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# OHIO LEGISLATIVE SERVICE COMMISSION

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Office

**H.B. 371**  
**136<sup>th</sup> General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Plummer and Young

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### SUMMARY

- Makes elected officials mandatory reporters of child abuse and neglect.
- Defines an “elected official” as an elected officer of the state or any political subdivision of the state, other than a member of a central committee of a political party.
- Subjects elected officials to the same reporting requirements as other mandatory reporters, except that an elected official must make a report regardless of whether the official is acting in an official or professional capacity or not.

### DETAILED ANALYSIS

#### Elected officials as mandatory reporters

The bill makes elected officials mandatory reporters of child abuse and neglect. Under the bill, an “elected official” is defined as an elected officer of the state or any political subdivision, other than a member of a central committee of a political party.<sup>1</sup>

Under existing law, a mandatory reporter must immediately make a report of child abuse or neglect if:

1. The person is acting in an official or professional capacity; and
2. The person knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under 18 years of age or a person under 21 years of age with a developmental disability or physical impairment, has suffered (or faces a threat of suffering) any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child.

<sup>1</sup> R.C. 2151.421(O)(2).

The person must make the report to the public children services agency (PCSA) or a peace officer in the county in which the child resides or in which the abuse or neglect occurred. If the person making the report is a peace officer, that person must make the report to the PCSA. If the child is an inmate in the custody of a state correctional institution, the person must make the report to the State Highway Patrol.<sup>2</sup>

Under the bill, an elected official is subject to the same reporting requirements as above. However, unlike other mandatory reporters, an elected official is subject to these requirements regardless of whether the elected official is acting in an official or professional capacity. This is the case even if the elected official is also a person who is engaged in a profession that is identified as a mandatory reporter.<sup>3</sup> Under existing law, mandatory reporters include attorneys, health care professionals, administrators and employees of a child care center, teachers and other school employees, employees of various governmental entities, court appointed special advocates, and guardians ad litem.<sup>4</sup>

The bill does not subject elected officials to the criminal penalties under existing law to which other mandatory reporters are subject for a failure to make a report.<sup>5</sup>

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## HISTORY

Action	Date
Introduced	06-18-25

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<sup>2</sup> R.C. 2151.421(A)(1)(a); R.C. 5120.173, not in the bill.

<sup>3</sup> R.C. 2151.421(A)(5)(a) and (b).

<sup>4</sup> R.C. 2151.421(A)(1)(b).

<sup>5</sup> R.C. 2151.99, not in the bill.