

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

H. B. No. 647

Representative Strahorn

A BILL

To amend section 2923.20 of the Revised Code to
prohibit the manufacture or possession for sale
of high-capacity magazines except for authorized
use by law enforcement agencies or for federal
military purposes.

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

Section 1. That section 2923.20 of the Revised Code be
amended to read as follows:

Sec. 2923.20. (A) No person shall do any of the following:

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

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

(3) Except as otherwise provided in division (B) of this
section, knowingly solicit, persuade, encourage, or entice a

federally licensed firearms dealer or private seller to transfer 19
a firearm or ammunition to any person in a manner prohibited by 20
state or federal law; 21

(4) Except as otherwise provided in division (B) of this 22
section, with an intent to deceive, knowingly provide materially 23
false information to a federally licensed firearms dealer or 24
private seller; 25

(5) Except as otherwise provided in division (B) of this 26
section, knowingly procure, solicit, persuade, encourage, or 27
entice a person to act in violation of division (A) (3) or (4) of 28
this section; 29

(6) Manufacture, possess for sale, sell, or furnish to any 30
person other than a law enforcement agency for authorized use in 31
police work, any brass knuckles, cestus, billy, blackjack, 32
sandbag, switchblade knife, springblade knife, gravity knife, or 33
similar weapon; 34

(7) When transferring any dangerous ordnance to another, 35
negligently fail to require the transferee to exhibit such 36
identification, license, or permit showing the transferee to be 37
authorized to acquire dangerous ordnance pursuant to section 38
2923.17 of the Revised Code, or negligently fail to take a 39
complete record of the transaction and forthwith forward a copy 40
of that record to the sheriff of the county or safety director 41
or police chief of the municipality where the transaction takes 42
place; 43

(8) Knowingly fail to report to law enforcement 44
authorities forthwith the loss or theft of any firearm or 45
dangerous ordnance in the person's possession or under the 46
person's control; 47

(9) Except as otherwise provided in division (B) of this section, purposely purchase, manufacture, possess for sale, sell, or furnish a high-capacity magazine. 48
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(B) (1) Divisions (A) (3), (4), and (5) of this section do not apply to any of the following: 51
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~~(1)~~ (a) A law enforcement officer who is acting within the scope of the officer's duties; 53
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~~(2)~~ (b) A person who is acting in accordance with directions given by a law enforcement officer described in division (B) (1) (a) of this section. 55
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(2) Division (A) (9) of this section does not apply to the purchase, manufacture, possession for sale, sale, or furnishing of high-capacity magazines to be sold or furnished to a law enforcement agency for authorized use in police work or to the federal government for military purposes. 58
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(C) Whoever violates this section is guilty of unlawful transactions in weapons. A violation of division (A) (1) or (2) of this section is a felony of the fourth degree. A violation of division (A) (3), (4), or (5) of this section is a felony of the third degree. A violation of division (A) (6) or (7) of this section is a misdemeanor of the second degree. A violation of division (A) (8) of this section is a misdemeanor of the fourth degree. A violation of division (A) (9) of this section is a misdemeanor of the first degree. 63
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(D) As used in this section: 72

(1) "Ammunition" has the same meaning as in section 2305.401 of the Revised Code. 73
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(2) "Federally licensed firearms dealer" has the same 75

meaning as in section 5502.63 of the Revised Code. 76

(3) "Materially false information" means information 77
regarding the transfer of a firearm or ammunition that portrays 78
an illegal transaction as legal or a legal transaction as 79
illegal. 80

(4) "Private seller" means a person who sells, offers for 81
sale, or transfers a firearm or ammunition and who is not a 82
federally licensed firearms dealer. 83

(5) "High-capacity magazine" means an ammunition-feeding 84
device with the capacity to accept more than one hundred rounds 85
of ammunition. 86

Section 2. That existing section 2923.20 of the Revised 87
Code is hereby repealed. 88