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H.B. 551
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Wiggam

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SUMMARY

- Prohibits a person who is an alien and is illegally or unlawfully in the United States from possessing a firearm.

DETAILED ANALYSIS

Having weapons while under disability

The bill expands the offense of having weapons while under disability by also prohibiting a person who is an alien and is illegally or unlawfully in the United States from knowingly acquiring, having, carrying, or using any firearm or dangerous ordnance.¹

Continuing law prohibits a person who is in any of five specified categories (the disabilities) from knowingly acquiring, having, carrying, or using any firearm or dangerous ordnance. A violation of the prohibition is the offense of “having weapons while under disability,” a third degree felony.

The five specified categories of persons with respect to which the prohibition applies are:

1. A person who is a fugitive from justice;
2. A person who is under indictment for, has been convicted of, or has been adjudicated a delinquent child for committing an “offense of violence” that is a felony;
3. A person who is under indictment for, has been convicted of, or has been adjudicated a delinquent child for committing a felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse;

¹ R.C. 2923.13(A)(6).

- 4. A person who is drug dependent, in danger of drug dependence, or a chronic alcoholic; and
- 5. A person who is under adjudication of mental incompetence, has been adjudicated as a mental defective, has been committed to a mental institution, has been found by a court to be a “mentally ill person subject to court order,” or is an involuntary patient other than one who is a “patient” only for purposes of observation.

The bill creates a sixth category, to prohibit a person who is an alien and is illegally or unlawfully in the United States from knowingly acquiring, having, carrying, or using any firearm or dangerous ordnance.²

HISTORY

Action	Date
Introduced	05-15-24

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² R.C. 2923.13(A)(6) and 2923.14(F)(4).