

As Introduced

**135th General Assembly
Regular Session
2023-2024**

H. B. No. 662

Representative Miller, A.

A BILL

To amend section 2923.20 of the Revised Code to
exempt certain antique firearms from the
prohibition against unlawful transactions in
weapons. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2923.20 of the Revised Code be
amended to read as follows: 5
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Sec. 2923.20. (A) No person shall do any of the following: 7

(1) Recklessly sell, lend, give, or furnish any firearm to
any person prohibited by section 2923.13 or 2923.15 of the
Revised Code from acquiring or using any firearm, other than an
antique firearm, or recklessly sell, lend, give, or furnish any
dangerous ordnance to any person prohibited by section 2923.13,
2923.15, or 2923.17 of the Revised Code from acquiring or using
any dangerous ordnance; 8
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(2) Possess any firearm or dangerous ordnance with purpose
to dispose of it in violation of division (A) of this section; 15
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(3) Except as otherwise provided in division (B) of this
section, knowingly solicit, persuade, encourage, or entice a 17
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federally licensed firearms dealer or private seller to transfer 19
a firearm or ammunition to any person in a manner prohibited by 20
state or federal law; 21

(4) Except as otherwise provided in division (B) of this 22
section, with an intent to deceive, knowingly provide materially 23
false information to a federally licensed firearms dealer or 24
private seller; 25

(5) Except as otherwise provided in division (B) of this 26
section, knowingly procure, solicit, persuade, encourage, or 27
entice a person to act in violation of division (A) (3) or (4) of 28
this section; 29

(6) When transferring any dangerous ordnance to another, 30
negligently fail to require the transferee to exhibit such 31
identification, license, or permit showing the transferee to be 32
authorized to acquire dangerous ordnance pursuant to section 33
2923.17 of the Revised Code, or negligently fail to take a 34
complete record of the transaction and forthwith forward a copy 35
of that record to the sheriff of the county or safety director 36
or police chief of the municipality where the transaction takes 37
place; 38

(7) Knowingly fail to report to law enforcement 39
authorities forthwith the loss or theft of any firearm or 40
dangerous ordnance in the person's possession or under the 41
person's control. 42

(B) Divisions (A) (3), (4), and (5) of this section do not 43
apply to any of the following: 44

(1) A law enforcement officer who is acting within the 45
scope of the officer's duties; 46

(2) A person who is acting in accordance with directions 47

given by a law enforcement officer described in division (B)(1) 48
of this section. 49

(C) Whoever violates this section is guilty of unlawful 50
transactions in weapons. A violation of division (A)(1) or (2) 51
of this section is a felony of the fourth degree. A violation of 52
division (A)(3), (4), or (5) of this section is a felony of the 53
third degree. A violation of division (A)(6) of this section is 54
a misdemeanor of the second degree. A violation of division (A) 55
(7) of this section is a misdemeanor of the fourth degree. 56

(D) As used in this section: 57

(1) "Ammunition" has the same meaning as in section 58
2305.401 of the Revised Code. 59

(2) "Federally licensed firearms dealer" has the same 60
meaning as in section 5502.63 of the Revised Code. 61

(3) "Materially false information" means information 62
regarding the transfer of a firearm or ammunition that portrays 63
an illegal transaction as legal or a legal transaction as 64
illegal. 65

(4) "Private seller" means a person who sells, offers for 66
sale, or transfers a firearm or ammunition and who is not a 67
federally licensed firearms dealer. 68

(5) "Antique firearm" means any of the following: 69

(a) A firearm with a matchlock, flintlock, percussion cap, 70
or similar type of ignition system manufactured in or before 71
1898; 72

(b) A replica of a firearm described in division (D)(5)(a) 73
of this section if the replica is not designed or redesigned for 74
using rimfire or conventional centerfire fixed ammunition or the 75

replica uses rimfire or conventional centerfire fixed ammunition 76
that is no longer manufactured in the United States and is not 77
readily available in the ordinary channels of commercial trade; 78

(c) A muzzle loading rifle, shotgun, or pistol that is 79
designed to use black powder, or a black powder substitute, and 80
that cannot use fixed ammunition, other than a firearm described 81
in division (D) (6) of this section. 82

(6) "Antique firearm" does not include a weapon that 83
incorporates a firearm frame or receiver, a firearm that is 84
converted into a muzzle loading weapon, or a muzzle loading 85
weapon that can be readily converted to fire fixed ammunition by 86
replacing the barrel, bolt, breechblock, or any combination 87
thereof. 88

Section 2. That existing section 2923.20 of the Revised 89
Code is hereby repealed. 90