

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 260**

**Senators Skindell, Tavares**

**Cosponsors: Senators Brown, Yuko, Thomas, Williams, Sykes**

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**A BILL**

To amend section 109.52 and to enact sections 1  
109.67 and 2923.171 of the Revised Code to 2  
prohibit a person from knowingly possessing or 3  
acquiring an assault weapon and to require the 4  
Attorney General to prepare for the 5  
establishment of a firearm and ammunition 6  
transactions database. 7

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

**Section 1.** That section 109.52 be amended and sections 8  
109.67 and 2923.171 of the Revised Code be enacted to read as 9  
follows: 10

**Sec. 109.52.** The bureau of criminal identification and 11  
investigation may operate and maintain a criminal analysis 12  
laboratory and mobile units thereof, create a staff of 13  
investigators and technicians skilled in the solution and 14  
control of crimes and criminal activity, keep statistics and 15  
other necessary data, maintain a firearm and ammunition 16  
transactions database, assist in the prevention of crime, and 17  
engage in such other activities as will aid law enforcement 18

officers in solving crimes and controlling criminal activity. 19

Sec. 109.67. The attorney general shall prepare for the 20  
establishment and operation of a firearm and ammunition 21  
transactions database that will be maintained by the bureau of 22  
criminal identification and investigation. The attorney general 23  
shall establish the database in conformity with the requirements 24  
of any act that is enacted by the general assembly. 25

Sec. 2923.171. (A) No person shall knowingly possess or 26  
acquire any assault weapon. 27

(B) Division (A) of this section does not apply to any of 28  
the following: 29

(1) Officers, agents, or employees of this or any other 30  
state or the United States, members of the armed forces of the 31  
United States or the organized militia of this or any other 32  
state, and law enforcement officers to the extent that the 33  
officer, agent, employee, or member is authorized to possess or 34  
acquire an assault weapon and is acting within the scope of the 35  
officer's, agent's, employee's, or member's duties; 36

(2) A manufacturer or importer of assault weapons that is 37  
licensed as a licensed manufacturer or licensed importer under 38  
the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 1921 et 39  
seq., and any amendments or additions thereto or reenactments 40  
thereof; 41

(3) Carriers, warehouses, and others engaged in the 42  
business of transporting or storing firearms for hire, with 43  
respect to assault weapons lawfully transported or stored in the 44  
usual course of business and in compliance with the laws of this 45  
state and applicable federal law. 46

(C) Whoever violates division (A) of this section is 47

guilty of unlawful possession of an assault weapon, a felony of 48  
the fifth degree. 49

(D) As used in this section, "assault weapon" means an 50  
automatic firearm that has not been rendered permanently 51  
inoperable, a semi-automatic firearm capable of accepting a 52  
detachable magazine with the capacity to accept ten or more 53  
cartridges, and a semi-automatic firearm with a fixed magazine 54  
with the capacity to accept ten or more cartridges. 55

**Section 2.** That existing section 109.52 of the Revised 56  
Code is hereby repealed. 57