

As Introduced

131st General Assembly

Regular Session

2015-2016

H. B. No. 75

Representative Patmon

Cosponsors: Representatives Boyd, Lepore-Hagan

A BILL

To enact section 2923.191 of the Revised Code to 1
prohibit any person from storing or leaving a 2
firearm in the person's residence unless the 3
firearm is secured in safe storage or rendered 4
inoperable by a tamper-resistant lock or other 5
safety device if the person knows or reasonably 6
should know that a minor is able to gain access 7
to the firearm and to provide criminal penalties 8
if a minor gains unauthorized access to a 9
firearm not so stored or rendered inoperable. 10

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

Section 1. That section 2923.191 of the Revised Code be 11
enacted to read as follows: 12

Sec. 2923.191. (A) (1) No person shall store or leave a 13
firearm in a manner or location in the person's residence if the 14
person knows or reasonably should know that a minor is able to 15
gain access to the firearm. 16

(2) (a) This section does not apply to a person who stores 17
or leaves a firearm in the person's residence if the firearm is 18

kept in safe storage or equipped with a tamper-resistant 19
mechanical lock or other safety device that is properly engaged 20
so as to render the weapon inoperable by any person other than 21
the owner of the firearm or any other lawfully authorized user 22
of the firearm. 23

(b) This section does not apply to a person who stores or 24
leaves a firearm in the person's residence if a minor gains 25
access to the firearm as a result of any other person's unlawful 26
entry into the person's residence. 27

(B) (1) Whoever violates this section is guilty of 28
criminally negligent storage of a firearm if a minor gains 29
access to the firearm as a result of the violation without the 30
lawful permission of the minor's parent, guardian, or custodian. 31

(2) Except as otherwise provided in division (B) (3) of 32
this section, a violation of this section is a misdemeanor of 33
the third degree. 34

(3) If the minor who gains access to the firearm as a 35
result of the violation and without the lawful permission of the 36
minor's parent, guardian, or custodian uses the firearm to cause 37
personal injury or death, other than in self-defense, a 38
violation of this section is a felony of the first degree. 39

(C) Nothing in this section prohibits a person who is in 40
the person's residence from carrying a firearm on the person's 41
person or placing a firearm in a location that is under the 42
person's immediate control. 43