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OHIO LEGISLATIVE SERVICE COMMISSION

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S.B. 279
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Johnson

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SUMMARY

- Prohibits a business, state agency, or political subdivision from discouraging or prohibiting a law enforcement officer from carrying a weapon while off duty.
- Subjects a business, state agency, or political subdivision to a civil penalty of \$10,000 for violating the prohibition and provides that the business, state agency, or political subdivision is liable to the injured party for attorney's fees incurred in bringing the action.

DETAILED ANALYSIS

Law enforcement officer or investigator carrying a weapon

Carrying a weapon at an establishment serving the public

The bill prohibits an establishment that serves the public from prohibiting, restricting, or discouraging a law enforcement officer or investigator who is carrying validating identification from carrying a weapon on the premises that the officer or investigator is authorized to carry. This prohibition applies regardless of whether the officer or investigator is acting within the scope of that officer's or investigator's duties while carrying the weapon.¹

This expands on current law that prohibits such an establishment from prohibiting or restricting such a law enforcement officer or investigator from carrying a weapon on the premises so long as the officer or investigator is not acting outside the scope of their duties, with a firearm issued or approved by their employing agency, and contrary to the agency's restrictive firearms carrying policy.² The bill similarly removes, as a requirement for an officer or investigator to carry a firearm off-duty in a room in which any person is consuming beer or liquor or in a premises for

¹ R.C. 2923.1214(A).

² R.C. 2923.1214(A) and (B), repealed by the bill.

which a particular liquor license was issued, that the officer not carry a firearm issued or approved by the appointing agency if the appointing agency has a restrictive firearms carrying policy.³

The bill also adds a penalty for violating the prohibition, requiring a business that violates the prohibition be liable to the injured party for attorney's fees incurred in bringing an action under the prohibition and subjecting the business to a civil penalty of \$10,000 per occurrence.⁴

Carrying a weapon while off duty

The bill also prohibits a state agency or political subdivision from discouraging or prohibiting a peace officer employed by the state or a political subdivision from carrying a weapon that the law enforcement officer is authorized to carry while the officer is off duty.⁵

The bill sets aside continuing state law that circumscribes the availability of state and political subdivision liability and instead provides that the state or a political subdivision that violates the above prohibition is liable to the injured party for attorney's fees incurred in bringing an action and subject to a civil penalty of \$10,000 per occurrence.⁶

HISTORY

Action	Date
Introduced	10-07-25

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³ R.C. 2923.121.

⁴ R.C. 2923.1214(C).

⁵ R.C. 2923.1215(A).

⁶ R.C. 2923.1215(B), by reference to R.C. chapters 2743 and 2744.