

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**S. B. No. 98**

**Senators Craig, Weinstein**

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**A BILL**

To amend sections 2923.13 and 2923.14 of the  
Revised Code to prohibit a person who is charged  
with or has been convicted of first degree  
misdemeanor domestic violence from possessing a  
firearm or dangerous ordnance.

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

**Section 1.** That sections 2923.13 and 2923.14 of the  
Revised Code be amended to read as follows:

**Sec. 2923.13.** (A) Unless relieved from disability under  
operation of law or legal process, no person shall knowingly  
acquire, have, carry, or use any firearm or dangerous ordnance,  
if any of the following apply:

(1) The person is a fugitive from justice.

(2) The person is under indictment for or has been  
convicted of any felony offense of violence or has been  
adjudicated a delinquent child for the commission of an offense  
that, if committed by an adult, would have been a felony offense  
of violence.

(3) The person is under indictment for or has been

convicted of any felony offense involving the illegal 19  
possession, use, sale, administration, distribution, or 20  
trafficking in any drug of abuse or has been adjudicated a 21  
delinquent child for the commission of an offense that, if 22  
committed by an adult, would have been a felony offense 23  
involving the illegal possession, use, sale, administration, 24  
distribution, or trafficking in any drug of abuse. 25

(4) The person has a drug dependency, is in danger of drug 26  
dependence, or has chronic alcoholism. 27

(5) The person is under adjudication of mental 28  
incompetence, has been committed to a mental institution, has 29  
been found by a court to be a person with a mental illness 30  
subject to court order, or is an involuntary patient other than 31  
one who is a patient only for purposes of observation. As used 32  
in this division, "person with a mental illness subject to court 33  
order" and "patient" have the same meanings as in section 34  
5122.01 of the Revised Code. 35

(6) The person is charged with or has been convicted of a 36  
violation of section 2919.25 of the Revised Code that is a 37  
misdemeanor of the first degree. 38

(B) Whoever violates this section is guilty of having 39  
weapons while under disability, a felony of the third degree. 40

(C) For the purposes of this section, "under operation of 41  
law or legal process" shall not itself include mere completion, 42  
termination, or expiration of a sentence imposed as a result of 43  
a criminal conviction. 44

**Sec. 2923.14.** (A) (1) Except as otherwise provided in 45  
division (A) (2) of this section, any person who is prohibited 46  
from acquiring, having, carrying, or using firearms may apply to 47

the court of common pleas in the county in which the person 48  
resides for relief from such prohibition. 49

(2) Division (A)(1) of this section does not apply to a 50  
person who has been convicted of or pleaded guilty to a 51  
violation of section 2923.132 of the Revised Code or to a person 52  
who, two or more times, has been convicted of or pleaded guilty 53  
to a felony and a specification of the type described in section 54  
2941.141, 2941.144, 2941.145, 2941.146, 2941.1412, or 2941.1424 55  
of the Revised Code. 56

(B) The application shall recite the following: 57

(1) All indictments, convictions, or adjudications upon 58  
which the applicant's disability is based, the sentence imposed 59  
and served, and any release granted under a community control 60  
sanction, post-release control sanction, or parole, any partial 61  
or conditional pardon granted, or other disposition of each 62  
case, or, if the disability is based upon a factor other than an 63  
indictment, a conviction, or an adjudication, the factor upon 64  
which the disability is based and all details related to that 65  
factor; 66

(2) Facts showing the applicant to be a fit subject for 67  
relief under this section. 68

(C) A copy of the application shall be served on the 69  
county prosecutor. The county prosecutor shall cause the matter 70  
to be investigated and shall raise before the court any 71  
objections to granting relief that the investigation reveals. 72

(D) Upon hearing, the court may grant the applicant relief 73  
pursuant to this section, if all of the following apply: 74

(1) One of the following applies: 75

(a) If the disability is based upon an indictment, a 76  
conviction, or an adjudication, the applicant has been fully 77  
discharged from imprisonment, community control, post-release 78  
control, and parole, or, if the applicant is under indictment, 79  
has been released on bail or recognizance. 80

(b) If the disability is based upon a factor other than an 81  
indictment, a conviction, or an adjudication, that factor no 82  
longer is applicable to the applicant. 83

(2) The applicant has led a law-abiding life since 84  
discharge or release, and appears likely to continue to do so. 85

(3) The applicant is not otherwise prohibited by law from 86  
acquiring, having, or using firearms. 87

(E) Costs of the proceeding shall be charged as in other 88  
civil cases, and taxed to the applicant. 89

(F) Relief from disability granted pursuant to this 90  
section restores the applicant to all civil firearm rights to 91  
the full extent enjoyed by any citizen, and is subject to the 92  
following conditions: 93

(1) Applies only with respect to indictments, convictions, 94  
or adjudications, or to the other factor, recited in the 95  
application as the basis for the applicant's disability; 96

(2) Applies only with respect to firearms lawfully 97  
acquired, possessed, carried, or used by the applicant; 98

(3) May be revoked by the court at any time for good cause 99  
shown and upon notice to the applicant; 100

(4) Is automatically void upon commission by the applicant 101  
of any offense set forth in division (A) (2) ~~or~~, (3), or (6) of 102  
section 2923.13 of the Revised Code, or upon the applicant's 103

becoming one of the class of persons named in division (A) (1), 104  
(4), or (5) of that section. 105

(G) As used in this section: 106

(1) "Community control sanction" has the same meaning as 107  
in section 2929.01 of the Revised Code. 108

(2) "Post-release control" and "post-release control 109  
sanction" have the same meanings as in section 2967.01 of the 110  
Revised Code. 111

**Section 2.** That existing sections 2923.13 and 2923.14 of 112  
the Revised Code are hereby repealed. 113