

As Introduced

135th General Assembly

Regular Session

2023-2024

S. B. No. 209

Senators Hicks-Hudson, Ingram

Cosponsors: Senators Antonio, Craig, Smith, Sykes

A BILL

To amend section 2923.20 of the Revised Code to
increase the penalty for failure to report a
lost or stolen firearm.

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

Section 1. That section 2923.20 of the Revised Code be
amended to read as follows:

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Sec. 2923.20. (A) No person shall do any of the following:

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(1) Recklessly sell, lend, give, or furnish any firearm to
any person prohibited by section 2923.13 or 2923.15 of the
Revised Code from acquiring or using any firearm, or recklessly
sell, lend, give, or furnish any dangerous ordnance to any
person prohibited by section 2923.13, 2923.15, or 2923.17 of the
Revised Code from acquiring or using any dangerous ordnance;

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(2) Possess any firearm or dangerous ordnance with purpose
to dispose of it in violation of division (A) of this section;

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(3) Except as otherwise provided in division (B) of this
section, knowingly solicit, persuade, encourage, or entice a
federally licensed firearms dealer or private seller to transfer

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a firearm or ammunition to any person in a manner prohibited by 18
state or federal law; 19

(4) Except as otherwise provided in division (B) of this 20
section, with an intent to deceive, knowingly provide materially 21
false information to a federally licensed firearms dealer or 22
private seller; 23

(5) Except as otherwise provided in division (B) of this 24
section, knowingly procure, solicit, persuade, encourage, or 25
entice a person to act in violation of division (A) (3) or (4) of 26
this section; 27

(6) When transferring any dangerous ordnance to another, 28
negligently fail to require the transferee to exhibit such 29
identification, license, or permit showing the transferee to be 30
authorized to acquire dangerous ordnance pursuant to section 31
2923.17 of the Revised Code, or negligently fail to take a 32
complete record of the transaction and forthwith forward a copy 33
of that record to the sheriff of the county or safety director 34
or police chief of the municipality where the transaction takes 35
place; 36

(7) ~~Knowingly~~ Recklessly fail to report to law enforcement 37
authorities forthwith the loss or theft of any firearm or 38
dangerous ordnance in the person's possession or under the 39
person's control. 40

(B) Divisions (A) (3), (4), and (5) of this section do not 41
apply to any of the following: 42

(1) A law enforcement officer who is acting within the 43
scope of the officer's duties; 44

(2) A person who is acting in accordance with directions 45
given by a law enforcement officer described in division (B) (1) 46

of this section. 47

(C) Whoever violates this section is guilty of unlawful 48
transactions in weapons. A violation of division (A)(1) or (2) 49
of this section is a felony of the fourth degree. A violation of 50
division (A)(3), (4), or (5) of this section is a felony of the 51
third degree. A violation of division (A)(6) of this section is 52
a misdemeanor of the second degree. A violation of division (A) 53
(7) of this section is a misdemeanor of the ~~fourth~~first degree. 54

(D) As used in this section: 55

(1) "Ammunition" has the same meaning as in section 56
2305.401 of the Revised Code. 57

(2) "Federally licensed firearms dealer" has the same 58
meaning as in section 5502.63 of the Revised Code. 59

(3) "Materially false information" means information 60
regarding the transfer of a firearm or ammunition that portrays 61
an illegal transaction as legal or a legal transaction as 62
illegal. 63

(4) "Private seller" means a person who sells, offers for 64
sale, or transfers a firearm or ammunition and who is not a 65
federally licensed firearms dealer. 66

Section 2. That existing section 2923.20 of the Revised 67
Code is hereby repealed. 68