

As Introduced

132nd General Assembly

Regular Session

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S. B. No. 260

Senators Skindell, Tavares

Cosponsors: Senators Brown, Yuko, Thomas, Williams, Sykes

A BILL

To amend section 109.52 and to enact sections 1
109.67 and 2923.171 of the Revised Code to 2
prohibit a person from knowingly possessing or 3
acquiring an assault weapon and to require the 4
Attorney General to prepare for the 5
establishment of a firearm and ammunition 6
transactions database. 7

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

Section 1. That section 109.52 be amended and sections 8
109.67 and 2923.171 of the Revised Code be enacted to read as 9
follows: 10

Sec. 109.52. The bureau of criminal identification and 11
investigation may operate and maintain a criminal analysis 12
laboratory and mobile units thereof, create a staff of 13
investigators and technicians skilled in the solution and 14
control of crimes and criminal activity, keep statistics and 15
other necessary data, maintain a firearm and ammunition 16
transactions database, assist in the prevention of crime, and 17
engage in such other activities as will aid law enforcement 18

officers in solving crimes and controlling criminal activity. 19

Sec. 109.67. The attorney general shall prepare for the 20
establishment and operation of a firearm and ammunition 21
transactions database that will be maintained by the bureau of 22
criminal identification and investigation. The attorney general 23
shall establish the database in conformity with the requirements 24
of any act that is enacted by the general assembly. 25

Sec. 2923.171. (A) No person shall knowingly possess or 26
acquire any assault weapon. 27

(B) Division (A) of this section does not apply to any of 28
the following: 29

(1) Officers, agents, or employees of this or any other 30
state or the United States, members of the armed forces of the 31
United States or the organized militia of this or any other 32
state, and law enforcement officers to the extent that the 33
officer, agent, employee, or member is authorized to possess or 34
acquire an assault weapon and is acting within the scope of the 35
officer's, agent's, employee's, or member's duties; 36

(2) A manufacturer or importer of assault weapons that is 37
licensed as a licensed manufacturer or licensed importer under 38
the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 1921 et 39
seq., and any amendments or additions thereto or reenactments 40
thereof; 41

(3) Carriers, warehouses, and others engaged in the 42
business of transporting or storing firearms for hire, with 43
respect to assault weapons lawfully transported or stored in the 44
usual course of business and in compliance with the laws of this 45
state and applicable federal law. 46

(C) Whoever violates division (A) of this section is 47

guilty of unlawful possession of an assault weapon, a felony of 48
the fifth degree. 49

(D) As used in this section, "assault weapon" means an 50
automatic firearm that has not been rendered permanently 51
inoperable, a semi-automatic firearm capable of accepting a 52
detachable magazine with the capacity to accept ten or more 53
cartridges, and a semi-automatic firearm with a fixed magazine 54
with the capacity to accept ten or more cartridges. 55

Section 2. That existing section 109.52 of the Revised 56
Code is hereby repealed. 57