



June 6, 2023

RE: Support of S.B. 58

Chairman Lampton, Vice Chair Barhorst, ranking member Miranda and members of the House Insurance Committee. I testify in support of S.B. 58.

The 14<sup>th</sup> Amendment, adopted in 1868 granted citizenship and equal rights (civil and legal) to African Americans (slaves). For the next 100 years, African Americans were discriminated against in various ways not just by people, but by governments. One of the classic ways to discriminate and control African Americans was a poll tax. This successfully obstructed lessor affluent people from exercising their right to vote, thus influencing the legislatures who would enact more discriminatory laws. This scheme was successful in its goals.

The 24<sup>th</sup> Amendment, adopted in 1964 sought to put an end to this by prohibiting federal and state governments from imposing a poll tax. But it was not until 1966 in *Harper v Virginia State Board of Elections* that the U.S. Supreme Court (SCOTUS) extended that prohibition of poll taxes to local governments. The court declared that, “wealth or fee paying has, in our view, no relation to voting qualifications; the right to vote is too precious, too fundamental to be so burdened or conditioned.”

As an explanation point on the discussion, SCOTUS in *NYSRPA v Bruen* declared the two step process one step too many. Governments must “affirmatively prove that its firearms regulation is part of the historical tradition that delimits the outer bounds of the right to keep and bear arms.”

Ohio has a recent ugly history of imposing various schemes including fees and fines to disadvantaged people to prevent them from owning firearms. It is wrong. The latest craze is requiring insurance (a fee) to own firearms. If the right to vote is “too precious, too fundamental” to be burdened, clearly the right to life, and the ability to defend that life are at least as important. Any financial burden imposed by any government on that right is equally wrong.

S.B. 58 corrects and prohibits that wrong and prevents Ohio from running afoul of established law as ruled by the SCOTUS. It is vital legislation for Ohio and deserves unanimous support.

One additional aspect that should be considered is penalties for violation of the law. The state regularly imposes criminal penalties for people who violate established law. It is appropriate to impose similar penalties on governments who violate the law.

If I seek by force, or threat of force to deny a person freedom and cause permanent or irreversible damage to another, there are severe penalties. That is exactly what the City of Columbus is doing with various city ordinances which are clearly in violation of established law. The individuals pushing for and voting for such measures should face similar severe penalties.

Respectfully submitted,

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