



ENACTMENT NEWS

House Bill 38

Aggravated murder – first responders/military member

On December 12, 2018, Governor Kasich signed House Bill 38 (Rep. Greenspan) into law. It passed the Ohio House unanimously on May 17, 2017, and the Ohio Senate unanimously on December 5, 2018. It becomes effective 90 days after the governor signs it.

Existing law includes in the offense of aggravated murder purposely causing the death of a law enforcement officer. R.C. 2903.01 (E). H.B. 38 expands the offense of aggravated murder also to include purposely causing the death of a first responder or a military member whom the offender knows, or has reasonable cause to know, is a first responder or military member, when it is the offender's specific purpose to kill a first responder or military member.

The bill defines "first responder" as an emergency medical service provider, firefighter, or any other emergency response personnel, or anyone who has previously served as a first responder. It defines "military member" as a member of the United States armed forces, reserves, or Ohio national guard, participant in ROTC, JROTC, or any similar military training program, or anyone who has previously served in the military. The bill also expands the existing definition of "law enforcement officer" used in R.C. 2903 to include any federal law enforcement officer (as defined in R.C. 2921.51), and anyone who has previously served as a law enforcement officer.

If a person is convicted of or found guilty of an attempt to commit aggravated murder of a law enforcement officer, first responder, or military member, the court shall impose a mandatory F1 prison term.