

Byers, Minton and Associates

This Week at the Statehouse

August 16, 2019

Around the Square

Bipartisan Gun Reform

This week two bipartisan bills to reform gun laws in Ohio were introduced by Senator Peggy Lehner of the Dayton area. One of the bills would require background checks for all gun sales in Ohio with exceptions for gifts between family members. Federal law already requires licensed dealers to conduct background checks before selling firearms, so the legislation targets sales online and at gun shows. The penalty for violating would be a fourth-degree felony, punishable by up to 30 days in jail and a \$250 fine, with more severe consequences for repeat offenders. The second bill raises the penalty for buying guns illegally for a minor from a fifth-degree felony to a third-degree felony. It also raises Ohio's minimum age to buy a gun from 18 to 21.

Political News and Notes

FirstEnergy Solutions

Ohioans Against Corporate Bailouts has been pushing for a referendum to be on the November ballot, for voters to be able to choose whether or not to repeal House Bill 6. HB 6 puts in place a fee for all Ohio electric customers in order to provide money for two failing nuclear plants in Ohio, which are owned by FirstEnergy Solutions. However, this week Attorney General Dave Yost rejected the petition language for a proposed ballot referendum. Yost rejected the language, saying that it was not "fair and truthful," which is required by law. He specifically identified 21 inaccuracies and omissions of needed language. Now the group must submit new language for approval and obtain valid signatures from 265,774 registered voters from at least 44 of Ohio's 88 counties by October 21.

Hemp Regulation

With the legalization of hemp in Ohio, there has been some speculation that it will make it difficult for officers to arrest those with marijuana, as they do not have the ability to easily test the difference between marijuana and hemp since they both have the psychoactive ingredient THC in them. However, hemp is legally required to have no more than 0.3% THC. In response, Ohio Attorney General Dave Yost has made it clear that recreational marijuana is still not legal in Ohio, and has offered the state's resources and money to help local police departments with lab testing in trafficking cases but not for possession cases.

State Executions

This week Representative Scott Wiggam (R-Wooster) sent out a request for fellow members of the legislature to cosponsor legislation he is working on to legalize the use of seized fentanyl in executions of those on death row. Wiggam proposed this legislation in the wake of Ohio's stalled executions due to the inability to obtain legal drugs for executions. Many are concerned with this proposed method as fentanyl is not a regulated substance.

We encourage you to follow BMA (@ByersMinton) on Facebook, Twitter, and Instagram for continued updates throughout the week.

This Week's Bills

HB 318 - Kratom Products: Regarding sales of kratom products.

HB 319 - Firearms Conduct: To restore local authority to generally regulate firearms related conduct.

HB 320 - Firearms Transfers: To prohibit a federally licensed firearms dealer from Transferring a firearm while a background check is pending unless 30 days have elapsed.

SB 182 - Firearm Purchases: To raise the minimum age to purchase a firearm to age 21 and to increase the penalty for improperly furnishing firearms to an underage person.

SB 183 - Firearm Transfers: To require a firearm transfer to be made through a dealer, through a law enforcement agency, or pursuant to a specified exception, and to require a background check when a firearm is transferred.

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