



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

Synopsis of House Committee Amendments

(This synopsis does not address amendments that may have been adopted on the House Floor.)

S.B. 33 of the 133rd General Assembly

House Public Utilities

Sarah A. Maki, Attorney

Criminal liability

Imposes increased fines on organizations that are found guilty of “improper organizational involvement with a critical infrastructure facility” rather than on organizations that are guilty of “complicity.”

Creates the offense of “improper organizational involvement with a critical infrastructure facility” which prohibits an organization from knowingly doing either of the following:

1. Directing, authorizing, facilitating, or encouraging a person to commit a specified criminal mischief, criminal trespass, aggravated trespass, making false alarms, or telecommunications harassment offense involving a critical infrastructure facility;
2. Providing compensation to a person for committing a specified criminal mischief, criminal trespass, aggravated trespass, making false alarms, or telecommunications harassment offense involving a critical infrastructure facility.

Civil liability – vicarious liability

Allows a court to hold a person or organization vicariously liable for any judgment a plaintiff obtains against the person who damaged the critical infrastructure facility if the person or organization did either of the following:

1. Directed, authorized, facilitated, or encouraged the person to cause damage to the critical infrastructure facility;
2. Provided compensation to the person for damaging the critical infrastructure facility.

Definitions

Provides that, for purposes of the above criminal and civil liability, “compensation” means money, thing of value, or financial benefit. “Compensation” does not include bail, fines, or court costs.

Provides that, for purposes of criminal mischief, “improperly tamper” means to change the physical location or the physical condition of the property.