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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 614**  
**136<sup>th</sup> General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Willis and Rader

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### SUMMARY

- If a federally licensed firearms dealer or a county or municipal law enforcement agency enters into a firearm hold agreement with the owner of a lawfully possessed firearm, requires that dealer or agency to provide the owner with a pamphlet.
- Requires the pamphlet, developed by the Department of Health and the Department of Veterans Services, to include information regarding resources on mental health, veterans organizations, and firearm safety devices.
- Provides civil immunity for a federally licensed firearms dealer or a county or municipal law enforcement agency for returning a firearm to an owner.
- If the owner of a lawfully possessed firearm does not claim a firearm, requires a federally licensed firearms dealer or a county or municipal law enforcement agency to contact the owner at least two times within 60 days requesting the owner to claim the firearm.
- After a federally licensed firearms dealer or a county or municipal law enforcement agency complies with the requirements in the above dot point, requires a county or municipal law enforcement agency to dispose of the firearm according to the agency's policies and procedures.
- Names the bill the "Second Chance Safety Act."

### DETAILED ANALYSIS

#### Firearm hold agreement

##### Pamphlet

The bill requires that if a "federally licensed firearms dealer" or county or municipal law enforcement agency enters into a "firearm hold agreement" with the owner of a lawfully possessed firearm, the federally licensed firearms dealer or county or municipal law enforcement

agency who enters into the firearm hold agreement with the owner must provide the owner with a pamphlet at the time that the federally licensed firearms dealer or county or municipal law enforcement agency enters into the firearm hold agreement with the owner of the lawfully possessed firearm.<sup>1</sup>

The bill requires the Department of Health, in consultation with the Department of Veterans Services, to prepare the pamphlet described above with all of the following information:<sup>2</sup>

- Mental health resources, including how to access the following:
  - The 9-8-8 suicide prevention and mental health crisis hotline and the global crisis text line;
  - The U.S. Department of Veterans Affairs' Veterans' Crisis Line;
  - The U.S. Department of Veterans Affairs' suicide prevention toolkit.
- A list of local veterans organizations, including veterans clinics;
- Guidance on secure "firearm safety devices," including any discounted or complimentary firearm safety device programs available for veterans.

The bill requires the Department of Health and the Department of Veterans Services to publish the pamphlet on each department's website.<sup>3</sup>

### **Civil immunity**

The bill specifies that a federally licensed firearms dealer or county or municipal law enforcement agency who enters into a firearm hold agreement with the owner of a lawfully possessed firearm is not liable in damages in a civil action for the injury, death, or loss to person or property that arose from an act or omission associated with the federally licensed firearms dealer or county or municipal law enforcement agency returning the firearm to the owner under the firearm hold agreement, unless the act or omission constitutes unlawful conduct.<sup>4</sup>

The bill specifies that the above provision does not eliminate, limit, or reduce any other immunity or defense that a county or municipal law enforcement agency may be entitled to under the Political Subdivision Tort Liability Law or any other provision of the Revised Code or the common law of Ohio.<sup>5</sup>

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<sup>1</sup> R.C. 2923.26(B).

<sup>2</sup> R.C. 3701.982(B).

<sup>3</sup> R.C. 3701.982(C).

<sup>4</sup> R.C. 2923.26(C)(1).

<sup>5</sup> R.C. 2923.26(C)(2).

## Unclaimed firearms

If a federally licensed firearms dealer or county or municipal law enforcement agency enters into a firearm hold agreement with the owner of a lawfully possessed firearm and if after the expiration of the agreed period of time the owner of the firearm does not claim the firearm, the bill requires the federally licensed firearms dealer or county or municipal law enforcement agency to contact the owner of the firearm at least two times within the following 60 days requesting that the owner claim the firearm.<sup>6</sup>

If a federally licensed firearms dealer has physical possession of a firearm and the firearm remains unclaimed after the federally licensed firearms dealer complies with the above requirements, then the bill requires the federally licensed firearms dealer to surrender the firearm to a county or municipal law enforcement agency.<sup>7</sup>

If a county or municipal law enforcement agency has physical possession of a firearm and the firearm remains unclaimed after the county or municipal law enforcement agency complies with the above requirements or the firearm has been surrendered to the county or municipal law enforcement agency by a federally licensed firearms dealer, then the bill requires the county or municipal law enforcement agency to dispose of the firearm in accordance with the county or municipal law enforcement agency's policies and procedures for the disposal of a firearm in police custody.<sup>8</sup>

## Second Chance Safety Act

The bill is named the "Second Chance Safety Act."<sup>9</sup>

### Definitions

The bill creates the following definitions:

- **"Firearm hold agreement"** means an agreement between the owner of a lawfully possessed firearm and a federally licensed firearms dealer or a county or municipal law enforcement agency that includes all of the following:<sup>10</sup>
  - That the federally licensed firearms dealer or county or municipal law enforcement agency will take physical possession of the owner's lawfully possessed firearm;
  - That the federally licensed firearms dealer or county or municipal law enforcement agency will hold the owner's lawfully possessed firearm for an agreed period of time;

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<sup>6</sup> R.C. 2923.26(D)(1).

<sup>7</sup> R.C. 2923.26(D)(2).

<sup>8</sup> R.C. 2923.26(D)(3).

<sup>9</sup> Section 3.

<sup>10</sup> R.C. 2923.26(A)(2).

- That the federally licensed firearms dealer or county or municipal law enforcement agency will return the firearm to the owner at the expiration of the agreed period of time.
- **“Firearm safety device”** means equipment that is designed to prevent unauthorized access to, or the operation or discharge of, a firearm and that is either of the following:<sup>11</sup>
  - A device that, when installed on a firearm, is designed to prevent the firearm from being operated without first activating the device;
  - A gun safe, gun case, lockbox, or other device that is designed to prevent access to a firearm unless an individual uses a key, a combination, biometric data, or other similar means.

The bill uses the existing Firearms Law definitions<sup>12</sup> and the following definition:

- **“Federally licensed firearms dealer”** means an importer, manufacturer, or dealer having a license to deal in destructive devices or their ammunition, issued and in effect pursuant to the Gun Control Act of 1964.<sup>13</sup>

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## HISTORY

Action	Date
Introduced	11-25-25

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<sup>11</sup> R.C. 3701.982(A).

<sup>12</sup> R.C. 2923.11.

<sup>13</sup> R.C. 2923.26(A)(1), by reference to R.C. 5502.63, not in the bill.