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S.B. 209
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Sens. Hicks-Hudson and Ingram

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SUMMARY

- Increases the penalty for unlawful transactions in weapons when the offense involves the failure to report any lost or stolen firearm or dangerous ordnance from a fourth degree misdemeanor to a first degree misdemeanor.
- Decreases the culpable mental state required to commit that offense from “knowingly” to “recklessly.”

DETAILED ANALYSIS

Unlawful transactions in weapons

Failure to report a lost or stolen firearm

Under continuing law, the offense of unlawful transactions in weapons prohibits, in part, a person from knowingly failing to report the loss or theft of any firearm or dangerous ordnance in a person’s possession or under a person’s control to law enforcement authorities. The penalty is a fourth degree misdemeanor. The bill increases the penalty to a first degree misdemeanor.¹

The bill also changes the culpable mental state required to commit the offense from “knowingly” to “recklessly.” Under continuing law, a person acts “knowingly” when the person is aware that the person’s conduct will probably cause a certain result or will probably be of a certain nature. A person acts “recklessly” when, with heedless indifference to the

¹ R.C. 2923.20(C).

consequences, the person disregards a substantial and unjustifiable risk that the person’s conduct is likely to cause a certain result or is likely to be of a certain nature.²

HISTORY

Action	Date
Introduced	12-27-23

ANSB0209IN-135/ts

² R.C. 2923.20(A)(7) and R.C. 2901.22, not in the bill.