



## OHIO MAYORS ALLIANCE

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Amended Substitute House Bill 228  
Written Opponent Testimony  
Senate Government Oversight and Reform Committee  
Keary McCarthy, Executive Director

Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni, and members of the Senate Government Oversight and Reform Committee, I submit this opposition testimony to Amended Substitute H.B. 228 on behalf of the Ohio Mayors Alliance, a bipartisan coalition of Mayors in Ohio's largest cities.

The Ohio Mayors Alliance is opposed to this legislation for two specific reasons:

- First, Amd. Sub. H.B. 228 creates new civil liabilities for local governments if a person, group, or entity determines that he or she has been adversely affected by the enactment or enforcement of a local firearm regulation.
- Second, it also expands state preemptions of local firearm regulations and further erodes Ohio's constitutionally protected home rule authority.

Creating additional civil liabilities for local governments could create costly unintended consequences for local governments, potentially resulting in the loss of tax revenue and tying up valuable public resources. The broad nature of this language is such that could invite individuals and organizations to bring frivolous lawsuits against under-resourced local governments.

Furthermore, individuals or groups that feel as if their rights are being infringed upon are not absent a legal remedy. If an individual's Second Amendment rights are infringed upon by a local government, a plaintiff already has the right to bring a constitutional challenge against that local government.

Amd. Sub. H.B. 228 also violates a municipality's right to home rule and self-government that is protected in our constitution. The bill prohibits a city from passing a local ordinance dealing with firearm regulations—regardless of what a locally elected official deems is best for their community and its needs.

Ohio's local communities all face different challenges, and Ohio's Constitution allows them – through local democratic elections – to be governed according to each community's needs. Ohio's local officials know their communities best and what will work to make them safe. We respectfully request that both the preemption and civil liability provisions be removed from this bill.