

As Reported by the House Criminal Justice Committee

124th General Assembly

Regular Session

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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

A BILL

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 the school building, or at a function or activity associated with the school; 17
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(b) Cause panic or fear of physical harm to another who is in the school, in the school building, or at a function or activity associated with the school; 20
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(c) Cause the evacuation of the school, the school building, or a function or activity associated with the school. 23
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(B) This section does not apply to any officer, agent, or employee of this or any other state or the United States, or to any law enforcement officer, who discharges the firearm while acting within the scope of the officer's, agent's, or employee's duties. 25
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(C) Whoever violates this section is guilty of improperly discharging a firearm at or into a habitation ~~or~~, in a school safety zone, or with the intent to cause harm or panic to persons in a school, in a school building, or at a school function or the evacuation of a school function, a felony of the second degree. 30
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(D) As used in this section, "occupied structure" has the same meaning as in section 2909.01 of the Revised Code. 35
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Section 2. That existing section 2923.161 of the Revised Code is hereby repealed. 37
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