

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**S. B. No. 209**

**Senators Hicks-Hudson, Ingram**

**Cosponsors: Senators Antonio, Craig, Smith, Sykes**

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**A BILL**

To amend section 2923.20 of the Revised Code to 1  
increase the penalty for failure to report a 2  
lost or stolen firearm. 3

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

**Section 1.** That section 2923.20 of the Revised Code be 4  
amended to read as follows: 5

**Sec. 2923.20.** (A) No person shall do any of the following: 6

(1) Recklessly sell, lend, give, or furnish any firearm to 7  
any person prohibited by section 2923.13 or 2923.15 of the 8  
Revised Code from acquiring or using any firearm, or recklessly 9  
sell, lend, give, or furnish any dangerous ordnance to any 10  
person prohibited by section 2923.13, 2923.15, or 2923.17 of the 11  
Revised Code from acquiring or using any dangerous ordnance; 12

(2) Possess any firearm or dangerous ordnance with purpose 13  
to dispose of it in violation of division (A) of this section; 14

(3) Except as otherwise provided in division (B) of this 15  
section, knowingly solicit, persuade, encourage, or entice a 16  
federally licensed firearms dealer or private seller to transfer 17

a firearm or ammunition to any person in a manner prohibited by 18  
state or federal law; 19

(4) Except as otherwise provided in division (B) of this 20  
section, with an intent to deceive, knowingly provide materially 21  
false information to a federally licensed firearms dealer or 22  
private seller; 23

(5) Except as otherwise provided in division (B) of this 24  
section, knowingly procure, solicit, persuade, encourage, or 25  
entice a person to act in violation of division (A) (3) or (4) of 26  
this section; 27

(6) When transferring any dangerous ordnance to another, 28  
negligently fail to require the transferee to exhibit such 29  
identification, license, or permit showing the transferee to be 30  
authorized to acquire dangerous ordnance pursuant to section 31  
2923.17 of the Revised Code, or negligently fail to take a 32  
complete record of the transaction and forthwith forward a copy 33  
of that record to the sheriff of the county or safety director 34  
or police chief of the municipality where the transaction takes 35  
place; 36

(7) ~~Knowingly~~ Recklessly fail to report to law enforcement 37  
authorities forthwith the loss or theft of any firearm or 38  
dangerous ordnance in the person's possession or under the 39  
person's control. 40

(B) Divisions (A) (3), (4), and (5) of this section do not 41  
apply to any of the following: 42

(1) A law enforcement officer who is acting within the 43  
scope of the officer's duties; 44

(2) A person who is acting in accordance with directions 45  
given by a law enforcement officer described in division (B) (1) 46

of this section. 47

(C) Whoever violates this section is guilty of unlawful 48  
transactions in weapons. A violation of division (A)(1) or (2) 49  
of this section is a felony of the fourth degree. A violation of 50  
division (A)(3), (4), or (5) of this section is a felony of the 51  
third degree. A violation of division (A)(6) of this section is 52  
a misdemeanor of the second degree. A violation of division (A) 53  
(7) of this section is a misdemeanor of the ~~fourth~~first degree. 54

(D) As used in this section: 55

(1) "Ammunition" has the same meaning as in section 56  
2305.401 of the Revised Code. 57

(2) "Federally licensed firearms dealer" has the same 58  
meaning as in section 5502.63 of the Revised Code. 59

(3) "Materially false information" means information 60  
regarding the transfer of a firearm or ammunition that portrays 61  
an illegal transaction as legal or a legal transaction as 62  
illegal. 63

(4) "Private seller" means a person who sells, offers for 64  
sale, or transfers a firearm or ammunition and who is not a 65  
federally licensed firearms dealer. 66

**Section 2.** That existing section 2923.20 of the Revised 67  
Code is hereby repealed. 68