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H.B. 20*
136th General Assembly

Bill Analysis

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Version: As Reported by House Public Safety

Primary Sponsors: Reps. T. Hall and Plummer

Courtney McGowan, Attorney

SUMMARY

- Increases the penalty for obstructing official business from a second degree misdemeanor to a first degree misdemeanor under specified circumstances.
- Modifies the offense of menacing by prohibiting certain conduct committed against a probation officer or a family or household member or co-worker of a probation officer.

DETAILED ANALYSIS

Obstructing official business

The bill increases the penalty for obstructing official business from a second degree misdemeanor to a first degree misdemeanor if both of the following apply:¹

- The victim of the offense is an emergency service responder who is engaged in the lawful performance of the responder's legal duty;
- The emergency service responder issued a warning to the person before the person engaged in or continued to engage in any act that hampered or impeded the responder in the performance of the responder's lawful duties when the person did not have the privilege to do so and did so with the purpose of preventing, obstructing, or delaying the responder's performance of any authorized act within the responder's official capacity.

The bill defines the following terms for the purposes of obstructing official business when the victim is an emergency service responder:

* This analysis was prepared before the report of the House Public Safety Committee appeared in the House Journal. Note that the legislative history may be incomplete.

¹ R.C. 2921.31(B) and (C)(2).

“Emergency service responder” means any law enforcement officer, first responder, emergency medical technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic, firefighter, or volunteer firefighter and also includes a probation officer.²

“Warning” means a verbal command made by an emergency service responder through which the emergency service responder commands a person to maintain the person’s distance, to stay away, to back away, to not interfere, or another similar instruction and communicates the verbal command in a manner such that a reasonable person would believe that the person must comply with the verbal command under the circumstances.³

Menacing

The bill modifies current law regarding menacing by including a “probation officer” within the definition of “emergency service responder.” As a result, if a person knowingly places or attempts to place another person in reasonable fear of physical harm or death by displaying a deadly weapon, regardless of whether that deadly weapon displayed is operable or inoperable and either of the following applies, the person is guilty of menacing:⁴

- The other person is a probation officer, the person knows or reasonably should know that the other person is a probation officer, and it is the person’s specified purpose to engage in the specified conduct against a probation officer.
- The other person is a probation officer’s family or household member or co-worker, the person knows or reasonably should know that the other person is a probation officer’s family or household member or co-worker, and it is the person’s specific purpose to engage in the specified conduct against a probation officer’s family or household member or co-worker.

The penalty for menacing under the above-described circumstances is a fourth degree misdemeanor.⁵

The bill defines **“probation officer”** as a probation officer appointed by a municipal court, a county court, or a common pleas court.⁶

² R.C. 2921.31(A)(1) and 2903.22, by reference to R.C. 2903.13, not in the bill.

³ R.C. 2921.31(A)(2).

⁴ R.C. 2903.22(A)(2).

⁵ R.C. 2903.22(B).

⁶ R.C. 2903.22(D)(4).

HISTORY

Action	Date
Introduced	01-27-25
Reported, H. Public Safety	---
