#### As Introduced

## 136th General Assembly

# Regular Session 2025-2026

H. B. No. 614

### Representatives Willis, Rader

Cosponsors: Representatives Jarrells, Synenberg, Grim, Baker, Upchurch, Brennan, Brewer, Bryant Bailey, Piccolantonio

| To | amend section 2923.11 and to enact sections     | 1 |
|----|---|---|
|    | 2923.26 and 3701.982 of the Revised Code to     | 2 |
|    | enact the Second Chance Safety Act to provide   | 3 |
|    | civil immunity to a federally licensed firearm  | 4 |
|    | dealer or law enforcement agency that enters    | 5 |
|    | into a firearm hold agreement with the owner of | 6 |
|    | a firearm.                                      | - |

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

| Section 1. That section 2923.11 be amended and sections          | 8  |
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| 2923.26 and 3701.982 of the Revised Code be enacted to read as   | 9  |
| follows:   | 10 |
| Sec. 2923.11. As used in sections 2923.11 to 2923.24 and         | 11 |
| 2923.26 of the Revised Code:                                     | 12 |
| (A) "Deadly weapon" means any instrument, device, or thing       | 13 |
| capable of inflicting death, and designed or specially adapted   | 14 |
| for use as a weapon, or possessed, carried, or used as a weapon. | 15 |
| (B)(1) "Firearm" means any deadly weapon capable of              | 16 |
| expelling or propelling one or more projectiles by the action of | 17 |
| an explosive or combustible propellant. "Firearm" includes an    | 18 |

| unloaded firearm, and any firearm that is inoperable but that   | 19   |
|---|--|
| can readily be rendered operable.   | 20   |
| can readily be rendered operable.   | 20   |
| (2) When determining whether a firearm is capable of  | 21   |
| expelling or propelling one or more projectiles by the action of  | 22   |
| an explosive or combustible propellant, the trier of fact may   | 23   |
| rely upon circumstantial evidence, including, but not limited   | 24   |
| to, the representations and actions of the individual exercising  | 25   |
| control over the firearm.   | 26   |
| (C) "Handgun" means any of the following:   | 27   |
| (1) Any firearm that has a short stock and is designed to   | 28   |
| be held and fired by the use of a single hand;  | 29   |
| (2) Any combination of parts from which a firearm of a  | 30   |
| type described in division (C)(1) of this section can be  | 31   |
| assembled.  | 32   |
|   |  |
| (D) "Comi-automatic firearm" means any firearm designed or  | 22   |
| (D) "Semi-automatic firearm" means any firearm designed or  | 33   |
| specially adapted to fire a single cartridge and automatically  | 34   |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single  | 34<br>35   |
| specially adapted to fire a single cartridge and automatically  | 34   |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single  | 34<br>35   |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.   | 34<br>35<br>36   |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.  (E) "Automatic firearm" means any firearm designed or  | 34<br>35<br>36<br>37   |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.  (E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a  | 34<br>35<br>36<br>37<br>38                                     |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.  (E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.  | 34<br>35<br>36<br>37<br>38<br>39                               |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.  (E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.  (F) "Sawed-off firearm" means a shotgun with a barrel less  | 34<br>35<br>36<br>37<br>38<br>39                               |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.  (E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.  (F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than  | 34<br>35<br>36<br>37<br>38<br>39<br>40<br>41                   |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.  (E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.  (F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six  | 34<br>35<br>36<br>37<br>38<br>39<br>40<br>41<br>42             |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.  (E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.  (F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall. "Sawed-off firearm" does not include any  | 34<br>35<br>36<br>37<br>38<br>39<br>40<br>41<br>42<br>43       |
| specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.  (E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.  (F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall. "Sawed-off firearm" does not include any firearm with an overall length of at least twenty-six inches | 34<br>35<br>36<br>37<br>38<br>39<br>40<br>41<br>42<br>43<br>44 |

| the bureau not to be regulated under the "National Firearms      | 48 |
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| Act," 68A Stat. 725 (1934), 26 U.S.C. 5845(a).                   | 49 |
| (G) "Zip-gun" means any of the following:                        | 50 |
| (1) Any firearm of crude and extemporized manufacture;           | 51 |
| (2) Any device, including without limitation a starter's         | 52 |
| pistol, that is not designed as a firearm, but that is specially | 53 |
| adapted for use as a firearm;                                    | 54 |
| (3) Any industrial tool, signalling device, or safety            | 55 |
| device, that is not designed as a firearm, but that as designed  | 56 |
| is capable of use as such, when possessed, carried, or used as a | 57 |
| firearm.   | 58 |
| (H) "Explosive device" means any device designed or              | 59 |
| specially adapted to cause physical harm to persons or property  | 60 |
| by means of an explosion, and consisting of an explosive         | 61 |
| substance or agency and a means to detonate it. "Explosive       | 62 |
| device" includes without limitation any bomb, any explosive      | 63 |
| demolition device, any blasting cap or detonator containing an   | 64 |
| explosive charge, and any pressure vessel that has been          | 65 |
| knowingly tampered with or arranged so as to explode.            | 66 |
| (I) "Incendiary device" means any firebomb, and any device       | 67 |
| designed or specially adapted to cause physical harm to persons  | 68 |
| or property by means of fire, and consisting of an incendiary    | 69 |
| substance or agency and a means to ignite it.                    | 70 |
| (J) "Ballistic knife" means a knife with a detachable            | 71 |
| blade that is propelled by a spring-operated mechanism.          | 72 |
| (K) "Dangerous ordnance" means any of the following,             | 73 |
| except as provided in division (L) of this section:              | 74 |
| (1) Any automatic or sawed-off firearm, zip-gun, or              | 75 |

| ballistic knife;   | 76  |
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| (2) Any explosive device or incendiary device;                   | 77  |
| (3) Nitroglycerin, nitrocellulose, nitrostarch, PETN,            | 78  |
| cyclonite, TNT, picric acid, and other high explosives; amatol,  | 79  |
| tritonal, tetrytol, pentolite, pecretol, cyclotol, and other     | 80  |
| high explosive compositions; plastic explosives; dynamite,       | 81  |
| blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, | 82  |
| liquid-oxygen blasting explosives, blasting powder, and other    | 83  |
| blasting agents; and any other explosive substance having        | 84  |
| sufficient brisance or power to be particularly suitable for use | 85  |
| as a military explosive, or for use in mining, quarrying,        | 86  |
| excavating, or demolitions;                                      | 87  |
| (4) Any firearm, rocket launcher, mortar, artillery piece,       | 88  |
| grenade, mine, bomb, torpedo, or similar weapon, designed and    | 89  |
| manufactured for military purposes, and the ammunition for that  | 90  |
| weapon;  | 91  |
| (5) Any firearm muffler or suppressor;                           | 92  |
| (6) Any combination of parts that is intended by the owner       | 93  |
| for use in converting any firearm or other device into a         | 94  |
| dangerous ordnance.  | 95  |
| (L) "Dangerous ordnance" does not include any of the             | 96  |
| following:   | 97  |
| (1) Any firearm, including a military weapon and the             | 98  |
| ammunition for that weapon, and regardless of its actual age,    | 99  |
| that employs a percussion cap or other obsolete ignition system, | 100 |
| or that is designed and safe for use only with black powder;     | 101 |
| (2) Any pistol, rifle, or shotgun, designed or suitable          | 102 |
| for sporting purposes, including a military weapon as issued or  | 103 |

| as modified, and the ammunition for that weapon, unless the     | 104 |
|---|-----|
| firearm is an automatic or sawed-off firearm;                   | 105 |
| (3) Any cannon or other artillery piece that, regardless        | 106 |
| of its actual age, is of a type in accepted use prior to 1887,  | 107 |
| has no mechanical, hydraulic, pneumatic, or other system for    | 108 |
| absorbing recoil and returning the tube into battery without    | 109 |
| displacing the carriage, and is designed and safe for use only  | 110 |
| with black powder;  | 111 |
| (4) Black powder, priming quills, and percussion caps           | 112 |
| possessed and lawfully used to fire a cannon of a type defined  | 113 |
| in division (L)(3) of this section during displays,             | 114 |
| celebrations, organized matches or shoots, and target practice, | 115 |
| and smokeless and black powder, primers, and percussion caps    | 116 |
| possessed and lawfully used as a propellant or ignition device  | 117 |
| in small-arms or small-arms ammunition;                         | 118 |
| (5) Dangerous ordnance that is inoperable or inert and          | 119 |
| cannot readily be rendered operable or activated, and that is   | 120 |
| kept as a trophy, souvenir, curio, or museum piece;             | 121 |
| (6) Any device that is expressly excepted from the              | 122 |
| definition of a destructive device pursuant to the "Gun Control | 123 |
| Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended,   | 124 |
| and regulations issued under that act;                          | 125 |
| (7) Any firearm with an overall length of at least twenty-      | 126 |
| six inches that is approved for sale by the federal bureau of   | 127 |
| alcohol, tobacco, firearms, and explosives under the "Gun       | 128 |
| Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but   | 129 |
| that is found by the bureau not to be regulated under the       | 130 |
| "National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C.        | 131 |
| 5845(a).  | 132 |

| (M) "Explosive" means any chemical compound, mixture, or         | 133 |
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| device, the primary or common purpose of which is to function by | 134 |
| explosion. "Explosive" includes all materials that have been     | 135 |
| classified as division 1.1, division 1.2, division 1.3, or       | 136 |
| division 1.4 explosives by the United States department of       | 137 |
| transportation in its regulations and includes, but is not       | 138 |
| limited to, dynamite, black powder, pellet powders, initiating   | 139 |
| explosives, blasting caps, electric blasting caps, safety fuses, | 140 |
| fuse igniters, squibs, cordeau detonant fuses, instantaneous     | 141 |
| fuses, and igniter cords and igniters. "Explosive" does not      | 142 |
| include "fireworks," as defined in section 3743.01 of the        | 143 |
| Revised Code, or any substance or material otherwise meeting the | 144 |
| definition of explosive set forth in this section that is        | 145 |
| manufactured, sold, possessed, transported, stored, or used in   | 146 |
| any activity described in section 3743.80 of the Revised Code,   | 147 |
| provided the activity is conducted in accordance with all        | 148 |
| applicable laws, rules, and regulations, including, but not      | 149 |
| limited to, the provisions of section 3743.80 of the Revised     | 150 |
| Code and the rules of the fire marshal adopted pursuant to       | 151 |
| section 3737.82 of the Revised Code.                             | 152 |
| (N)(1) "Concealed handgun license" or "license to carry a        | 153 |
| concealed handgun" means, subject to division (N)(2) of this     | 154 |
| section, a license or temporary emergency license to carry a     | 155 |
| concealed handgun issued under section 2923.125 or 2923.1213 of  | 156 |
| the Revised Code or a license to carry a concealed handgun       | 157 |
| issued by another state with which the attorney general has      | 158 |
| entered into a reciprocity agreement under section 109.69 of the | 159 |
| Revised Code.  | 160 |
| (2) A reference in any provision of the Revised Code to a        | 161 |
| concealed handgun license issued under section 2923.125 of the   | 162 |

Revised Code or a license to carry a concealed handgun issued

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| under section 2923.125 of the Revised Code means only a license  | 164 |
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| of the type that is specified in that section. A reference in    | 165 |
| any provision of the Revised Code to a concealed handgun license | 166 |
| issued under section 2923.1213 of the Revised Code, a license to | 167 |
| carry a concealed handgun issued under section 2923.1213 of the  | 168 |
| Revised Code, or a license to carry a concealed handgun on a     | 169 |
| temporary emergency basis means only a license of the type that  | 170 |
| is specified in section 2923.1213 of the Revised Code. A         | 171 |
| reference in any provision of the Revised Code to a concealed    | 172 |
| handgun license issued by another state or a license to carry a  | 173 |
| concealed handgun issued by another state means only a license   | 174 |
| issued by another state with which the attorney general has      | 175 |
| entered into a reciprocity agreement under section 109.69 of the | 176 |
| Revised Code.  | 177 |

- (0) "Valid concealed handgun license" or "valid license to 178 carry a concealed handgun" means a concealed handgun license 179 that is currently valid, that is not under a suspension under 180 division (A)(1) of section 2923.128 of the Revised Code, under 181 section 2923.1213 of the Revised Code, or under a suspension 182 provision of the state other than this state in which the 183 license was issued, and that has not been revoked under division 184 (B)(1) of section 2923.128 of the Revised Code, under section 185 2923.1213 of the Revised Code, or under a revocation provision 186 of the state other than this state in which the license was 187 issued. 188
- (P) "Misdemeanor punishable by imprisonment for a term exceeding one year" does not include any of the following:
- (1) Any federal or state offense pertaining to antitrust
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  violations, unfair trade practices, restraints of trade, or
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  other similar offenses relating to the regulation of business
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| practices;   | 194 |
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| (2) Any misdemeanor offense punishable by a term of              | 195 |
| imprisonment of two years or less.                               | 196 |
| (O) "Alien registration number" means the number issued by       | 197 |
| (Q) "Alien registration number" means the number issued by       |     |
| the United States citizenship and immigration services agency    | 198 |
| that is located on the alien's permanent resident card and may   | 199 |
| also be commonly referred to as the "USCIS number" or the "alien | 200 |
| number."   | 201 |
| (R) "Active duty" has the same meaning as defined in 10          | 202 |
| U.S.C. 101.  | 203 |
| Sec. 2923.26. (A) As used in this section:                       | 204 |
| (1) "Federally licensed firearms dealer" has the same            | 205 |
| meaning as in section 5502.63 of the Revised Code.               | 206 |
| (2) "Firearm hold agreement" means an agreement between          | 207 |
| the owner of a lawfully possessed firearm and a federally        | 208 |
| licensed firearms dealer or county or municipal law enforcement  | 209 |
| agency that includes all of the following:                       | 210 |
| (a) That the federally licensed firearms dealer or county        | 211 |
| or municipal law enforcement agency will take physical           | 212 |
| <pre>possession of the owner's lawfully possessed firearm;</pre> | 213 |
| (b) That the federally licensed firearms dealer or county        | 214 |
| or municipal law enforcement agency will hold the owner's        | 215 |
| lawfully possessed firearm for an agreed period of time;         | 216 |
| (c) That the federally licensed firearms dealer or county        | 217 |
| or municipal law enforcement agency will return the firearm to   | 218 |
| the owner at the expiration of the agreed period of time.        | 219 |
| (B) If a federally licensed firearms dealer or county or         | 220 |

| municipal law enforcement agency enters into a firearm hold      | 221 |
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| agreement with the owner of a lawfully possessed firearm, the    | 222 |
| federally licensed firearms dealer or county or municipal law    | 223 |
| enforcement agency who enters into the firearm hold agreement    | 224 |
| with the owner shall provide the owner with the pamphlet         | 225 |
| described in section 3701.982 of the Revised Code at the time    | 226 |
| that the federally licensed firearms dealer or county or         | 227 |
| municipal law enforcement agency enters into the firearm hold    | 228 |
| agreement with the owner of the lawfully possessed firearm.      | 229 |
| (C)(1) Subject to division (C)(2) of this section, no            | 230 |
| federally licensed firearms dealer or county or municipal law    | 231 |
| enforcement agency who enters into a firearm hold agreement with | 232 |
| an owner of a lawfully possessed firearm is liable in damages in | 233 |
| a civil action for the injury, death, or loss to person or       | 234 |
| property that arose from an act or omission associated with the  | 235 |
| federally licensed firearms dealer or county or municipal law    | 236 |
| enforcement agency returning the firearm to the owner under the  | 237 |
| firearm hold agreement, unless the act or omission constitutes   | 238 |
| unlawful conduct.  | 239 |
| (2) Division (C)(1) of this section does not eliminate,          | 240 |
| limit, or reduce any other immunity or defense that a county or  | 241 |
| municipal law enforcement agency may be entitled to under        | 242 |
| Chapter 2744. or any other provision of the Revised Code or      | 243 |
| under the common law of this state.                              | 244 |
| (D)(1) If a federally licensed firearms dealer or county         | 245 |
| or municipal law enforcement agency enters into a firearm hold   | 246 |
| agreement with the owner of a lawfully possessed firearm and if  | 247 |
| after the expiration of the agreed period of time the owner of   | 248 |
| the firearm does not claim the firearm, the federally licensed   | 249 |
| firearms dealer or county or municipal law enforcement agency    | 250 |

| shall contact the owner of the firearm at least two times within | 251 |
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| the following sixty days requesting that the owner claim the     | 252 |
| firearm.   | 253 |
| (2) If a federally licensed firearms dealer has physical         | 254 |
| possession of the firearm and the firearm remains unclaimed      | 255 |
| after the federally licensed firearm dealer complies with        | 256 |
| division (D)(1) of this section, then the federally licensed     | 257 |
| firearms dealer shall surrender the firearm to a county or       | 258 |
| municipal law enforcement agency.                                | 259 |
| (3) If a county or municipal law enforcement agency has          | 260 |
| physical possession of the firearm and the firearm remains       | 261 |
| unclaimed after the county or municipal law enforcement agency   | 262 |
| complies with division (D)(1) of this section or the firearm has | 263 |
| been surrendered to the county or municipal law enforcement      | 264 |
| agency as described in division (D)(2) of this section, then the | 265 |
| county or municipal law enforcement agency shall dispose of the  | 266 |
| firearm in accordance with the county or municipal law           | 267 |
| enforcement agency's policies and procedures for the disposal of | 268 |
| a firearm in police custody.                                     | 269 |
| Sec. 3701.982. (A) As used in this section, "firearm             | 270 |
| safety device" means equipment that is designed to prevent       | 271 |
| unauthorized access to, or the operation or discharge of, a      | 272 |
| firearm and that is either of the following:                     | 273 |
| (1) A device that, when installed on a firearm, is               | 274 |
| designed to prevent the firearm from being operated without      | 275 |
| first deactivating the device.                                   | 276 |
| (2) A gun safe, gun case, lockbox, or other device that is       | 277 |
| designed to prevent access to a firearm unless an individual     | 278 |
| uses a key, a combination, biometric data, or other similar      | 279 |

| means.   | 280 |
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| (B) The department of health, in consultation with the         | 281 |
| department of veterans services, shall prepare a pamphlet with | 282 |
| all of the following information:                              | 283 |
| (1) Mental health resources, including how to access the       | 284 |
| <pre>following:</pre>  | 285 |
| (a) The 9-8-8 suicide prevention and mental health crisis      | 286 |
| hotline and the global crisis text line;                       | 287 |
| (b) The United States department of veterans affairs'          | 288 |
| <pre>veterans crisis line;</pre>                               | 289 |
| (c) The United States department of veterans affairs'          | 290 |
| <pre>suicide prevention toolkit.</pre>                         | 291 |
| (2) A list of local veterans organizations, including          | 292 |
| <pre>veterans clinics;</pre>                                   | 293 |
| (3) Guidance on secure firearm safety devices, including       | 294 |
| any discounted or complimentary firearm safety device programs | 295 |
| available for veterans.  | 296 |
| (C) The department of health and the department of             | 297 |
| veterans services shall each publish the pamphlet described in | 298 |
| division (B) of this section on each department's web site.    | 299 |
| Section 2. That existing section 2923.11 of the Revised        | 300 |
| Code is hereby repealed.                                       | 301 |
| Section 3. This act shall be known as the Second Chance        | 302 |
| Safety Act.  | 303 |