



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

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### H.B. 563

132nd General Assembly  
(As Introduced)

**Reps.** West, Brown, Ingram, Ashford, Fedor, K. Smith, Howse

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### BILL SUMMARY

- Prohibits a federally licensed firearms dealer from transferring a firearm while a background check is pending unless 30 days have elapsed from the date the background check was requested.
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### CONTENT AND OPERATION

Under the bill, a federally licensed firearms dealer must comply with federal law regarding the transfer of firearms.<sup>1</sup> The Gun Control Act of 1968 prohibits a federally licensed firearms dealer from transferring a firearm to a person who is not licensed unless all of the following have occurred:<sup>2</sup>

(1) The federally licensed firearms dealer contacts the National Instant Criminal Background Check System (NICS).

(2) The federally licensed firearms dealer confirms the person's identity by examining a valid identification document containing a photograph of the person.

(3) The status of NICS is one of the following:

(a) NICS provides the federally licensed firearms dealer with a unique identification number, indicating that the receipt of a firearm by the person would not violate state or federal law.

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<sup>1</sup> R.C. 2923.25(B).

<sup>2</sup> 18 United States Code 922(t)(1).

(b) NICS has not notified the federally licensed firearms dealer that the receipt of a firearm by the person would violate state or federal law, and three business days have elapsed since the federally licensed firearms dealer contacted NICS.

The bill prohibits a federally licensed firearms dealer from transferring a firearm to any person regarding whom NICS has not provided a unique identification number unless 30 days have elapsed since the date the dealer contacted NICS, notwithstanding the federal law requirement in (3)(b) above.<sup>3</sup>

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## HISTORY

ACTION	DATE
Introduced	03-19-18

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<sup>3</sup> R.C. 2923.25(B).

