

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 22

Representatives LaRe, Wilkin

**Cosponsors: Representatives Riedel, Zeltwanger, Abrams, Cross, Creech, Click,
Stephens, Johnson, Carruthers**

A BILL

To amend section 2921.32 of the Revised Code to 1
expand the offense of obstructing justice to 2
include failure to follow a lawful order from a 3
law enforcement officer or diverting a law 4
enforcement officer's attention. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2921.32 of the Revised Code be 6
amended to read as follows: 7

Sec. 2921.32. (A) No person, with purpose to hinder the 8
discovery, apprehension, prosecution, conviction, or punishment 9
of another for crime or to assist another to benefit from the 10
commission of a crime, and no person, with purpose to hinder the 11
discovery, apprehension, prosecution, adjudication as a 12
delinquent child, or disposition of a child for an act that if 13
committed by an adult would be a crime or to assist a child to 14
benefit from the commission of an act that if committed by an 15
adult would be a crime, shall do any of the following: 16

(1) Harbor or conceal the other person or child; 17

(2) Provide the other person or child with money, 18
transportation, a weapon, a disguise, or other means of avoiding 19
discovery or apprehension; 20

(3) Warn the other person or child of impending discovery 21
or apprehension; 22

(4) Destroy or conceal physical evidence of the crime or 23
act, or induce any person to withhold testimony or information 24
or to elude legal process summoning the person to testify or 25
supply evidence; 26

(5) Communicate false information to any person; 27

(6) Prevent or obstruct any person, by means of force, 28
intimidation, or deception, from performing any act to aid in 29
the discovery, apprehension, or prosecution of the other person 30
or child; 31

(7) Fail to follow a lawful order from a law enforcement 32
officer. 33

(B) No person shall do any of the following to a law 34
enforcement officer in the performance of the law enforcement 35
officer's duties with reckless disregard as to whether the 36
action diverts or obstructs the law enforcement officer's 37
attention: 38

(1) Taunt or strike the law enforcement officer; 39

(2) Throw an object or substance at a law enforcement 40
officer; 41

(3) Interfere with or obstruct a law enforcement officer 42
in a manner that does any of the following: 43

(a) Inhibits or restricts the law enforcement officer's 44

control of a subject or detainee; 45

(b) Deprives the law enforcement officer of control of a 46
subject or detainee; 47

(c) Without the consent of the law enforcement officer, 48
enters, or places an object or substance into, a space around 49
the law enforcement officer that is large enough that no person 50
outside of the area can reach the law enforcement officer and 51
the law enforcement officer cannot reach a person outside of the 52
area. 53

(C) A person may be prosecuted for, and may be convicted 54
of or adjudicated a delinquent child for committing, a violation 55
of division (A) of this section regardless of whether the person 56
or child aided ultimately is apprehended for, is charged with, 57
is convicted of, pleads guilty to, or is adjudicated a 58
delinquent child for committing the crime or act the person or 59
child aided committed. The crime or act the person or child 60
aided committed shall be used under division (C) of this section 61
in determining the penalty for the violation of division (A) of 62
this section, regardless of whether the person or child aided 63
ultimately is apprehended for, is charged with, is convicted of, 64
pleads guilty to, or is adjudicated a delinquent child for 65
committing the crime or act the person or child aided committed. 66

~~(C)(1)~~ (D)(1) Whoever violates this section is guilty of 67
obstructing justice. 68

(2) If the crime committed by the person aided is a 69
misdemeanor or if the act committed by the child aided would be 70
a misdemeanor if committed by an adult, obstructing justice is a 71
misdemeanor of the same degree as the crime committed by the 72
person aided or a misdemeanor of the same degree that the act 73

committed by the child aided would be if committed by an adult. 74

(3) Except as otherwise provided in divisions ~~(C) (4)~~ (D) 75
(4), (5), and (6) of this section, if the crime committed by the 76
person aided is a felony or if the act committed by the child 77
aided would be a felony if committed by an adult, obstructing 78
justice is a felony of the fifth degree. 79

(4) Except as otherwise provided in division ~~(C) (6)~~ (D) (6) 80
of this section, if the crime committed by the person aided 81
under division (A) of this section is aggravated murder, murder, 82
or a felony of the first or second degree or if the act 83
committed by the child aided would be one of those offenses if 84
committed by an adult and if the offender knows or has reason to 85
believe that the crime committed by the person aided is one of 86
those offenses or that the act committed by the child aided 87
would be one of those offenses if committed by an adult, 88
obstructing justice is a felony of the third degree. 89

(5) If the crime or act committed under division (A) of 90
this section by the person or child aided is an act of 91
terrorism, obstructing justice is one of the following: 92

(a) Except as provided in division ~~(C) (5) (b)~~ (D) (5) (b) of 93
this section, a felony of the second degree; 94

(b) If the act of terrorism resulted in the death of a 95
person who was not a participant in the act of terrorism, a 96
felony of the first degree. 97

(6) If the crime committed by the person under division 98
(A) of this section is trafficking in persons or if the act 99
committed by the child aided would be trafficking in persons if 100
committed by an adult, obstructing justice is a felony of the 101
second degree. 102

(D) <u>(E)</u> As used in this section:	103
(1) "Adult" and "child" have the same meanings as in section 2151.011 of the Revised Code.	104 105
(2) "Delinquent child" has the same meaning as in section 2152.02 of the Revised Code.	106 107
(3) "Act of terrorism" has the same meaning as in section 2909.21 of the Revised Code.	108 109
Section 2. That existing section 2921.32 of the Revised Code is hereby repealed.	110 111