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Substitute Bill Comparative Synopsis

Sub. H.B. 227

134th General Assembly

House Criminal Justice

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Sub. H.B. 227 (I_134_1160-3)	Sub. H.B. 227 (I_134_2002-1)
Expansion of concealed carry to deadly weapons	
Modifies the name “concealed handgun license” to “concealed weapons license” (<i>R.C. 109.69, 109.731, 311.41, 311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1213, 2923.16, and 2953.37</i>).	No provision.
Permits a person who has a concealed weapons license to carry concealed any deadly weapon, other than a restricted deadly weapon, instead of only a handgun (<i>R.C. 2923.12, 2923.126(A) and (B), and 2923.1213; conforming changes in R.C. 109.69, 109.731, 311.41, 311.42, 1547.69, 2921.13, 2923.11, 2923.121, 2923.122, 2923.123, 2923.124,</i>	No provision.

Sub. H.B. 227 (I_134_1160-3)	Sub. H.B. 227 (I_134_2002-1)
<p>2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 2923.1212, 2923.16, and 4749.10).</p> <p>Defines a “restricted deadly weapon” as a deadly weapon that is a restricted firearm or that Ohio or federal law prohibits the person from having or carrying (R.C. 2923.11(T)).</p> <p>Defines a “restricted firearm” as a firearm that is dangerous ordnance or that Ohio or federal law prohibits the person from having or carrying (R.C. 2923.11(S)).</p> <p>Provides that the provisions of the bill apply to a concealed weapons license, a temporary emergency license, or a license issued by another state, regardless of whether the licensee was issued, renewed, suspended, revoked, denied, or expired before, on, or after the bill’s effective date (R.C. 109.69, 109.731, 311.41, 311.42, 2921.13, 2923.11, 2923.124, 2923.125, 2923.126, and 2923.1213).</p>	<p>No provision.</p> <p>No provision.</p> <p>No provision.</p>
Eliminates requirement that a license must be obtained	
<p>Allows a person who is 21 or older and who is not prohibited from having a firearm under the law of the state or United States to carry a concealed deadly weapon, other than a restricted deadly weapon, without obtaining a concealed weapons license. A person who does so is deemed to have a concealed weapons license. (R.C. 2923.11(N)(2), 2923.111, 2923.12, 2923.126(A) and (B), and 2923.1213; conforming changes in R.C. 1547.69, 2923.11, 2923.121, 2923.122, 2923.123, 2923.124, 2923.126, 2923.1210, and 2923.16(F)(5) and (L).)</p> <p>Provides that the person is subject to the same rights and restrictions that apply to a licensee (R.C. 1547.69, 2923.11(N)(2), 2923.111, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124(D), 2923.126, and 2923.16).</p>	<p>Allows a person who is at least 21 years of age and who is not prohibited under the law of the state or the United States from possessing a firearm to carry a firearm without obtaining a concealed handgun license (R.C. 1547.69(H)(2), 2923.12(C)(2), 2923.121(B)(1)(d) and (f), 2923.122(D)(3), 2923.123(C)(6), 2923.1210(A), and 2923.16(F)(5) and (L)).</p> <p>Same provision (R.C. 2923.126(E)(4)).</p>

Sub. H.B. 227 (I_134_1160-3)	Sub. H.B. 227 (I_134_2002-1)
<p>Provides that a person who is later banned under the law of the state or the United States from having a firearm is no longer eligible to carry a concealed deadly weapon and no longer deemed to have been issued a concealed weapons license (<i>R.C. 2923.111(C)(2)</i>).</p> <p>No provision.</p>	<p>No provision.</p> <p>Provides that the availability of a concealed handgun license should not be construed to prohibit or restrict a person from possessing, carrying, or transporting a firearm in a vehicle or on or about the person's person, whether concealed or unconcealed, loaded or unloaded, without a valid concealed handgun license if the possession, carrying, or transport in the manner in question is otherwise permitted by law (<i>R.C. 2923.125(J) and 2923.1213(J)</i>).</p>
Eliminates requirement that licensee must carry a license	
<p>Eliminates the existing law requirement that a concealed handgun licensee must carry a concealed handgun license in order to carry a concealed handgun. Instead, the bill requires that the person has been issued a valid concealed weapons license. (<i>R.C. 1547.69(H)(2), 2923.12(C)(2), 2923.121(B)(1)(d) and (e), 2923.122(D)(3), 2923.123(C)(6), 2923.126(A), and 2923.16(F)(5) and (L).</i>)</p> <p>Modifies the existing law requirement by providing that an active duty member of the armed forces must carry a valid military identification and documentation of successful completion of firearms training that</p>	<p>Eliminates the existing law requirement that a concealed handgun licensee must carry a concealed handgun license in order to carry a concealed handgun. Instead, the bill requires that the person has been issued a concealed handgun license that is valid at the time of the carrying or possession.¹ (<i>R.C. 1547.69(H)(2), 2923.12(C)(2)(a)(i), 2923.121(B)(1)(d) and (f), 2923.122(D)(3), 2923.123(C)(6), 2923.126(A), (D), (E)(2), and (F)(1), 2923.1213(C), and 2923.16(F)(5) and (L).</i>)</p> <p>Eliminates the existing law requirement that an active duty member of the armed forces must carry a valid military identification and documentation of successful completion of firearms training that meets</p>

¹ Despite this provision, the person may still be eligible to carry under the provision described in this column above under “**Eliminates requirement that a license must be obtained,**” which allows any person who is at least 21 years of age and who is not prohibited under the law of the state or the United States from possessing a firearm to carry a firearm without obtaining a concealed handgun license.

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<p>meets or exceeds the training requirements for a concealed weapons licensee (<i>R.C. 1547.69(H)(2), 2923.12(C)(2), 2923.121(B)(1)(d) and (f), 2923.122(D)(3), 2923.123(C)(6), 2923.126(A), (D), (E)(2), and (F)(1), 2923.1213(C), and 2923.16(F)(5) and (L).</i>)</p> <p>Eliminates certain existing law carrying concealed weapons penalties associated with a concealed handgun licensee producing a concealed handgun license (<i>R.C. 2923.12(F)(2).</i>)</p>	<p>or exceeds the training requirements for a concealed handgun license. Instead, the bill requires that the active duty member of the armed forces has been issued a valid military identification and documentation of successful completion of firearms training that meets or exceeds the training requirements for a concealed handgun license that are valid at the time of the carrying or possession.² (<i>R.C. 1547.69(H)(2), 2923.12(C)(2)(a)(ii), 2923.121(B)(1)(d) and (f), 2923.122(D)(3), 2923.123(C)(6), 2923.126(A), (D), (E)(2), and (F)(1), 2923.1213(C), and 2923.16(F)(5) and (L).</i>)</p> <p>Eliminates the existing law carrying concealed weapons penalties associated with a concealed handgun licensee producing a concealed handgun license and an active duty member producing a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements for a concealed handgun license. Instead, the bill provides that if the offender is a concealed handgun licensee and has been issued a concealed handgun license that is valid at the time of the violation, is an active duty member of the armed forces and has been issued a valid military identification and documentation of successful completion of firearms training that meets or exceeds the training requirements for a concealed handgun license that are valid at the time of the carrying or possession, or is at least 21 years of age and is not prohibited under the law of the state or the United States from possessing a firearm, the penalty for carrying concealed weapons is a minor misdemeanor. (<i>R.C. 2923.12(F)(1), (2), (6), and (7).</i>)</p>

² See Footnote 1, same provision applies with respect to an active duty member of the armed forces.

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Modifies requirement that a license has a duty to notify

Modifies the existing law duty to notify requirement as follows (*R.C. 2923.12(B)(1), 2923.126(A), and 2923.16(E)(1) and (2)*):

- If a concealed weapons licensee or person who is deemed to have been issued a concealed weapons license is stopped for a law enforcement purpose and is carrying a concealed deadly weapon that is not a restricted deadly weapon, the person must promptly inform any law enforcement officer who approaches the person after the person has been stopped that the person has been issued a concealed weapons license and that the person is then carrying a concealed deadly weapon;
- If a concealed weapons licensee, active duty member, or person who is deemed to have been issued a concealed weapons license is the driver or occupant of a motor vehicle that is stopped for a law enforcement purpose and is transporting or has a loaded firearm that is not a restricted firearm in the motor vehicle, the person must promptly inform any law enforcement officer who approaches the person after the person has been stopped that the person has been issued a concealed weapons license or is authorized to carry a concealed firearm as an active duty member and that the person then possesses or has a loaded firearm in the motor vehicle;
- If a concealed weapons licensee, active duty member, or person who is deemed to have been issued a concealed weapons license is the driver or occupant of a commercial motor vehicle that is stopped for a specified purpose and is transporting or has a loaded firearm that is not a restricted firearm in the commercial motor vehicle, the person must promptly inform the employee of the unit who approaches the person after the person has been stopped that the person has been issued a concealed weapons license or is authorized to carry a

Modifies the existing law duty to notify as follows (*R.C. 2923.12(B)(1) and 2923.16(E)(1) and (2)*):

- If a concealed handgun licensee or person who is at least 21 years of age and is not prohibited under the law of the state or the United States from possessing a firearm is stopped for a law enforcement purpose and is carrying a concealed handgun, the person must, before or at the time the law enforcement officer asks if the person is carrying a concealed handgun, disclose that the person is then carrying a concealed handgun;
- If a concealed handgun licensee, active duty member, or person who is at least 21 years of age and is not prohibited under the law of the state or the United States from possessing a firearm is the driver or occupant of a motor vehicle that is stopped for a law enforcement purpose and is transporting or has a loaded handgun in the motor vehicle, the person must, before or at the time the law enforcement officer asks if the person is carrying a concealed handgun, disclose that the person then possesses or has a loaded handgun in the motor vehicle;
- If a concealed handgun licensee, active duty member, or person who is at least 21 years of age and is not prohibited under the law of the state or the United States from possessing a firearm is the driver or occupant of a commercial motor vehicle that is stopped for a specified purpose and is transporting or has a loaded handgun in the motor vehicle, the person must, before or at the time the law enforcement officer asks if the person is carrying a concealed handgun, disclose that the person then possesses or has a loaded handgun in the commercial motor vehicle.

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<p>concealed firearm as an active duty member and that the person then possesses or has a loaded firearm in the motor vehicle.</p> <p>Retains the duty to notify provisions above and other law enforcement duties not amended by the bill and retains substantially equivalent language found elsewhere in the Revised Code (<i>R.C. 2923.126(A)</i>).</p> <p>Retains the existing law penalties associated with failure to comply with the duty to notify (<i>R.C. 2923.12(F)(3), 2923.128, and 2923.16(I)</i>).</p>	<p>Retains the duty to notify provisions above and other law enforcement duties not amended by the bill but eliminates substantially equivalent language found elsewhere in the Revised Code (<i>R.C. 2923.126(A)</i>).</p> <p>Eliminates the existing law penalties associated with failure to comply with the duty to notify (<i>R.C. 2923.12(F)(3), 2923.128, and 2923.16(I)</i>).</p>
Search, seizure, or detention	
<p>Specifies that the mere fact that an otherwise law-abiding person carries or possesses a deadly weapon, other than a restricted deadly weapon, does not constitute grounds for any law enforcement officer or agent of the state or a local government to search, seize, or detain the person, no matter how temporarily (<i>R.C. 2923.111(B)</i>).</p>	<p>No provision.</p>
State preemption	
<p>Expands state preemption of firearm regulation to include all deadly weapons, instead of only firearms, their components, and their attachments (<i>R.C. 9.68</i>).</p>	<p>No provision.</p>
<p>Expands state preemption of firearm regulation to include firearm accessories and attachments, instead of only firearms, their components, and their attachments (<i>R.C. 9.68</i>).</p>	<p>No provision.</p>

Sub. H.B. 227 (I_134_1160-3)	Sub. H.B. 227 (I_134_2002-1)
Posting signs	
Provides that if a government facility or place of worship does not post a sign prohibiting persons from carrying deadly weapons, it is presumed that the government facility or place of worship permits concealed carry of deadly weapons (<i>R.C. 2923.1212</i>).	No provision.
Modifies license application and renewal procedures	
No provision.	Allows an applicant for a concealed handgun license or a temporary emergency concealed handgun license who is a resident of the state to apply to the sheriff of any county, rather than only to the sheriff of the applicant's county of residence or an adjacent county (<i>R.C. 2923.125(B) and 2923.1213(B)</i>).
No provision.	Allows an applicant for a renewal of a concealed handgun license who is a resident of the state to file with the sheriff of any county, rather than only to the sheriff of the applicant's county of residence or an adjacent county (<i>R.C. 2923.125(F)(1)(a) and (4)</i>).
No provision.	Allows a sheriff to provide up to eight hours each week during which the sheriff accepts concealed handgun applications or renewal applications only from county residents and provides information on concealed handgun applications only to county residents. For each of these hours, the sheriff must provide an additional hour each week during which the sheriff accepts concealed handgun applications or renewal applications from any person and provides information on concealed handgun applications to any person. (<i>R.C. 2923.125(I)</i> .)
No provision.	Provides that nothing in the bill must be construed to prohibit the sheriff from offering more hours during which the sheriff is available to accept or provide the above information to or from any person (<i>R.C. 2923.125(I)</i>).

Sub. H.B. 227 (I_134_1160-3)	Sub. H.B. 227 (I_134_2002-1)
Expands use of sheriff's concealed handgun license issuance expense fund	
No provision.	Allows the sheriff to expend the fees deposited into the sheriff's concealed handgun license issuance expense fund for either of the following (<i>R.C. 311.42(B)</i>): <ul style="list-style-type: none">▪ Any costs incurred for nonlethal weapons and supplies to be used by the sheriff or the sheriff's employees, including costs incurred for training on the use of nonlethal weapons;▪ Any costs incurred for a sheriff's employee to attend a basic peace officer training academy or a basic correction officer academy approved by the Ohio peace officer training commission.