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**House Government Oversight Committee
Senate Bill 185 — Sponsor Testimony
Thursday December 9, 2021**

Chairman Wilkin, Vice Chair White, Ranking Member Brown, and members of the House Government Oversight Committee, thank you for the opportunity to present sponsor testimony on Senate Bill 185.

Building off of the work former Senate President Larry Obhof put forth last general assembly, Senate Bill 185 will protect the rights of Ohioans to their firearms recognizing their **natural right** to protect themselves, recreate and feed their families under any **declaration of emergency**.

And I credit President Obhof for some outstanding research on this topic.

The doctrine of the natural right to self-defense reaches back a few centuries into English law.

John Locke said that one's self defense rights are "so necessary to, and closely tied with, a man's preservation, that he can not part with it but by what he forfeits his preservation and life altogether."

Philosopher William Blackstone spoke of the right of self-defense as "the primary law of nature" that can not be "taken away by the law of society."

In Federalist No. 28, Alexander Hamilton wrote of the "original right of self-defense" that was "paramount to all positive forms of government."

Neither the Second Amendment nor the Ohio Constitution have a pandemic/natural disaster clause, and this bill makes Ohioans safer by ensuring that they have the means to protect themselves and their families.

However, of importance, this bill does not add any additional gun rights. It simply clarifies that people cannot have their rights taken away during a time of a declared emergency.

During the COVID pandemic, it became evident that local, state and federal governments have sweeping restrictive powers during a declared emergency. There was also widespread unrest during the summer, which was a cause for concern and led to a surge in first-time firearm owners as people sought to protect themselves and their families.

Fortunately, Ohio had a governor and legislature that did not use their power to infringe on Second Amendment rights. However, the same cannot be said for other states. Therefore, it is critical to proactively define the limits of the government's power to prevent future abuses.

One example of overreach during COVID can be seen from our neighbor to the north, where Governor Gretchen Whitmer closed gun shops as part of her COVID response and shut down the ability of people to buy firearms. Furthermore, after doing so, she was quoted as saying she'd do it again.

The background of this legislation comes out of the aftermath of Hurricane Katrina, when authorities began confiscating firearms without cause. Realizing this overstep of authority, the Louisiana legislature shortly thereafter enacted a law to prevent the seizure of legally held firearms during a declared emergency.

Since then, this concept has spread, and currently 24 states have this type of law already on the books, including our neighboring states of Indiana, Kentucky, and West Virginia. It's time for Ohio to provide this level of protection as well.

I should also note that this legislation was amended in Senate committee to extend protections to more than just firearms, as we wanted to ensure that knives, crossbows and other weapons and their ammunition would also not be impacted, thus would remain available to Ohioans for self-defense.

Additionally, this amendment continues to prohibit the sale and transportation of dynamite and dangerous explosives during a riot or mob scenario.

Ohioans need to know their rights are protected under the Second Amendment of the US Constitution and Article 1, Section 4 of the Ohio

Constitution, especially in the worst of times, and this bill provides that assurance.

Thank you once again, Chairman Wilkin and the members of the committee, for the opportunity to present this issue to you today. I will be glad to answer any questions at this time.