

As Reported by the House Finance Committee

136th General Assembly

Regular Session

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Am. Sub. S. B. No. 273

Senator Koehler

Cosponsors: Senators Johnson, Antonio, Blessing, Brenner, Cirino, Craig, DeMora, Gavarone, Hicks-Hudson, Huffman, Lang, Manning, Patton, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Timken, Weinstein

Representatives Abrams, Willis, Stewart, Dovilla, Bird, White, A., Williams

To amend sections 4501.11 and 5503.02 and to enact 1
section 2923.26 of the Revised Code to enact the 2
Keep Them Safe Act and to make an appropriation. 3

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

Section 1. That sections 4501.11 and 5503.02 be amended 4
and section 2923.26 of the Revised Code be enacted to read as 5
follows: 6

Sec. 2923.26. (A) As used in this section: 7

(1) "Legal cause" means any legal authority that would 8
prohibit receiving or possessing a firearm, including disability 9
under section 2923.13 of the Revised Code or under 18 U.S.C. 10
922(g). 11

(2) "Federally licensed firearms dealer" has the same 12
meaning as in section 5502.63 of the Revised Code. 13

(3) "Law enforcement agency" means a police department, 14
the office of a sheriff, the state highway patrol, or a federal, 15
state, or local governmental body that enforces criminal laws 16

and that has employees who have a statutory power of arrest. 17

(4) "Political subdivision" has the same meaning as in 18
section 2744.01 of the Revised Code. 19

(B) Any owner of a lawfully possessed firearm or a person 20
authorized by the owner of a lawfully possessed firearm may, 21
upon application and agreement, store a firearm with a federally 22
licensed firearms dealer or with a law enforcement agency 23
pursuant to this section. 24

(C) The following terms apply to the storage of a firearm 25
with a federally licensed firearms dealer under this section: 26

(1) The dealer may not enter into an agreement for firearm 27
storage if the dealer's federal firearms license will expire 28
during the term of storage, unless the dealer has submitted a 29
timely renewal application to the federal bureau of alcohol, 30
tobacco, firearms, and explosives and is authorized to continue 31
operations under federal law. 32

(2) The dealer shall follow all federal laws regarding 33
acquisition, transfer, and disposition of firearms pursuant to 34
18 U.S.C. 921 et seq. and 26 U.S.C. 53 et seq. 35

(3) A dealer may establish the dealer's own policies and 36
procedures regarding the acceptance and return of a firearm and 37
provide a copy of the policies and procedures to any person 38
placing a firearm in storage with that dealer. 39

(4) No dealer shall return a firearm to a person if the 40
return of the firearm would result in a direct violation of 41
state or federal law. 42

(D) The following terms apply to storage of a firearm with 43
a law enforcement agency under this section: 44

(1) A law enforcement agency may establish policies 45
regarding the return of firearms. 46

(2) No law enforcement agency shall return a firearm if 47
the return of the firearm would result in a direct violation of 48
state or federal law. 49

(E) Nothing in this section shall be construed as a 50
requirement for a federally licensed firearms dealer or law 51
enforcement agency to accept a firearm for storage pursuant to 52
this section. 53

(F) Nothing in this section shall be construed as a 54
requirement for a federally licensed firearms dealer or law 55
enforcement agency to accept a firearm or firearms for voluntary 56
storage free of charge. 57

(G) A federally licensed firearms dealer that accepts the 58
storage of a firearm under this section is immune from liability 59
in a civil action for any injury, death, or loss to person or 60
property that allegedly is caused by or related to the 61
acceptance, storage, or return of a firearm unless the federally 62
licensed firearms dealer acts with malicious purpose or intent 63
to withhold the return of the firearm without legal cause. 64

(H) A law enforcement agency or political subdivision is 65
immune from liability in a civil action, to the extent and in 66
the manner provided in Chapter 2744. of the Revised Code, for 67
any injury, death, or loss to person or property that allegedly 68
is caused by or related to the acceptance, storage, or return of 69
a firearm. 70

(I) If a court of competent jurisdiction finds that a 71
federally licensed firearms dealer or law enforcement agency 72
withheld return of a firearm or firearms after a demand was made 73

for the return by an owner of a lawfully possessed firearm or a 74
person authorized by the owner of a lawfully possessed firearm, 75
without legal cause, in addition to any other relief ordered, 76
the court shall award reasonable costs and attorney's fees to 77
the person who sought a court order finding the firearm stored 78
was illegally withheld. 79

(J) Any information submitted by a person in an 80
application or agreement to store a firearm with a federally 81
licensed firearms dealer or a law enforcement agency pursuant to 82
this section is confidential, is not a public record under 83
section 149.43 of the Revised Code, and may not be used for any 84
purpose except as described under this section. 85

Sec. 4501.11. (A) There is hereby created in the state 86
treasury the security, investigations, and policing fund. 87
Notwithstanding section 5503.04 of the Revised Code, no fines 88
collected from or money arising from bonds or bail forfeited by 89
persons apprehended or arrested by state highway patrol troopers 90
shall be credited to the general revenue fund until sufficient 91
revenue to fund appropriations for the activities described 92
under division (B) of this section are credited to the security, 93
investigations, and policing fund. All investment earnings of 94
the security, investigations, and policing fund shall be 95
credited to that fund. 96

This division does not apply to fines for violations of 97
division (B) of section 4513.263 of the Revised Code, or to 98
fines for violations of any municipal ordinance that is 99
substantively comparable to that division, which fines shall be 100
delivered to the treasurer of state as provided in division (E) 101
of section 4513.263 of the Revised Code. 102

(B) The money credited to the security, investigations, 103

and policing fund shall be used to pay the costs of:	104
(1) Providing security for the governor, other <u>eligible</u>	105
<u>individuals, officials, and dignitaries, the capitol square, and</u>	106
other state property pursuant to division (E) of section 5503.02	107
of the Revised Code;	108
(2) Undertaking major criminal investigations that involve	109
state property interests;	110
(3) Providing traffic control and security for the Ohio	111
expositions commission on a full-time, year-round basis;	112
(4) Performing nonhighway-related duties of the state	113
highway patrol at the Ohio state fair.	114
Sec. 5503.02. (A) The state highway patrol shall enforce	115
the laws of the state relating to the titling, registration, and	116
licensing of motor vehicles; enforce on all roads and highways,	117
notwithstanding section 4513.39 of the Revised Code, the laws	118
relating to the operation and use of vehicles on the highways;	119
enforce and prevent the violation of the laws relating to the	120
size, weight, and speed of commercial motor vehicles and all	121
laws designed for the protection of the highway pavements and	122
structures on the highways; investigate and enforce rules and	123
laws of the public utilities commission governing the	124
transportation of persons and property by motor carriers and	125
report violations of such rules and laws to the commission;	126
enforce against any motor carrier as defined in section 4923.01	127
of the Revised Code those rules and laws that, if violated, may	128
result in a forfeiture as provided in section 4923.99 of the	129
Revised Code; investigate and report violations of all laws	130
relating to the collection of excise taxes on motor vehicle	131
fuels; and regulate the movement of traffic on the roads and	132

highways of the state, notwithstanding section 4513.39 of the Revised Code. 133
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The patrol, whenever possible, shall determine the identity of the persons who are causing or who are responsible for the breaking, damaging, or destruction of any improved surfaced roadway, structure, sign, marker, guardrail, or other appurtenance constructed or maintained by the department of transportation and shall arrest the persons who are responsible for the breaking, damaging, or destruction and bring them before the proper officials for prosecution. 135
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State highway patrol troopers shall investigate and report all motor vehicle accidents on all roads and highways outside of municipal corporations. The superintendent of the patrol or any state highway patrol trooper may arrest, without a warrant, any person, who is the driver of or a passenger in any vehicle operated or standing on a state highway, whom the superintendent or trooper has reasonable cause to believe is guilty of a felony, under the same circumstances and with the same power that any peace officer may make such an arrest. 143
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The superintendent or any state highway patrol trooper may enforce the criminal laws on all state properties and state institutions, owned or leased by the state, and, when so ordered by the governor in the event of riot, civil disorder, or insurrection, may, pursuant to sections 2935.03 to 2935.05 of the Revised Code, arrest offenders against the criminal laws wherever they may be found within the state if the violations occurred upon, or resulted in injury to person or property on, state properties or state institutions, or under the conditions described in division (B) of this section. This authority of the superintendent and any state highway patrol trooper to enforce 152
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the criminal laws shall extend to the Lake Erie Correctional 163
Institution and the Northeast Ohio Correctional Center, to the 164
same extent as if those prisons were owned by this state. 165

(B) In the event of riot, civil disorder, or insurrection, 166
or the reasonable threat of riot, civil disorder, or 167
insurrection, and upon request, as provided in this section, of 168
the sheriff of a county or the mayor or other chief executive of 169
a municipal corporation, the governor may order the state 170
highway patrol to enforce the criminal laws within the area 171
threatened by riot, civil disorder, or insurrection, as 172
designated by the governor, upon finding that law enforcement 173
agencies within the counties involved will not be reasonably 174
capable of controlling the riot, civil disorder, or insurrection 175
and that additional assistance is necessary. In cities in which 176
the sheriff is under contract to provide exclusive police 177
services pursuant to section 311.29 of the Revised Code, in 178
villages, and in the unincorporated areas of the county, the 179
sheriff has exclusive authority to request the use of the 180
patrol. In cities in which the sheriff does not exclusively 181
provide police services, the mayor, or other chief executive 182
performing the duties of mayor, has exclusive authority to 183
request the use of the patrol. 184

The superintendent or any state highway patrol trooper may 185
enforce the criminal laws within the area designated by the 186
governor during the emergency arising out of the riot, civil 187
disorder, or insurrection until released by the governor upon 188
consultation with the requesting authority. State highway patrol 189
troopers shall never be used as peace officers in connection 190
with any strike or labor dispute. 191

When a request for the use of the patrol is made pursuant 192

to this division, the requesting authority shall notify the law 193
enforcement authorities in contiguous communities and the 194
sheriff of each county within which the threatened area, or any 195
part of the threatened area, lies of the request, but the 196
failure to notify the authorities or a sheriff shall not affect 197
the validity of the request. 198

(C) Any person who is arrested by the superintendent or a 199
state highway patrol trooper shall be taken before any court or 200
magistrate having jurisdiction of the offense with which the 201
person is charged. Any person who is arrested or apprehended 202
within the limits of a municipal corporation shall be brought 203
before the municipal court or other tribunal of the municipal 204
corporation. 205

(D) (1) State highway patrol troopers have the same right 206
and power of search and seizure as other peace officers. 207

No state official shall command, order, or direct any 208
state highway patrol trooper to perform any duty or service that 209
is not authorized by law. The powers and duties conferred on the 210
patrol are supplementary to, and in no way a limitation on, the 211
powers and duties of sheriffs or other peace officers of the 212
state. 213

(2) (a) A state highway patrol trooper, pursuant to the 214
policy established by the superintendent of the state highway 215
patrol under division (D) (2) (b) of this section, may render 216
emergency assistance to any other peace officer who has arrest 217
authority under section 2935.03 of the Revised Code, if both of 218
the following apply: 219

(i) There is a threat of imminent physical danger to the 220
peace officer, a threat of physical harm to another person, or 221

any other serious emergency situation;	222
(ii) Either the peace officer requests emergency	223
assistance, or it appears that the peace officer is unable to	224
request emergency assistance and the circumstances observed by	225
the state highway patrol trooper reasonably indicate that	226
emergency assistance is appropriate, or the peace officer	227
requests emergency assistance and in the request the peace	228
officer specifies a particular location and the state highway	229
patrol trooper arrives at that location prior to the time that	230
the peace officer arrives at that location and the circumstances	231
observed by the state highway patrol trooper reasonably indicate	232
that emergency assistance is appropriate.	233
(b) The superintendent of the state highway patrol shall	234
establish, within sixty days of August 8, 1991, a policy that	235
sets forth the manner and procedures by which a state highway	236
patrol trooper may render emergency assistance to any other	237
peace officer under division (D) (2) (a) of this section. The	238
policy shall include a provision that a state highway patrol	239
trooper never be used as a peace officer in connection with any	240
strike or labor dispute.	241
(3) (a) A state highway patrol trooper who renders	242
emergency assistance to any other peace officer under the policy	243
established by the superintendent pursuant to division (D) (2) (b)	244
of this section shall be considered to be performing regular	245
employment for the purposes of compensation, pension, indemnity	246
fund rights, workers' compensation, and other rights or benefits	247
to which the trooper may be entitled as incident to regular	248
employment.	249
(b) A state highway patrol trooper who renders emergency	250
assistance to any other peace officer under the policy	251

established by the superintendent pursuant to division (D) (2) (b) 252
of this section retains personal immunity from liability as 253
specified in section 9.86 of the Revised Code. 254

(c) A state highway patrol trooper who renders emergency 255
assistance under the policy established by the superintendent 256
pursuant to division (D) (2) (b) of this section has the same 257
authority as the peace officer for or with whom the state 258
highway patrol trooper is providing emergency assistance. 259

(E) (1) Subject to the availability of funds specifically 260
appropriated by the general assembly for security detail 261
purposes, the state highway patrol shall provide security as 262
follows: 263

~~(a)~~ (a) (i) For the governor, the lieutenant governor, the 264
governor-elect, the lieutenant governor-elect, and, at the 265
direction of the governor, any eligible candidate and immediate 266
family as defined in section 102.01 of the Revised Code; 267

(ii) For the purpose of division (E) (1) (a) (i) of this 268
division, "eligible candidate" means any of the following: 269

(I) A candidate for the office of governor or lieutenant 270
governor, upon being nominated in a primary election as a party 271
candidate for election at the next general election by a major 272
political party as defined in division (F) (1) of section 3501.01 273
of the Revised Code, as of the date that the results of the 274
unofficial count conducted by the boards of elections under 275
section 3505.30 of the Revised Code indicate that the candidate 276
received the most votes in the primary election; 277

(II) A major political party's candidate for the office of 278
governor or lieutenant governor, upon being certified to fill a 279
vacancy on a general election ballot under division (E) of 280

<u>section 3513.311 of the Revised Code.</u>	281
(b) At the direction of the governor, for other officials	282
of the state government of this state; officials of the state	283
governments of other states who are visiting this state;	284
officials of the United States government who are visiting this	285
state; officials of the governments of foreign countries or	286
their political subdivisions who are visiting this state; or	287
other officials or dignitaries who are visiting this state,	288
including, but not limited to, members of trade missions;	289
(c) For the capitol square, as defined in section 105.41	290
of the Revised Code;	291
(d) For the Vern Riffe center and the James A. Rhodes	292
state office tower, as directed by the department of public	293
safety;	294
(e) For other state property.	295
(2) To carry out the security responsibilities of the	296
patrol listed in division (E)(1) of this section, the	297
superintendent may assign state highway patrol troopers to a	298
separate <u>executive protection</u> unit that is responsible for	299
security details, <u>whether on a permanent or temporary basis</u> . The	300
number of troopers assigned to particular security details shall	301
be determined by the superintendent.	302
(3) The superintendent and any state highway patrol	303
trooper, when providing security <u>as part of the executive</u>	304
<u>protection unit pursuant to division divisions (E)(1) and (2)</u> of	305
this section, have the same arrest powers as other peace	306
officers to apprehend offenders against the criminal laws who	307
endanger or threaten the security of any person or state	308
property being protected under division (E) of this section, no	309

matter where the offense occurs. This arrest authority is 310
concurrent with that of any other peace officer, as defined in 311
section 2935.01 of the Revised Code, or any other law 312
enforcement officer, as defined in section 2901.01 of the 313
Revised Code, with jurisdiction at the respective location. 314

The superintendent, any state highway patrol trooper, and 315
any special police officer designated under section 5503.09 of 316
the Revised Code, if providing security pursuant to division (E) 317
(1)(c) of this section as part of the executive protection unit, 318
shall enforce any rules governing capitol square adopted by the 319
capitol square review and advisory board. 320

(F) The governor may order the state highway patrol to 321
undertake major criminal investigations that involve state 322
property interests. If an investigation undertaken pursuant to 323
this division results in either the issuance of a no bill or the 324
filing of an indictment, the superintendent shall file a 325
complete and accurate report of the investigation with the 326
president of the senate, the speaker of the house of 327
representatives, the minority leader of the senate, and the 328
minority leader of the house of representatives within fifteen 329
days after the issuance of the no bill or the filing of an 330
indictment. If the investigation does not have as its result any 331
prosecutorial action, the superintendent shall, upon reporting 332
this fact to the governor, file a complete and accurate report 333
of the investigation with the president of the senate, the 334
speaker of the house of representatives, the minority leader of 335
the senate, and the minority leader of the house of 336
representatives. 337

(G) The superintendent may purchase or lease real property 338
and buildings needed by the patrol, negotiate the sale of real 339

property owned by the patrol, rent or lease real property owned 340
 or leased by the patrol, and make or cause to be made repairs to 341
 all property owned or under the control of the patrol. Any 342
 instrument by which real property is acquired pursuant to this 343
 division shall identify the agency of the state that has the use 344
 and benefit of the real property as specified in section 345
 5301.012 of the Revised Code. 346

Sections 123.01 and 125.02 of the Revised Code do not 347
 limit the powers granted to the superintendent by this division. 348

Section 2. That existing sections 4501.11 and 5503.02 of 349
 the Revised Code are hereby repealed. 350

Section 3. All items in this act are hereby appropriated 351
 as designated out of any moneys in the state treasury to the 352
 credit of the designated fund. For all operating appropriations 353
 made in this act, those in the first column are for fiscal year 354
 2026 and those in the second column are for fiscal year 2027. 355
 The operating appropriations made in this act are in addition to 356
 any other operating appropriations made for these fiscal years. 357

Section 4. 358
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A	DPS DEPARTMENT OF PUBLIC SAFETY				
B	Highway Safety Fund Group				
C	8400	764617	Security and Investigations	\$250,000	\$9,750,000
D	Highway Safety Fund Group Total			\$250,000	\$9,750,000

E TOTAL ALL BUDGET FUND GROUPS \$250,000 \$9,750,000

SECURITY AND INVESTIGATIONS 360

On the effective date of this section, or as soon as 361
possible thereafter, the Director of Budget and Management shall 362
transfer \$10,000,000 from the General Revenue Fund to the 363
Security, Investigations, and Policing Fund (Fund 8400). 364

The foregoing appropriation item 764617, Security and 365
Investigations, shall be used by the State Highway Patrol to 366
provide security, at the direction of the Governor, for any 367
major political party candidate for the office of governor or 368
lieutenant governor, and the immediate family, in the months 369
leading up to the 2026 general election. 370

Of the foregoing appropriation item 764617, Security and 371
Investigations, \$2,000,000 in fiscal year 2027 shall be used by 372
the Department of Public Safety to reimburse law enforcement 373
agencies for costs incurred for assisting the State Highway 374
Patrol, at the request of the State Highway Patrol, to provide 375
security for any major political party candidate for the office 376
of governor or lieutenant governor in the months leading up to 377
the 2026 general election as provided after the effective date 378
of this section. Law enforcement agencies shall submit for 379
reimbursement to the Department of Public Safety in a manner 380
prescribed by the Director. 381

An amount equal to the unexpended, unencumbered balance of 382
the foregoing appropriation item 764617, Security and 383
Investigations, at the end of fiscal year 2026 is hereby 384
reappropriated to the same appropriation item for the same 385
purpose in fiscal year 2027. 386

Section 5. Within the limits set forth in this act, the	387
Director of Budget and Management shall establish accounts	388
indicating the source and amount of funds for each appropriation	389
made in this act, and shall determine the manner in which	390
appropriation accounts shall be maintained. Expenditures from	391
operating appropriations contained in this act shall be	392
accounted for as though made in, and are subject to all	393
applicable provisions of, H.B. 96 of the 136th General Assembly.	394
Section 6. This act shall be known as the Keep Them Safe	395
Act.	396