

**As Passed by the House**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Am. Sub. S. B. No. 156**

**Senator Roegner**

**Cosponsors: Senators Blessing, Brenner, Cirino, Gavarone, Hoagland, Huffman, S., Johnson, Lang, McColley, O'Brien, Peterson, Romanchuk, Rulli, Schaffer, Wilson Representatives Baldrige, Click, Cutrona, Ferguson, Ginter, Gross, Hall, Hillyer, Holmes, Jordan, Loychik, Merrin, Riedel, Schmidt, Stephens, Stevens, Wiggam**

**A BILL**

To amend section 9.68 of the Revised Code regarding 1  
the regulation of knives. 2

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

**Section 1.** That section 9.68 of the Revised Code be 3  
amended to read as follows: 4

**Sec. 9.68.** (A) The individual right to keep and bear arms, 5  
being a fundamental individual right that predates the United 6  
States Constitution and Ohio Constitution, and being a 7  
constitutionally protected right in every part of Ohio, the 8  
general assembly finds the need to provide uniform laws 9  
throughout the state regulating the ownership, possession, 10  
purchase, other acquisition, transport, storage, carrying, sale, 11  
other transfer, manufacture, taxation, keeping, and reporting of 12  
loss or theft of firearms, their components, and their 13  
ammunition, and knives. The general assembly also finds and 14  
declares that it is proper for law-abiding people to protect 15  
themselves, their families, and others from intruders and 16

attackers without fear of prosecution or civil action for acting 17  
in defense of themselves or others. Except as specifically 18  
provided by the United States Constitution, Ohio Constitution, 19  
state law, or federal law, a person, without further license, 20  
permission, restriction, delay, or process, including by any 21  
ordinance, rule, regulation, resolution, practice, or other 22  
action or any threat of citation, prosecution, or other legal 23  
process, may own, possess, purchase, acquire, transport, store, 24  
carry, sell, transfer, manufacture, or keep any firearm, part of 25  
a firearm, its components, and its ammunition, and any knife. 26  
Any such further license, permission, restriction, delay, or 27  
process interferes with the fundamental individual right 28  
described in this division and unduly inhibits law-abiding 29  
people from protecting themselves, their families, and others 30  
from intruders and attackers and from other legitimate uses of 31  
constitutionally protected ~~firearms~~arms, including hunting and 32  
sporting activities, and the state by this section preempts, 33  
supersedes, and declares null and void any such further license, 34  
permission, restriction, delay, or process. 35

(B) A person, group, or entity adversely affected by any 36  
manner of ordinance, rule, regulation, resolution, practice, or 37  
other action enacted or enforced by a political subdivision in 38  
conflict with division (A) of this section may bring a civil 39  
action against the political subdivision seeking damages from 40  
the political subdivision, declaratory relief, injunctive 41  
relief, or a combination of those remedies. Any damages awarded 42  
shall be awarded against, and paid by, the political 43  
subdivision. In addition to any actual damages awarded against 44  
the political subdivision and other relief provided with respect 45  
to such an action, the court shall award reasonable expenses to 46  
any person, group, or entity that brings the action, to be paid 47

by the political subdivision, if either of the following 48  
applies: 49

(1) The person, group, or entity prevails in a challenge 50  
to the ordinance, rule, regulation, resolution, practice, or 51  
action as being in conflict with division (A) of this section. 52

(2) The ordinance, rule, regulation, resolution, practice, 53  
or action or the manner of its enforcement is repealed or 54  
rescinded after the civil action was filed but prior to a final 55  
court determination of the action. 56

(C) As used in this section: 57

(1) The possession, transporting, or carrying of firearms, 58  
their components, ~~or~~ their ammunition, or knives include, but 59  
are not limited to, the possession, transporting, or carrying, 60  
openly or concealed on a person's person or concealed ready at 61  
hand, of firearms, their components, ~~or~~ their ammunition, or 62  
knives. 63

(2) "Firearm" has the same meaning as in section 2923.11 64  
of the Revised Code. 65

(3) "Reasonable expenses" include, but are not limited to, 66  
reasonable attorney's fees, court costs, expert witness fees, 67  
and compensation for loss of income. 68

(4) "Knife" means a cutting instrument and includes a 69  
sharpened or pointed blade. 70

(5) "Arms" includes firearms and knives. 71

(D) This section does not apply to either of the 72  
following: 73

(1) A zoning ordinance that regulates or prohibits the 74

commercial sale of knives, firearms, firearm components, or 75  
ammunition for firearms in areas zoned for residential or 76  
agricultural uses; 77

(2) A zoning ordinance that specifies the hours of 78  
operation or the geographic areas where the commercial sale of 79  
knives, firearms, firearm components, or ammunition for firearms 80  
may occur, provided that the zoning ordinance is consistent with 81  
zoning ordinances for other retail establishments in the same 82  
geographic area and does not result in a de facto prohibition of 83  
the commercial sale of knives, firearms, firearm components, or 84  
ammunition for firearms in areas zoned for commercial, retail, 85  
or industrial uses. 86

**Section 2.** That existing section 9.68 of the Revised Code 87  
is hereby repealed. 88