

As Introduced

**131st General Assembly
Regular Session
2015-2016**

S. B. No. 142

**Senator Jordan
Cosponsors: Senator Beagle**

A BILL

To enact sections 5502.23 and 5502.231 of the
Revised Code to prohibit any agency and its
employees and agents from seizing or authorizing
the seizure of any firearm from any person
lawfully in possession or control of the firearm
except when a law enforcement officer reasonably
believes the immediate seizure of the firearm is
necessary for the safety of the officer or
another person or to preserve the firearm as
evidence, to prohibit the establishment of a
firearm registry, and to prohibit law
enforcement officers from enforcing a firearms
registration requirement or firearm ban.

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

Section 1. That sections 5502.23 and 5502.231 of the
Revised Code be enacted to read as follows:

Sec. 5502.23. (A) Except as provided in division (B) of
this section, no agency, or employee or agent of an agency,
shall seize or authorize the seizure of any firearm from any
person who is lawfully in possession or control of a firearm.

(B) (1) A law enforcement officer who is acting in the 20
lawful discharge of the officer's duties may seize a firearm in 21
the possession, or under the control, of any person if the law 22
enforcement officer reasonably believes the immediate seizure of 23
the firearm is necessary for the safety of the law enforcement 24
officer or another individual. The law enforcement officer shall 25
return the firearm to the person from whom it was seized if the 26
person is not arrested, the firearm is not seized under division 27
(B) (2) of this section, and the reason for the seizure of the 28
firearm no longer exists. 29

(2) A law enforcement officer who is acting in the lawful 30
discharge of the officer's duties may seize a firearm when the 31
seizure is necessary to preserve the firearm as evidence, or for 32
the investigation, of a criminal offense. 33

(C) As used in this section, "firearm" has the same 34
meaning as in section 2923.11 of the Revised Code. 35

Sec. 5502.231. (A) No law enforcement officer or other 36
person shall enforce or attempt to enforce a firearm 37
registration requirement or firearm ban in any statute or rule 38
of this state or the United States or any ordinance, resolution, 39
or rule of a political subdivision, unless the registration 40
requirement or ban is in effect prior to the effective date of 41
this section. 42

(B) No political subdivision shall enact or adopt any 43
ordinance, resolution, or rule that requires a person to 44
register a firearm or establishes a firearm registry. 45

(C) As used in this section: 46

(1) "Firearm" has the same meaning as in section 2923.11 47
of the Revised Code. 48

(2) "Firearm ban" means any ban or prohibition on a 49
person's possession of a firearm that is not based on the status 50
or condition of the person or limited to the possession of a 51
firearm in a school safety zone, courthouse, or other designated 52
location. 53

(3) "Political subdivision" has the same meaning as in 54
section 2921.421 of the Revised Code. 55