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SUMMARY/COMPARISON OF CONCEAL CARRY OMNIBUS AMENDMENTS

| Subject & Relevant RC Section | HC 20 (amendment discussed by full committee) | HC 33 |
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| Transportation of firearms by non-licensed motorists (2923.12) | The amendment allows a person who does not have a conceal carry permit to transport an unloaded firearm in a motor vehicle so long as the firearm is not on the driver's person (Lines 64-67, 100-104) and the driver can lawfully possess/own the gun under applicable state and federal law. <i>See definition of unloaded below.</i> | Same as HC-20, but the ability to transport an unloaded firearm in plain sight is applied only to a long gun (i.e., firearms over 24 inches)—no longer applies to a handgun. |
| Application of conceal carry laws within a licensee's residence (2923.12) | The amendment allows a person to carry a concealed firearm on his person where the person is in his own home and is not engaged in unlawful conduct (Lines 68-70, 105-116). H.B. 12 opened the door for charging people for having a concealed firearm in their own home unless they had a license. | Same |
| Regulation of firearms within liquor permit establishments (2923.12 and 2923.121) | The amendment clarifies which penalties apply to the offenses of unlawful possession of a firearm in a liquor establishment (an F5) and unlawful conceal carry in a liquor establishment (an F3). (Lines 134-136, Lines 323-329). 2923.12 is amended to clarify that 2923.121 is the sole section regulating firearms in liquor permit establishments. Current law provides two different sections regulating firearms in a liquor permit establishment, with two different penalties. 2923.121 is amended to reflect the higher penalty so there is no net reduction in degree of felony charged, just a clarification that one statute controls. | Same |
| Penalty for failure to inform law enforcement officer of licensed status (2923.12) | The amendment lessens the penalty for failure to inform a police officer of one's licensed status if the officer had actual notice of one's licensed status (i.e. ran the plates on a traffic stop, saw the motorist was licensed). (Lines 191-207). | Same as HC 20, except removes "dispatcher." |
| Mandatory atty. fees for actions to obtain | The amendment awards mandatory attorney fees to a gun owner who successfully gets a court order | In situations where law enforcement stops a person for a law enforcement purpose and the |

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| <p>return of firearm (2923.12)</p> | <p>to return a firearm that was seized by law enforcement (Lines 228-233, Lines 2267-2241).</p> | <p>gun is seized or surrendered to the officer: 1. The officer shall maintain the integrity and identity of the firearm if it is not returned 2. The court shall award attorney fees and costs to a person who seeks an order for the firearm's return if the officer did not return the gun at the demand the firearm's owner.</p> |
| <p>Ability of liquor permit holders, employees, or agents to carry a concealed weapon (2923.121)</p> | <p>The amendment allows a liquor permit holder (i.e. bar owner) to carry a concealed weapon in his establishment as well as his employees or agents who are special duty police officers. Such individuals are forbidden from consuming alcohol or being under the influence while carrying. (Lines 253-271).</p> | <p>Same</p> |
| <p>Conceal carry in D6 & D8 retail establishments (grocery stores) (2923.121)</p> | <p>The amendment allows a conceal carry licensee who is not consuming alcohol or under the influence of alcohol to carry in retail or grocery facilities (D6 and D8 retail establishments, not bars) (Line 235, Lines 272-283).</p> | <p>Same</p> |
| <p>Consideration of sealed/expunged convictions by sheriffs granting concealed carry licenses (2923.125 and 2923.1210)</p> | <p>The amendment does not allow a sheriff to consider expunged or sealed convictions in the background check for a conceal carry license applicant. The application form is revised accordingly (Lines 726-743, 1393-1416, Lines 1478-1479, and Lines 1609-1695).</p> | <p>Same</p> |
| <p>Written test for competency renewals (2923.125)</p> | <p>The amendment removes the requirement for a written test for a competency renewal and instead just requires a physical demonstration with a firearm (both are still required on a first time license application). (Lines 859-881)</p> | <p>The elimination of the written test in favor of a physical demonstration on renewals is substantially the same but worded differently. A licensee may renew a license at any time after the expiration date of the license (current law says 30 days after expiration of the license) Removes the requirement that on a renewal, a person has to submit (1) a new color photo (2)</p> |

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| | | | a certification by the applicant that he re-read the AG's pamphlet that reviews firearms, dispute resolution and use of deadly force matters, and a new set of fingerprints. |
| Harmonization language [2923.126(B)] | 2923.126(B) is amended to reflect the changes to 2923.121 and 2923.122 discussed above. | Same | Allows on renewals a previous conceal carry license to serve as prima facie evidence that the licensee at one time had a competency certification. |
| Posting of signs (2923.1212) | The amendment requires an officer of the state or local government to post signs in governmental buildings where conceal carry is barred. Existing law does not specify who is responsible for posting such signs (Lines 1746-1764). | Same | |
| Exemptions for shelters, restrooms, and parking garages [2923.126(B)] | The amendment allows conceal carry in shelters (including those in state parks), restrooms, and parking garages. The bill was further amended to prohibit conceal carry in BMV Deputy Registrars, explicitly included under a new "governmental buildings" definition (Lines 1023-1031, Lines 1229-1239). The definition of "governmental buildings" parallels federal law under 18 USC 930(g). | Same | |
| Application to parking lots and parking facilities [2923.126(C)] | The amendment decriminalizes carrying a concealed weapon in a privately owned parking facility and instead allows the owner to sue for civil trespass, the rationale being that it is not always readily ascertainable if conceal carry is barred at such facilities (Lines 1072-1082). | Same | |
| Prohibition upon landlords on prohibiting tenants for owning/carrying firearms (2923.126(C)) | The amendment prohibits a landlord from prohibiting a tenant from owning or carrying a firearm in the tenant's apartment (Lines 1083-1095). | Same | |
| Retired peace | Where the law grants certain retired peace officers | Same | |

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| <p>officers [2923.126(F)]</p> | <p>the same right to carry as a licensee, the bill removes the requirement that the retired peace officer have a nonforfeitable right to benefits under his or her retirement plan (Lines 1150-1151).</p> | |
| <p>Carrying of loaded handguns in unlocked glove compartments or center consoles (2923.16)</p> | <p>The amendment allows a licensee to carry a loaded handgun in an unlocked glove compartment or center console, so long as it is closed (Lines 2187-2189).</p> | <p>Same</p> |
| <p>Definition of unloaded (2923.16)</p> | <p>The amendment defines "unloaded" as no ammunition in the firearm without regard to where else ammunition might be located in the vehicle, so long as there is no ammunition (for the gun transported) in a magazine or speed loader anywhere in the car (Lines 2282-2288).</p> | <p>Same</p> |
| <p>Gun specifications (2929.14)</p> | <p>The amendment changes 2929.14 to specify that gun specifications may not be imposed on violations of 2923.12, 2923.121, 2923.122 and 2923.16. In other words, the gun spec (which increases the penalty for using a gun in the commission of crime) is not applied to crimes where use of the gun is the crime itself (improper transportation of a firearm, carrying in a bar, etc.). These enumerated crimes already punish the possession of the firearm as the animus and res of the underlying offense (Lines 2297-2302)</p> | <p>Same, but ALSO includes gun spec language that would require the court to impose prison terms for the two most serious gun specs if one of the felonies involved is aggravated murder, murder, aggravated attempted murder, attempted murder, aggravated robbery, felonious assault, or rape.</p> |
| <p>Seizure of firearms during emergencies (5502.371)</p> | <p>The amendment prohibits law enforcement from seizing lawfully owned or carried firearms during emergencies (Lines 2304-2308).</p> | <p>No provision</p> |
| <p>Conceal carry in school safety zones (2923.122)</p> | <p>The bill does not prohibit the conveyance of a handgun in a school safety zone if the person is the driver or passenger in a vehicle while immediately in the process of picking up or dropping off the person's child (Lines 404-406).</p> | <p>Change "the person's child" to "a child" with regards to the pick-up and drop-off in a "school safety zone"</p> |