



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Dennis M. Papp

### **S.B. 242**

132nd General Assembly  
(As Introduced)

**Sens.** LaRose, Uecker, Eklund, Jordan, Obhof

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### **BILL SUMMARY**

- Eliminates the prohibition, currently under the offense of "unlawful transactions in weapons," 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.
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### **CONTENT AND OPERATION**

#### **Operation of the bill**

Currently, there are five prohibitions under the offense of "unlawful transactions in weapons." Depending on the prohibition violated, the offense is a fourth degree felony or a second or fourth degree misdemeanor. The bill eliminates the prohibition under that offense 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.<sup>1</sup> Currently, a violation of that prohibition is a second degree misdemeanor.<sup>2</sup>

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<sup>1</sup> Repeal of R.C. 2923.20(A)(3).

<sup>2</sup> R.C. 2923.20(B).

The bill amends several provisions to conform existing cross-references they contain to the divisional changes resulting from the bill's repeal described in the preceding paragraph.<sup>3</sup>

### **"Unlawful transactions in weapons" prohibitions not changed by the bill**

The bill does not change any of the other four prohibitions under "unlawful transactions in weapons." Those prohibitions, and the penalties associated with them, are as follows:<sup>4</sup>

(1) A prohibition against recklessly selling, lending, giving, or furnishing any firearm to any person prohibited by either of two specified provisions of state law<sup>5</sup> from acquiring or using any firearm, or recklessly selling, lending, giving, or furnishing any dangerous ordnance to any person prohibited by any of three specified provisions of state law<sup>6</sup> from acquiring or using any dangerous ordnance (a fourth degree felony);

(2) A prohibition, when transferring any dangerous ordnance to another, against negligently failing to require the transferee to exhibit such identification, license, or permit showing the transferee to be authorized to acquire dangerous ordnance under a specified provision of state law,<sup>7</sup> or negligently failing to take a complete record of the transaction and forthwith forwarding a copy of that record to the sheriff of the county or safety director or police chief of the municipality where the transaction takes place (a second degree misdemeanor);

(3) A prohibition against knowingly failing to report to law enforcement authorities forthwith the loss or theft of any firearm or dangerous ordnance in the person's possession or under the person's control (a fourth degree misdemeanor);

(4) A prohibition against possessing any firearm or dangerous ordnance with purpose to dispose of it in violation of any of the prohibitions under the offense (a fourth degree felony). The bill's repeal of the current fifth prohibition would not affect this prohibition, since none of the items listed in the repealed prohibition (i.e., brass knuckles, blackjack, or switchblade, springblade, or gravity knife, etc.) are firearms or dangerous ordnance. The term "dangerous ordnance" includes a ballistic knife but, by

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<sup>3</sup> R.C. 2923.18(G) and 2923.20(A)(3), (A)(4), and (B).

<sup>4</sup> R.C. 2923.20(A) and (B).

<sup>5</sup> R.C. 2923.13 or 2923.15, not in the bill.

<sup>6</sup> R.C. 2923.23, 2923.15, or 2923.17, not in the bill.

<sup>7</sup> R.C. 2923.17, not in the bill.



definition, a ballistic knife<sup>8</sup> does not include any of the types of knives listed in the current fifth prohibition.

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## HISTORY

ACTION	DATE
Introduced	12-18-17

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<sup>8</sup> R.C. 2923.11, not in the bill.

