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Labor and Employment Alert: Expansive Changes to Concealed Weapons Law May be Coming to Ohio

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In November 2015, the Ohio House of Representatives passed a bill (House Bill 48) to expand Ohio's concealed weapons law. Ohio law currently prohibits carrying a concealed handgun (even with a license to do so) in certain law enforcement stations, airport passenger terminals, school safety zones, courthouses, certain places where liquor is sold, public and private institutions of higher education, places of worship (unless the place of worship allows otherwise), child day-care centers and family day-care homes, aircraft, most government buildings, and any place in which federal law prohibits the carrying of handguns. House Bill 48 would make expansive changes to several of these prohibitions.

First, a person with a concealed carry license could bring a concealed handgun into a government building (other than a courthouse or a building used primarily as a shelter, restroom, parking facility, or rest facility), if the legislative authority with authority over the building has enacted a law that permits that action. For example, a city could enact legislation allowing a person to bring a concealed weapon into city hall or city offices.

Second, a person could bring a concealed handgun onto the premises of a public or private institution of higher education if that institution's governing body adopts a written policy authorizing individuals to do so. The bill generally immunizes such institution from civil liability for injury, death, or loss because a person brought a handgun onto the institution's property or because the institution decided to permit concealed carry licensees to bring a handgun onto the premises.

Third, the bill would eliminate the prohibition on carrying a concealed handgun in day-cares and in aircraft. Although the explicit prohibition against carrying concealed handguns on aircraft would be eliminated, federal law still prohibits carrying loaded firearms and concealed dangerous weapons on aircraft.

Fourth, instead of prohibiting all firearms in an airport terminal, the bill would only prohibit carrying a firearm in any area of a passenger terminal that is beyond a passenger or property screening checkpoint or to which access is restricted.

Fifth, the bill would permit persons to bring a concealed handgun into any public area of a sheriff's office, a police station or State Highway Patrol station.

And sixth, the bill exempts a person from the prohibition against carrying a concealed handgun in a school safety zone if the person has a concealed carry license, leaves the handgun in a motor vehicle, the handgun does not leave the motor vehicle, and if the person exits the motor vehicle, the person locks the motor vehicle.

Notably, the legislation does not change the ability of a private employer (other than an institution of higher education) to adopt a policy banning firearms on its premises.

The bill's proponents claim that it helps eliminate "victim zones" (areas where handguns are prohibited), while opponents argue that loosening current concealed carry restrictions will lead to increased gun injuries and deaths. House Bill 48 passed the House by a mostly party-line vote of 68-29, and has been referred to the Senate Government Oversight and Reform Committee, where it is expected to undergo further hearings in 2016. Contact your Vorys attorney if you have questions about the legislation or concealed carry laws.