

Testimony on House Bill 62  
House State and Local Government Committee  
Rep. Scott Wiggam, Chair  
Marilyn S. John, Vice Chair  
Brigid Kelly, Ranking Member

Submitted by:

Deborah Cooper

Thank you, Chair Wiggam, and committee members, for considering this testimony on the “permitless carry” bill.

As a private citizen, I believe HB 62 would not only increase gun violence risks for me, my family, and my neighbors, but would also infringe the right to life, liberty and the pursuit of happiness that underlies our entire Constitution and its amendments. Do I, as one who has chosen NOT to own a gun, have any right to expect my state and federal government to help protect my safety?

In addition to jeopardizing public safety, HB 62 would undermine the rule of law in Ohio by encouraging extremists to defy common sense gun safety laws. While this bill makes use of a discredited legal theory and provisions that likely are unconstitutional, it does include provisions that could be enforced. These provisions would threaten local law enforcement and officials with lawsuits, fines, and even employment loss just for doing their jobs.

The vague language in this bill could be interpreted to nullify any current or future federal gun law and contains language that would encourage extremists to ignore gun laws with which they personally disagree. We have heard Christopher Wray describe domestic terrorism as the greatest current threat in our country. HB 62 would embolden such homegrown terrorists to act with impunity.

The U.S. Supreme Court has rejected the states’ rights theory underpinning state nullification laws such as HB 62, and has done so from our country’s earliest days. Even though nullifying federal law is unconstitutional, some provisions of HB 62 *could* be enforced and would tie the hands of local officials, undermining the rule of law by penalizing local police and prosecutors for enforcing public safety laws, preventing local authorities from using federal resources, and encouraging criminal activity.

This bill would also confuse law-abiding gun owners and expose them to criminal liability because they believe they are exempt from prosecution, or that they cannot expect law enforcement to protect their families.

When we foolishly throw away society’s guardrails and safety measures for the sake of “gun rights,” we undermine public safety, for gun owners as well as for those who do not own guns.

The Second Amendment is not and never has been any sort of absolute right; the right to bear arms is conditional, and the first clause delegates such rights to “a well regulated

militia.” If we can understand the danger of allowing ordinary citizens to own bombs and military tanks, why can’t we acknowledge the danger of allowing ordinary citizens to own military grade weapons? How many more mass shootings must we endure before we accept responsibility for aiding and abetting these shooters?

HB 62 would elevate the Second Amendment, as though it were the only right among the Bill of Rights, and would imperil not only the rule of law, but right to “life, liberty and the pursuit of happiness.

I’m guessing the vast majority of Ohioans do not want our state to become a new Wild West where those with the biggest guns “win,” unchecked by any reasonable gun safety enforcement. If HB 62 becomes law, we all lose.

Thank you for allowing me to share my concerns.