

Testimony on House Bill 51
Government Oversight Committee
Date: March 12, 2023
Submitted by: Michelle Lee Heym

Chairman Peterson, Vice Chair Thomas, Ranking Member Forhan, and members of the committee, thank you for allowing me to present this testimony in strong opposition to HB 51.

My name is Michelle Lee Heym. I moved to Powell, Ohio in August 2015 from West Simsbury, Connecticut. During the Sandy Hook School shooting on December 14, 2012, my 3 girls were 10, 8, and 5. They were on lockdown at Central School before "lockdown" was a common term, and they don't even remember, but I will never be the same. I am calling on lawmakers, I am asking you to please oppose HB51 because if enacted, this law, the Second Amendment Preservation Act will be a sanctuary for criminals and public safety threat to all Ohioans.

HB 51 is vaguely worded, and unconstitutional and would reject any past, present, or future federal firearm regulation that Ohio deems to be in violation of the right to bear arms. We just saw a federal judge toss out the exact same Gun law in Missouri ruling it "exposes citizens to greater harm." Missouri's Second Amendment Preservation Act was ruled unconstitutional by the U.S. DOJ at the exact time the writer of that bill was testifying here on March 7. The US District Judge Brian Wimes wrote in a decision last Tuesday that Missouri's Second Amendment Preservation Act "is invalidated as unconstitutional in its entirety" for violating the US Constitution's Supremacy Clause, which ensures federal law trumps state law.

"While purporting to protect citizens, SAPA exposes citizens to greater harm by interfering with the Federal Government's ability to enforce lawfully enacted firearms regulations designed by Congress for the purpose of protecting citizens within the limits of the Constitution," Wimes wrote.

First, this bill is dangerous re domestic abuse. This bill will allow an abuser convicted of domestic violence or under a domestic violence restraining order to be deemed a "qualifying adult" (ORC sec 2923.111(A)(2)(B)) who could carry a concealed firearm without a permit. Such domestic abusers are currently prohibited from permitless carry in Ohio by virtue of current Ohio law which adopts the federal gun disability list. (18 USC sec.922(g))

Every month, an average of 70 women in the US are shot and killed by intimate partners and nearly one million women alive today have been shot or shot at by an intimate partner. This comes from a report on gun violence against women, and pays specific attention to the disproportionate risks faced by American Indian/Alaska Native, Black, and Latina women as well as pregnant and post partum women. And 91% of all domestic violence fatalities in Ohio were done by a firearm. The Ohio Domestic Violence Network compiled this data which I included in my written testimony

https://www.odvn.org/wp-content/uploads/2022/10/ODVN_FatalityReport_2021-2022.pdf

Second, this bill is anti-police exposing those that employ law enforcement officers to civil suits and fines of \$50,000 per incident for enforcing federal gun regulations in state. And how are Ohio law enforcement supposed to differentiate between their duty to save lives and adhering to laws that will be dangerous for public safety? It is unethical.

Third, HB51 bars the state from hiring qualified, former federal law enforcement officers who in the past had enforced federal gun regulations

Fourth, HB51 will fuel anti-government sentiment and encourage violence.

Fifth, HB51 will unfairly cost Ohioans. Taxpayers should not have to pick up the tab when Ohio inevitably will have to defend itself against the multiple lawsuits this unconstitutional bill will incur

HB51 is the wrong direction for Ohio. Please oppose HB51.

Common sense gun legislation like Extreme Risk Protection Orders, proven measures to reduce gun violence, will protect Ohioans and Save Lives. Let's talk about that instead of making it easier for criminals to have guns.

<https://everytownresearch.org/solution/extreme-risk-laws/>

I strongly oppose HB51 as it is extremely dangerous for the lives of Ohioans and law enforcement. It is anti-public safety, anti-police, anti-victims of domestic violence, unconstitutional and will dramatically increased gun violence and death in Ohio