

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 644**

**Representatives Thomas, C., Grim**

**Cosponsors: Representatives Liston, McNally, Sims, Troy, Denson, Brown,  
Brennan, Baker, Robinson**

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**A BILL**

To amend sections 2923.13 and 2923.14 and to enact 1  
section 2923.133 of the Revised Code to prohibit 2  
certain conduct regarding trigger cranks, bump- 3  
fire devices, and other items that accelerate a 4  
semi-automatic firearm's rate of fire but do not 5  
convert it into an automatic firearm. 6

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 2923.13 and 2923.14 be amended 7  
and section 2923.133 of the Revised Code be enacted to read as 8  
follows: 9

**Sec. 2923.13.** (A) Unless relieved from disability under 10  
operation of law or legal process, no person shall knowingly 11  
acquire, have, carry, or use any firearm or dangerous ordnance, 12  
if any of the following apply: 13

(1) The person is a fugitive from justice. 14

(2) The person is under indictment for or has been 15  
convicted of any felony offense of violence or has been 16  
adjudicated a delinquent child for the commission of an offense 17

that, if committed by an adult, would have been a felony offense 18  
of violence. 19

(3) The person is under indictment for or has been 20  
convicted of any felony offense involving the illegal 21  
possession, use, sale, administration, distribution, or 22  
trafficking in any drug of abuse or has been adjudicated a 23  
delinquent child for the commission of an offense that, if 24  
committed by an adult, would have been a felony offense 25  
involving the illegal possession, use, sale, administration, 26  
distribution, or trafficking in any drug of abuse. 27

(4) The person has a drug dependency, is in danger of drug 28  
dependence, or has chronic alcoholism. 29

(5) The person is under adjudication of mental 30  
incompetence, has been committed to a mental institution, has 31  
been found by a court to be a person with a mental illness 32  
subject to court order, or is an involuntary patient other than 33  
one who is a patient only for purposes of observation. As used 34  
in this division, "person with a mental illness subject to court 35  
order" and "patient" have the same meanings as in section 36  
5122.01 of the Revised Code. 37

(6) The person has been convicted of a violation of 38  
section 2923.133 of the Revised Code or has been adjudicated a 39  
delinquent child for the commission of a violation of that 40  
section. 41

(B) Whoever violates this section is guilty of having 42  
weapons while under disability, a felony of the third degree. 43

(C) For the purposes of this section, "under operation of 44  
law or legal process" shall not itself include mere completion, 45  
termination, or expiration of a sentence imposed as a result of 46

a criminal conviction. 47

Sec. 2923.133. (A) On and after the date that is one 48  
hundred eighty days after the effective date of this section, no 49  
person shall import, manufacture, sell, transfer, or possess a 50  
trigger crank, a bump-fire device, or any part, combination of 51  
parts, component, device, attachment, or accessory that is 52  
designed or functions to accelerate the rate of fire of a semi- 53  
automatic firearm but not convert the semi-automatic firearm 54  
into an automatic firearm. 55

(B) This section does not apply with respect to the 56  
importation for, manufacture for, sale to, transfer to, or 57  
possession of any item specified in division (A) of this section 58  
by or under authority of the United States or any department or 59  
agency of the United States or by this state, any other state, 60  
or a department, agency, or political subdivision of this state 61  
or any other state. 62

(C) Whoever violates division (A) of this section is 63  
guilty of "illegal rate-of-fire acceleration conduct," a felony 64  
of the fourth degree. 65

**Sec. 2923.14. (A) (1)** Except as otherwise provided in 66  
division (A) (2) of this section, any person who is prohibited 67  
from acquiring, having, carrying, or using firearms may apply to 68  
the court of common pleas in the county in which the person 69  
resides for relief from such prohibition. 70

(2) Division (A) (1) of this section does not apply to a 71  
person who has been convicted of or pleaded guilty to a 72  
violation of section 2923.132 of the Revised Code or to a person 73  
who, two or more times, has been convicted of or pleaded guilty 74  
to a felony and a specification of the type described in section 75

2941.141, 2941.144, 2941.145, 2941.146, 2941.1412, or 2941.1424 76  
of the Revised Code. 77

(B) The application shall recite the following: 78

(1) All indictments, convictions, or adjudications upon 79  
which the applicant's disability is based, the sentence imposed 80  
and served, and any release granted under a community control 81  
sanction, post-release control sanction, or parole, any partial 82  
or conditional pardon granted, or other disposition of each 83  
case, or, if the disability is based upon a factor other than an 84  
indictment, a conviction, or an adjudication, the factor upon 85  
which the disability is based and all details related to that 86  
factor; 87

(2) Facts showing the applicant to be a fit subject for 88  
relief under this section. 89

(C) A copy of the application shall be served on the 90  
county prosecutor. The county prosecutor shall cause the matter 91  
to be investigated and shall raise before the court any 92  
objections to granting relief that the investigation reveals. 93

(D) Upon hearing, the court may grant the applicant relief 94  
pursuant to this section, if all of the following apply: 95

(1) One of the following applies: 96

(a) If the disability is based upon an indictment, a 97  
conviction, or an adjudication, the applicant has been fully 98  
discharged from imprisonment, community control, post-release 99  
control, and parole, or, if the applicant is under indictment, 100  
has been released on bail or recognizance. 101

(b) If the disability is based upon a factor other than an 102  
indictment, a conviction, or an adjudication, that factor no 103

longer is applicable to the applicant.	104
(2) The applicant has led a law-abiding life since discharge or release, and appears likely to continue to do so.	105 106
(3) The applicant is not otherwise prohibited by law from acquiring, having, or using firearms.	107 108
(E) Costs of the proceeding shall be charged as in other civil cases, and taxed to the applicant.	109 110
(F) Relief from disability granted pursuant to this section restores the applicant to all civil firearm rights to the full extent enjoyed by any citizen, and is subject to the following conditions:	111 112 113 114
(1) Applies only with respect to indictments, convictions, or adjudications, or to the other factor, recited in the application as the basis for the applicant's disability;	115 116 117
(2) Applies only with respect to firearms lawfully acquired, possessed, carried, or used by the applicant;	118 119
(3) May be revoked by the court at any time for good cause shown and upon notice to the applicant;	120 121
(4) Is automatically void upon commission by the applicant of any offense set forth in division (A) (2) <del>or</del> , (3), <u>or (6)</u> of section 2923.13 of the Revised Code, or upon the applicant's becoming one of the class of persons named in division (A) (1), (4), or (5) of that section.	122 123 124 125 126
(G) As used in this section:	127
(1) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.	128 129
(2) "Post-release control" and "post-release control	130

sanction" have the same meanings as in section 2967.01 of the Revised Code. 131  
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**Section 2.** That existing sections 2923.13 and 2923.14 of 133  
the Revised Code are hereby repealed. 134