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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
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Office

S.B. 156  
134<sup>th</sup> General Assembly

## Final Analysis

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**Primary Sponsor:** Sen. Roegner

**Effective date:** September 13, 2022

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UPDATED VERSION\*

### SUMMARY

- Establishes knives as arms necessary for the exercise of fundamental individual rights, along with firearms, parts of firearms, the components of a firearm, and firearm ammunition.
- Prohibits any ordinance or regulation inhibiting a person's ability to own or carry a knife.
- "Preempts, supersedes, and declares null and void" any contrary license, permission, restriction, delay, process, ordinance, rule, regulation, resolution, practice, or other action or any threat of citation, prosecution, or other legal process.
- Permits a person adversely affected by a knife regulation of a political subdivision to bring a civil action against that political subdivision.

### DETAILED ANALYSIS

#### Regulation of knives prohibited

The act adds "knives" to provisions of continuing law that restrict political subdivisions' ability to regulate firearms.<sup>1</sup>

The act prohibits "any ordinance, rule, regulation, resolution, practice, or other action or any threat of citation, prosecution, or other legal process" from inhibiting a person's ability to "own, possess, purchase, acquire, transport, store, carry, sell, transfer, manufacture, or keep" any knife, whether carried openly or concealed. Continuing law prohibits prohibitions of a person's ability to own, possess, purchase, acquire, transport, store, carry, sell, transfer,

\* This version updates the effective date.

<sup>1</sup> R.C. 9.68.

manufacture, or keep any firearm, part of a firearm, its components, and its ammunition. Under the act, a “knife” is defined as “a cutting instrument and includes a sharpened or pointed blade.” The act also defines “arms” as both knives and firearms.<sup>2</sup>

Additionally, the act “preempts, supersedes, and declares null and void” any license, permission, restriction, delay, process, ordinance, rule, regulation, resolution, practice, or other action or any threat of citation, prosecution, or other legal process that “interferes with the fundamental individual right” of people to protect “themselves, their families, and others from intruders and attackers” or that interferes with “other legitimate uses of constitutionally protected arms, including hunting and sporting activities.”<sup>3</sup>

The act allows a person, group, or entity who is affected by any regulation of knives by a political subdivision to bring a civil action against the political subdivision for damages, declaratory relief, injunctive relief, or a combination of those remedies. Any damages awarded must be paid by the offending political subdivision, which must also pay for reasonable expenses if (1) the plaintiff prevails in the civil action, or (2) the ordinance, rule, regulation, resolution, practice, or action or the manner of enforcement being challenged is repealed or rescinded after the civil action is filed but before a final court determination is made.<sup>4</sup>

The act does not apply to the regulation or prohibition of knives in areas zoned for residential or agricultural uses. Nor does the act apply to a zoning ordinance that specifies the hours of operation or the geographic areas where the commercial sale of knives may occur, as long as the zoning ordinance does not result in a *de facto* prohibition of the commercial sale of knives.<sup>5</sup>

## HISTORY

Action	Date
Introduced	04-13-21
Reported, S. Veterans & Public Safety	10-20-21
Passed Senate (23-7)	10-20-21
Reported, H. Government Oversight	04-12-22
Passed House (59-32)	06-01-22
Senate Concurred in House amendments (25-7)	06-01-22

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<sup>2</sup> R.C. 9.68(C); R.C. 2923.11, not in the act.

<sup>3</sup> R.C. 9.68(A).

<sup>4</sup> R.C. 9.68(B).

<sup>5</sup> R.C. 9.68(D).