

**Committees:**

Chair, Armed Services  
Finance  
Public Utilities  
Energy & Natural Resources  
Finance Subcommittee on Infrastructure &  
American Rescue Plan



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**Representative Mike Loychik  
The Ohio House of Representatives**

Chair Peterson, Vice Chair Thomas, Ranking Member Forhan and members of the Ohio House Government Oversight Committee, thank you for the opportunity to introduce HB51 to you today.

House Bill 51 creates the Second Amendment Preservation Act for Ohio by enacting 10<sup>th</sup> amendment, anti-commandeering legislation similar to what was passed by the state of Missouri in 2021.

The 10<sup>th</sup> amendment states that the federal government only has powers that have been delegated to it in the US Constitution. And the anti-commandeering doctrine states that the federal government may not require the states to adopt or enforce federal laws, executive orders, treaties, etc.

Built on that foundation, House Bill 51 makes it so that Ohio law enforcement agencies cannot be compelled to enforce unconstitutional federal gun-control laws, executive orders or agency rule interpretations. Instead, this bill makes it so that Ohio cops and Ohio law enforcement, which Ohio taxpayers pay for, enforce Ohio's laws when it comes to guns and ammo and accessories.

But recognizing the fact that there are mayors and some political law-enforcement heads in Ohio that would likely disobey this law (thinking of our previous Democrat nominee for Governor here in Ohio, or Columbus' recent unconstitutional ordinances that are being challenged in court), House Bill 51 has penalties in it that give standing to citizens who have had their rights infringed to sue agencies, not agents, whose employees violated those rights.

This bill is pro-cop, and I'm talking about the cops out there on patrol every day. To a person, every police officer I've talked to in the last two years has expressed their opposition to ever being forced to become Joe Biden's enforcement brigade against Ohioans, and this bill protects those from ever having to make that decision whether to violate their oath of office to the Ohio Constitution or feeding their families, by removing it entirely.

In addition, this bill addresses the lawless ATF's recent ruling which reclassified pistol braces as short-barreled-rifles and thus subject to NFA restrictions, and makes it so that that the hundreds of thousands of legally purchased "pistol-braced" firearms that Ohioans own and possess remain legal under state law by removing the language from the ORC that directly tethered Ohio law to current and future federal laws, rulings and executive orders under the National Firearms Act and Gun Control Act of 1968.

This bill does not apply to felons, illegal aliens or those committing crimes according to the state of Ohio.

The last thing I'd like to say about this bill is this: House Bill 51 is not a supremacy clause violation. The Supremacy Clause states that the federal constitution/laws usually take precedent over state constitutions/laws. House Bill 51 does not challenge that. It simply states that the state of Ohio will not help federal government enforce their gun-control agenda. This constitutional principle has been upheld in myriad SCOTUS cases, and I'd be happy to provide that information to the committee through the chair if that is requested.

Thank you for your time, and I'd be happy to take any questions.