

AN ACT

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

Be it enacted by the General Assembly of the State of Ohio:

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

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

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

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

(3) "Law enforcement agency" means a police department, the office of a sheriff, the state highway patrol, or a federal, state, or local governmental body that enforces criminal laws and that has employees who have a statutory power of arrest.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(I) If a court of competent jurisdiction finds that a federally licensed firearms dealer or law enforcement agency withheld return of a firearm or firearms after a demand was made for the return by an owner of a lawfully possessed firearm or a person authorized by the owner of a lawfully possessed firearm, without legal cause, in addition to any other relief ordered, the court shall award reasonable costs and attorney's fees to the person who sought a court order finding the firearm stored was illegally withheld.

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

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

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

(B) The money credited to the security, investigations, and policing fund shall be used to pay the costs of:

(1) Providing security for the governor, other eligible individuals, officials, and dignitaries, the capitol square, and other state property pursuant to division (E) of section 5503.02 of the Revised Code;

(2) Undertaking major criminal investigations that involve state property interests;

(3) Providing traffic control and security for the Ohio expositions commission on a full-time, year-round basis;

(4) Performing nonhighway-related duties of the state highway patrol at the Ohio state fair.

Sec. 5503.02. (A) The state highway patrol shall enforce the laws of the state relating to the titling, registration, and licensing of motor vehicles; enforce on all roads and highways, notwithstanding section 4513.39 of the Revised Code, the laws relating to the operation and use of vehicles on the highways; enforce and prevent the violation of the laws relating to the size, weight, and speed of commercial motor vehicles and all laws designed for the protection of the highway pavements and structures on the highways; investigate and enforce rules and laws of the public utilities commission governing the transportation of persons and property by motor carriers and report violations of such rules and laws to the commission; enforce against any motor carrier as defined in section 4923.01 of the Revised Code those rules and laws that, if violated, may result in a forfeiture as provided in section 4923.99 of the Revised Code; investigate and report violations of all laws relating to the collection of excise taxes on motor vehicle fuels; and regulate the movement of traffic on the roads and highways of the state, notwithstanding section 4513.39 of the Revised Code.

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.

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.

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 the criminal laws shall extend to the Lake Erie Correctional Institution and the Northeast Ohio Correctional Center, to the same extent as if those prisons were owned by this state.

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

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

When a request for the use of the patrol is made pursuant to this division, the requesting authority shall notify the law enforcement authorities in contiguous communities and the sheriff of each county within which the threatened area, or any part of the threatened area, lies of the request, but the failure to notify the authorities or a sheriff shall not affect the validity of the request.

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

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

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

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

(i) There is a threat of imminent physical danger to the peace officer, a threat of physical harm to another person, or any other serious emergency situation;

(ii) Either the peace officer requests emergency assistance, or it appears that the peace officer is unable to request emergency assistance and the circumstances observed by the state highway patrol trooper reasonably indicate that emergency assistance is appropriate, or the peace officer requests emergency assistance and in the request the peace officer specifies a particular location and the state highway patrol trooper arrives at that location prior to the time that the peace officer arrives at that location and the circumstances observed by the state highway patrol trooper reasonably indicate that emergency assistance is appropriate.

(b) The superintendent of the state highway patrol shall establish, ~~within sixty days of August 8, 1991,~~ a policy that sets forth the manner and procedures by which a state highway patrol trooper may render emergency assistance to any other peace officer under division (D)(2)(a) of this section. The policy shall include a provision that a state highway patrol trooper never be used as a peace officer in connection with any strike or labor dispute.

(3)(a) A state highway patrol trooper who renders emergency assistance to any other peace officer under the policy established by the superintendent pursuant to division (D)(2)(b) of this section shall be considered to be performing regular employment for the purposes of compensation, pension, indemnity fund rights, workers' compensation, and other rights or benefits to which the trooper may be entitled as incident to regular employment.

(b) A state highway patrol trooper who renders emergency assistance to any other peace officer under the policy established by the superintendent pursuant to division (D)(2)(b) of this section retains personal immunity from liability as specified in section 9.86 of the Revised Code.

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

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

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

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

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

(II) A major political party's candidate for the office of governor or lieutenant governor, upon being certified to fill a vacancy on a general election ballot under division (E) of section 3513.311 of the Revised Code.

(b) At the direction of the governor, for other officials of the state government of this state; officials of the state governments of other states who are visiting this state; officials of the United States government who are visiting this state; officials of the governments of foreign countries or their political subdivisions who are visiting this state; or other officials or dignitaries who are visiting this state, including, but not limited to, members of trade missions;

(c) For the capitol square, as defined in section 105.41 of the Revised Code;

(d) For the Vern Riffe center and the James A. Rhodes state office tower, as directed by the department of public safety;

(e) For other state property.

(2) To carry out the security responsibilities of the patrol listed in division (E)(1) of this section, the superintendent may assign state highway patrol troopers to a separate executive protection unit that is responsible for security details, whether on a permanent or temporary basis. The number of troopers assigned to particular security details shall be determined by the superintendent.

(3) The superintendent and any state highway patrol trooper, when providing security as part of the executive protection unit pursuant to ~~division~~ divisions (E)(1) and (2) of this section, have the same arrest powers as other peace officers to apprehend offenders against the criminal laws ~~who endanger or threaten the security of any person or state property being protected under division (E) of this section~~, no matter where the offense occurs. This arrest authority is concurrent with that of any other peace officer, as defined in section 2935.01 of the Revised Code, or any other law enforcement officer, as defined in section 2901.01 of the Revised Code, with jurisdiction at the respective location.

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

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

minority leader of the senate, and the minority leader of the house of representatives.

(G) The superintendent may purchase or lease real property and buildings needed by the patrol, negotiate the sale of real property owned by the patrol, rent or lease real property owned or leased by the patrol, and make or cause to be made repairs to all property owned or under the control of the patrol. Any instrument by which real property is acquired pursuant to this division shall identify the agency of the state that has the use and benefit of the real property as specified in section 5301.012 of the Revised Code.

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

SECTION 2. That existing sections 4501.11 and 5503.02 of the Revised Code are hereby repealed.

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

SECTION 4.

1	2	3	4	5
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			

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

The foregoing appropriation item 764617, Security and Investigations, shall be used by the

State Highway Patrol to provide security, at the direction of the Governor, for any major political party candidate for the office of governor or lieutenant governor, and the immediate family, in the months leading up to the 2026 general election.

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

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

SECTION 5. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the manner in which appropriation accounts shall be maintained. Expenditures from operating appropriations contained in this act shall be accounted for as though made in, and are subject to all applicable provisions of, H.B. 96 of the 136th General Assembly.

SECTION 6. This act shall be known as the Keep Them Safe Act.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20__

Approved _____, 20__

Governor.

Am. Sub. S. B. No. 273

136th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____