A BILL

To enact section 2923.191 of the Revised Code to prohibit negligent storage of a firearm and to provide criminal penalties if a minor gains access to an improperly stored firearm.

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

Section 1. That section 2923.191 of the Revised Code be enacted to read as follows:

Sec. 2923.191. (A)(1) No person shall store or leave a firearm in a manner or location in the person's residence where the person knows or reasonably should know a minor is able to gain access to the firearm.

(2)(a) This section does not apply to a person who stores or leaves a firearm in the person's residence if the firearm is kept in safe storage or equipped with a tamper-resistant mechanical lock or other safety device that is properly engaged so as to render the weapon inoperable by any person other than the owner of the firearm or any other lawfully authorized user of the firearm.
(b) This section does not apply to a person who stores or leaves a firearm in the person's residence if a minor gains access to the firearm as a result of any other person's unlawful entry into the person's residence.

(B)(1) Whoever violates this section is guilty of criminally negligent storage of a firearm if a minor gains access to the firearm as a result of the violation without the lawful permission of the minor's parent, guardian, or custodian.

(2) Except as provided in division (B)(3) of this section, a violation of this section is a misdemeanor of the third degree.

(3) If the minor gains access to the firearm as a result of the violation and, without the lawful permission of the minor's parent, guardian, or custodian, uses the firearm to cause personal injury or death, other than in self-defense, a violation of this section is a felony of the first degree.

(C) Nothing in this section prohibits a person who is in the person's residence from carrying a firearm on the person's person or placing a firearm in a location that is under the person's immediate control.