



H.B. 374

126th General Assembly
(As Introduced)

Reps. Hughes, Latta, Webster, Allen, Flowers, Uecker, D. Evans, J. McGregor, Skindell, Brown, Fende, Sayre, Combs, Otterman, Ujvagi, Wagoner, Yuko, Chandler, Barrett, Strahorn

BILL SUMMARY

- Repeals the current Block Parent Program administered by the State Board of Education, effective July 1, 2007, and replaces it with the McGruff House Program, administered by the Division of Criminal Justice Services.
- Specifies that the offense of unauthorized use of a block parent symbol only applies prior to the bill's repeal of the Block Parent Program.
- Creates the offense of "unauthorized use of a McGruff House symbol," effective July 1, 2007, to replace the offense of "unauthorized use of block parent symbol."
- Requires the destruction of all current Block Parent symbols not later than July 10, 2007.

CONTENT AND OPERATION

Block Parent Program

Current law

Under current law, a program in which individuals or families volunteer to have their homes or other buildings serve as places of temporary refuge for children and display a symbol identifying the home or building as such a safe place is known as a Block Parent Program. The State Board of Education is currently responsible for adopting rules for Block Parent Programs established by school district boards of education and educational service center governing boards. These rules include the adoption of a block parent symbol, the selection of

volunteers to participate in the programs, and any other necessary rules. If a board of education establishes a Block Parent Program, it must allow any chartered nonpublic school to participate and request technical assistance from the State Board. A board of education may also request the assistance of law enforcement authorities with jurisdiction in the school district in checking the criminal records of individuals and families that volunteer to participate in the program. (R.C. 3301.076 or 3313.206.)

A municipal or township police department, township police district, or county sheriff's department may also use the block parent symbol if the department or district establishes, sponsors, or maintains such a program, and if the department or district notifies the State Board of its intent to use the symbol and comply with the State Board's rules.

The State Board also must distribute materials and provide technical assistance to boards of education and governing boards, participating chartered nonpublic schools, volunteer groups providing assistance to boards of education and educational service center governing boards, and to police departments or county sheriff's departments that sponsor block parent programs. (R.C. 3301.076.)

The bill

The bill repeals current law's Block Parent Program, effective July 1, 2007. On that date, the duty of the State Board of Education to adopt rules regarding the Block Parent Program and any other responsibilities of the State Board for the Program cease to exist. Also, any Block Parent Program that is established, sponsored, or maintained prior to July 1, 2007, and that is in existence on June 30, 2007, ceases to exist on July 1, 2007. Any chartered nonpublic school, volunteer, agency, or entity that participates in the Block Parent Program must cease participating in that Program on July 1, 2007. (Repealed R.C. 3301.076, 3313.206, Section 3(A), and Section 4(B) and (C).)

The bill also specifies that not later than June 30, 2007, any municipal or township police department, township police district, county sheriff's department, other law enforcement agency, chartered nonpublic school, volunteer, or entity that is using the Block Parent symbol must stop using that symbol and must remove the symbol or cause its removal from any house or building in which it is displayed by that department, district, agency, school, volunteer, or entity. The department, district, agency, school, volunteer, or entity must immediately return all of the Block Parent symbols to the appropriate board of education or other entity. The board of education or other entity must destroy all of those returned symbols and any other symbols possessed by the board or entity. If a municipal or township police department, township police district, county sheriff's department, other law enforcement agency, chartered nonpublic school, or other entity that is

using the Block Parent symbol also established or is sponsoring or maintaining the Block Parent program in which the symbol is used, the department, district, agency, school, or entity must destroy all of the symbols. The destruction of all symbols must be made not later than July 10, 2007. (Section 4(C)(2) and (3).)

McGruff House Program

To replace the Block Parent Program, the bill requires the Division of Criminal Justice Services to adopt rules for the establishment and maintenance of a McGruff House Program by any sponsoring agency. It must adopt the rules on or after April 1, 2007, but not later than June 1, 2007. The rules are subject to the approval of the Director of Public Safety. The rules must include all of the following (R.C. 5502.62(B)(18)(a) and Section 4(B)) (see "Definitions," below for applicable definitions):

- (1) The adoption of the McGruff House symbol to be used exclusively in all McGruff House programs in Ohio;
- (2) The requirements for any sponsoring agency to establish and maintain a McGruff House Program;
- (3) The criteria for the selection of volunteers to participate in a McGruff House Program that must include, but not be limited to, criminal background checks of those volunteers;
- (4) Any other matters that the Division of Criminal Justice Services considers necessary for the establishment and maintenance of McGruff House programs by sponsoring agencies and the participation of volunteers in those programs.

The bill additionally specifies that the Division of Criminal Justice Services must distribute materials and provide technical assistance to any sponsoring agency that establishes and maintains a McGruff House Program, any volunteer group or organization that provides assistance to that sponsoring agency, or any volunteer who participates in a McGruff House Program (R.C. 5502.62(B)(18)(b)).

The bill specifies that these provisions take effect April 1, 2007, and the rules adopted by the Division of Criminal Justice Services for the establishment of the McGruff House Program take effect July 1, 2007 (Section 3(B) and Section 4(B)).

Definitions

"McGruff House Program" means a program in which individuals or families volunteer to have their homes or other buildings serve as places of temporary refuge for children and to display the McGruff House symbol identifying the home or building as that type of place (R.C. 5502.61(J)).

"McGruff House symbol" means the symbol that is characterized by the image of "McGruff," the crime dog, and the slogan "take a bite out of crime," and that has been adopted by the National Crime Prevention Council as the symbol of its National Citizens' Crime Prevention campaign (R.C. 5502.61(K)).

"Sponsoring agency" means any of the following (R.C. 5502.61(L)):

- (1) The board of education of any city, local, or exempted village school district;
- (2) The governing board of any educational service center;
- (3) The governing authority of any chartered nonpublic school;
- (4) The police department of any municipal corporation, township, township police district, or joint township police district;
- (5) The office of any township constable or county sheriff.

Unauthorized use of a block parent symbol

Current law

Current law prohibits a person, with intent to identify a building as a block parent home or building, from either displaying the block parent symbol without proper authorization or displaying a symbol that falsely gives the appearance of being the block parent symbol. A violation of either of these prohibitions is the offense of unauthorized use of a block parent symbol, a minor misdemeanor. (R.C. 2917.46(A), (B), and (E).)

The bill

The bill specifies that the above prohibition only applies prior to the bill's repeal of the Block Parent Program. The bill's amendment of this prohibition takes effect July 1, 2007. (R.C. 2917.46(A) and (B) and Section 3(A).)

Unauthorized use of a McGruff house symbol

The bill creates the offense of "unauthorized use of a McGruff House symbol," a minor misdemeanor. A person commits this offense if the person, with intent to identify a home or building as a McGruff House Program home or building, displays the McGruff House symbol without proper authorization or displays a symbol that falsely gives the appearance of being the McGruff House symbol. This new prohibition takes effect July 1, 2007. (R.C. 2917.46(C) and (D) and Section 3(A).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	10-11-05	p. 1716

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