

**As Introduced**

**132nd General Assembly  
Regular Session  
2017-2018**

**H. B. No. 33**

**Representative Patmon**

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**A BILL**

To enact section 2923.191 of the Revised Code to 1  
prohibit any person from storing or leaving a 2  
firearm in the person's residence unless the 3  
firearm is secured in safe storage or rendered 4  
inoperable if the person knows or reasonably 5  
should know that a minor is able to gain access 6  
to the firearm and to provide criminal penalties 7  
if a minor gains unauthorized access to a 8  
firearm not so stored or rendered inoperable. 9

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 2923.191 of the Revised Code be 10  
enacted to read as follows: 11

**Sec. 2923.191.** (A) (1) No person shall store or leave a 12  
firearm in a manner or location in the person's residence where 13  
the person knows or reasonably should know a minor is able to 14  
gain access to the firearm. 15

(2) (a) This section does not apply to a person who stores 16  
or leaves a firearm in the person's residence if the firearm is 17  
kept in safe storage or equipped with a tamper-resistant 18  
mechanical lock or other safety device that is properly engaged 19

so as to render the weapon inoperable by any person other than 20  
the owner of the firearm or any other lawfully authorized user 21  
of the firearm. 22

(b) This section does not apply to a person who stores or 23  
leaves a firearm in the person's residence if a minor gains 24  
access to the firearm as a result of any other person's unlawful 25  
entry into the person's residence. 26

(B) (1) Whoever violates this section is guilty of 27  
criminally negligent storage of a firearm if a minor gains 28  
access to the firearm as a result of the violation without the 29  
lawful permission of the minor's parent, guardian, or custodian. 30

(2) Except as provided in division (B) (3) of this section, 31  
a violation of this section is a misdemeanor of the third 32  
degree. 33

(3) If the minor gains access to the firearm as a result 34  
of the violation and, without the lawful permission of the 35  
minor's parent, guardian, or custodian, uses the firearm to 36  
cause personal injury or death, other than in self-defense, a 37  
violation of this section is a felony of the first degree. 38

(C) Nothing in this section prohibits a person who is in 39  
the person's residence from carrying a firearm on the person's 40  
person or placing a firearm in a location that is under the 41  
person's immediate control. 42