SENATE LOCAL GOVERNMENT COMMITTEE
OPPONENT TESTIMONY ON SENATE BILL 278 | FEBRUARY 9, 2026

Chair O'Brien, Vice Chair Gavarone, Ranking Member Smith, and members of the Senate Local Government Committee, on behalf of the Ohio Mayors Alliance, a bipartisan coalition of mayors in Ohio's largest cities, thank you for the opportunity to provide written opponent testimony on Senate Bill 278.

SB 278 grants Ohioans the right to pursue punitive and exemplary damages against municipalities that enact or enforce local gun control measures. We oppose this proposed policy for two reasons: first, because it undermines our cities' efforts to reduce gun violence and protect public safety, and second, because it violates the home rule provision of the Ohio Constitution (Article XVIII, Section 7).

SB 278 Undermines Public Safety

Protecting public safety in Ohio is a local initiative and expense. Whether through traditional law enforcement, community-based violence prevention programming, neighborhood infrastructure and safety investments, youth programming that engages at-risk youth after school and during the summer, or maintenance and protection of public spaces, cities spend the vast majority of their budgets on public safety. In short, public safety is the largest and most important thing Ohio cities do.

The Ohio General Assembly already broadly preempts local regulation of guns. Despite this, cities must still address the problems of gun crime and illegal gun trafficking within their jurisdictions. Opening cities up to enhanced financial liability for engaging in behavior that is broadly and vaguely defined in RC 9.68 would directly undermine the ability of local law enforcement agencies to work with local leaders and community members to address gun crime and illegal gun trafficking.

SB 278 Violates the Ohio Constitution

The government closest to the people governs best. We believe that RC 9.68, as a whole, violates the Ohio Constitution, and we are especially concerned that constant, ongoing legislation to expand the ways that Ohio cities are preempted from doing anything to regulate the movement and use of guns within their jurisdictions undermines cities' right to local police power. It is also bad policy.

The people of Ohio recognized the foundational importance of local control in enacting the home rule provision of the Ohio Constitution over 100 years ago. To the extent that RC 9.68 explicitly disavows any type of regulation of guns, local or statewide, it is hard to understand how any local policy or practice related to guns could conflict with a statewide "general law," as the language of the Constitution requires.

Expanding 9.68 to include the additional chilling effect of exemplary and punitive damages, as SB 278 proposes, is not necessary, not productive, and not constitutional. We urge the committee to decline to advance SB 278.