

As Introduced

**128th General Assembly
Regular Session
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H. B. No. 153

Representative Yuko

**Cosponsors: Representatives Williams, B., Luckie, Hagan, Domenick,
Evans, Letson**

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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 state fire marshal law enforcement officer appointed 148
under section 3737.22 of the Revised Code or a person serving as a 149
state fire marshal law enforcement officer on a permanent basis on 150
or after July 1, 1982, who has been awarded a certificate by the 151
executive director of the Ohio peace officer training commission 152
attesting to the person's satisfactory completion of an approved 153
state, county, municipal, or department of natural resources peace 154
officer basic training program; 155

(24) A police officer of a police department of a regional 156
water and sewer district who is appointed under section 6119.63 of 157
the Revised Code. 158

(B) "Undercover drug agent" has the same meaning as in 159
division (B)(2) of section 109.79 of the Revised Code. 160

(C) "Crisis intervention training" means training in the use 161
of interpersonal and communication skills to most effectively and 162
sensitively interview victims of rape. 163

(D) "Missing children" has the same meaning as in section 164
2901.30 of the Revised Code. 165

Sec. 109.73. (A) The Ohio peace officer training commission 166
shall recommend rules to the attorney general with respect to all 167
of the following: 168

(1) The approval, or revocation of approval, of peace officer 169
training schools administered by the state, counties, municipal 170
corporations, public school districts, technical college 171
districts, and the department of natural resources; 172

(2) Minimum courses of study, attendance requirements, and 173

equipment and facilities to be required at approved state, county, 174
municipal, and department of natural resources peace officer 175
training schools; 176

(3) Minimum qualifications for instructors at approved state, 177
county, municipal, and department of natural resources peace 178
officer training schools; 179

(4) The requirements of minimum basic training that peace 180
officers appointed to probationary terms shall complete before 181
being eligible for permanent appointment, which requirements shall 182
include a minimum of fifteen hours of training in the handling of 183
the offense of domestic violence, other types of domestic 184
violence-related offenses and incidents, and protection orders and 185
consent agreements issued or approved under section 2919.26 or 186
3113.31 of the Revised Code; a minimum of six hours of crisis 187
intervention training; and a specified amount of training in the 188
handling of missing children and child abuse and neglect cases; 189
and the time within which such basic training shall be completed 190
following appointment to a probationary term; 191

(5) The requirements of minimum basic training that peace 192
officers not appointed for probationary terms but appointed on 193
other than a permanent basis shall complete in order to be 194
eligible for continued employment or permanent appointment, which 195
requirements shall include a minimum of fifteen hours of training 196
in the handling of the offense of domestic violence, other types 197
of domestic violence-related offenses and incidents, and 198
protection orders and consent agreements issued or approved under 199
section 2919.26 or 3113.31 of the Revised Code, a minimum of six 200
hours of crisis intervention training, and a specified amount of 201
training in the handling of missing children and child abuse and 202
neglect cases, and the time within which such basic training shall 203
be completed following appointment on other than a permanent 204
basis; 205

(6) Categories or classifications of advanced in-service training programs for peace officers, including programs 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, in crisis intervention, and in the handling of missing children and child abuse and neglect cases, and minimum courses of study and attendance requirements with respect to such categories or classifications;	206 207 208 209 210 211 212 213 214
(7) Permitting persons, who are employed as members of a campus police department appointed under section 1713.50 of the Revised Code; <u>who are employed as members of a regional water and sewer district police department appointed under section 6119.63 of the Revised Code</u> ; who are employed as police officers by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code; who are appointed and commissioned as bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions police officers, as railroad police officers, or as hospital police officers pursuant to sections 4973.17 to 4973.22 of the Revised Code; or who are appointed and commissioned as amusement park police officers pursuant to section 4973.17 of the Revised Code, to attend approved peace officer training schools, including the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if the private college or university that established the campus police department; <u>regional water and sewer district police department</u> ; qualified nonprofit corporation police department; bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions; railroad company; hospital; or amusement park sponsoring the police officers pays the entire cost of the training and	215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238

certification and if trainee vacancies are available;	239
(8) Permitting undercover drug agents to attend approved	240
peace officer training schools, other than the Ohio peace officer	241
training academy, and to receive certificates of satisfactory	242
completion of basic training programs, if, for each undercover	243
drug agent, the county, township, or municipal corporation that	244
employs that undercover drug agent pays the entire cost of the	245
training and certification;	246
(9)(a) The requirements for basic training programs for	247
bailiffs and deputy bailiffs of courts of record of this state and	248
for criminal investigators employed by the state public defender	249
that those persons shall complete before they may carry a firearm	250
while on duty;	251
(b) The requirements for any training received by a bailiff	252
or deputy bailiff of a court of record of this state or by a	253
criminal investigator employed by the state public defender prior	254
to June 6, 1986, that is to be considered equivalent to the	255
training described in division (A)(9)(a) of this section.	256
(10) Establishing minimum qualifications and requirements for	257
certification for dogs utilized by law enforcement agencies;	258
(11) Establishing minimum requirements for certification of	259
persons who are employed as correction officers in a full-service	260
jail, five-day facility, or eight-hour holding facility or who	261
provide correction services in such a jail or facility;	262
(12) Establishing requirements for the training of agents of	263
a county humane society under section 1717.06 of the Revised Code,	264
including, without limitation, a requirement that the agents	265
receive instruction on traditional animal husbandry methods and	266
training techniques, including customary owner-performed	267
practices.	268
(B) The commission shall appoint an executive director, with	269

the approval of the attorney general, who shall hold office during 270
the pleasure of the commission. The executive director shall 271
perform such duties assigned by the commission. The executive 272
director shall receive a salary fixed pursuant to Chapter 124. of 273
the Revised Code and reimbursement for expenses within the amounts 274
available by appropriation. The executive director may appoint 275
officers, employees, agents, and consultants as the executive 276
director considers necessary, prescribe their duties, and provide 277
for reimbursement of their expenses within the amounts available 278
for reimbursement by appropriation and with the approval of the 279
commission. 280

(C) The commission may do all of the following: 281

(1) Recommend studies, surveys, and reports to be made by the 282
executive director regarding the carrying out of the objectives 283
and purposes of sections 109.71 to 109.77 of the Revised Code; 284

(2) Visit and inspect any peace officer training school that 285
has been approved by the executive director or for which 286
application for approval has been made; 287

(3) Make recommendations, from time to time, to the executive 288
director, the attorney general, and the general assembly regarding 289
the carrying out of the purposes of sections 109.71 to 109.77 of 290
the Revised Code; 291

(4) Report to the attorney general from time to time, and to 292
the governor and the general assembly at least annually, 293
concerning the activities of the commission; 294

(5) Establish fees for the services the commission offers 295
under sections 109.71 to 109.79 of the Revised Code, including, 296
but not limited to, fees for training, certification, and testing; 297

(6) Perform such other acts as are necessary or appropriate 298
to carry out the powers and duties of the commission as set forth 299
in sections 109.71 to 109.77 of the Revised Code. 300

(D) In establishing the requirements, under division (A)(12) 301
of this section, the commission may consider any portions of the 302
curriculum for instruction on the topic of animal husbandry 303
practices, if any, of the Ohio state university college of 304
veterinary medicine. No person or entity that fails to provide 305
instruction on traditional animal husbandry methods and training 306
techniques, including customary owner-performed practices, shall 307
qualify to train a humane agent for appointment under section 308
1717.06 of the Revised Code. 309

Sec. 109.77. (A) As used in this section, "felony" has the 310
same meaning as in section 109.511 of the Revised Code. 311

(B)(1) Notwithstanding any general, special, or local law or 312
charter to the contrary, and except as otherwise provided in this 313
section, no person shall receive an original appointment on a 314
permanent basis as any of the following unless the person 315
previously has been awarded a certificate by the executive 316
director of the Ohio peace officer training commission attesting 317
to the person's satisfactory completion of an approved state, 318
county, municipal, or department of natural resources peace 319
officer basic training program: 320

(a) A peace officer of any county, township, municipal 321
corporation, regional transit authority, or metropolitan housing 322
authority; 323

(b) A natural resources law enforcement staff officer, park 324
officer, forest officer, preserve officer, wildlife officer, or 325
state watercraft officer of the department of natural resources; 326

(c) An employee of a park district under section 511.232 or 327
1545.13 of the Revised Code; 328

(d) An employee of a conservancy district who is designated 329
pursuant to section 6101.75 of the Revised Code; 330

(e) A state university law enforcement officer;	331
(f) 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;	332 333 334 335
(g) An enforcement agent of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;	336 337 338
(h) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code;	339 340
(i) 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;	341 342 343 344 345 346 347 348 349
<u>(j) 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>	350 351 352
(2) Every person who is appointed on a temporary basis or for a probationary term or on other than a permanent basis as any of the following shall forfeit the appointed position unless the person previously has completed satisfactorily or, within the time prescribed by rules adopted by the attorney general pursuant to section 109.74 of the Revised Code, satisfactorily completes a state, county, municipal, or department of natural resources peace officer basic training program for temporary or probationary officers and is awarded a certificate by the director attesting to	353 354 355 356 357 358 359 360 361

the satisfactory completion of the program:	362
(a) A peace officer of any county, township, municipal corporation, regional transit authority, or metropolitan housing authority;	363 364 365
(b) A natural resources law enforcement staff officer, park officer, forest officer, preserve officer, wildlife officer, or state watercraft officer of the department of natural resources;	366 367 368
(c) An employee of a park district under section 511.232 or 1545.13 of the Revised Code;	369 370
(d) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;	371 372
(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;	373 374 375 376
(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;	377 378 379
(g) A special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code;	380 381
(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;	382 383 384 385 386 387 388 389 390
<u>(i) A police officer of a police department of a regional</u>	391

water and sewer district who is appointed under section 6119.63 of 392
the Revised Code. 393

(3) For purposes of division (B) of this section, a state, 394
county, municipal, or department of natural resources peace 395
officer basic training program, regardless of whether the program 396
is to be completed by peace officers appointed on a permanent or 397
temporary, probationary, or other nonpermanent basis, shall 398
include at least fifteen hours of training in the handling of the 399
offense of domestic violence, other types of domestic 400
violence-related offenses and incidents, and protection orders and 401
consent agreements issued or approved under section 2919.26 or 402
3113.31 of the Revised Code and at least six hours of crisis 403
intervention training. The requirement to complete fifteen hours 404
of training in the handling of the offense of domestic violence, 405
other types of domestic violence-related offenses and incidents, 406
and protection orders and consent agreements issued or approved 407
under section 2919.26 or 3113.31 of the Revised Code does not 408
apply to any person serving as a peace officer on March 27, 1979, 409
and the requirement to complete six hours of training in crisis 410
intervention does not apply to any person serving as a peace 411
officer on April 4, 1985. Any person who is serving as a peace 412
officer on April 4, 1985, who terminates that employment after 413
that date, and who subsequently is hired as a peace officer by the 414
same or another law enforcement agency shall complete the six 415
hours of training in crisis intervention within the time 416
prescribed by rules adopted by the attorney general pursuant to 417
section 109.742 of the Revised Code. No peace officer shall have 418
employment as a peace officer terminated and then be reinstated 419
with intent to circumvent this section. 420

(4) Division (B) of this section does not apply to any person 421
serving on a permanent basis on March 28, 1985, as a park officer, 422
forest officer, preserve officer, wildlife officer, or state 423

watercraft officer of the department of natural resources or as an 424
employee of a park district under section 511.232 or 1545.13 of 425
the Revised Code, to any person serving on a permanent basis on 426
March 6, 1986, as an employee of a conservancy district designated 427
pursuant to section 6101.75 of the Revised Code, to any person 428
serving on a permanent basis on January 10, 1991, as a preserve 429
officer of the department of natural resources, to any person 430
employed on a permanent basis on July 2, 1992, as a special police 431
officer by the department of mental health pursuant to section 432
5119.14 of the Revised Code or by the department of mental 433
retardation and developmental disabilities pursuant to section 434
5123.13 of the Revised Code, to any person serving on a permanent 435
basis on May 17, 2000, as a special police officer employed by a 436
port authority under section 4582.04 or 4582.28 of the Revised 437
Code, to any person serving on a permanent basis on ~~the effective~~ 438
~~date of this amendment~~ March 19, 2003, as a special police officer 439
employed by a municipal corporation at a municipal airport or 440
other municipal air navigation facility described in division 441
(A)(19) of section 109.71 of the Revised Code, to any person 442
serving on a permanent basis on June 19, 1978, as a state 443
university law enforcement officer pursuant to section 3345.04 of 444
the Revised Code and who, immediately prior to June 19, 1978, was 445
serving as a special police officer designated under authority of 446
that section, or to any person serving on a permanent basis on 447
September 20, 1984, as a liquor control investigator, known after 448
June 30, 1999, as an enforcement agent of the department of public 449
safety, engaged in the enforcement of Chapters 4301. and 4303. of 450
the Revised Code. 451

(5) Division (B) of this section does not apply to any person 452
who is appointed as a regional transit authority police officer 453
pursuant to division (Y) of section 306.35 of the Revised Code if, 454
on or before July 1, 1996, the person has completed satisfactorily 455
an approved state, county, municipal, or department of natural 456

resources peace officer basic training program and has been 457
awarded a certificate by the executive director of the Ohio peace 458
officer training commission attesting to the person's satisfactory 459
completion of such an approved program and if, on July 1, 1996, 460
the person is performing peace officer functions for a regional 461
transit authority. 462

(C) No person, after September 20, 1984, shall receive an 463
original appointment on a permanent basis as a veterans' home 464
police officer designated under section 5907.02 of the Revised 465
Code unless the person previously has been awarded a certificate 466
by the executive director of the Ohio peace officer training 467
commission attesting to the person's satisfactory completion of an 468
approved police officer basic training program. Every person who 469
is appointed on a temporary basis or for a probationary term or on 470
other than a permanent basis as a veterans' home police officer 471
designated under section 5907.02 of the Revised Code shall forfeit 472
that position unless the person previously has completed 473
satisfactorily or, within one year from the time of appointment, 474
satisfactorily completes an approved police officer basic training 475
program. 476

(D) No bailiff or deputy bailiff of a court of record of this 477
state and no criminal investigator who is employed by the state 478
public defender shall carry a firearm, as defined in section 479
2923.11 of the Revised Code, while on duty unless the bailiff, 480
deputy bailiff, or criminal investigator has done or received one 481
of the following: 482

(1) Has been awarded a certificate by the executive director 483
of the Ohio peace officer training commission, which certificate 484
attests to satisfactory completion of an approved state, county, 485
or municipal basic training program for bailiffs and deputy 486
bailiffs of courts of record and for criminal investigators 487
employed by the state public defender that has been recommended by 488

the Ohio peace officer training commission; 489

(2) Has successfully completed a firearms training program 490
approved by the Ohio peace officer training commission prior to 491
employment as a bailiff, deputy bailiff, or criminal investigator; 492

(3) Prior to June 6, 1986, was authorized to carry a firearm 493
by the court that employed the bailiff or deputy bailiff or, in 494
the case of a criminal investigator, by the state public defender 495
and has received training in the use of firearms that the Ohio 496
peace officer training commission determines is equivalent to the 497
training that otherwise is required by division (D) of this 498
section. 499

(E)(1) Before a person seeking a certificate completes an 500
approved peace officer basic training program, the executive 501
director of the Ohio peace officer training commission shall 502
request the person to disclose, and the person shall disclose, any 503
previous criminal conviction of or plea of guilty of that person 504
to a felony. 505

(2) Before a person seeking a certificate completes an 506
approved peace officer basic training program, the executive 507
director shall request a criminal history records check on the 508
person. The executive director shall submit the person's 509
fingerprints to the bureau of criminal identification and 510
investigation, which shall submit the fingerprints to the federal 511
bureau of investigation for a national criminal history records 512
check. 513

Upon receipt of the executive director's request, the bureau 514
of criminal identification and investigation and the federal 515
bureau of investigation shall conduct a criminal history records 516
check on the person and, upon completion of the check, shall 517
provide a copy of the criminal history records check to the 518
executive director. The executive director shall not award any 519

certificate prescribed in this section unless the executive 520
director has received a copy of the criminal history records check 521
on the person to whom the certificate is to be awarded. 522

(3) The executive director of the commission shall not award 523
a certificate prescribed in this section to a person who has been 524
convicted of or has pleaded guilty to a felony or who fails to 525
disclose any previous criminal conviction of or plea of guilty to 526
a felony as required under division (E)(1) of this section. 527

(4) The executive director of the commission shall revoke the 528
certificate awarded to a person as prescribed in this section, and 529
that person shall forfeit all of the benefits derived from being 530
certified as a peace officer under this section, if the person, 531
before completion of an approved peace officer basic training 532
program, failed to disclose any previous criminal conviction of or 533
plea of guilty to a felony as required under division (E)(1) of 534
this section. 535

(F)(1) Regardless of whether the person has been awarded the 536
certificate or has been classified as a peace officer prior to, 537
on, or after October 16, 1996, the executive director of the Ohio 538
peace officer training commission shall revoke any certificate 539
that has been awarded to a person as prescribed in this section if 540
the person does either of the following: 541

(a) Pleads guilty to a felony committed on or after January 542
1, 1997; 543

(b) Pleads guilty to a misdemeanor committed on or after 544
January 1, 1997, pursuant to a negotiated plea agreement as 545
provided in division (D) of section 2929.43 of the Revised Code in 546
which the person agrees to surrender the certificate awarded to 547
the person under this section. 548

(2) The executive director of the commission shall suspend 549
any certificate that has been awarded to a person as prescribed in 550

this section if the person is convicted, after trial, of a felony 551
committed on or after January 1, 1997. The executive director 552
shall suspend the certificate pursuant to division (F)(2) of this 553
section pending the outcome of an appeal by the person from that 554
conviction to the highest court to which the appeal is taken or 555
until the expiration of the period in which an appeal is required 556
to be filed. If the person files an appeal that results in that 557
person's acquittal of the felony or conviction of a misdemeanor, 558
or in the dismissal of the felony charge against that person, the 559
executive director shall reinstate the certificate awarded to the 560
person under this section. If the person files an appeal from that 561
person's conviction of the felony and the conviction is upheld by 562
the highest court to which the appeal is taken or if the person 563
does not file a timely appeal, the executive director shall revoke 564
the certificate awarded to the person under this section. 565

(G)(1) If a person is awarded a certificate under this 566
section and the certificate is revoked pursuant to division (E)(4) 567
or (F) of this section, the person shall not be eligible to 568
receive, at any time, a certificate attesting to the person's 569
satisfactory completion of a peace officer basic training program. 570

(2) The revocation or suspension of a certificate under 571
division (E)(4) or (F) of this section shall be in accordance with 572
Chapter 119. of the Revised Code. 573

(H)(1) A person who was employed as a peace officer of a 574
county, township, or municipal corporation of the state on January 575
1, 1966, and who has completed at least sixteen years of full-time 576
active service as such a peace officer may receive an original 577
appointment on a permanent basis and serve as a peace officer of a 578
county, township, or municipal corporation, or as a state 579
university law enforcement officer, without complying with the 580
requirements of division (B) of this section. 581

(2) Any person who held an appointment as a state highway 582

trooper on January 1, 1966, may receive an original appointment on 583
a permanent basis and serve as a peace officer of a county, 584
township, or municipal corporation, or as a state university law 585
enforcement officer, without complying with the requirements of 586
division (B) of this section. 587

(I) No person who is appointed as a peace officer of a 588
county, township, or municipal corporation on or after April 9, 589
1985, shall serve as a peace officer of that county, township, or 590
municipal corporation unless the person has received training in 591
the handling of missing children and child abuse and neglect cases 592
from an approved state, county, township, or municipal police 593
officer basic training program or receives the training within the 594
time prescribed by rules adopted by the attorney general pursuant 595
to section 109.741 of the Revised Code. 596

(J) No part of any approved state, county, or municipal basic 597
training program for bailiffs and deputy bailiffs of courts of 598
record and no part of any approved state, county, or municipal 599
basic training program for criminal investigators employed by the 600
state public defender shall be used as credit toward the 601
completion by a peace officer of any part of the approved state, 602
county, or municipal peace officer basic training program that the 603
peace officer is required by this section to complete 604
satisfactorily. 605

(K) This section does not apply to any member of the police 606
department of a municipal corporation in an adjoining state 607
serving in this state under a contract pursuant to section 737.04 608
of the Revised Code. 609

Sec. 6119.60. As used in sections 6119.60 to 6119.64 of the 610
Revised Code: 611

(A) "Authorizing agreement" means the written agreement 612
entered into between a regional water and sewer district and a 613

political subdivision under section 6119.62 of the Revised Code 614
for the provision of police services within the political 615
subdivision by the police department of the regional water and 616
sewer district. 617

(B) "Felony" has the same meaning as in section 109.511 of 618
the Revised Code. 619

(C) "Political subdivision" means a county, township, or 620
municipal corporation. 621

Sec. 6119.61. Subject to the requirements and limitations 622
established in sections 6119.60 to 6119.64 of the Revised Code, 623
the board of trustees of a regional water and sewer district may 624
establish a police department to provide police services within or 625
at facilities that are owned, operated, or leased by the district 626
within one or more political subdivisions, provided that the 627
district has entered into an authorizing agreement with each 628
political subdivision within which it intends to provide police 629
services. 630

Sec. 6119.62. (A) A regional water and sewer district seeking 631
to establish a police department under sections 6119.60 to 6119.64 632
of the Revised Code shall enter into an authorizing agreement with 633
each political subdivision within which the district intends to 634
provide police services within or at facilities that are owned, 635
operated, or leased by the district. Such an agreement shall be 636
entered into with the chief of police of the political subdivision 637
by the board of trustees of the district and shall apply only to 638
that political subdivision. The district shall enter into a 639
separate authorizing agreement with each political subdivision 640
within which the police department of the district will provide 641
police services. 642

(B) An authorizing agreement may include, but is not limited 643

to, both of the following: 644

(1) An identification of the geographic territory within the 645
political subdivision in which the police department established 646
by the regional water and sewer district may provide police 647
services; 648

(2) Standards and criteria governing the interaction between 649
the police officers employed by the police department established 650
by the district and the law enforcement officers employed by the 651
political subdivision. The standards and criteria may include, but 652
are not limited to, either or both of the following: 653

(a) Provisions governing the reporting of offenses discovered 654
by the police officers employed by the district police department 655
to the police department of the political subdivision; 656

(b) Provisions governing the processing and confinement of 657
persons arrested by police officers employed by the district 658
police department. 659

(C) An authorizing agreement shall not require, or contain 660
any provision granting authority to, the chief of police or any 661
other officer, official, or employee of a political subdivision to 662
appoint, or to approve or disapprove the appointment of, a police 663
officer of a regional water and sewer district police department. 664
An authorizing agreement shall comply with any applicable 665
provisions of the Revised Code and with any charter, ordinance, 666
resolution, or regulation of the applicable political subdivision 667
that may apply to it. 668

Sec. 6119.63. (A) The board of trustees of a regional water 669
and sewer district that establishes a police department under 670
sections 6119.60 to 6119.64 of the Revised Code may appoint and 671
employ persons as police officers of the department. District 672
police officers shall have the power and duty to act as peace 673

officers within or at facilities that are owned, operated, or 674
leased by the district, to protect the regional water and sewer 675
district's property, to preserve the peace, and to enforce all 676
laws of the state and all charter provisions, ordinances, 677
resolutions, and regulations of political subdivisions with which 678
the district has authorizing agreements. 679

No person who is appointed and employed as a police officer 680
under this section shall engage in any duties or activities as a 681
police officer within a political subdivision unless both of the 682
following apply: 683

(1) The person successfully has completed a training program 684
approved by the Ohio peace officer training commission and has 685
been certified by the commission as having successfully completed 686
the training program, or the person previously has successfully 687
completed a police officer basic training program certified by the 688
commission and has been awarded a certificate to that effect by 689
the commission. 690

(2) The regional water and sewer district has entered into an 691
authorizing agreement with the chief of police of the political 692
subdivision. 693

(B) A person who is appointed and employed as a police 694
officer by a regional water and sewer district police department 695
under this section may act as a police officer only to the extent 696
and in the manner described in sections 6119.60 to 6119.64 of the 697
Revised Code and in rules of the district when directly engaged in 698
the discharge of that person's duties as a police officer for the 699
district. Before exercising powers of arrest and other powers and 700
duties of a peace officer, a regional water and sewer district 701
police officer shall take an oath and give bond to the state, in 702
an amount that the board of trustees of the district prescribes, 703
for the proper exercise of those powers. 704

(C)(1) The board of trustees of a regional water and sewer district that establishes a police department shall not appoint a person as a police officer of the department 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. 705
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(2)(a) The board of trustees of a district shall terminate the employment of a police officer of its police department if the police officer does either of the following: 711
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(i) Pleads guilty to a felony; 714

(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 police officer agrees to surrender the certificate awarded to the police officer under section 109.77 of the Revised Code. 715
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(b) The board of trustees of a district shall suspend from employment a police officer of its police department if the police officer is convicted, after trial, of a felony. If the police officer files an appeal from that conviction and the conviction is upheld by the highest court to which the appeal is taken or if the police officer does not file a timely appeal, the board shall terminate the employment of the police officer. If the police officer files an appeal that results in the police officer's acquittal of the felony or conviction of a misdemeanor, or in the dismissal of the felony charge against the police officer, the board shall reinstate the police officer. A police officer who is reinstated under division (B)(2)(b) of this section shall not receive any back pay unless the police officer's conviction of the felony was reversed on appeal, or the felony charge was dismissed, because the court found insufficient evidence to convict the police officer of the felony. 720
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Sec. 6119.64. If a regional water and sewer district 736
establishes a police department under sections 6119.60 to 6119.64 737
of the Revised Code, the district, within the geographical 738
territory of a political subdivision with which the district has 739
entered into an authorizing agreement, concurrently with the 740
political subdivision shall preserve the peace, protect persons 741
and property, enforce the laws of the state, and enforce the 742
charter provisions, ordinances, resolutions, and regulations, as 743
applicable, of the political subdivision that apply within that 744
geographical territory. Except as limited by the terms of the 745
authorizing agreement, a police officer who is appointed and 746
employed by a police department established by a district and who 747
satisfies the requirement established in division (A)(1) of 748
section 6119.63 of the Revised Code is vested, while directly in 749
the discharge of that police officer's duties as a police officer, 750
with the same powers and authority as are vested in a police 751
officer of a political subdivision under Title XXIX of the Revised 752
Code and the Rules of Criminal Procedure and with the same powers 753
and authority, including the operation of a public safety vehicle, 754
as are vested in a police officer of a political subdivision under 755
Chapter 4511. of the Revised Code. In addition, a police officer 756
who is appointed and employed by a police department established 757
by a district may render emergency assistance to another peace 758
officer if there is a threat of imminent physical danger to the 759
peace officer, a threat of physical harm to another person, or any 760
other serious emergency situation and if either the peace officer 761
who is assisted requests emergency assistance or it appears that 762
the peace officer who is assisted is unable to request emergency 763
assistance and the circumstances observed by the regional water 764
and sewer district police officer reasonably indicate that 765
emergency assistance is appropriate. 766

Section 2. That existing sections 109.71, 109.73, and 109.77 767
of the Revised Code are hereby repealed. 768

Section 3. Section 109.77 of the Revised Code is presented in 769
this act as a composite of the section as amended by Am. Sub. H.B. 770
490, Sub. H.B. 545, and H.B. 675 of the 124th General Assembly. 771
The General Assembly, applying the principle stated in division 772
(B) of section 1.52 of the Revised Code that amendments are to be 773
harmonized if reasonably capable of simultaneous operation, finds 774
that the composite is the resulting version of the section in 775
effect prior to the effective date of the section as presented in 776
this act. 777