

Testimony in Opposition to Sub HB 51
Ohio House Government Oversight Committee
November 14, 2023

Chairman Peterson, Vice-Chair Thomas, and Ranking Member Humphrey, and members of the committee, I appreciate the opportunity this afternoon to provide testimony in opposition to Sub HB 51. My name is Rob Pierson and I testified before this committee just a few weeks ago in opposition to HB 272. I am retired from the Child Support Program in Ohio after a 39 year career, and I am a father, grandfather and husband who is concerned about safe communities for our children and grandchildren.

I urge you to vote against this bill for three reasons. First, it will violate the Supremacy Clause of federal law superseding state law. If passed, this legislation will likely be challenged in the courts and be declared unconstitutional like a similar law in Missouri. In 2022 the U.S. District Court of Western Missouri ruled this law, also called the “Second Amendment Preservation Act”, in violation of the Supremacy Clause of the 10th Amendment. In September of this year the U.S. 8th Circuit Court of Appeals upheld the lower court’s decision supporting the ruling that the law is unconstitutional. On October 20th the U.S. Supreme Court denied the state of Missouri’s emergency appeal requesting to leave the law in place while further legal challenges proceed.

Sub HB 51 reflects the strategy of “states rights” which southern states used in the 1960’s to try to stop civil rights laws from being enacted in their jurisdictions. That battle of “states rights” was fought and decided over 50 years ago. This is the wrong direction for Ohio to go and does not reflect our proud history. Ohio needs to respect and comply with federal laws that keep guns out of the hands of those who should not have them such as identified in background checks.

Secondly, this law is not needed. Sub HB 51 is called the “Second Amendment Preservation Act”, the truth is that there is no threat in Ohio to the Second

Amendment and responsible citizens having firearms in our state. Ohio has already taken actions to expand gun rights through measures such as permitless conceal carry in place since June of 2022. This bill is a breaking point which disregards what the majority of Ohioans want with regard to common sense gun laws. Ohio needs sensible gun laws that both respect the Second Amendment and place the best interests of our citizens first.

Third, this bill will make citizens in Ohio less safe by ignoring federal laws designed to save lives. Do we really want to take steps backward to endanger our citizens and make less safe our schools, places of worship, theaters, places of commerce and other gathering places in our communities. The current state of gun violence in our country continues to be alarming. In 2022 there were 45,222 gun deaths in the United States, which per capita is significantly higher than in any other industrialized nation. Death from firearms is nearly five times that of France, the nation with the second highest rate. We do not need a law that would increase those numbers.

In conclusion, Sub HB 51 titled the "Second Amendment Preservation Act" addresses a problem that does not exist. The Second Amendment has never been stronger in Ohio. Meanwhile this proposed bill creates two significant problems, creating a law that is unconstitutional and it creates a law that would make our communities less safe.

I respectfully ask that you vote against this bill.

Sincerely,

Rob Pierson – Massillon, Ohio