



79TH HOUSE DISTRICT
PARTS OF CLARK COUNTY
INCLUDING: SPRINGFIELD, NEW CARLISLE,
SOUTH CHARLESTON, AND ENON

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State Representative Kyle Koehler
Ohio House of Representatives

Chairman Wilkin, Vice-Chair White and Ranking-Member Hicks-Hudson and members of the Government Oversight Committee – thank you for allowing me to give sponsor testimony on House Bill 383.

HB383 is a very straight forward, sixty-nine line, three page bill that increases the penalty for repeated criminal offenders who are found illegally in possession of a firearm *after previously losing that right under state and federal law*.

I have been a steadfast supporter of the second amendment for my entire career and the sole intent of my bill is to protect law abiding citizens from individuals who choose to engage in felonious activity with illegally obtained firearms.

My local public safety officials have brought to my attention that a major issue contributing to gun violence in my district and across Ohio is the lack of legal recourse available to keep individuals who violate Ohio's gun laws in jail. After multiple shooting incidents occurred in my district, I sat down with my local officials to discuss the most pressing issues they are facing in protecting Ohioans.

The bottom line: there are a small number of repeat offenders committing violent crimes in each of our communities. These individuals have already lost their right to own a firearm in the United States - thus placing them under a "gun disability". However, their propensity for violence has not stopped them from obtaining firearms illegally and putting others in danger.

I compare these individuals to drivers who receive repeat OVI charges in Ohio. They already lost their right to drive – yet continue to get pulled over for driving under the influence – over and over and over. Slapping them on the wrist simply does no good and continues to put the public at risk. In those instances, removing drunk drivers from the streets is the only solution. In the same way... **repeat offenders of Ohio's gun laws should face similar repercussions.**

Without changing any laws that would affect law-abiding gun owners, my bill increases the penalty for being repeatedly found in possession of a gun while "under disability."

Very simply, my legislation will raise the penalty for repeated offenses of illegally possessing a firearm to a second-degree felony. Not the first offense – but repeated offenses. When this violation is related to a past conviction of a "felony of violence", the penalty will be increased to a second-degree felony on the first offense and a first-degree felony on a repeated offense.

That is the bill. Again, straight forward and simple.

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Now why is it important?

As my local officials told me, these increased penalties will allow judges to increase bond amounts and jail time. Currently, Ohio law allows many of these offenders to be issued Own Recognizance Bonds – permitting them to walk out of the police station following their arrest, only to be in possession of an illegal firearm within 24 hours. **Raising the charge from F3 to F2 (or F2 to F1) will remove those responsible for gun-related crimes from our communities and make Ohio safer.**

It has become clear that those intent on breaking laws are never going to obey the laws we write on paper in Columbus. The only way to stop these individuals from illegally obtaining firearms is to keep them in prison. Increasing restrictions for law-abiding gun owners is not the answer.

I am not a judge or a lawyer, a prosecutor or a police officer. During proponent testimony, you will hear from those individuals and I encourage you to ask them why this common sense legislation is important.

As someone who supports Ohioans rights to bear arms, I believe it is time to stop trying to remove inanimate objects from law-abiding citizens and, instead, put our focus on individuals who repeatedly possess firearms illegally.

Chairman Wilkin, thank you once again for allowing me to give sponsor testimony on this bill and I look forward to future hearings. I would be happy to answer questions about this bill.