

H. B. No. 272
As Introduced

_____ moved to amend as follows:

- In line 1 of the title, delete "section" and insert "sections"; 1
after "2923.123" insert "and 2923.14" 2
- In line 3 of the title, delete "deadly weapon or dangerous ordnance" 3
and insert "handgun" 4
- In line 5 of the title, delete "if court is" 5
- In line 6 of the title, delete "not"; delete "session" and insert 6
"specified circumstances and to permit a nonresident of Ohio to obtain 7
statutory relief from firearms disability based on an Ohio conviction, 8
guilty plea, or delinquent child adjudication" 9
- In line 7, delete "section" and insert "sections"; after "2923.123" 10
insert "and 2923.14" 11
- In line 81, delete "deadly" 12
- In line 82, delete "weapon or dangerous ordnance" and insert 13
"handgun" 14
- In line 84, delete "deadly weapon or dangerous ordnance" and insert 15
"handgun" 16



In line 94, delete "Court is" and insert "The court and the office 17
of the clerk of the court are"; delete "session" and insert "operation" 18

In line 99, delete "deadly weapon or" 19

In line 100, delete "dangerous ordnance" and insert "handgun" 20

After line 145, insert: 21

"Sec. 2923.14. (A) (1) Except as otherwise provided in 22
division (A) (2) of this section, any person who is prohibited 23
from acquiring, having, carrying, or using firearms may apply to 24
the court of common pleas ~~in the county in which the person~~ 25
~~resides specified in this division~~ for relief from such 26
prohibition. An application for relief from the prohibition 27
shall be filed in the court of common pleas of the county in 28
which the person resides or, if the person is not a resident of 29
this state and the prohibition is based on an indictment, a 30
conviction of or plea of guilty to an offense, or a delinquent 31
child adjudication, in the county in which the indictment was 32
entered or in which the conviction, guilty plea, or adjudication 33
occurred. 34

(2) Division (A) (1) of this section does not apply to a 35
person who has been convicted of or pleaded guilty to a 36
violation of section 2923.132 of the Revised Code or to a person 37
who, two or more times, has been convicted of or pleaded guilty 38
to a felony and a specification of the type described in section 39
2941.141, 2941.144, 2941.145, 2941.146, 2941.1412, or 2941.1424 40
of the Revised Code. 41

(B) The application shall recite the following: 42

(1) All indictments, convictions or guilty pleas, or 43
adjudications upon which the applicant's disability is based, 44

the sentence imposed and served, and any release granted under a
community control sanction, post-release control sanction, or
parole, any partial or conditional pardon granted, or other
disposition of each case, or, if the disability is based upon a
factor other than an indictment, a conviction or guilty plea, or
an adjudication, the factor upon which the disability is based
and all details related to that factor;

(2) Facts showing the applicant to be a fit subject for
relief under this section.

(C) A copy of the application shall be served on the
county prosecutor. The county prosecutor shall cause the matter
to be investigated and shall raise before the court any
objections to granting relief that the investigation reveals.

(D) Upon hearing, the court may grant the applicant relief
pursuant to this section, if all of the following apply:

(1) One of the following applies:

(a) If the disability is based upon an indictment, a
conviction or guilty plea, or an adjudication, the applicant has
been fully discharged from imprisonment, community control,
post-release control, and parole, or, if the applicant is under
indictment, has been released on bail or recognizance.

(b) If the disability is based upon a factor other than an
indictment, a conviction or guilty plea, or an adjudication,
that factor no longer is applicable to the applicant.

(2) The applicant has led a law-abiding life since
discharge or release, and appears likely to continue to do so.

(3) The applicant is not otherwise prohibited by law from
acquiring, having, or using firearms.

(E) Costs of the proceeding shall be charged as in other	73
civil cases, and taxed to the applicant.	74
(F) Relief from disability granted pursuant to this	75
section restores the applicant to all civil firearm rights to	76
the full extent enjoyed by any citizen, and is subject to the	77
following conditions:	78
(1) Applies only with respect to indictments, convictions_	79
<u>or guilty pleas</u> , or adjudications, or to the other factor,	80
recited in the application as the basis for the applicant's	81
disability;	82
(2) Applies only with respect to firearms lawfully	83
acquired, possessed, carried, or used by the applicant;	84
(3) May be revoked by the court at any time for good cause	85
shown and upon notice to the applicant;	86
(4) Is automatically void upon commission by the applicant	87
of any offense set forth in division (A) (2) or (3) of section	88
2923.13 of the Revised Code, or upon the applicant's becoming	89
one of the class of persons named in division (A) (1), (4), or	90
(5) of that section.	91
(G) As used in this section:	92
(1) "Community control sanction" has the same meaning as	93
in section 2929.01 of the Revised Code.	94
(2) "Post-release control" and "post-release control	95
sanction" have the same meanings as in section 2967.01 of the	96
Revised Code."	97
In line 146, delete "section" and insert "sections"; after	98
"2923.123" insert "and 2923.14"	99
In line 147, delete "is" and insert "are"	100

The motion was _____ agreed to.

SYNOPSIS

	101
Relief from firearms disability	102
R.C. 2923.14	103
Modifies the statutory mechanism for obtaining relief from	104
a firearms disability so that a person whose disability is based	105
on an indictment, a conviction of or plea of guilty to an	106
offense, or a delinquent child adjudication and who does not	107
reside in Ohio may file the application for obtaining relief in	108
the county in which the indictment was entered or in which the	109
conviction, guilty plea, or adjudication occurred. Currently,	110
all applications for relief under the mechanism must be filed in	111
the county in which the applicant resides, so a person who does	112
not reside in Ohio is precluded from applying for relief under	113
the mechanism.	114
Court and clerk of the court not in operation	115
R.C. 2923.123	116
Modifies the existing list of requirements necessary for a	117
person to convey, possess, or control a handgun in a building or	118
structure in which a courtroom is located as follows:	119
- Requires that the court is not in "operation," rather	120
than not in "session," at the time of the conveyance,	121
possession, or control.	122
- Requires that the office of the clerk of the court is	123
not in operation at the time of the conveyance, possession, or	124
control.	125

Concealed handgun licensee carrying a handgun	126
R.C. 2923.123	127
Changes references from a concealed handgun licensee	128
conveying or possessing a "deadly weapon or dangerous ordnance"	129
to a concealed handgun licensee conveying or possessing a	130
"handgun."	131