

As Introduced

132nd General Assembly

Regular Session

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S. B. No. 281

Senators Hoagland, Eklund

Cosponsors: Senators Terhar, Uecker, Williams

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	47
section.	48
As used in this section, "federally licensed firearms-	49
dealer" has the same meaning as in section 5502.63 of the-	50
Revised Code.	51
Section 2. That existing section 2923.25 of the Revised	52
Code is hereby repealed.	53