

**As Introduced**

**128th General Assembly  
Regular Session  
2009-2010**

**S. B. No. 247**

**Senator Wilson**

**Cosponsors: Senators Niehaus, Cafaro, Grendell, Buehrer, Coughlin, Seitz**

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**A B I L L**

To amend section 2923.14 of the Revised Code to 1  
conform the restoration of civil firearm rights 2  
with federal law and U.S. Supreme Court case law 3  
and to allow restoration of civil firearm rights 4  
for firearms that are dangerous ordnance. 5

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

**Section 1.** That section 2923.14 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 2923.14.** (A) Any person who, solely by reason of the 8  
person's disability under division (A)(2) or (3) of section 9  
2923.13 of the Revised Code, is prohibited from acquiring, having, 10  
carrying, or using firearms, may apply to the court of common 11  
pleas in the county in which the person resides for relief from 12  
such prohibition. 13

(B) The application shall recite the following: 14

(1) All indictments, convictions, or adjudications upon which 15  
the applicant's disability is based, the sentence imposed and 16  
served, and any release granted under a community control 17  
sanction, post-release control sanction, or parole, any partial or 18  
conditional pardon granted, or other disposition of each case; 19

(2) Facts showing the applicant to be a fit subject for relief under this section. 20  
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(C) A copy of the application shall be served on the county prosecutor. The county prosecutor shall cause the matter to be investigated and shall raise before the court any objections to granting relief that the investigation reveals. 22  
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(D) Upon hearing, the court may grant the applicant relief pursuant to this section, if all of the following apply: 26  
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(1) The applicant has been fully discharged from imprisonment, community control, post-release control, and parole, or, if the applicant is under indictment, has been released on bail or recognizance. 28  
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(2) The applicant has led a law-abiding life since discharge or release, and appears likely to continue to do so. 32  
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(3) The applicant is not otherwise prohibited by law from acquiring, having, or using firearms. 34  
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(E) Costs of the proceeding shall be charged as in other civil cases, and taxed to the applicant. 36  
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(F) Relief from disability granted pursuant to this section restores the applicant to all civil firearm rights to the full extent enjoyed by any citizen, and is subject to the following conditions: 38  
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(1) Applies only with respect to indictments, convictions, or adjudications recited in the application; 42  
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(2) Applies only with respect to firearms lawfully acquired, possessed, carried, or used by the applicant; 44  
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~~(3) Does not apply with respect to dangerous ordnance;~~ 46

~~(4)~~ May be revoked by the court at any time for good cause shown and upon notice to the applicant; 47  
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~~(5)~~(4) Is automatically void upon commission by the applicant 49  
of any offense set forth in division (A)(2) or (3) of section 50  
2923.13 of the Revised Code, or upon the applicant's becoming one 51  
of the class of persons named in division (A)(1), (4), or (5) of 52  
that section. 53

(G) As used in this section: 54

(1) "Community control sanction" has the same meaning as in 55  
section 2929.01 of the Revised Code. 56

(2) "Post-release control" and "post-release control 57  
sanction" have the same meanings as in section 2967.01 of the 58  
Revised Code. 59

**Section 2.** That existing section 2923.14 of the Revised Code 60  
is hereby repealed. 61

**Section 3.** It is the intent of the General Assembly in 62  
amending section 2923.14 of the Revised Code to apply the 63  
amendments to that section retroactively to any restoration of 64  
rights granted previously to any applicant under section 2923.14 65  
of the Revised Code or under any previous version of that section. 66  
The General Assembly is explicitly making this amendment to 67  
clarify that relief from a weapons disability granted under 68  
section 2923.14 of the Revised Code restores a person's civil 69  
firearm rights to such an extent that the uniform federal ban on 70  
possessing any firearms at all, 18 U.S.C. 922(g)(1), does not 71  
apply to that person, in correlation with the U.S. Supreme Court's 72  
interpretation of 18 U.S.C. 921(a)(20) in *Caron v. U.S.* (1998), 73  
524 U.S. 308. 74