

**As Passed by the Senate**

**124th General Assembly  
Regular Session  
2001-2002**

**Am. H. B. No. 442**

**REPRESENTATIVES Schuring, Cirelli, Otterman, Hoops, White, Patton, Allen,  
Strahorn, Webster, Fedor, Hartnett, R. Miller, Seitz, DeWine, Roman, Setzer,  
Schmidt, Lendrum, Rhine, Widowfield, Collier, Carano, Key,  
Womer Benjamin, Hughes, Seaver, Brown, Sulzer, Faber, Mason, Evans,  
Reidelbach, Kearns, Niehaus, Latell, Redfern, Calvert, D. Miller, Perry,  
Schneider, Boccieri, Clancy, Grendell, Flannery, Woodard, Sferra, DeBose,  
McGregor, Carmichael, Buehrer, Flowers, Barrett, S. Smith, Oakar, Reinhard,  
Distel, Callender, Schaffer, Hagan, Beatty, G. Smith, Britton, Coates  
SENATORS Herington, Oelslager, Coughlin, Carnes, Amstutz, Roberts,  
Harris, Espy, White**

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**A B I L L**

To amend section 2923.161 of the Revised Code to 1  
prohibit, in specified circumstances, the discharge 2  
of a firearm within 1,000 feet of any school 3  
building or of the boundaries of any school 4  
premises. 5

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

**Section 1.** That section 2923.161 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 2923.161.** (A) No person, without privilege to do so, 8  
shall knowingly do ~~either~~ any of the following: 9

(1) Discharge a firearm at or into an occupied structure that 10  
is a permanent or temporary habitation of any individual; 11

(2) Discharge a firearm at, in, or into a school safety zone; 12  
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(3) Discharge a firearm within one thousand feet of any 14  
school building or of the boundaries of any school premises, with 15  
the intent to do any of the following: 16

(a) Cause physical harm to another who is in the school, in 17  
the school building, or at a function or activity associated with 18  
the school; 19

(b) Cause panic or fear of physical harm to another who is in 20  
the school, in the school building, or at a function or activity 21  
associated with the school; 22

(c) Cause the evacuation of the school, the school building, 23  
or a function or activity associated with the school. 24

(B) This section does not apply to any officer, agent, or 25  
employee of this or any other state or the United States, or to 26  
any law enforcement officer, who discharges the firearm while 27  
acting within the scope of the officer's, agent's, or employee's 28  
duties. 29

(C) Whoever violates this section is guilty of improperly 30  
discharging a firearm at or into a habitation ~~or~~, in a school 31  
safety zone, or with the intent to cause harm or panic to persons 32  
in a school, in a school building, or at a school function or the 33  
evacuation of a school function, a felony of the second degree. 34

(D) As used in this section, "occupied structure" has the 35  
same meaning as in section 2909.01 of the Revised Code. 36

**Section 2.** That existing section 2923.161 of the Revised Code 37  
is hereby repealed. 38