

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 242**

**Senator LaRose**

**Cosponsors: Senators Uecker, Eklund, Jordan, Obhof**

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**A BILL**

To amend sections 2923.18 and 2923.20 of the  
Revised Code to eliminate the prohibition  
against manufacturing, possessing for sale,  
selling, or furnishing certain weapons other  
than firearms or dangerous ordnance.

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

**Section 1.** That sections 2923.18 and 2923.20 of the  
Revised Code be amended to read as follows:

**Sec. 2923.18.** (A) Upon application to the sheriff of the  
county or safety director or police chief of the municipality  
where the applicant resides or has ~~his~~ the applicant's principal  
place of business, and upon payment of the fee specified in  
division (B) of this section, a license or temporary permit  
shall be issued to qualified applicants to acquire, possess,  
carry, or use dangerous ordnance, for the following purposes:

(1) Contractors, wreckers, ~~quarrymen~~ quarriers, mine  
operators, and other persons regularly employing explosives in  
the course of a legitimate business, with respect to explosives  
and explosive devices acquired, possessed, carried, or used in

the course of such business; 19

(2) Farmers, with respect to explosives and explosive 20  
devices acquired, possessed, carried, or used for agricultural 21  
purposes on lands farmed by them; 22

(3) Scientists, engineers, and instructors, with respect 23  
to dangerous ordnance acquired, possessed, carried, or used in 24  
the course of bona fide research or instruction; 25

(4) Financial institution and armored car company guards, 26  
with respect to automatic firearms lawfully acquired, possessed, 27  
carried, or used by any such person while acting within the 28  
scope of ~~his~~ the person's duties; 29

(5) In the discretion of the issuing authority, any 30  
responsible person, with respect to dangerous ordnance lawfully 31  
acquired, possessed, carried, or used for a legitimate research, 32  
scientific, educational, industrial, or other proper purpose. 33

(B) Application for a license or temporary permit under 34  
this section shall be in writing under oath to the sheriff of 35  
the county or safety director or police chief of the 36  
municipality where the applicant resides or has ~~his~~ the 37  
applicant's principal place of business. The application shall 38  
be accompanied by an application fee of fifty dollars when the 39  
application is for a license, and an application fee of five 40  
dollars when the application is for a temporary permit. The fees 41  
shall be paid into the general revenue fund of the county or 42  
municipality. The application shall contain the following 43  
information: 44

(1) The name, age, address, occupation, and business 45  
address of the applicant, if ~~he~~ the applicant is a natural 46  
person, or the name, address, and principal place of business of 47

the applicant, if the applicant is a corporation;	48
(2) A description of the dangerous ordnance for which a permit is requested;	49 50
(3) A description of the place or places where and the manner in which the dangerous ordnance is to be kept, carried, and used;	51 52 53
(4) A statement of the purposes for which the dangerous ordnance is to be acquired, possessed, carried, or used;	54 55
(5) Such other information, as the issuing authority may require in giving effect to this section.	56 57
(C) Upon investigation, the issuing authority shall issue a license or temporary permit only if all of the following apply:	58 59 60
(1) The applicant is not otherwise prohibited by law from acquiring, having, carrying or using dangerous ordnance;	61 62
(2) The applicant is age twenty-one or over, if <del>he</del> <u>the applicant</u> is a natural person;	63 64
(3) It appears that the applicant has sufficient competence to safely acquire, possess, carry, or use the dangerous ordnance, and that proper precautions will be taken to protect the security of the dangerous ordnance and ensure the safety of persons and property;	65 66 67 68 69
(4) It appears that the dangerous ordnance will be lawfully acquired, possessed, carried, and used by the applicant for a legitimate purpose.	70 71 72
(D) The license or temporary permit shall identify the person to whom it is issued, identify the dangerous ordnance	73 74

involved and state the purposes for which the license or 75  
temporary permit is issued, state the expiration date, if any, 76  
and list such restrictions on the acquisition, possession, 77  
carriage, or use of the dangerous ordnance as the issuing 78  
authority considers advisable to protect the security of the 79  
dangerous ordnance and ensure the safety of persons and 80  
property. 81

(E) A temporary permit shall be issued for the casual use 82  
of explosives and explosive devices, and other consumable 83  
dangerous ordnance, and shall expire within thirty days of its 84  
issuance. A license shall be issued for the regular use of 85  
consumable dangerous ordnance, or for any ~~nonconsumable~~ 86  
nonconsumable dangerous ordnance, which license need not specify 87  
an expiration date, but the issuing authority may specify such 88  
expiration date, not earlier than one year from the date of 89  
issuance, as it considers advisable in view of the nature of the 90  
dangerous ordnance and the purposes for which the license is 91  
issued. 92

(F) The dangerous ordnance specified in a license or 93  
temporary permit may be obtained by the holder anywhere in the 94  
state. The holder of a license may use such dangerous ordnance 95  
anywhere in the state. The holder of a temporary permit may use 96  
such dangerous ordnance only within the territorial jurisdiction 97  
of the issuing authority. 98

(G) The issuing authority shall forward to the state fire 99  
marshal a copy of each license or temporary permit issued 100  
pursuant to this section, and a copy of each record of a 101  
transaction in dangerous ordnance and of each report of lost or 102  
stolen dangerous ordnance, given to the local law enforcement 103  
authority as required by divisions (A) ~~(4)~~ (3) and ~~(5)~~ (4) of 104

section 2923.20 of the Revised Code. The state fire marshal 105  
shall keep a permanent file of all licenses and temporary 106  
permits issued pursuant to this section, and of all records of 107  
transactions in, and losses or thefts of dangerous ordnance 108  
forwarded by local law enforcement authorities pursuant to this 109  
section. 110

**Sec. 2923.20.** (A) No person shall: 111

(1) Recklessly sell, lend, give, or furnish any firearm to 112  
any person prohibited by section 2923.13 or 2923.15 of the 113  
Revised Code from acquiring or using any firearm, or recklessly 114  
sell, lend, give, or furnish any dangerous ordnance to any 115  
person prohibited by section 2923.13, 2923.15, or 2923.17 of the 116  
Revised Code from acquiring or using any dangerous ordnance; 117

(2) Possess any firearm or dangerous ordnance with purpose 118  
to dispose of it in violation of division (A) of this section; 119

~~(3) Manufacture, possess for sale, sell, or furnish to any 120  
person other than a law enforcement agency for authorized use in 121  
police work, any brass knuckles, cestus, billy, blackjack, 122  
sandbag, switchblade knife, springblade knife, gravity knife, or 123  
similar weapon; 124~~

~~(4) When transferring any dangerous ordnance to another, 125  
negligently fail to require the transferee to exhibit such 126  
identification, license, or permit showing ~~him~~ the transferee to 127  
be authorized to acquire dangerous ordnance pursuant to section 128  
2923.17 of the Revised Code, or negligently fail to take a 129  
complete record of the transaction and forthwith forward a copy 130  
of that record to the sheriff of the county or safety director 131  
or police chief of the municipality where the transaction takes 132  
place; 133~~

~~(5)~~(4) Knowingly fail to report to law enforcement 134  
authorities forthwith the loss or theft of any firearm or 135  
dangerous ordnance in the person's possession or under the 136  
person's control. 137

(B) Whoever violates this section is guilty of unlawful 138  
transactions in weapons. A violation of division (A) (1) or (2) 139  
of this section is a felony of the fourth degree. A violation of 140  
division (A) (3) ~~or (4)~~ of this section is a misdemeanor of the 141  
second degree. A violation of division (A) ~~(5)~~(4) of this 142  
section is a misdemeanor of the fourth degree. 143

**Section 2.** That existing sections 2923.18 and 2923.20 of 144  
the Revised Code are hereby repealed. 145