



Ohio Legislative Service Commission

Bill Analysis

David M. Gold

H.B. 300

130th General Assembly
(As Introduced)

Reps. Antonio, Stinziano, Foley, Rogers, Budish, Gerberry, Ashford, Driehaus, R. Hagan, Lundy, Fedor, Reece, Williams, McGregor, Pelanda, Brown

BILL SUMMARY

- Expands the offense of "ethnic intimidation" to also prohibit the conduct currently specified in the offense when the conduct is committed by reason of another person's or group's disability, gender identity, or sexual orientation.

CONTENT AND OPERATION

The bill expands an existing prohibition that prohibits a person from violating any of a list of specified Revised Code provisions by reason of the race, color, religion, or national origin of another person or group of persons so that the prohibition also prohibits a person from violating any of the list of specified provisions by reason of the "disability," gender identity, or sexual orientation of another person or group of persons. A violation of the expanded prohibition remains the offense of "ethnic intimidation" and is penalized under the current penalty for that offense.

The bill uses the following definition:¹

"Disability" means a physical or mental impairment that substantially limits one or more major life activities, including, but not limited to, the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; a record of a physical or mental impairment; or being regarded as having a physical or mental impairment.

¹ R.C. 2927.12(A)(1) (incorporating R.C. 4112.01(A)(13)), (2), and (3).

"Gender identity" means the gender-related identity, appearance, or mannerisms of an individual, or other gender-related characteristics of an individual, with or without regard to the individual's designated gender at birth.

"Sexual orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality.

The existing prohibition expanded by the bill prohibits a person from committing the offenses of aggravated menacing, menacing, criminal damaging or endangering, criminal mischief, or specified forms of telecommunications harassment by reason of the race, color, religion, or national origin of another person or group of persons. A violation of the prohibition is the offense of "ethnic intimidation," which is penalized as an offense of the next higher degree than the offense the commission of which is a necessary element of ethnic intimidation.²

HISTORY

ACTION	DATE
Introduced	10-16-13

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² R.C. 2927.12(B) and (C).

