



OHIO LEGISLATIVE SERVICE COMMISSION

Sub. Bill Comparative Synopsis

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Sub. H.B. 228

132nd General Assembly
(H. Federalism and Interstate Relations)

This table summarizes how H.B. 228 (As Introduced) differs from a substitute version of the bill, L_132_0595-7. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

| Topic | Previous Version (As Introduced) | Sub. Version (L_132_0595-7) |
|---|-------------------------------------|--|
| Elimination of requirement to carry valid identification | No provision. | Eliminates the requirement that a concealed handgun licensee carry valid identification when in possession of a concealed handgun, but retains the existing requirement that the concealed handgun licensee carry a valid concealed handgun license (<i>R.C. 2923.126(A)</i>). |
| State preemption of local firearm regulations and related remedies | No provision. | <p>Specifies that any local firearm regulation that interferes with an individual's right to bear arms, inhibits individuals from protecting themselves, their families, or others from intruders and attackers, or otherwise inhibits the legitimate use of firearms is preempted by the state of Ohio (<i>R.C. 9.68(A)</i>).</p> <p>Specifies that a person, group, or entity that is adversely affected by the enactment or enforcement of a local firearm ordinance, rule,</p> |

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|-------|-------------------------------------|--|
| | | <p>regulation, resolution, practice, or other action enacted or enforced by a political subdivision in conflict with the previous paragraph may bring a civil action and be awarded actual damages, declaratory relief, injunctive relief, or a combination thereof <i>(R.C. 9.68(B))</i>.</p> <p>Requires any damages awarded to be awarded against, and paid by, the political subdivision and requires the award of reasonable expenses (in addition to actual damages) if the person, group, or entity prevails in their civil action or if the ordinance, rule, regulation, resolution, practice, or action or the manner of its enforcement is repealed or rescinded prior to a final determination of the civil action <i>(R.C. 9.68(B))</i>.</p> <p>Defines a person, group, or entity adversely affected as the following: (1) a person with standing to bring the civil action, (2) an Ohio resident who may legally possess a firearm, or (3) a membership organization, group, or entity with at least one member who has standing to bring the civil action or who may legally possess a firearm <i>(R.C. 9.68(C))</i>.</p> <p>Expands the list of firearm activities the state may regulate to include manufacture, taxation, keeping, and reporting of loss or theft of firearms, their components, and their ammunition <i>(R.C. 9.68(A))</i>.</p> <p>Expands the scope of the right to bear arms to include the right to acquire, carry, sell, and manufacture <i>(R.C. 9.68(A))</i>.</p> |



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| Firearm restrictions in subsidized residential premises leases | No provision. | <p>Generally bars a rental agreement for "subsidized residential premises" (a defined term) from requiring a tenant to agree to a prohibition or restriction on the lawful ownership, use, or possession of a firearm, a firearm component, or ammunition within the tenant's rental dwelling unit (<i>R.C. 5321.01(P) and 5321.13(G)(1)</i>).</p> <p>Allows a landlord to impose reasonable restrictions on the possession, use, or transport of a firearm, a firearm component, or ammunition within common areas if they do not circumvent the purpose of the provision described in the previous paragraph (<i>R.C. 5321.13(G)(1)</i>).</p> <p>Requires a tenant to exercise reasonable care in storing a firearm, a firearm component, or ammunition (<i>R.C. 5321.13(G)(1)</i>).</p> <p>Provides a civil action for recovery of damages, court costs, and reasonable attorney's fees against a landlord who brings an action to enforce a rental agreement provision barred by the provisions described in the first paragraph (<i>R.C. 5321.13(G)(2)</i>).</p> <p>Provides a landlord with civil immunity with respect to an occurrence involving a firearm, a firearm component, or ammunition that the landlord is required under the bill to allow on the property (<i>R.C. 5321.13(G)(3)</i>).</p> <p>Specifies that the bill's provisions do not apply to, limit, or affect any prohibition or restriction</p> |



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| | | required by any Ohio or federal law, rule, or regulation (<i>R.C. 5321.13(G)(4)</i>). |
| Affirmative defense to improperly handling firearms in a motor vehicle | No provision. | Adds an affirmative defense to the charge of improperly handling firearms in a motor vehicle which applies if: (1) the firearm was a handgun, (2) the handgun was placed in the motor vehicle by an individual other than the defendant, and (3) the defendant did not know or have reason to know that the handgun was placed in the motor vehicle (<i>R.C. 2923.16(G)(3)</i>). |

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