

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 33

Representative Patmon

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 if the person knows or reasonably 5
should know that a minor is able to gain access 6
to the firearm and to provide criminal penalties 7
if a minor gains unauthorized access to a 8
firearm not so stored or rendered inoperable. 9

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

Section 1. That section 2923.191 of the Revised Code be 10
enacted to read as follows: 11

Sec. 2923.191. (A) (1) No person shall store or leave a 12
firearm in a manner or location in the person's residence where 13
the person knows or reasonably should know a minor is able to 14
gain access to the firearm. 15

(2) (a) This section does not apply to a person who stores 16
or leaves a firearm in the person's residence if the firearm is 17
kept in safe storage or equipped with a tamper-resistant 18
mechanical lock or other safety device that is properly engaged 19

so as to render the weapon inoperable by any person other than 20
the owner of the firearm or any other lawfully authorized user 21
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 24
access to the firearm as a result of any other person's unlawful 25
entry into the person's residence. 26

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

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

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

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