

As Introduced

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H. B. No. 563

Representative Patmon

Cosponsors: Representatives Celeste, Murray, Foley, Hagan, R., Boyce,
Garland

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A BILL

To enact section 2923.191 of the Revised Code to 1
prohibit any person from storing or leaving a 2
firearm in the person's residence unless the 3
firearm is secured in safe storage or rendered 4
inoperable by a tamper-resistant lock or other 5
safety device if the person knows or reasonably 6
should know that a minor is able to gain access to 7
the firearm and to provide criminal penalties if a 8
minor gains unauthorized access to a firearm not 9
so stored or rendered inoperable. 10

Section 1. That section 2923.191 of the Revised Code be 11
enacted to read as follows: 12

Sec. 2923.191. (A)(1) No person shall store or leave a 13
firearm in a manner or location in the person's residence if the 14
person knows or reasonably should know that a minor is able to 15
gain access to the firearm. 16

(2)(a) This section does not apply to a person who stores or 17
leaves a firearm in the person's residence if the firearm is kept 18
in safe storage or equipped with a tamper-resistant mechanical 19
lock or other safety device that is properly engaged so as to 20
render the weapon inoperable by any person other than the owner of 21

the firearm or any other lawfully authorized user of the firearm. 22

(b) This section does not apply to a person who stores or 23
leaves a firearm in the person's residence if a minor gains access 24
to the firearm as a result of any other person's unlawful entry 25
into the person's residence. 26

(B)(1) Whoever violates this section is guilty of criminally 27
negligent storage of a firearm if a minor gains access to the 28
firearm as a result of the violation without the lawful permission 29
of the minor's parent, guardian, or custodian. 30

(2) Except as otherwise provided in division (B)(3) of this 31
section, a violation of this section is a misdemeanor of the third 32
degree. 33

(3) If the minor who gains access to the firearm as a result 34
of the violation and without the lawful permission of the minor's 35
parent, guardian, or custodian uses the firearm to cause personal 36
injury or death, other than in self-defense, a violation of this 37
section is a felony of the first degree. 38

(C) Nothing in this section prohibits a person who is in the 39
person's residence from carrying a firearm on the person's person 40
or placing a firearm in a location that is under the person's 41
immediate control. 42