



# *ENACTMENT NEWS*

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## **SB 199 Concealed Carry Law – Active Military Effective Date: March 20, 2017**

Senate Bill 199 was signed by the Governor on December 19, 2016. It becomes effective on March 20, 2017. The Act makes changes to concealed carry law.

The Act exempts “active duty” members of the armed forces of the United States from certain prohibitions on carrying concealed handguns and from the requirement to have a concealed carry license so long as the person is carrying:

- 1) A valid military identification card;
- 2) Documentation of successful completion of firearms training that meets or exceeds the training requirements to obtain a concealed carry license in Ohio.

(R.C. 1547.69, 2923.12, 2923.121, 2923.122, 2923.123, 2923.126, 2923.16)

Provides that a person on active duty who is not able to promptly produce a valid military identification card and documentation of successful completion of firearms may be issued a citation and assessed a civil penalty of up to \$500. The citation is automatically dismissed, and the penalty not assessed if:

- 1) Within 10 days of the issuance of the citation the offender presents a valid military ID and documentation of successful completion of firearms training, which were both valid at the time of the issuance of citation, to the law enforcement agency that employs the citing officer;
- 2) At the time of the citation, the offender was not knowingly in a place described in division (B) of section 2923.126.

Specifies the penalties for a person who is not authorized to carry a handgun and who is knowingly in a place described in division (B)(5) of section 2923.126 (i.e. any public or private college, university, or other institution of higher education).

(R.C. 2923.12)

Exempts individuals who have a valid concealed carry license and “active duty” members of the military from the prohibition against conveying or attempting to convey a handgun, or possessing a handgun, in a school safety zone as long as the person, in addition to having a valid license or meeting the above requirements for “active duty,” leaves the handgun in a motor vehicle and locks the motor vehicle. (R.C. 2923.122)

The Act makes several changes to division (B) of R.C. 2923.126 regarding prohibited places to carry a concealed weapon even with a license or as an “active duty” firearm carrier. The Act retains the prohibition, at R.C. 2923.126(B)(3), against a concealed carry licensee bringing a handgun into a courthouse or a building where a courtroom is located. Among other things, the Act alters a separate provision which now prohibits the carrying of a concealed weapon into any building that is a government facility or a political subdivision (that is not a building that is used primarily as a shelter, restroom, parking facility, or rest facility) “*unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building.*” Note that this has the potential to impact any employees of the court who are housed in a building separate from the courthouse (e.g. probation departments). (R.C. 2923.126(B)(7))

Modifies the prohibition against carrying a concealed handgun to institutions of higher learning, day care facilities, aircraft, and public areas of airport terminals. (R.C. 2923.126)

Prohibits a business entity, property owner, or public or private employer from establishing, maintaining, or enforcing a policy or rule that prohibits or has the effect of prohibiting a person who has been issued a concealed carry license from storing a firearm or ammunition in a motor vehicle subject to certain conditions. Exempts these same entities from any civil liability. (R.C. 2923.1210)

Authorizes the selling or furnishing of a firearm to active duty members of the military who are between 18 – 21 years old and who meet the previously stated requirements regarding ID and training. (R.C. 2923.21)