

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 281**

**Senators Hoagland, Eklund**

**Cosponsors: Senators Terhar, Uecker, Williams**

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**A BILL**

To amend section 2923.25 of the Revised Code to  
expressly grant federally licensed firearms  
dealers the right to refuse to sell or transfer  
a firearm to any person and to provide a dealer  
who asserts that right with immunity from civil  
liability for any injury, death, or loss that  
allegedly was caused by, resulted from, or was  
related to the refusal.

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

**Section 1.** That section 2923.25 of the Revised Code be  
amended to read as follows:

**Sec. 2923.25. (A) As used in this section:**

(1) "Federally licensed firearms dealer" has the same  
meaning as in section 5502.63 of the Revised Code.

(2) "Authorized under law for a firearm transfer" means  
with respect to a specified person either or both of the  
following:

(a) That a federally licensed firearms dealer has complied

with 18 U.S.C. 922(t) regarding a potential sale or transfer of 18  
a firearm to the person and the transfer of the firearm to the 19  
person is not prohibited under that provision. 20

(b) That the sale or transfer of a firearm to the person 21  
is not prohibited under any provision of federal law or the law 22  
of this state. 23

(B)(1) A federally licensed firearms dealer may refuse, in 24  
the dealer's discretion, to sell or otherwise transfer a firearm 25  
to any person. 26

(2) The right of a federally licensed firearms dealer to 27  
refuse to sell or otherwise transfer a firearm to a person that 28  
is granted under division (B)(1) of this section applies 29  
regardless of whether the person to whom the sale or transfer is 30  
refused is authorized under law for a firearm transfer. 31

(3) A federally licensed firearms dealer who refuses to 32  
sell or otherwise transfer a firearm to a person under the right 33  
granted under division (B)(1) of this section is immune from any 34  
civil liability for any injury, death, or loss to person or 35  
property that allegedly was caused by, resulted from, or was 36  
related to the refusal to sell or otherwise transfer the firearm 37  
to the person. 38

(C) Each federally licensed firearms dealer who sells any 39  
firearm, at the time of the sale of the firearm, shall offer for 40  
sale to the purchaser of the firearm a trigger lock, gun lock, 41  
or gun locking device that is appropriate for that firearm. Each 42  
federally licensed firearms dealer shall post in a conspicuous 43  
location in the dealer's place of business the poster furnished 44  
to the dealer pursuant to section 5502.63 of the Revised Code 45  
and shall make available to all purchasers of firearms from the 46

dealer the brochure furnished to the dealer pursuant to that section. 47  
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~~As used in this section, "federally licensed firearms dealer" has the same meaning as in section 5502.63 of the Revised Code.~~ 49  
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**Section 2.** That existing section 2923.25 of the Revised Code is hereby repealed. 52  
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