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S.B. 140
133rd General Assembly

Final Analysis

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Version: As Passed by the General Assembly

Primary Sponsor: Sen. Uecker

Effective date: April 12, 2021

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SUMMARY

- Eliminates the prohibition against manufacturing, possessing for sale, selling, or furnishing to any person other than a law enforcement agency for use in police work, any brass knuckles, cestus, billy, blackjack, sandbag, switchblade knife, springblade knife, gravity knife, or similar weapon.
- Eliminates the prohibition against carrying a concealed knife, razor, or cutting instrument as a concealed deadly weapon if the knife was not used as a weapon.

DETAILED ANALYSIS

Unlawful transactions in weapons

The act eliminates the prohibition against manufacturing, possessing for sale, selling, or furnishing to any person other than a law enforcement agency for authorized use in police work, any brass knuckles, cestus, billy, blackjack, sandbag, switchblade knife, springblade knife, gravity knife, or similar weapon.¹ Under prior law, a violation of that prohibition was considered “unlawful transactions in weapons,” a second degree misdemeanor.²

The act makes several conforming changes to update cross-references to reflect the repealed division.³

¹ Repeal of R.C. 2923.20(A)(6).

² R.C. 2923.20(C).

³ R.C. 2923.18(G) and 2923.20(A)(6), (A)(7), and (C).

Concealed carry of knives, razors, and cutting instruments

The act excludes knives, razors, and cutting instruments that were not used as weapons from the definition of “deadly weapon” for purposes of the offense of “carrying concealed weapons” and consequently excludes them from the continuing law prohibition against carrying a concealed deadly weapon.⁴

Continuing law prohibits a person from knowingly carrying or having a deadly weapon other than a handgun concealed on the person’s person or concealed ready at hand. Violation of the prohibition constitutes the offense of “carrying concealed weapons.” The penalty for carrying a concealed deadly weapon other than a handgun is generally a first degree misdemeanor. If the offender previously has been convicted of carrying a concealed weapon, or of an offense of violence, the offense is a fourth degree felony. If the offense is committed aboard an aircraft, or with purpose to carry a concealed weapon aboard an aircraft, the offense is a third degree felony.⁵ Separate offense circumstances and penalties may apply if the concealed weapon is a firearm or if the offense involves a violation by a concealed handgun licensee.⁶

HISTORY

Action	Date
Introduced	05-01-19
Reported, S. Government Oversight & Reform	06-19-19
Passed Senate (32-1)	06-27-19
Reported, H. Criminal Justice	11-24-20
Passed House (59-25)	12-17-20

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⁴ R.C. 2923.12(H).

⁵ R.C. 2923.13(F)(1).

⁶ R.C. 2923.13(F)(2) through (7).