

Ohio Government Oversight Committee  
Opposition Testimony: HB 51  
By Joanie Calem

Chairman Peterson, Vice Chair Thomas, and Committee Members, thank you for the opportunity to testify on this matter.

I strongly oppose HB 51. I am writing as a concerned Ohio citizen. This bill proposes to undermine existing federal gun laws. While every state in the Union is grappling with how to make their citizens safer, and much work is needed to make sure that this happens, this law will do the opposite, this will make Ohioans much less safe.

If enacted, this bill would undermine the rule of law and send a false message to criminals that federal gun laws will not be enforced. In other states that have passed similar policies — most recently in Missouri — law enforcement have stated that the policy has made it much more difficult for state and local law enforcement to do their jobs, filing letters and even a lawsuit supported by 60 police chiefs in Missouri in opposition to the law. On March 3, 2023, a federal judge in Kansas City struck down the Second Amendment Preservation Act, Missouri's nullification statute, ruling that it is unconstitutional.

Under the U.S. Constitution's Supremacy Clause, federal laws are "the supreme law of the land" and any state law that conflicts with federal law is null and void. From the earliest days of the republic, the U.S. Supreme Court has uniformly rejected state laws that conflict with federal law. Many modern nullification proposals have been declared unconstitutional. In 2013, the Ninth Circuit Court of Appeals ruled that a Montana nullification law purporting to exempt firearms made in Montana from federal gun laws was preempted and void.

HB 51 is an example of this type of dangerous legislation. The bill contains vague language which purports to nullify any current or future gun law and would encourage extremists to ignore common sense gun laws they disagree with. HB 51 further subjects law enforcement agencies to expensive legal fees, future employment barriers and other potential costs. Likely the state of Ohio would end up having this law struck down as unconstitutional as well, since it is indeed unconstitutional.

Thank you for the opportunity to share my testimony with you. Please Vote NO on HB 51.

Joan Calem