

As Passed by the House

126th General Assembly

Regular Session

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Sub. H. B. No. 279

**Representatives Hughes, Seitz, Coley, Willamowski, Core, Mason, Barrett,
Beatty, Blessing, Book, Brown, Bubp, Calvert, Carano, Cassell, DeBose,
DeGeeter, Distel, Dolan, Domenick, Driehaus, Evans, C., Evans, D., Faber,
Fende, Flowers, Garrison, Gibbs, Gilb, Hartnett, Healy, Hoops, Law, Martin,
McGregor, J., McGregor, R., Miller, Otterman, Patton, T., Perry, Reidelbach,
Sayre, Schaffer, Setzer, Stewart, D., Uecker, Williams, Yates, Yuko**

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A B I L L

To enact sections 317.082 and 2923.201 of the Revised 1
Code to prohibit a person from changing, altering, 2
removing, or obliterating the name of the 3
manufacturer, model, manufacturer's serial number, 4
or any other mark of identification on a firearm, 5
to prohibit a person from possessing a firearm 6
knowing or having reasonable cause to believe any 7
such mark of identification on the firearm has 8
been changed, altered, removed, or obliterated, to 9
prohibit the inclusion of an individual's Social 10
Security number on copies of documents submitted 11
for recording in the office of the county 12
recorder, and to create an affirmative defense to 13
associated civil liability of a good faith effort 14
to comply with the noninclusion requirement. 15

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

Section 1. That sections 317.082 and 2923.201 of the Revised 16
Code be enacted to read as follows: 17

Sec. 317.082. (A) As used in this section, "preparer" means 18
any mortgage company, bank, title agency, or other person 19
responsible for filing documents with the office of a county 20
recorder for recording under section 317.08 of the Revised Code. 21

(B) Except as provided in division (C) or (D) of this 22
section, the preparer of any document to be recorded by a county 23
recorder under section 317.08 of the Revised Code shall not 24
include any individual's social security number in any copy of the 25
document that is filed for recording in the office of the county 26
recorder under that section. The county recorder shall not accept 27
a copy of such a document for recording if it includes any 28
individual's social security number. 29

The preparer is not liable in damages in a civil action for 30
any harm an individual allegedly sustains as a result of the 31
inclusion of the individual's social security number on a copy of 32
a document in violation of this division if the preparer 33
establishes as an affirmative defense that the preparer made a 34
good faith effort to comply with this division. The county 35
recorder and the county recorder's employees are immune from 36
liability in damages in a civil action brought against the county 37
recorder or an employee of the county recorder to recover damages 38
for any harm an individual allegedly sustains as a result of the 39
county recorder or an employee of the county recorder accepting a 40
copy of a document that includes the individual's social security 41
number in violation of this division, unless the county recorder 42
or an employee of the county recorder accepted that copy with 43
malicious purpose, in bad faith, or in a wanton or reckless 44
manner, or division (A)(6)(a) or (c) of section 2744.03 of the 45
Revised Code applies. 46

(C) An individual who executes a document a copy of which 47
must be filed by a preparer for recording in the office of the 48

county recorder under section 317.08 of the Revised Code may
execute an affidavit consenting to the inclusion of the
individual's social security number in the document. If an
individual executes an affidavit consenting to the inclusion of
the individual's social security number in the document under this
division, division (B) of this section does not apply to the
preparer of the document or to the county recorder and the county
recorder's employees.

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(D) Division (B) of this section does not apply to any of the
following:

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(1) Any document that originates with any court or taxing
authority;

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(2) Any document that upon its filing for recording in the
office of the county recorder under section 317.08 of the Revised
Code constitutes a nonconsensual lien against an individual;

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(3) Any publicly recorded document that is required by
federal or state law to include an individual's social security
number.

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(E) This section does not apply to documents that were
executed by an individual prior to the effective date of this
section.

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Sec. 2923.201. (A) No person shall do either of the
following:

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(1) Change, alter, remove, or obliterate the name of the
manufacturer, model, manufacturer's serial number, or other mark
of identification on a firearm.

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(2) Possess a firearm knowing or having reasonable cause to
believe that the name of the manufacturer, model, manufacturer's
serial number, or other mark of identification on the firearm has
been changed, altered, removed, or obliterated.

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(B)(1) Whoever violates division (A)(1) of this section is 79
guilty of defacing identification marks of a firearm. Except as 80
otherwise provided in this division, defacing identification marks 81
of a firearm is a misdemeanor of the first degree. If the offender 82
previously has been convicted of or pleaded guilty to a violation 83
of division (A)(1) of this section, defacing identification marks 84
of a firearm is a felony of the fourth degree. 85

(2) Whoever violates division (A)(2) of this section is 86
guilty of possessing a defaced firearm. Except as otherwise 87
provided in this division, possessing a defaced firearm is a 88
misdemeanor of the first degree. If the offender previously has 89
been convicted of or pleaded guilty to a violation of division 90
(A)(2) of this section, possessing a defaced firearm is a felony 91
of the fourth degree. 92

(C) Division (A) of this section does not apply to any 93
firearm on which no manufacturer's serial number was inscribed at 94
the time of its manufacture. 95