

As Reported by the Senate Judiciary--Civil Justice Committee

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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 documents submitted for	11
recording in the office of the county recorder,	12
and to create an affirmative defense to associated	13
civil liability of a good faith effort to comply	14
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 document 25
that is filed for recording in the office of the county recorder 26
under that section. The county recorder shall not accept such a 27
document for recording if it includes any individual's social 28
security number. If a document presented for recording includes 29
any individual's social security number and the county recorder 30
refuses to accept that document for recording, the county recorder 31
or the person who attempted to file the document with the county 32
recorder may immediately redact the individual's social security 33
number from the document. 34

The preparer is not liable in damages in a civil action for 35
any harm an individual allegedly sustains as a result of the 36
inclusion of the individual's social security number on a document 37
in violation of this division if the preparer establishes as an 38
affirmative defense that the preparer made a good faith effort to 39
comply with this division. The county recorder and the county 40
recorder's employees are immune from liability in damages in a 41
civil action brought against the county recorder or an employee of 42
the county recorder to recover damages for any harm an individual 43
allegedly sustains as a result of the county recorder or an 44
employee of the county recorder accepting a document that includes 45
the individual's social security number in violation of this 46
division, unless the county recorder or an employee of the county 47
recorder accepted that document with malicious purpose, in bad 48

faith, or in a wanton or reckless manner, or division (A)(6)(a) or
(c) of section 2744.03 of the Revised Code applies.

(C) An individual who executes a document that must be filed
by a preparer for recording in the office of the 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.

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

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

(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;

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

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

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

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

(2) Possess a firearm knowing or having reasonable cause to 78
believe that the name of the manufacturer, model, manufacturer's 79
serial number, or other mark of identification on the firearm has 80
been changed, altered, removed, or obliterated. 81

(B)(1) Whoever violates division (A)(1) of this section is 82
guilty of defacing identification marks of a firearm. Except as 83
otherwise provided in this division, defacing identification marks 84
of a firearm is a misdemeanor of the first degree. If the offender 85
previously has been convicted of or pleaded guilty to a violation 86
of division (A)(1) of this section, defacing identification marks 87
of a firearm is a felony of the fourth degree. 88

(2) Whoever violates division (A)(2) of this section is 89
guilty of possessing a defaced firearm. Except as otherwise 90
provided in this division, possessing a defaced firearm is a 91
misdemeanor of the first degree. If the offender previously has 92
been convicted of or pleaded guilty to a violation of division 93
(A)(2) of this section, possessing a defaced firearm is a felony 94
of the fourth degree. 95

(C) Division (A) of this section does not apply to any 96
firearm on which no manufacturer's serial number was inscribed at 97
the time of its manufacture. 98