



H.B. 231*

126th General Assembly

(As Reported by H. Transportation, Public Safety, and Homeland Security)

Reps. Mason, McGregor, Otterman, Allen, Brown, Chandler, Williams, Carano, S. Smith, Bocchieri, Fende, Driehaus, Ujvagi, Harwood, Oelslager, C. Evans, Key, S. Patton, DeBose, Collier, Reidelbach, Yuko, Beatty

BILL SUMMARY

- Prohibits a person from knowingly discharging a laser or other device that creates visible light into the cockpit of an aircraft under specified conditions.
- Establishes that violation of the bill's prohibition is interfering with the operation of an aircraft with a laser, a felony of the second degree.
- Adds a violation of the bill's prohibition to the list of "specified offenses" that constitute an "act of terrorism" under conditions defined under existing law.
- Defines "laser."

CONTENT AND OPERATION

Prohibition against discharging a laser

The bill defines "laser" (definition below) and prohibits any person from knowingly discharging a laser or other device that creates visible light into the cockpit of an aircraft that is in the process of taking off or landing or is in flight. Violation of the bill's prohibition is "interfering with the operation of an aircraft with a laser," which the bill establishes as a felony of the second degree. (R.C. 2909.081(A).)

** This analysis was prepared before the report of the House Transportation, Public Safety, and Homeland Security Committee appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

Violating the bill's prohibition against discharging a laser into the cockpit of an aircraft also constitutes an act of terrorism. The bill adds the violation "interfering with the operation of an aircraft with a laser" to the list of offenses that are designated as "specified" offenses which, under particular circumstances, are an "act of terrorism." (R.C. 2909.21(E).) The circumstances under which the offenses constitute an "act of terrorism" are set forth in existing law's definition of "act of terrorism," discussed below. The bill makes existing law on terrorism applicable to any person who commits the acts the bill prohibits. This includes the making of a threat, soliciting, or providing support for the acts, actual commission of the acts, as well as reimbursement to the state of all costs the state incurs if the person is found guilty.

Act of terrorism

Under continuing law, "act of terrorism" means an act that is committed within or outside the territorial jurisdiction of this state or the United States, that constitutes a specified offense if committed in this state or constitutes an offense in any jurisdiction within or outside the territorial jurisdiction of the United States containing all of the essential elements of a specified offense, and that is intended to do one or more of the following:

- (1) Intimidate or coerce a civilian population;
- (2) Influence the policy of any government by intimidation or coercion;
- (3) Affect the conduct of any government by the act that constitutes the offense. (R.C. 2909.21(A).)

Laser defined

Under the bill, "laser" means both of the following:

- (1) Any device that utilizes the natural oscillations of atoms or molecules between energy levels for generating coherent electromagnetic radiation in the ultraviolet, visible, or infrared region of the spectrum and when discharged exceeds one milliwatt continuous wave;
- (2) Any device designed or used to amplify electromagnetic radiation by simulated emission that is visible to the human eye. (R.C. 2909.081(B).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced Reported, H. Transportation, Public Safety, & Homeland Security	05-03-05 ---	p. 735 ---

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