, member of a police force 30  
employed by a metropolitan housing authority under division (D) of 31  
section 3735.31 of the Revised Code, or township constable, who is 32  
commissioned and employed as a peace officer by a political 33  
subdivision of this state or by a metropolitan housing authority, 34  
and whose primary duties are to preserve the peace, to protect 35  
life and property, and to enforce the laws of this state, 36  
ordinances of a municipal corporation, resolutions of a township, 37  
or regulations of a board of county commissioners or board of 38  
township trustees, or any of those laws, ordinances, resolutions, 39  
or regulations; 40

(2) A police officer who is employed by a railroad company 41  
and appointed and commissioned by the secretary of state pursuant 42  
to sections 4973.17 to 4973.22 of the Revised Code; 43

(3) Employees of the department of taxation engaged in the 44  
enforcement of Chapter 5743. of the Revised Code and designated by 45  
the tax commissioner for peace officer training for purposes of 46  
the delegation of investigation powers under section 5743.45 of 47  
the Revised Code; 48

(4) An undercover drug agent; 49

(5) Enforcement agents of the department of public safety	50
whom the director of public safety designates under section	51
5502.14 of the Revised Code;	52
(6) An employee of the department of natural resources who is	53
a natural resources law enforcement staff officer designated	54
pursuant to section 1501.013, a park officer designated pursuant	55
to section 1541.10, a forest officer designated pursuant to	56
section 1503.29, a preserve officer designated pursuant to section	57
1517.10, a wildlife officer designated pursuant to section	58
1531.13, or a state watercraft officer designated pursuant to	59
section 1547.521 of the Revised Code;	60
(7) An employee of a park district who is designated pursuant	61
to section 511.232 or 1545.13 of the Revised Code;	62
(8) An employee of a conservancy district who is designated	63
pursuant to section 6101.75 of the Revised Code;	64
(9) A police officer who is employed by a hospital that	65
employs and maintains its own proprietary police department or	66
security department, and who is appointed and commissioned by the	67
secretary of state pursuant to sections 4973.17 to 4973.22 of the	68
Revised Code;	69
(10) Veterans' homes police officers designated under section	70
5907.02 of the Revised Code;	71
(11) A police officer who is employed by a qualified	72
nonprofit corporation police department pursuant to section	73
1702.80 of the Revised Code;	74
(12) A state university law enforcement officer appointed	75
under section 3345.04 of the Revised Code or a person serving as a	76
state university law enforcement officer on a permanent basis on	77
June 19, 1978, who has been awarded a certificate by the executive	78
director of the Ohio peace officer training commission attesting	79
to the person's satisfactory completion of an approved state,	80

county, municipal, or department of natural resources peace officer basic training program;	81
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(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;	83
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(14) A member of a campus police department appointed under section 1713.50 of the Revised Code;	87
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(15) A member of a police force employed by a regional transit authority under division (Y) of section 306.35 of the Revised Code;	89
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(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;	92
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(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;	95
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(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;	104
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(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 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;

(21) A police officer who is employed by a bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions, who has been appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code, 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 a state, county, municipal, or department of natural resources peace officer basic training program;

(22) An investigator, as defined in section 109.541 of the Revised Code, of the bureau of criminal identification and

investigation who is commissioned by the superintendent of the 144  
bureau as a special agent for the purpose of assisting law 145  
enforcement officers or providing emergency assistance to peace 146  
officers pursuant to authority granted under that section; 147

(23) A police officer of a police department of a regional 148  
water and sewer district who is appointed under section 6119.63 of 149  
the Revised Code. 150

(B) "Undercover drug agent" has the same meaning as in 151  
division (B)(2) of section 109.79 of the Revised Code. 152

(C) "Crisis intervention training" means training in the use 153  
of interpersonal and communication skills to most effectively and 154  
sensitively interview victims of rape. 155

(D) "Missing children" has the same meaning as in section 156  
2901.30 of the Revised Code. 157

**Sec. 109.73.** (A) The Ohio peace officer training commission 158  
shall recommend rules to the attorney general with respect to all 159  
of the following: 160

(1) The approval, or revocation of approval, of peace officer 161  
training schools administered by the state, counties, municipal 162  
corporations, public school districts, technical college 163  
districts, and the department of natural resources; 164

(2) Minimum courses of study, attendance requirements, and 165  
equipment and facilities to be required at approved state, county, 166  
municipal, and department of natural resources peace officer 167  
training schools; 168

(3) Minimum qualifications for instructors at approved state, 169  
county, municipal, and department of natural resources peace 170  
officer training schools; 171

(4) The requirements of minimum basic training that peace 172  
officers appointed to probationary terms shall complete before 173

being eligible for permanent appointment, which requirements shall 174  
include a minimum of fifteen hours of training in the handling of 175  
the offense of domestic violence, other types of domestic 176  
violence-related offenses and incidents, and protection orders and 177  
consent agreements issued or approved under section 2919.26 or 178  
3113.31 of the Revised Code; a minimum of six hours of crisis 179  
intervention training; and a specified amount of training in the 180  
handling of missing children and child abuse and neglect cases; 181  
and the time within which such basic training shall be completed 182  
following appointment to a probationary term; 183

(5) The requirements of minimum basic training that peace 184  
officers not appointed for probationary terms but appointed on 185  
other than a permanent basis shall complete in order to be 186  
eligible for continued employment or permanent appointment, which 187  
requirements shall include a minimum of fifteen hours of training 188  
in the handling of the offense of domestic violence, other types 189  
of domestic violence-related offenses and incidents, and 190  
protection orders and consent agreements issued or approved under 191  
section 2919.26 or 3113.31 of the Revised Code, a minimum of six 192  
hours of crisis intervention training, and a specified amount of 193  
training in the handling of missing children and child abuse and 194  
neglect cases, and the time within which such basic training shall 195  
be completed following appointment on other than a permanent 196  
basis; 197

(6) Categories or classifications of advanced in-service 198  
training programs for peace officers, including programs in the 199  
handling of the offense of domestic violence, other types of 200  
domestic violence-related offenses and incidents, and protection 201  
orders and consent agreements issued or approved under section 202  
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 203  
and in the handling of missing children and child abuse and 204  
neglect cases, and minimum courses of study and attendance 205

requirements with respect to such categories or classifications; 206

(7) Permitting persons, who are employed as members of a 207  
campus police department appointed under section 1713.50 of the 208  
Revised Code; who are employed as members of a regional water and 209  
sewer district police department appointed under section 6119.63 210  
of the Revised Code; who are employed as police officers by a 211  
qualified nonprofit corporation police department pursuant to 212  
section 1702.80 of the Revised Code; who are appointed and 213  
commissioned as bank, savings and loan association, savings bank, 214  
credit union, or association of banks, savings and loan 215  
associations, savings banks, or credit unions police officers, as 216  
railroad police officers, or as hospital police officers pursuant 217  
to sections 4973.17 to 4973.22 of the Revised Code; or who are 218  
appointed and commissioned as amusement park police officers 219  
pursuant to section 4973.17 of the Revised Code, to attend 220  
approved peace officer training schools, including the Ohio peace 221  
officer training academy, and to receive certificates of 222  
satisfactory completion of basic training programs, if the private 223  
college or university that established the campus police 224  
department; regional water and sewer district police department; 225  
qualified nonprofit corporation police department; bank, savings 226  
and loan association, savings bank, credit union, or association 227  
of banks, savings and loan associations, savings banks, or credit 228  
unions; railroad company; hospital; or amusement park sponsoring 229  
the police officers pays the entire cost of the training and 230  
certification and if trainee vacancies are available; 231

(8) Permitting undercover drug agents to attend approved 232  
peace officer training schools, other than the Ohio peace officer 233  
training academy, and to receive certificates of satisfactory 234  
completion of basic training programs, if, for each undercover 235  
drug agent, the county, township, or municipal corporation that 236  
employs that undercover drug agent pays the entire cost of the 237



training and certification;	238
(9)(a) The requirements for basic training programs for	239
bailiffs and deputy bailiffs of courts of record of this state and	240
for criminal investigators employed by the state public defender	241
that those persons shall complete before they may carry a firearm	242
while on duty;	243
(b) The requirements for any training received by a bailiff	244
or deputy bailiff of a court of record of this state or by a	245
criminal investigator employed by the state public defender prior	246
to June 6, 1986, that is to be considered equivalent to the	247
training described in division (A)(9)(a) of this section.	248
(10) Establishing minimum qualifications and requirements for	249
certification for dogs utilized by law enforcement agencies;	250
(11) Establishing minimum requirements for certification of	251
persons who are employed as correction officers in a full-service	252
jail, five-day facility, or eight-hour holding facility or who	253
provide correction services in such a jail or facility;	254
(12) Establishing requirements for the training of agents of	255
a county humane society under section 1717.06 of the Revised Code,	256
including, without limitation, a requirement that the agents	257
receive instruction on traditional animal husbandry methods and	258
training techniques, including customary owner-performed	259
practices.	260
(B) The commission shall appoint an executive director, with	261
the approval of the attorney general, who shall hold office during	262
the pleasure of the commission. The executive director shall	263
perform such duties assigned by the commission. The executive	264
director shall receive a salary fixed pursuant to Chapter 124. of	265
the Revised Code and reimbursement for expenses within the amounts	266
available by appropriation. The executive director may appoint	267
officers, employees, agents, and consultants as the executive	268

director considers necessary, prescribe their duties, and provide 269  
for reimbursement of their expenses within the amounts available 270  
for reimbursement by appropriation and with the approval of the 271  
commission. 272

(C) The commission may do all of the following: 273

(1) Recommend studies, surveys, and reports to be made by the 274  
executive director regarding the carrying out of the objectives 275  
and purposes of sections 109.71 to 109.77 of the Revised Code; 276

(2) Visit and inspect any peace officer training school that 277  
has been approved by the executive director or for which 278  
application for approval has been made; 279

(3) Make recommendations, from time to time, to the executive 280  
director, the attorney general, and the general assembly regarding 281  
the carrying out of the purposes of sections 109.71 to 109.77 of 282  
the Revised Code; 283

(4) Report to the attorney general from time to time, and to 284  
the governor and the general assembly at least annually, 285  
concerning the activities of the commission; 286

(5) Establish fees for the services the commission offers 287  
under sections 109.71 to 109.79 of the Revised Code, including, 288  
but not limited to, fees for training, certification, and testing; 289

(6) Perform such other acts as are necessary or appropriate 290  
to carry out the powers and duties of the commission as set forth 291  
in sections 109.71 to 109.77 of the Revised Code. 292

(D) In establishing the requirements, under division (A)(12) 293  
of this section, the commission may consider any portions of the 294  
curriculum for instruction on the topic of animal husbandry 295  
practices, if any, of the Ohio state university college of 296  
veterinary medicine. No person or entity that fails to provide 297  
instruction on traditional animal husbandry methods and training 298

techniques, including customary owner-performed practices, shall 299  
qualify to train a humane agent for appointment under section 300  
1717.06 of the Revised Code. 301

**Sec. 109.77.** (A) As used in this section, "felony" has the 302  
same meaning as in section 109.511 of the Revised Code. 303

(B)(1) Notwithstanding any general, special, or local law or 304  
charter to the contrary, and except as otherwise provided in this 305  
section, no person shall receive an original appointment on a 306  
permanent basis as any of the following unless the person 307  
previously has been awarded a certificate by the executive 308  
director of the Ohio peace officer training commission attesting 309  
to the person's satisfactory completion of an approved state, 310  
county, municipal, or department of natural resources peace 311  
officer basic training program: 312

(a) A peace officer of any county, township, municipal 313  
corporation, regional transit authority, or metropolitan housing 314  
authority; 315

(b) A natural resources law enforcement staff officer, park 316  
officer, forest officer, preserve officer, wildlife officer, or 317  
state watercraft officer of the department of natural resources; 318

(c) An employee of a park district under section 511.232 or 319  
1545.13 of the Revised Code; 320

(d) An employee of a conservancy district who is designated 321  
pursuant to section 6101.75 of the Revised Code; 322

(e) A state university law enforcement officer; 323

(f) A special police officer employed by the department of 324  
mental health pursuant to section 5119.14 of the Revised Code or 325  
the department of mental retardation and developmental 326  
disabilities pursuant to section 5123.13 of the Revised Code; 327

(g) An enforcement agent of the department of public safety 328

whom the director of public safety designates under section	329
5502.14 of the Revised Code;	330
(h) A special police officer employed by a port authority	331
under section 4582.04 or 4582.28 of the Revised Code;	332
(i) A special police officer employed by a municipal	333
corporation at a municipal airport, or other municipal air	334
navigation facility, that has scheduled operations, as defined in	335
section 119.3 of Title 14 of the Code of Federal Regulations, 14	336
C.F.R. 119.3, as amended, and that is required to be under a	337
security program and is governed by aviation security rules of the	338
transportation security administration of the United States	339
department of transportation as provided in Parts 1542. and 1544.	340
of Title 49 of the Code of Federal Regulations, as amended;	341
<u>(j) A police officer of a police department of a regional</u>	342
<u>water and sewer district who is appointed under section 6119.63 of</u>	343
<u>the Revised Code.</u>	344
(2) Every person who is appointed on a temporary basis or for	345
a probationary term or on other than a permanent basis as any of	346
the following shall forfeit the appointed position unless the	347
person previously has completed satisfactorily or, within the time	348
prescribed by rules adopted by the attorney general pursuant to	349
section 109.74 of the Revised Code, satisfactorily completes a	350
state, county, municipal, or department of natural resources peace	351
officer basic training program for temporary or probationary	352
officers and is awarded a certificate by the director attesting to	353
the satisfactory completion of the program:	354
(a) A peace officer of any county, township, municipal	355
corporation, regional transit authority, or metropolitan housing	356
authority;	357
(b) A natural resources law enforcement staff officer, park	358
officer, forest officer, preserve officer, wildlife officer, or	359

state watercraft officer of the department of natural resources;	360
(c) An employee of a park district under section 511.232 or 1545.13 of the Revised Code;	361 362
(d) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;	363 364
(e) 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;	365 366 367 368
(f) An enforcement agent of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;	369 370 371
(g) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code;	372 373
(h) A special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of 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;	374 375 376 377 378 379 380 381 382
<u>(i) A police officer of a police department of a regional water and sewer district who is appointed under section 6119.63 of the Revised Code.</u>	383 384 385
(3) For purposes of division (B) of this section, a state, county, municipal, or department of natural resources peace officer basic training program, regardless of whether the program is to be completed by peace officers appointed on a permanent or	386 387 388 389

temporary, probationary, or other nonpermanent basis, shall 390  
include at least fifteen hours of training in the handling of the 391  
offense of domestic violence, other types of domestic 392  
violence-related offenses and incidents, and protection orders and 393  
consent agreements issued or approved under section 2919.26 or 394  
3113.31 of the Revised Code and at least six hours of crisis 395  
intervention training. The requirement to complete fifteen hours 396  
of training in the handling of the offense of domestic violence, 397  
other types of domestic violence-related offenses and incidents, 398  
and protection orders and consent agreements issued or approved 399  
under section 2919.26 or 3113.31 of the Revised Code does not 400  
apply to any person serving as a peace officer on March 27, 1979, 401  
and the requirement to complete six hours of training in crisis 402  
intervention does not apply to any person serving as a peace 403  
officer on April 4, 1985. Any person who is serving as a peace 404  
officer on April 4, 1985, who terminates that employment after 405  
that date, and who subsequently is hired as a peace officer by the 406  
same or another law enforcement agency shall complete the six 407  
hours of training in crisis intervention within the time 408  
prescribed by rules adopted by the attorney general pursuant to 409  
section 109.742 of the Revised Code. No peace officer shall have 410  
employment as a peace officer terminated and then be reinstated 411  
with intent to circumvent this section. 412

(4) Division (B) of this section does not apply to any person 413  
serving on a permanent basis on March 28, 1985, as a park officer, 414  
forest officer, preserve officer, wildlife officer, or state 415  
watercraft officer of the department of natural resources or as an 416  
employee of a park district under section 511.232 or 1545.13 of 417  
the Revised Code, to any person serving on a permanent basis on 418  
March 6, 1986, as an employee of a conservancy district designated 419  
pursuant to section 6101.75 of the Revised Code, to any person 420  
serving on a permanent basis on January 10, 1991, as a preserve 421  
officer of the department of natural resources, to any person 422

employed on a permanent basis on July 2, 1992, as a special police 423  
officer by the department of mental health pursuant to section 424  
5119.14 of the Revised Code or by the department of mental 425  
retardation and developmental disabilities pursuant to section 426  
5123.13 of the Revised Code, to any person serving on a permanent 427  
basis on May 17, 2000, as a special police officer employed by a 428  
port authority under section 4582.04 or 4582.28 of the Revised 429  
Code, to any person serving on a permanent basis on ~~the effective~~ 430  
~~date of this amendment~~ March 19, 2003, as a special police officer 431  
employed by a municipal corporation at a municipal airport or 432  
other municipal air navigation facility described in division 433  
(A)(19) of section 109.71 of the Revised Code, to any person 434  
serving on a permanent basis on June 19, 1978, as a state 435  
university law enforcement officer pursuant to section 3345.04 of 436  
the Revised Code and who, immediately prior to June 19, 1978, was 437  
serving as a special police officer designated under authority of 438  
that section, or to any person serving on a permanent basis on 439  
September 20, 1984, as a liquor control investigator, known after 440  
June 30, 1999, as an enforcement agent of the department of public 441  
safety, engaged in the enforcement of Chapters 4301. and 4303. of 442  
the Revised Code. 443

(5) Division (B) of this section does not apply to any person 444  
who is appointed as a regional transit authority police officer 445  
pursuant to division (Y) of section 306.35 of the Revised Code if, 446  
on or before July 1, 1996, the person has completed satisfactorily 447  
an approved state, county, municipal, or department of natural 448  
resources peace officer basic training program and has been 449  
awarded a certificate by the executive director of the Ohio peace 450  
officer training commission attesting to the person's satisfactory 451  
completion of such an approved program and if, on July 1, 1996, 452  
the person is performing peace officer functions for a regional 453  
transit authority. 454

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

(D) No bailiff or deputy bailiff of a court of record of this state and no criminal investigator who is employed by the state public defender shall carry a firearm, as defined in section 2923.11 of the Revised Code, while on duty unless the bailiff, deputy bailiff, or criminal investigator has done or received one of the following:

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

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

(3) Prior to June 6, 1986, was authorized to carry a firearm by the court that employed the bailiff or deputy bailiff or, in



the case of a criminal investigator, by the state public defender 487  
and has received training in the use of firearms that the Ohio 488  
peace officer training commission determines is equivalent to the 489  
training that otherwise is required by division (D) of this 490  
section. 491

(E)(1) Before a person seeking a certificate completes an 492  
approved peace officer basic training program, the executive 493  
director of the Ohio peace officer training commission shall 494  
request the person to disclose, and the person shall disclose, any 495  
previous criminal conviction of or plea of guilty of that person 496  
to a felony. 497

(2) Before a person seeking a certificate completes an 498  
approved peace officer basic training program, the executive 499  
director shall request a criminal history records check on the 500  
person. The executive director shall submit the person's 501  
fingerprints to the bureau of criminal identification and 502  
investigation, which shall submit the fingerprints to the federal 503  
bureau of investigation for a national criminal history records 504  
check. 505

Upon receipt of the executive director's request, the bureau 506  
of criminal identification and investigation and the federal 507  
bureau of investigation shall conduct a criminal history records 508  
check on the person and, upon completion of the check, shall 509  
provide a copy of the criminal history records check to the 510  
executive director. The executive director shall not award any 511  
certificate prescribed in this section unless the executive 512  
director has received a copy of the criminal history records check 513  
on the person to whom the certificate is to be awarded. 514

(3) The executive director of the commission shall not award 515  
a certificate prescribed in this section to a person who has been 516  
convicted of or has pleaded guilty to a felony or who fails to 517  
disclose any previous criminal conviction of or plea of guilty to 518

a felony as required under division (E)(1) of this section. 519

(4) The executive director of the commission shall revoke the 520  
certificate awarded to a person as prescribed in this section, and 521  
that person shall forfeit all of the benefits derived from being 522  
certified as a peace officer under this section, if the person, 523  
before completion of an approved peace officer basic training 524  
program, failed to disclose any previous criminal conviction of or 525  
plea of guilty to a felony as required under division (E)(1) of 526  
this section. 527

(F)(1) Regardless of whether the person has been awarded the 528  
certificate or has been classified as a peace officer prior to, 529  
on, or after October 16, 1996, the executive director of the Ohio 530  
peace officer training commission shall revoke any certificate 531  
that has been awarded to a person as prescribed in this section if 532  
the person does either of the following: 533

(a) Pleads guilty to a felony committed on or after January 534  
1, 1997; 535

(b) Pleads guilty to a misdemeanor committed on or after 536  
January 1, 1997, pursuant to a negotiated plea agreement as 537  
provided in division (D) of section 2929.43 of the Revised Code in 538  
which the person agrees to surrender the certificate awarded to 539  
the person under this section. 540

(2) The executive director of the commission shall suspend 541  
any certificate that has been awarded to a person as prescribed in 542  
this section if the person is convicted, after trial, of a felony 543  
committed on or after January 1, 1997. The executive director 544  
shall suspend the certificate pursuant to division (F)(2) of this 545  
section pending the outcome of an appeal by the person from that 546  
conviction to the highest court to which the appeal is taken or 547  
until the expiration of the period in which an appeal is required 548  
to be filed. If the person files an appeal that results in that 549

person's acquittal of the felony or conviction of a misdemeanor, 550  
or in the dismissal of the felony charge against that person, the 551  
executive director shall reinstate the certificate awarded to the 552  
person under this section. If the person files an appeal from that 553  
person's conviction of the felony and the conviction is upheld by 554  
the highest court to which the appeal is taken or if the person 555  
does not file a timely appeal, the executive director shall revoke 556  
the certificate awarded to the person under this section. 557

(G)(1) If a person is awarded a certificate under this 558  
section and the certificate is revoked pursuant to division (E)(4) 559  
or (F) of this section, the person shall not be eligible to 560  
receive, at any time, a certificate attesting to the person's 561  
satisfactory completion of a peace officer basic training program. 562

(2) The revocation or suspension of a certificate under 563  
division (E)(4) or (F) of this section shall be in accordance with 564  
Chapter 119. of the Revised Code. 565

(H)(1) A person who was employed as a peace officer of a 566  
county, township, or municipal corporation of the state on January 567  
1, 1966, and who has completed at least sixteen years of full-time 568  
active service as such a peace officer may receive an original 569  
appointment on a permanent basis and serve as a peace officer of a 570  
county, township, or municipal corporation, or as a state 571  
university law enforcement officer, without complying with the 572  
requirements of division (B) of this section. 573

(2) Any person who held an appointment as a state highway 574  
trooper on January 1, 1966, may receive an original appointment on 575  
a permanent basis and serve as a peace officer of a county, 576  
township, or municipal corporation, or as a state university law 577  
enforcement officer, without complying with the requirements of 578  
division (B) of this section. 579

(I) No person who is appointed as a peace officer of a 580

county, township, or municipal corporation on or after April 9, 581  
1985, shall serve as a peace officer of that county, township, or 582  
municipal corporation unless the person has received training in 583  
the handling of missing children and child abuse and neglect cases 584  
from an approved state, county, township, or municipal police 585  
officer basic training program or receives the training within the 586  
time prescribed by rules adopted by the attorney general pursuant 587  
to section 109.741 of the Revised Code. 588

(J) No part of any approved state, county, or municipal basic 589  
training program for bailiffs and deputy bailiffs of courts of 590  
record and no part of any approved state, county, or municipal 591  
basic training program for criminal investigators employed by the 592  
state public defender shall be used as credit toward the 593  
completion by a peace officer of any part of the approved state, 594  
county, or municipal peace officer basic training program that the 595  
peace officer is required by this section to complete 596  
satisfactorily. 597

(K) This section does not apply to any member of the police 598  
department of a municipal corporation in an adjoining state 599  
serving in this state under a contract pursuant to section 737.04 600  
of the Revised Code. 601

Sec. 6119.60. As used in sections 6119.60 to 6119.64 of the 602  
Revised Code: 603

(A) "Authorizing agreement" means the written agreement 604  
entered into between a regional water and sewer district and a 605  
political subdivision under section 6119.62 of the Revised Code 606  
for the provision of police services within the political 607  
subdivision by the police department of the regional water and 608  
sewer district. 609

(B) "Felony" has the same meaning as in section 109.511 of 610  
the Revised Code. 611

(C) "Political subdivision" means a county, township, or 612  
municipal corporation. 613

Sec. 6119.61. Subject to the requirements and limitations 614  
established in sections 6119.60 to 6119.64 of the Revised Code, 615  
the board of trustees of a regional water and sewer district may 616  
establish a police department to provide police services within or 617  
at facilities that are owned, operated, or leased by the district 618  
within one or more political subdivisions, provided that the 619  
district has entered into an authorizing agreement with each 620  
political subdivision within which it intends to provide police 621  
services. 622

Sec. 6119.62. (A) A regional water and sewer district seeking 623  
to establish a police department under sections 6119.60 to 6119.64 624  
of the Revised Code shall enter into an authorizing agreement with 625  
each political subdivision within which the district intends to 626  
provide police services within or at facilities that are owned, 627  
operated, or leased by the district. Such an agreement shall be 628  
entered into with the chief of police of the political subdivision 629  
by the board of trustees of the district and shall apply only to 630  
that political subdivision. The district shall enter into a 631  
separate authorizing agreement with each political subdivision 632  
within which the police department of the district will provide 633  
police services. 634

(B) An authorizing agreement may include, but is not limited 635  
to, both of the following: 636

(1) An identification of the geographic territory within the 637  
political subdivision in which the police department established 638  
by the regional water and sewer district may provide police 639  
services; 640

(2) Standards and criteria governing the interaction between 641

the police officers employed by the police department established 642  
by the district and the law enforcement officers employed by the 643  
political subdivision. The standards and criteria may include, but 644  
are not limited to, either or both of the following: 645

(a) Provisions governing the reporting of offenses discovered 646  
by the police officers employed by the district police department 647  
to the police department of the political subdivision; 648

(b) Provisions governing the processing and confinement of 649  
persons arrested by police officers employed by the district 650  
police department. 651

(C) An authorizing agreement shall not require, or contain 652  
any provision granting authority to, the chief of police or any 653  
other officer, official, or employee of a political subdivision to 654  
appoint, or to approve or disapprove the appointment of, a police 655  
officer of a regional water and sewer district police department. 656  
An authorizing agreement shall comply with any applicable 657  
provisions of the Revised Code and with any charter, ordinance, 658  
resolution, or regulation of the applicable political subdivision 659  
that may apply to it. 660

**Sec. 6119.63.** (A) The board of trustees of a regional water 661  
and sewer district that establishes a police department under 662  
sections 6119.60 to 6119.64 of the Revised Code may appoint and 663  
employ persons as police officers of the department. District 664  
police officers shall have the power and duty to act as peace 665  
officers within or at facilities that are owned, operated, or 666  
leased by the district, to protect the regional water and sewer 667  
district's property, to preserve the peace, and to enforce all 668  
laws of the state and all charter provisions, ordinances, 669  
resolutions, and regulations of political subdivisions with which 670  
the district has authorizing agreements. 671

No person who is appointed and employed as a police officer 672

under this section shall engage in any duties or activities as a 673  
police officer within a political subdivision unless both of the 674  
following apply: 675

(1) The person successfully has completed a training program 676  
approved by the Ohio peace officer training commission and has 677  
been certified by the commission as having successfully completed 678  
the training program, or the person previously has successfully 679  
completed a police officer basic training program certified by the 680  
commission and has been awarded a certificate to that effect by 681  
the commission. 682

(2) The regional water and sewer district has entered into an 683  
authorizing agreement with the chief of police of the political 684  
subdivision. 685

(B) A person who is appointed and employed as a police 686  
officer by a regional water and sewer district police department 687  
under this section may act as a police officer only to the extent 688  
and in the manner described in sections 6119.60 to 6119.64 of the 689  
Revised Code and in rules of the district when directly engaged in 690  
the discharge of that person's duties as a police officer for the 691  
district. Before exercising powers of arrest and other powers and 692  
duties of a peace officer, a regional water and sewer district 693  
police officer shall take an oath and give bond to the state, in 694  
an amount that the board of trustees of the district prescribes, 695  
for the proper exercise of those powers. 696

(C)(1) The board of trustees of a regional water and sewer 697  
district that establishes a police department shall not appoint a 698  
person as a police officer of the department on a permanent basis, 699  
on a temporary basis, for a probationary term, or on other than a 700  
permanent basis if the person previously has been convicted of or 701  
has pleaded guilty to a felony. 702

(2)(a) The board of trustees of a district shall terminate 703

the employment of a police officer of its police department if the 704  
police officer does either of the following: 705

(i) Pleads guilty to a felony; 706

(ii) Pleads guilty to a misdemeanor pursuant to a negotiated 707  
plea agreement as provided in division (D) of section 2929.43 of 708  
the Revised Code in which the police officer agrees to surrender 709  
the certificate awarded to the police officer under section 109.77 710  
of the Revised Code. 711

(b) The board of trustees of a district shall suspend from 712  
employment a police officer of its police department if the police 713  
officer is convicted, after trial, of a felony. If the police 714  
officer files an appeal from that conviction and the conviction is 715  
upheld by the highest court to which the appeal is taken or if the 716  
police officer does not file a timely appeal, the board shall 717  
terminate the employment of the police officer. If the police 718  
officer files an appeal that results in the police officer's 719  
acquittal of the felony or conviction of a misdemeanor, or in the 720  
dismissal of the felony charge against the police officer, the 721  
board shall reinstate the police officer. A police officer who is 722  
reinstated under division (B)(2)(b) of this section shall not 723  
receive any back pay unless the police officer's conviction of the 724  
felony was reversed on appeal, or the felony charge was dismissed, 725  
because the court found insufficient evidence to convict the 726  
police officer of the felony. 727

Sec. 6119.64. If a regional water and sewer district 728  
establishes a police department under sections 6119.60 to 6119.64 729  
of the Revised Code, the district, within the geographical 730  
territory of a political subdivision with which the district has 731  
entered into an authorizing agreement, concurrently with the 732  
political subdivision shall preserve the peace, protect persons 733  
and property, enforce the laws of the state, and enforce the 734



charter provisions, ordinances, resolutions, and regulations, as 735  
applicable, of the political subdivision that apply within that 736  
geographical territory. Except as limited by the terms of the 737  
authorizing agreement, a police officer who is appointed and 738  
employed by a police department established by a district and who 739  
satisfies the requirement established in division (A)(1) of 740  
section 6119.63 of the Revised Code is vested, while directly in 741  
the discharge of that police officer's duties as a police officer, 742  
with the same powers and authority as are vested in a police 743  
officer of a political subdivision under Title XXIX of the Revised 744  
Code and the Rules of Criminal Procedure and with the same powers 745  
and authority, including the operation of a public safety vehicle, 746  
as are vested in a police officer of a political subdivision under 747  
Chapter 4511. of the Revised Code. In addition, a police officer 748  
who is appointed and employed by a police department established 749  
by a district may render emergency assistance to another peace 750  
officer if there is a threat of imminent physical danger to the 751  
peace officer, a threat of physical harm to another person, or any 752  
other serious emergency situation and if either the peace officer 753  
who is assisted requests emergency assistance or it appears that 754  
the peace officer who is assisted is unable to request emergency 755  
assistance and the circumstances observed by the regional water 756  
and sewer district police officer reasonably indicate that 757  
emergency assistance is appropriate. 758

**Section 2.** That existing sections 109.71, 109.73, and 109.77 759  
of the Revised Code are hereby repealed. 760

**Section 3.** Section 109.71 of the Revised Code is presented in 761  
this act as a composite of the section as amended by both Sub. 762  
H.B. 347 and Sub. H.B. 454 of the 126th General Assembly. The 763  
General Assembly, applying the principle stated in division (B) of 764  
section 1.52 of the Revised Code that amendments are to be 765  
harmonized if reasonably capable of simultaneous operation, finds 766

that the composite is the resulting version of the section in 767  
effect prior to the effective date of the section as presented in 768  
this act. 769