



Ohio Revised Code

Section 1349.86

Effective: April 9, 2025

Legislation: Senate Bill 58

(A)(1) The attorney general shall investigate reasonable allegations that a person or entity, including a government entity, has violated section 1349.85 of the Revised Code and, upon finding a violation, provide written notice to the person or entity believed to have committed the violation. The person or entity shall cease the violation within thirty days after receiving notice from the attorney general under this section.

(2) The attorney general may administer oaths, subpoena witnesses, adduce evidence, and require the production of relevant matter for the purposes of an investigation under this section.

(3) A person or entity subpoenaed by the attorney general under this section may, within twenty days after the subpoena is served, file a motion in a court of common pleas of any county in this state to extend the return day, or to modify or quash the subpoena. The person or entity shall include in the motion a statement describing good cause for the requested extension, modification, or quashing of the subpoena.

(4) If a person or entity fails, without lawful excuse, to obey a subpoena served, or to produce relevant matter requested under this section, the attorney general may apply to the court of common pleas of any county in this state for an order compelling compliance.

(5) None of the following are public records for the purposes of section 149.43 of the Revised Code when obtained by the attorney general as part of an investigation under this section:

(a) A list, record, or registry of privately owned firearms or owners of those firearms, kept by a government entity or official, or agent or employee of a governmental entity, as prohibited by division (A) of section 1349.85 of the Revised Code;

(b) Records distinguishing a firearms retailer from other retailers due to the assignment of a firearms code kept by a financial institution or an agent of a financial institution, as prohibited by division



(B)(1) of section 1349.85 of the Revised Code;

(c) Records identifying any persons whose payment card transactions were declined by a financial institution or an agent of a financial institution, as prohibited by division (B)(2) of section 1349.85 of the Revised Code;

(d) Records identifying a financial institution or an agent of a financial institution alleged to have engaged in conduct prohibited by section 1349.85 of the Revised Code, other than records of an action or court order under division (B) of this section.

(6) No person shall release or otherwise publicly disseminate records described in division (A)(5) of this section unless required to do so pursuant to a court order.

(B)(1) If a person or entity does not cease the violation within thirty days after receiving notice from the attorney general under this section, the attorney general shall file an action in the court of common pleas of any county in this state against that person or entity to seek an injunction.

(2) If the court finds that the person or entity violated section 1349.85 of the Revised Code and has not ceased the activity constituting the violation, the court shall enjoin the person or entity from continuing such activity and may award any other relief as the court considers appropriate, including destruction of any records kept in violation of section 1349.85 of the Revised Code.

(3) If a person or entity purposely fails to comply with an injunction issued under division (B)(2) of this section after thirty days of being served with the injunction, the attorney general, upon petition to the court, shall seek to impose on that person or entity a civil fine in an amount not to exceed one thousand dollars per violation. In assessing such a civil fine, the court shall consider factors, including the financial resources of the violator and the harm or risk of harm to the rights under the Second Amendment to the United States Constitution and the Ohio Constitution, Article I, Section 4 resulting from the violation.

(4) Any order assessing a civil fine under division (B)(3) of this section shall be stayed pending appeal of the order.



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #320562

(C) The attorney general has exclusive authority to enforce section 1349.85 of the Revised Code. The remedies set forth in this section are the exclusive remedies for any violation of that section.

(D) It shall be a defense to a proceeding initiated pursuant to this section that a firearms code was required to be disclosed or assigned by law.