

Ohio Senate Armed Services, Veterans Affairs and Public Safety Committee SB214 Proponent Testimony

June 25<sup>th</sup>, 2025

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Chair Johnson, Vice-Chair Wilson, Ranking Member Weinstein, and members of the Ohio Senate Armed Services, Veterans Affairs and Public Safety Committee:

Thank you for considering my testimony regarding SB 214. I am in support of the bill.

A quick preemptive word about words. US Code uses the terms “firearm silencer” and “firearm muffler” to mean any device for silencing, muffling, or diminishing the report of a portable firearm. Ohio Revised Code uses the term “firearm muffler or suppressor” but it means the same thing. In fact, Ohio’s use of “suppressor” is much more accurate than the federal use of “silencer”. I can assure you that even the best suppressor does not make a firearm even remotely “silent”. Just like the muffler on a car it “muffles” or “suppresses” the sound. No one says that a car is “silent” with a muffler on it.

Senate Bill 214 is needed in the event that the US Congress passes H.R.1 (One Big Beautiful Bill Act). Note that at the time this testimony is being written the US House of Representatives has passed the bill and the US Senate is still considering it. Specifically, H.R.1 contains SEC. 112029, “MODIFICATION OF TREATMENT OF SILENCERS.” This removes “silencers” from the 1934 National Firearms Act so they would no longer be regulated in the same way as machine guns. Note that the federal government would still be regulating “silencers” in the same way they regulate shotguns should this become law.

While H.R.1 is a welcome reduction in infringement of our fundamental and constitutionally enumerated rights it does present a pitfall upon interaction with state law. Here in Ohio, there are three (3) sections where the ORC carves out exceptions for “suppressors” provided that they are registered in accordance with specific sections of federal law (the aforementioned 1934 NFA). By removing the registering process at the federal level the exception pathway in our Ohio law suddenly vanishes! That creates a catch 22 that cannot stand. SB 214 addresses these three (3) ORC sections.

It should be noted that there are still two (2) sections of the ORC that contain the word “suppressor” that remain unmodified by this bill. These sections are 2941.144 and 2929.14 that deal with specifications for mandatory prison terms for those who use “suppressors” in the commission of a crime. Thus, SB 214 preserves stern punishment for criminals.

As to why the Ohio General Assembly should do this that is an easy answer to give! Suppressors help to protect the hearing of shooters and are a courtesy to those who neighbor shooting ranges. How would

we feel if our neighbors took the muffler off of their cars? Indeed, ORC Section 4513.22 requires that all internal combustion engine cars in Ohio use a muffler! At a minimum, Ohio shouldn't make it harder to protect hearing and be a good neighbor than the Federal Government. Thus, SB 214 is just good sense.

I would like to thank Chair Johnson, Vice-Chair Wilson, Ranking Member Weinstein, and members of the Ohio Senate Armed Services, Veterans Affairs and Public Safety Committee for their consideration.