



Ohio Legislative Service Commission

Bill Analysis

Andrea Holmes

H.B. 38

129th General Assembly
(As Introduced)

Reps. Luckie, Murray, Weddington

BILL SUMMARY

- Imposes the same criminal penalties for assaulting a school security guard as are imposed for assaulting a school teacher.

CONTENT AND OPERATION

Existing law

Continuing law prohibits any person from knowingly causing or attempting to cause physical harm to another or to another's unborn. A person who violates this prohibition is guilty of assault. Assault generally is a first degree misdemeanor, but in a number of specified circumstances it is a felony of the third, fourth, or fifth degree.¹

The penalty for assault is a fifth degree felony if the victim of the offense is a school teacher or administrator or a school bus operator, and the offense occurs in a school, on school premises, in a school building, on a school bus, or while the victim is outside of school premises or a school bus and is engaged in duties or official responsibilities associated with the victim's employment or position as a school teacher or administrator or a school bus operator, including, but not limited to, driving, accompanying, or chaperoning students at or on class or field trips, athletic events, or other school extracurricular activities or functions outside of school premises.²

¹ R.C. 2903.13.

² R.C. 2903.13(C)(2)(e).

Operation of the bill

The bill adds "school security guards" to the list of victims that cause the penalty for assault to increase to a fifth degree felony, if the offense occurs in a school, on school premises, in a school building, on a school bus, or while the victim is outside of school premises or a school bus and is engaged in duties or official responsibilities associated with the victim's employment or position as a school security guard.³

HISTORY

ACTION	DATE
Introduced	01-20-11

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³ R.C. 2903.13(C)(2)(e).

