



H.B. 315

126th General Assembly
(As Introduced)

Reps. Key, Chandler, Allen, Sykes, S. Patton, Ujvagi

BILL SUMMARY

- Prohibits a person from using a stun gun or taser in a school or on school premises.

CONTENT AND OPERATION

Unlawful use of a stun gun or taser on school premises

The bill creates a new criminal offense: "unlawful use of a stun gun or taser on school premises." Except as described in the following paragraph, the bill generally prohibits a person from using a stun gun or taser in a school or on school premises.¹ A violation of this prohibition is a felony of the fifth degree. (R.C. 2923.26(B) and (D).)

The bill, however, authorizes the use of a stun gun or taser by one of the following persons in a life threatening situation or when lethal force is justified (R.C. 2923.26(C)):

(1) Officers, agents, or employees of Ohio, any other state, or the United States, or law enforcement officers, authorized to carry a stun gun or taser and acting within the scope of their official duties;

(2) Any security officer employed by a board of education or governing body of a school during the time that the security officer is on duty pursuant to that contract of employment;

¹ The bill defines a "stun gun" as a device that is capable of temporarily immobilizing a person by the infliction of an electrical charge (R.C. 2923.26(A)(2)). The bill uses the definitions of "school" and "school premises" that are included in the Drug Law (R.C. 2923.26(A)(1)). (See R.C. 2925.01(Q) and (R).)

(3) Any person who has written authorization from the board of education or governing body of a school to use a stun gun or taser and who uses that stun gun or taser in accordance with that authorization.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	07-14-05	p. 1533

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