



Condensed Guide To Ohio Concealed Carry Laws

3rd Edition, Revision 1

Bob Simmons

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Bob Simmons
simmoh_2@earthlink.net

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Foreword

This text is written as a reference for the most often confused, misinterpreted and misunderstood portions of Ohio law related to concealed carry. It is not intended to be an exhaustive study, but rather a quick reference guide for use on the go until more detailed and thorough research can be accomplished. It actually grew originally out of a desire to have something to carry in my vehicle. It snowballed from there to what you see here.

The guide gives verbatim portions of the Ohio Revised Code (ORC) from the official web site, **highlights the most controversial, contentious and most often confused or misinterpreted portions**, and provides commentary to provide better explanation. *The commentary is in italicized red text.* Other references are included where they are deemed important to the topic of concealed carry. I only reprint the parts of the ORC sections that I reference. That keeps the focus on the parts of the ORC that are the most often confused, misinterpreted and misunderstood, as stated above, and better fits the “Condensed” description in the title. While this limits what is reprinted from the ORC to only the parts are pertinent to this document, there is still absolutely no editing of the text from the Ohio Revised Code that is reprinted here. *Any part of the ORC or other source text that has been omitted for brevity is so noted in this document, in italicized red text.*

The official ORC web site left justifies all text, which can make it difficult sometimes to follow. I have added indentation in this document to make it easier to read. I have not altered the text in any way to do this. Keeping the text exactly the way it is in the ORC was a strict priority in creating this guide. That’s also why I separated my commentary using a red typeface font, to make clear the difference between my text and the text of the ORC

This third edition includes the changes made by HB 495 that became effective on March 27, 2013. It also includes some additional statutes that are more likely to come into play while carrying openly.

DISCLAIMERS: While this guide attempts to clarify legal issues, it does not and cannot constitute a legal opinion. Legal opinions are always subject to interpretation and they do vary. Consult a competent attorney for legal advice when necessary. The contents of this guide are also subject to changes in the statutes themselves. While the contents are current as of this writing, new legislation could be passed at any time that would change the statutes this guide is based on. The dates of last revision appear at the bottom of each ORC, and I have also appended the web address for each statute to allow easy confirmation. Always confirm the currency of these statutes before basing important decisions on them.

Table of Contents

Bob’s Rule of Arguing	5
Ohio Constitution, Bill of Rights, Section 1	6
Affirmation of right to bear arms, including open carry.....	6
9.68 Right to bear arms - challenge to law	7
Statewide preemption of firearms restrictions	7
504.04 Exercise of powers under limited home rule government	8
Prevention of the use of home rule to restrict firearms	8
1711.13 Nature and powers of county society	9
County fairgrounds posted as no carry zones	9
2901.09 No duty to retreat in residence or vehicle (castle doctrine)	10
2903.21 Aggravated Menacing	11
2917.11 Disorderly Conduct	12
2917.13 Misconduct at emergency	13
2917.31 Inducing Panic.....	14
2921.29 Failure to disclose personal information	15
2923.12 Carrying concealed weapons	16
Duty to inform, non-vehicular	16
Keeping hands in plain sight while stopped, non-vehicular	16
Not touching firearm while stopped, non-vehicular	16
Complying with lawful orders while stopped, non-vehicular	16
Return of firearm by law enforcement officer after a stop	17
2923.16 Improperly handling firearms in a motor vehicle	18
Duty to inform, vehicular	18
Duty to inform for commercial vehicle drivers subject to motor carrier enforcement	18
Keeping hands in plain sight while stopped, vehicular.....	18
Not touching firearm while stopped, vehicular.....	19
Complying with lawful orders while stopped, vehicular	19
Return of firearm by law enforcement officer after a stop	19
Legal definition of a loaded firearm in a vehicle	19
2923.121 Possession of firearm in beer liquor permit premises - prohibition, exceptions	22
Right to carry in establishments serving alcohol.....	22

2923.122 Illegal conveyance or possession of deadly weapon or dangerous ordnance or of object indistinguishable from firearm in school safety zone	23
Authority of school boards to allow carry in schools	23
Applicability of the federal Gun-Free School Zones Act on Ohio law.....	23
Right to carry while picking up or dropping off kids at school	24
TITLE 18 U.S.C. CHAPTER 44 Section 922(q)	25
2923.126 Duties of licensed individual	26
Vehicular notification, actions while stopped and compliance with lawful orders	26
Non-vehicular notification, actions while stopped and compliance with lawful orders	26
Enumerated (specified by law) no-carry zones	27
Police stations, sheriff’s offices, highway patrol offices and correctional facilities	27
Courtrooms and courthouses	27
Open air arenas	27
Colleges and universities	27
Carry at places of worship	27
Day-care centers and day-care homes	27
Carry on aircraft	27
Carry in government buildings that are parking garages or restrooms	28
Places where carry is federally prohibited	28
Immunity for private employers	28
Signage on private property	28
Prohibition of discrimination by landlords	29
2923.163 Surrender of firearm to law enforcement officer	30
Recovery of legal costs for unlawful or improper seizure of a firearm	30
2923.1212 Signage prohibiting concealed handguns	31
Signage on government buildings	31
Links from pages within the ORC	32

Arguing and Bob's Rule of Arguing

Throughout this text you will find references to Bob's Rule of Arguing. Since the purpose of this guide is to make you aware of the most contentious portions of the Ohio Revised Code, it stands to reason that the contents are designed to be used in situations where there are disagreements or disputes. We're talking about matters of law here, and situations evolving from those matters will often involve law enforcements officers (LEOs). How you conduct yourself in those situations, debates, discussions or disputes is very important. It can make the difference between whether you go to jail or not, and sometimes whether or not you're found guilty in court. Yes, you read that right. Even when facts don't change, your attitude and conduct can decide whether or not you're found guilty of a crime.

Juries are made up of human beings, and human beings are swayed by attitudes, sarcasm and bad language. All of those things have tipped the scale in court cases, including cases involving lawfully carrying gun owners in Ohio. It also does little good to start drawn out debates with an LEO in the field when that LEO is obviously not receptive to your argument. The actions of LEOs are very often dictated by department policy or other edict, and thus they likely can't change their procedure just because you say they should. Oftentimes they've been given erroneous information on concealed carry statutes as well. Spend some time reading through this guide and you'll understand that the Ohio statutes on concealed carry are overcomplicated and can be easily misunderstood or misinterpreted. Many LEOs will not have had the benefit of the kind of explanations that you'll find in this text. For the vast majority of them, that isn't a failing on their part. The statutes outlined in this guide are but a few of the thousands of statutes in the Ohio Revised Code. It takes time to understand just these few. Imagine how difficult it could be for an LEO to be well versed in every single statute and you may begin to understand why they may not be up on all the details you'll find here. Some will be, but many won't. For those LEOs given erroneous information or suffering from a lack of it, they'll either accept what you say or they'll dismiss your argument until they can get it corroborated from their own sources. Continuing to attempt an argument from that point forward usually serves no purpose other than to irritate the LEO. If they choose to join the debate, then great. But if it becomes an adversarial or contentious argument, you're just digging your own hole deeper, so it's better to save the debate for a more appropriate place and time, and maybe a better audience. So in that vein of thought, I will sometimes refer back to Bob's Rule of Arguing, which is as follows:

Bob's Rule of Arguing

If you do decide to enter into a debate over whether or not an order given by a law enforcement officer (LEO) on a roadside or anywhere else out in the public is in fact lawful, or if you believe an interpretation of a statute by an LEO is incorrect, it is highly suggested that you do not attempt to draw out that debate on the spot. By all means make note that you feel the request is not lawful and state your reason why, but trying to continually argue or debate your way out of compliance with an LEO who is not receptive to your argument would probably be a very unwise move, not to mention an almost futile endeavor. It could even hurt your case in the end, and it may well result in additional charges. Comply on the spot, note that you don't agree and state why, but make your detailed and extended arguments later. Your behavior, language and your demeanor could be a deciding factor in whether or not you get arrested, and like it or not, it could also likely affect your eventual guilt or innocence in court. Don't be rude, pushy, sarcastic or offensive, no matter how you feel you are being treated.

Ohio Constitution Bill of Rights Section 1

1.04 Bearing arms; standing armies; military powers (1851)

The people have the right to bear arms for their defense and security; but standing armies, in time of peace, are dangerous to liberty, and shall not be kept up; and the military shall be in strict subordination to the civil power.

This is the provision that echoes the 2nd amendment in the U.S. Constitution to establish the fundamental firearm rights for the citizens of Ohio. It also by affirms the right to open carry in Ohio.

9.68 Right to bear arms - challenge to law.

(A) The individual right to keep and bear arms, being a fundamental individual right that predates the United States Constitution and Ohio Constitution, and being a constitutionally protected right in every part of Ohio, the general assembly finds the need to provide uniform laws throughout the state regulating the ownership, possession, purchase, other acquisition, transport, storage, carrying, sale, or other transfer of firearms, their components, and their ammunition. Except as specifically provided by the United States Constitution, Ohio Constitution, state law, or federal law, a person, without further license, permission, restriction, delay, or process, may own, possess, purchase, sell, transfer, transport, store, or keep any firearm, part of a firearm, its components, and its ammunition.

This is preemption, the provision that prevents local jurisdictions from passing their own firearms restrictions, which would make it basically impossible to travel throughout the state and be aware of the myriad of gun laws that would be in effect. This provision also echoes the state constitutional right to open carry.

This provision is also why it is legal for you to carry in state and local parks. You may still find some old 'no carry' or 'no guns allowed' signs that were never taken down, but they aren't legal anymore. It should be noted though that, as of this writing, it is still illegal to carry firearms on Army Corps of Engineers property, and that such property exists within several Ohio state parks. Go to the link below to see which ones:

<http://www.lrh.usace.army.mil/Locations.aspx>

(B) In addition to any other relief provided, the court shall award costs and reasonable attorney fees to any person, group, or entity that prevails in a challenge to an ordinance, rule, or regulation as being in conflict with this section.

(C) As used in this section:

(1) The possession, transporting, or carrying of firearms, their components, or their ammunition include, but are not limited to, the possession, transporting, or carrying, openly or concealed on a person's person or concealed ready at hand, of firearms, their components, or their ammunition.

Another affirmation of the right to carry, specifically including open carry.

(2) "Firearm" has the same meaning as in section [2923.11](#) of the Revised Code.

(D) This section does not apply to either of the following:

(1) A zoning ordinance that regulates or prohibits the commercial sale of firearms, firearm components, or ammunition for firearms in areas zoned for residential or agricultural uses;

(2) A zoning ordinance that specifies the hours of operation or the geographic areas where the commercial sale of firearms, firearm components, or ammunition for firearms may occur, provided that the zoning ordinance is consistent with zoning ordinances for other retail establishments in the same geographic area and does not result in a de facto prohibition of the commercial sale of firearms, firearm components, or ammunition for firearms in areas zoned for commercial, retail, or industrial uses.

Effective Date: 03-14-2007

From <http://codes.ohio.gov/orc/gp9.68>

504.04 Exercise of powers under limited home rule government.

(A) *Omitted for the purposes of this document.*

(B) No resolution adopted pursuant to this chapter shall do any of the following:

(1) Create a criminal offense or impose criminal penalties, except as authorized by division (A) of this section or by section [503.52](#) of the Revised Code;

(2) Impose civil fines other than as authorized by this chapter;

(3) Establish or revise subdivision regulations, road construction standards, urban sediment rules, or storm water and drainage regulations, except as provided in section [504.21](#) of the Revised Code;

(4) Establish or revise building standards, building codes, and other standard codes except as provided in section [504.13](#) of the Revised Code;

(5) Increase, decrease, or otherwise alter the powers or duties of a township under any other chapter of the Revised Code pertaining to agriculture or the conservation or development of natural resources;

(6) Establish regulations affecting hunting, trapping, fishing, or the possession, use, or sale of firearms;

Prevents localities from using home rule government to regulate firearms.

(7) Establish or revise water or sewer regulations, except in accordance with section [504.18](#), [504.19](#), or [504.21](#) of the Revised Code.

Nothing in this chapter shall be construed as affecting the powers of counties with regard to the subjects listed in divisions (B)(3) to (5) of this section.

(C) *Omitted for the purposes of this document.*

(D) *Omitted for the purposes of this document.*

Effective Date: 09-05-2001; 05-06-2005; 08-17-2006; 2007

From <http://codes.ohio.gov/orc/504.04>

1711.13 Nature and powers of county society.

County agricultural societies are hereby declared bodies corporate and politic, and as such they shall be capable of suing and being sued and of holding in fee simple any real estate purchased by them as sites for their fairs. In addition, they may do either or both of the following:

This section of the ORC has been included in this 3rd edition of the guide because at least one Ohio county still has their county fairgrounds posted as a no carry zone in violation of ORC 9.68. Reports indicate that their justification is that the county does not own the fairgrounds, but rather that the county agricultural society owns them, and as a supposed private entity the society can ban firearms. This section of the ORC proves that claim false, for it specifically states that agricultural societies are "bodies corporate and politic", which means they are part of the county government and cannot declare the fairgrounds a gun free zone.

Don't expect this knowledge to give you a free pass though. Any county acting in this manner is likely to be anti-gun in nature, and will probably give you a lot of grief over carrying a gun there, even if you are in the right. In short, expect to be challenged and expect a legal battle should you decide to defy one of these posted fairgrounds. If you aren't treated in such a manner, you'll have a pleasant surprise. But if you are treated that way, at least it won't be a total shock.

Bob's rule of arguing applies (see page 5)

(A) *Omitted for the purposes of this document.*

(B) *Omitted for the purposes of this document.*

Effective Date: 09-26-2003

From <http://codes.ohio.gov/orc/1711.13>

2901.09 No duty to retreat in residence or vehicle.

(A) As used in this section, "residence" and "vehicle" have the same meanings as in section [2901.05](#) of the Revised Code.

(B) For purposes of any section of the Revised Code that sets forth a criminal offense, a person who lawfully is in that person's residence has no duty to retreat before using force in self-defense, defense of another, or defense of that person's residence, and a person who lawfully is an occupant of that person's vehicle or who lawfully is an occupant in a vehicle owned by an immediate family member of the person has no duty to retreat before using force in self-defense or defense of another.

Although castle doctrine isn't strictly a concealed carry statute, I've included it here because it has high potential applicability to situations that those with concealed carry licenses may find themselves in. Note that you don't have to be the driver of a vehicle for castle doctrine to apply if that vehicle is owned by you or an immediate family member.

The ORC does not specify what an immediate family member is. The following passage is provided from Ohio case law on the definition of "immediate family":

*In the absence of a statutory definition, a term "is to be accorded its common, everyday meaning." State v. Dorso (1983), 4 Ohio St.3d 60, 62, 446 N.E.2d 449; see, also, Huffer and Huffer Co., L.P.A. v. Weaver, Pickaway App. No. 87CA33, 1988 WL 130689; RC. 1.42. Black's Law Dictionary defines "immediate family" as follows: "1. A person's parents, spouse, children, and siblings. 2. A person's parents, spouse, children, and siblings, as well as those of the person's spouse. Stepchildren and adopted children are [usually] immediate family members. * * **
State v. Kendall, 2011-Ohio-2475, at ¶14.

Effective Date: 2008 SB184 09-09-2008

From <http://codes.ohio.gov/orc/2901.09>

2903.21 Aggravated menacing.

(A) No person shall knowingly cause another to believe that the offender will cause serious physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family.

The aggravated menacing statute is included here because gun owners can be accused of it simply by virtue of the fact that they're carrying a gun, or because they drew a gun when they felt threatened. This statute tends to come up more often with open carry than with concealed carry, though not as often as the inducing panic statute does. Note that you must KNOWINGLY cause another to believe that you'll cause them harm. If someone feels threatened by the mere sight of your gun, you have not menaced them in any way.

If you draw your gun because you feel threatened but do not fire it, aggravated menacing charges may be filed against you instead of assault charges. Your defense would be the same as it would be against assault charges, that you were acting in self defense.

(B) *Omitted for the purposes of this document.*

Effective Date: 04-10-2001

From <http://codes.ohio.gov/orc/2903.21>

2917.11 Disorderly conduct.

(A) No person shall recklessly cause inconvenience, annoyance, or alarm to another by doing any of the following:

- (1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
- (2) Making unreasonable noise or an offensively coarse utterance, gesture, or display or communicating unwarranted and grossly abusive language to any person;
- (3) Insulting, taunting, or challenging another, under circumstances in which that conduct is likely to provoke a violent response;
- (4) Hindering or preventing the movement of persons on a public street, road, highway, or right-of-way, or to, from, within, or upon public or private property, so as to interfere with the rights of others, and by any act that serves no lawful and reasonable purpose of the offender;
- (5) Creating a condition that is physically offensive to persons or that presents a risk of physical harm to persons or property, by any act that serves no lawful and reasonable purpose of the offender.

Disorderly conduct is another violation gun carriers have been threatened or charged with simply by virtue of the fact that they're carrying a gun. It should come as no surprise that there are some people who consider the mere sight of a gun to be threatening or offensive. The overwhelming majority of law enforcement officers will not fall victim to such paranoia, but it isn't unheard of. It doesn't take much effort to read the entries above and see that carrying a gun does not make you guilty of this crime. That's why none of the subparagraphs are highlighted here. Hopefully you'll be able to convince the officer of that should you ever find yourself in such an unfortunate situation.

Bob's rule of arguing applies (see page 5)

(B) *Omitted for the purposes of this document.*

(C) *Omitted for the purposes of this document.*

(D) *Omitted for the purposes of this document.*

(E) *Omitted for the purposes of this document.*

(F) *Omitted for the purposes of this document.*

Effective Date: 01-25-2002

From <http://codes.ohio.gov/orc/2917.11>

2917.13 Misconduct at emergency.

(A) No person shall knowingly do any of the following:

(1) Hamper the lawful operations of any law enforcement officer, firefighter, rescuer, medical person, emergency medical services person, or other authorized person, engaged in the person's duties at the scene of a fire, accident, disaster, riot, or emergency of any kind;

(2) Hamper the lawful activities of any emergency facility person who is engaged in the person's duties in an emergency facility;

(3) Fail to obey the lawful order of any law enforcement officer engaged in the law enforcement officer's duties at the scene of or in connection with a fire, accident, disaster, riot, or emergency of any kind.

This section of the ORC is included in this 3rd edition because of an incident where an individual was lawfully open carrying at a scene where a building was on fire. A law enforcement officer (LEO) reportedly told him to cover his gun because he was supposedly scaring some other bystanders. The LEO was aware of the right to open carry but apparently told the open carrier that fielding complaints about the gun from other bystanders was keeping him from his other duties and could make the open carrier subject to a charge of misconduct at an emergency. He wasn't really guilty of that but it isn't outside th realm of possibility for an LEO to arrest someone on such a charge simply so they won't have to deal with them anymore. Try not to be the person they don't want to deal with them anymore.

Bob's rule of arguing applies (see page 5)

And the open carrier was not arrested by the way.

(B) *Omitted for the purposes of this document.*

(C) *Omitted for the purposes of this document.*

(D) *Omitted for the purposes of this document.*

Effective Date: 03-22-2004

From <http://codes.ohio.gov/orc/2917.13>

2917.31 Inducing panic.

(A) No person shall cause the evacuation of any public place, or otherwise cause serious public inconvenience or alarm, by doing any of the following:

- (1) Initiating or circulating a report or warning of an alleged or impending fire, explosion, crime, or other catastrophe, knowing that such report or warning is false;
- (2) Threatening to commit any offense of violence;
- (3) Committing any offense, with reckless disregard of the likelihood that its commission will cause serious public inconvenience or alarm.

(B) Division (A)(1) of this section does not apply to any person conducting an authorized fire or emergency drill.

(C) (1) Whoever violates this section is guilty of inducing panic.

(2) *Omitted for the purposes of this document.*

(3) *Omitted for the purposes of this document.*

(4) *Omitted for the purposes of this document.*

(5) *Omitted for the purposes of this document.*

(6) *Omitted for the purposes of this document.*

(7) *Omitted for the purposes of this document.*

(8) *Omitted for the purposes of this document.*

(D) *Omitted for the purposes of this document.*

(E) *Omitted for the purposes of this document.*

The inducing panic statute is also included here because gun owners can be accused of it simply by virtue of the fact that they're carrying a gun. This statute comes up far more often with open carry than with concealed carry. When you actually read this statute, it's surprising that so many gun owners are threatened with it. Gun owners are not initiating or circulating threats or warnings, threatening to commit violence, or committing any offense by carrying their guns, yet it is not uncommon for them to be threatened with charges of inducing panic.

Bob's rule of arguing applies (see page 5)

Amended by 129th General Assembly File No. 29, HB 86, § 1, eff. 9/30/2011.

Effective Date: 09-27-2002; 2007 HB142 03-24-2008

See 129th General Assembly File No. 29, HB 86, §4.

From <http://codes.ohio.gov/orc/2917.31>

2921.29 Failure to disclose personal information.

(A) No person who is in a public place shall refuse to disclose the person's name, address, or date of birth, when requested by a law enforcement officer who reasonably suspects either of the following:

(1) The person is committing, has committed, or is about to commit a criminal offense.

(2) The person witnessed any of the following:

(a) An offense of violence that would constitute a felony under the laws of this state;

(b) A felony offense that causes or results in, or creates a substantial risk of, serious physical harm to another person or to property;

(c) Any attempt or conspiracy to commit, or complicity in committing, any offense identified in division (A)(2)(a) or (b) of this section;

(d) Any conduct reasonably indicating that any offense identified in division (A)(2)(a) or (b) of this section or any attempt, conspiracy, or complicity described in division (A)(2)(c) of this section has been, is being, or is about to be committed.

(B) *Omitted for the purposes of this document.*

(C) Nothing in this section requires a person to answer any questions beyond that person's name, address, or date of birth. Nothing in this section authorizes a law enforcement officer to arrest a person for not providing any information beyond that person's name, address, or date of birth or for refusing to describe the offense observed.

This is included here because it's a habit of law enforcement officers (LEOs) to ask for identification in all circumstances. Most average people don't realize they don't have to comply in many cases. This topic comes up in connection with firearms most often in instances where someone has seen your gun and has called the police, whether you are open carrying or concealed carrying. If you're carrying concealed, ORC 2923.126 requires that you furnish your license whenever an LEO stops you, but that isn't true for open carry. You don't technically have to provide identification if the LEO doesn't have a reasonable suspicion that you have committed a crime or are about to, or if you've witnessed one. People will debate all day long on whether or not it's wise to deny that request, but technically you don't have to show ID. Some places you'll get more hassle than others for refusing such a request. You may even get arrested, even though it isn't right for them to do so.

Bob's rule of arguing applies (see page 5)

(D) *Omitted for the purposes of this document.*

Effective Date: 04-14-2006

From <http://codes.ohio.gov/orc/2921.29>

2923.12 Carrying concealed weapons.

(A) *Omitted for the purposes of this document.*

(B) No person who has been issued a concealed handgun license shall do any of the following:

(1) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, fail to promptly inform any law enforcement officer who approaches the person after the person has been stopped that the person has been issued a concealed handgun license and that the person then is carrying a concealed handgun;

Note that you must be armed for the notification requirement to apply. Many mistakenly believe that mere possession of the license means that you must notify, but that is not true. You must also be stopped for a law enforcement purpose. Simply saying hello or engaging a police officer in a conversation, even about legal topics, does not activate the notification requirement. Being stopped for a law enforcement purpose means that there is a criminal act or investigation ongoing that you are a party to, not necessarily the perpetrator. You may simply be a potential witness or innocent bystander caught up in a crime scene. In certain circumstances, officers may also sometimes question citizens to determine if a crime has been committed. That also would be a law enforcement purpose. However, simple casual encounters with law enforcement officers do not equate to being stopped for a law enforcement purpose. But, if in doubt, you may certainly notify to be on the safe side if you so desire. Many concealed carriers notify regularly simply as what they deem a matter of courtesy, and to prevent misunderstandings.

As of this writing, Ohioans for Concealed Carry (OFCC) is championing a bill to remove the notification requirement entirely.

(2) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer;

This is pretty self-explanatory, and the reasons are obvious. Keep your hands in plain sight in the presence of the officer unless he or she directs you to do otherwise. That is for both your safety and the safety of the officer. Note also that it says "knowingly". You aren't going to prison if you have a mental lapse and accidentally move a hand somewhere that the officer doesn't want you to. However, keeping in mind the safety issue, don't be surprised if the officer reacts strongly to such a move. Hopefully that won't be the case, but when a matter of officer safety is involved, strong or even aggressive reactions are not exactly in the realm of the unexpected.

(3) If the person is stopped for a law enforcement purpose, if the person is carrying a concealed handgun, and if the person is approached by any law enforcement officer while stopped, knowingly remove or attempt to remove the loaded handgun from the holster, pocket, or other place in which the person is carrying it, knowingly grasp or hold the loaded handgun, or knowingly have contact with the loaded handgun by touching it with the person's hands or fingers at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person removes, attempts to remove, grasps, holds, or has contact with the loaded handgun pursuant to and in accordance with directions given by the law enforcement officer;

Pretty much the same as above, except that you are probably more likely to see strong or even aggressive reactions from an officer if you engage in such activity, knowingly or not.

(4) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the person is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight.

Simple. Do what you're told. Some might make debate over what constitutes a lawful order, particularly in light of recent history indicating that many Ohio law enforcement officers have been given erroneous information concerning our concealed carry statutes. As mentioned in the foreword, this text is not intended as a legal opinion.

Bob's rule of arguing applies (see page 5)

(C) *Omitted for the purposes of this document.*

(D) *Omitted for the purposes of this document.*

(E) *Omitted for the purposes of this document.*

(F) *Omitted for the purposes of this document.*

(G) If a law enforcement officer stops a person to question the person regarding a possible violation of this section, for a traffic stop, or for any other law enforcement purpose, if the person surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this division, division (B) of section [2923.163](#) of the Revised Code applies.

To make a long story short, they can't legally keep your gun if you haven't committed a crime.

Amended by 129th General Assembly File No. 190, HB 495, § 1, eff. 3/27/2013.

Effective Date: 04-08-2004; 03-14-2007; 2008 **SB184** 09-09-2008

From <http://codes.ohio.gov/orc/2923.12>

2923.16 Improperly handling firearms in a motor vehicle.

(A) Omitted for the purposes of this document.

(B) Omitted for the purposes of this document.

(C) Omitted for the purposes of this document.

(D) Omitted for the purposes of this document.

(E) No person who has been issued a concealed handgun license, who is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose or is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in section 5503.34 of the Revised Code, and who is transporting or has a loaded handgun in the motor vehicle or commercial motor vehicle in any manner, shall do any of the following:

Note that there are three requirements. Obviously you must have a license. The second requirement is that you must be armed for the notification requirement to apply. Many mistakenly believe that mere possession of the license means that you must notify, but that is not true. The third requirement is that you must be stopped for a law enforcement purpose. Simply saying hello or engaging a police officer in a conversation, even about legal topics, does not activate the notification requirement. Being stopped for a law enforcement purpose means that there is a criminal act or investigation ongoing that you are a party to, not necessarily the perpetrator. You may simply be a potential witness or innocent bystander caught up in a crime scene. In certain circumstances, officers may also sometimes question citizens to determine if a crime has been committed. That also would be a law enforcement purpose. However, simple casual encounters with law enforcement officers do not equate to being stopped for a law enforcement purpose. But if in doubt, you may certainly notify to be on the safe side if you so desire. Many concealed carriers notify regularly simply as what they deem a matter of courtesy, and to prevent misunderstandings.

Note also that you still must notify if you are a passenger in the vehicle.

(1) Fail to promptly inform any law enforcement officer who approaches the vehicle while stopped that the person has been issued a concealed handgun license and that the person then possesses or has a loaded handgun in the motor vehicle;

There is no definition of "promptly", and experience has shown that there are many varying interpretations of that term. The general consensus is to notify immediately when the officer approaches the car window, even if you're not the driver. Unfortunately, some real life scenarios have shown that this may require talking over the officer or, in some extremes, even shouting. Although that obviously isn't a desired scenario, real life experiences have shown that the alternatives can unfortunately be far worse sometimes.

As of September 30, 2011, firearms are no longer required to be carried in a holster, on the person while in a vehicle. (SB17)

As of September 30, 2011, firearms are no longer required to be in a closed case, bag, box, or other container that is in plain sight and that has a lid, a cover, or a closing mechanism. (SB17)

As of September 30, 2011, firearms are no longer required to be securely encased by being stored in a closed glove compartment or vehicle console, or in a case that is locked. (SB17)

As of September 30, 2011, the prohibition on removing or attempting to remove a firearm from the above cases, bags, boxes, containers, or glove compartments has been removed. (SB17)

As of this writing, Ohioans for Concealed Carry (OFCC) is championing a bill to remove the notification requirement entirely.

(2) Fail to promptly inform the employee of the unit who approaches the vehicle while stopped that the person has been issued a concealed handgun license and that the person then possesses or has a loaded handgun in the commercial motor vehicle;

Same as above if you're a commercial vehicle driver and the motor carrier enforcement provision is applicable to you.

(3) Knowingly fail to remain in the motor vehicle while stopped or knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer;

As was covered under 2923.12, this is self-explanatory. Keep your hands in plain sight in the presence of the officer unless he or she directs you to do otherwise. That is for both your safety and the safety of the officer. Note also that it says "knowingly". You aren't going to prison if you have a mental lapse and accidentally move a hand somewhere that the officer doesn't want you to. However, keeping in mind the safety issue, don't be surprised if the officer reacts strongly to such a move. Hopefully that won't be the case, but when a matter of officer safety is involved, strong or even aggressive reactions are not exactly in the realm of the unexpected.

(4) Knowingly have contact with the loaded handgun by touching it with the person's hands or fingers in the motor vehicle at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person has contact with the loaded handgun pursuant to and in accordance with directions given by the law enforcement officer;

Pretty much the same as above, except that you are probably more likely to see strong or even aggressive reactions from an officer if you engage in such activity, knowingly or not.

(5) Knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the motor vehicle is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight.

Really a repeat of the above and what was in 2023.12. Do what you're told. Some might make debate over what constitutes a lawful order, particularly in light of recent history indicating that many Ohio law enforcement officers have been given erroneous information concerning our concealed carry statutes. As mentioned in the foreword, this text is not intended as a legal opinion. However, if you do decide to enter into a debate over whether or not any order given by an officer on a roadside or anywhere else out in the public is in fact lawful, it is highly suggested that you do not try to start that debate on the spot. By all means make note that you feel the request is not lawful, but trying to argue or debate your way out of compliance would probably be a very unwise move, not to mention an almost futile endeavor. It could even hurt your case in the end, and it may well result in additional charges. Comply on the spot, and note that you don't agree, but make your arguments later.

(F) *Omitted for the purposes of this document.*

(G) *Omitted for the purposes of this document.*

(H) *Omitted for the purposes of this document.*

(I) *Omitted for the purposes of this document.*

(J) If a law enforcement officer stops a motor vehicle for a traffic stop or any other purpose, if any person in the motor vehicle surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this division, division (B) of section [2923.163](#) of the Revised Code applies.

Just as was the case under 2923.12, they can't legally keep your gun if you haven't committed a crime.

(K) As used in this section:

(1) *Omitted for the purposes of this document.*

(2) *Omitted for the purposes of this document.*

(3) *Omitted for the purposes of this document.*

(4) *Omitted for the purposes of this document.*

(5)

(a) "Unloaded" means, with respect to a firearm other than a firearm described in division (K)(6) of this section, that no ammunition is in the firearm in question, no magazine or speed loader containing ammunition is inserted into the firearm in question, and one of the following applies:

(i) There is no ammunition in a magazine or speed loader that is in the vehicle in question and that may be used with the firearm in question.

(ii) Any magazine or speed loader that contains ammunition and that may be used with the firearm in question is stored in a compartment within the vehicle in question that cannot be

accessed without leaving the vehicle or is stored in a container that provides complete and separate enclosure.

HB 495, which went into effect on March 27, 2013, made important changes to Ohio law concerning the transportation of firearms in a vehicle, whether one had a concealed carry license or not. Before the passage of HB 495, ammunition in a magazine or speed loader for a firearm in a vehicle was the same thing as having a loaded firearm, even if the magazine was in the glove compartment and the firearm was in the trunk. Individuals with a concealed carry license were exempted as far as handguns were concerned, but they still weren't legally allowed to transport a rifle and loaded magazines for that rifle. The magazines had to be unloaded.

The use of a "container" is a sweeping change for individuals without a concealed carry license. The change for licensed individuals is that they are no longer limited to handguns only when it comes to transporting loaded magazines. They can now transport loaded rifle magazines along with their rifles as long as they follow the new requirements and restrictions outlined in 2923.16.

(b) For the purposes of division (K)(5)(a)(ii) of this section, a "container that provides complete and separate enclosure" includes, but is not limited to, any of the following:

(i) A package, box, or case with multiple compartments, as long as the loaded magazine or speed loader and the firearm in question either are in separate compartments within the package, box, or case, or, if they are in the same compartment, the magazine or speed loader is contained within a separate enclosure in that compartment that does not contain the firearm and that closes using a snap, button, buckle, zipper, hook and loop closing mechanism, or other fastener that must be opened to access the contents or the firearm is contained within a separate enclosure of that nature in that compartment that does not contain the magazine or speed loader;

(ii) A pocket or other enclosure on the person of the person in question that closes using a snap, button, buckle, zipper, hook and loop closing mechanism, or other fastener that must be opened to access the contents.

The definition of container is very liberal. Basically the firearm and loaded magazines can be in the same bag as long as the separate compartments they're in have their own closures. Simple partitions within a single bag would not qualify. Either the firearm or the magazines would have to be within a separate compartment that had its own closure mechanism. Note that "hook and loop closure mechanism" means Velcro, so a compartment with a flap secured by Velcro would qualify. Many rifle bags designed for semi-autos have magazine pockets with Velcro closures.

(6) "Unloaded" means, with respect to a firearm employing a percussion cap, flintlock, or other obsolete ignition system, when the weapon is uncapped or when the priming charge is removed from the pan.

(7) *Omitted for the purposes of this document.*

(L) Divisions (K)(5)(a) and (b) of this section do not affect the authority of a person who is carrying a valid concealed handgun license to have one or more magazines or speed loaders containing ammunition anywhere in a vehicle, without being transported as described in those divisions, as long as no ammunition is in a firearm, other than a handgun, in the vehicle other than as permitted under any other provision of this chapter. A person who is carrying a valid concealed handgun license may have one or more magazines or speed loaders containing ammunition anywhere in a vehicle without further restriction, as long as no ammunition is in a firearm, other than a handgun, in the vehicle other than as permitted under any provision of this chapter.

This is the paragraph that allows those with a concealed carry license to transport a rifle and loaded magazines for that rifle.

Amended by 129th General Assembly File No. 190, HB 495, § 1, eff. 3/27/2013.

Amended by 129th General Assembly File No. 34, SB 17, § 1, eff. 9/30/2011.

Amended by 128th General Assembly File No. 9, HB 1, § 101.01, eff. 10/16/2009.

Effective Date: 04-08-2004; 03-14-2007; 2008 SB209 06-25-2008; 2008 SB184 09-09-2008

From <http://codes.ohio.gov/orc/2923.16>

2923.121 Possession of firearm in beer liquor permit premises - prohibition, exceptions.

(A) No person shall possess a firearm in any room in which any person is consuming beer or intoxicating liquor in a premises for which a D permit has been issued under Chapter 4303. of the Revised Code or in an open air arena for which a permit of that nature has been issued.

(B)

(1) This section does not apply to any of the following:

(a) *Omitted for the purposes of this document.*

(b) *Omitted for the purposes of this document.*

(c) *Omitted for the purposes of this document.*

(d) *Omitted for the purposes of this document.*

(e) Any person who is carrying a valid concealed handgun license, as long as the person is not consuming beer or intoxicating liquor or under the influence of alcohol or a drug of abuse.

As of September 30, 2011, concealed carry licensees are allowed to carry in establishments that sell alcohol for consumption on premises under the above conditions. (SB17)

(2) *Omitted for the purposes of this document.*

(3) *Omitted for the purposes of this document.*

(C) *Omitted for the purposes of this document.*

(D) *Omitted for the purposes of this document.*

(E) *Omitted for the purposes of this document.*

(F) *Omitted for the purposes of this document.*

Amended by 129th General Assembly File No. 190, HB 495, § 1, eff. 3/27/2013.

Amended by 129th General Assembly File No. 34, SB 17, § 1, eff. 9/30/2011.

Effective Date: 04-08-2004; 03-14-2007; 2008 SB184 09-09-2008

From <http://codes.ohio.gov/orc/2923.121>

2923.122 Illegal conveyance or possession of deadly weapon or dangerous ordnance or of object indistinguishable from firearm in school safety zone.

(A) No person shall knowingly convey, or attempt to convey, a deadly weapon or dangerous ordnance into a school safety zone.

(B) No person shall knowingly possess a deadly weapon or dangerous ordnance in a school safety zone.

(C) No person shall knowingly possess an object in a school safety zone if both of the following apply:

(1) The object is indistinguishable from a firearm, whether or not the object is capable of being fired.

(2) The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

(D)

(1) **This section does not apply to** any of the following:

(a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, who is authorized to carry deadly weapons or dangerous ordnance and is acting within the scope of the officer's, agent's, or employee's duties, a security officer employed by a board of education or governing body of a school during the time that the security officer is on duty pursuant to that contract of employment, or **any other person who has written authorization from the board of education or governing body of a school to convey deadly weapons or dangerous ordnance into a school safety zone** or to possess a deadly weapon or dangerous ordnance in a school safety zone and who conveys or possesses the deadly weapon or dangerous ordnance in accordance with that authorization;

This isn't really about concealed carry per se, but with all the talk about authorizing teachers or other people to be armed in schools in the wake of recent school shootings, I thought it would be nice to include the portion of the ORC that allows that to actually happen.

(b) *Omitted for the purposes of this document.*

(2) *Omitted for the purposes of this document.*

(3) **This section does not apply** to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone **if, at the time of that conveyance**, attempted conveyance, or possession of the handgun, **all of the following apply**:

(a) **The person does not enter into a school building or onto school premises** and is not at a school activity.

(b) **The person is carrying a valid concealed handgun license.**

(c) **The person is in the school safety zone in accordance with 18 U.S.C. 922(q)(2)(B).**

18 U.S.C. 922(q)(2) is from the Gun-Free School Zones Act, the first of which was struck down as unconstitutional. The second is nearly a verbatim repeat of the first, and there are lively debates over its constitutionality as well, but it still stands for now. An excerpt of 922(q)(2) is included in this text. For the purposes of this text, the most important provisions it provides are that the school zone restriction does not apply to private property that is not part of school grounds, and that it does not apply to concealed carry licenses if the laws of that state allow their residents to carry in school zones, which Ohio does. You can pass through a school zone with your firearm as long as you remain off school property (exception noted below), and you can stop on private property within a school zone as long as it's not school property. It should be noted that the federal exclusion only applies to licensees of the state where the school zone is located. Only those with Ohio licenses are able to carry within school zones in this state. Since Ohio does not issue non-resident licenses, only Ohio residents are included in that group.

(d) The person is not knowingly in a place described in division (B)(1) or (B)(3) to (10) of section [2923.126](#) of the Revised Code.

This refers to the enumerated no carry zones in 2923.126, and isn't really school related.

(4) **This section does not apply** to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if at the time of that conveyance, attempted conveyance, or possession of the handgun all of the following apply:

(a) **The person is carrying a valid concealed handgun license.**

(b) **The person is the driver or passenger in a motor vehicle and is in the school safety zone while immediately in the process of picking up or dropping off a child.**

You're allowed to carry on school property only while dropping off or picking up a child, and you can't leave the vehicle.

(c) The person is not in violation of section [2923.16](#) of the Revised Code.

(E) *Omitted for the purposes of this document.*

(F) *Omitted for the purposes of this document.*

(G) As used in this section, "object that is indistinguishable from a firearm" means an object made, constructed, or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm.

Effective Date: 04-08-2004; 03-14-2007; 2008 SB184 09-09-2008

From <http://codes.ohio.gov/orc/2923.122>

TITLE 18 U.S.C. CHAPTER 44 Section 922(q)

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 44 - FIREARMS
Sec. 922. Unlawful acts

(q)

(2)(A) It shall be unlawful for any individual knowingly to possess a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the individual knows, or has reasonable cause to believe, is a school zone.

(B) Subparagraph (A) does not apply to the possession of a firearm -

(i) on private property not part of school grounds;

(see comments on the ORC 2923.122 page)

(ii) if the individual possessing the firearm is licensed to do so by the State in which the school zone is located or a political subdivision of the State, and the law of the State or political subdivision requires that, before an individual obtains such a license, the law enforcement authorities of the State or political subdivision verify that the individual is qualified under law to receive the license;

(see comments on the ORC 2923.122 page)

(iii) that is -

(I) not loaded; and

(II) in a locked container, or a locked firearms rack that is on a motor vehicle;

(iv) by an individual for use in a program approved by a school in the school zone;

(v) by an individual in accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual;

(vi) by a law enforcement officer acting in his or her official capacity; or

(vii) that is unloaded and is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on school premises is authorized by school authorities.

2923.126 Duties of licensed individual.

(A) A license to carry a concealed handgun that is issued under section [2923.125](#) of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as provided in divisions (B) and (C) of this section, a licensee who has been issued a concealed handgun license under section [2923.125](#) or [2923.1213](#) of the Revised Code may carry a concealed handgun anywhere in this state if the licensee also carries a valid license and valid identification when the licensee is in actual possession of a concealed handgun. The licensee shall give notice of any change in the licensee's residence address to the sheriff who issued the license within forty-five days after that change.

If a licensee is the driver or an occupant of a motor vehicle that is stopped as the result of a traffic stop or a stop for another law enforcement purpose and if the licensee is transporting or has a loaded handgun in the motor vehicle at that time, the licensee shall promptly inform any law enforcement officer who approaches the vehicle while stopped that the licensee has been issued a concealed handgun license and that the licensee currently possesses or has a loaded handgun; the licensee shall not knowingly disregard or fail to comply with lawful orders of a law enforcement officer given while the motor vehicle is stopped, knowingly fail to remain in the motor vehicle while stopped, or knowingly fail to keep the licensee's hands in plain sight after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves, unless directed otherwise by a law enforcement officer; and the licensee shall not knowingly have contact with the loaded handgun by touching it with the licensee's hands or fingers, in any manner in violation of division (E) of section [2923.16](#) of the Revised Code, after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves. Additionally, if a licensee is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in section [5503.04](#) of the Revised Code and if the licensee is transporting or has a loaded handgun in the commercial motor vehicle at that time, the licensee shall promptly inform the employee of the unit who approaches the vehicle while stopped that the licensee has been issued a concealed handgun license and that the licensee currently possesses or has a loaded handgun.

The notification requirement is just a repeat of what is in 2923.16 and the handling restrictions are a repeat of what's in 2923.12, so much of this explanation will be a repeat too. Note once more that you must be armed before the requirement to notify is in effect. Many mistakenly believe that mere possession of the license means that you must notify, but that is not true. You also must be stopped for a law enforcement purpose before you are required to notify. Simply saying hello or engaging a police officer in a conversation, even about legal topics, does not activate the notification requirement. Being stopped for a law enforcement purpose means that there is a criminal act or investigation ongoing that you are a party to, not necessarily the perpetrator. You may simply be a potential witness or innocent bystander caught up in a crime scene. In certain circumstances, officers may also sometimes question citizens to determine if a crime has been committed. That also would be a law enforcement purpose. However, simple casual encounters with law enforcement officers do not equate to being stopped for a law enforcement purpose. But if in doubt, you may certainly notify to be on the safe side if you so desire. Many concealed carriers notify regularly simply as what they deem a matter of courtesy.

There is no definition of "promptly", and experience has shown that there are many varying interpretations of that term. The general consensus is to notify immediately when the officer approaches the car window, even if you're not the driver. Unfortunately, some real life scenarios have shown that this may require talking over the officer or, in some extremes, even shouting. Although that obviously isn't a desired scenario, real life experiences have shown that the alternatives can unfortunately be far worse sometimes.

If a licensee is stopped for a law enforcement purpose and if the licensee is carrying a concealed handgun at the time the officer approaches, the licensee shall promptly inform any law enforcement officer who approaches the licensee while stopped that the licensee has been issued a concealed handgun license and that the licensee currently is carrying a concealed handgun; the licensee shall not knowingly disregard or fail to comply with lawful orders of a law enforcement officer given while the licensee is stopped or knowingly fail to keep the licensee's hands in plain sight after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves, unless directed otherwise by a law enforcement officer; and the licensee shall not knowingly remove, attempt to remove, grasp, or hold the loaded handgun or knowingly have contact with the loaded handgun by touching it with the licensee's hands or fingers, in any manner in violation of division (B) of section [2923.12](#) of the Revised Code, after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves.

This is for all practical purposes an exact repeat of the non-vehicular provisions in 2923.12. Why the legislature felt the need to repeat it here is unknown.

(B) A valid concealed handgun license does not authorize the licensee to carry a concealed handgun in any manner prohibited under division (B) of section [2923.12](#) of the Revised Code or in any manner prohibited under

section [2923.16](#) of the Revised Code. A valid license does not authorize the licensee to carry a concealed handgun into any of the following places:

This is the list of enumerated, or specifically prohibited, no carry zones in the statutes.

(1) A police station, sheriff's office, or state highway patrol station, premises controlled by the bureau of criminal identification and investigation, a state correctional institution, jail, workhouse, or other detention facility, an airport passenger terminal, or an institution that is maintained, operated, managed, and governed pursuant to division (A) of section [5119.02](#) of the Revised Code or division (A)(1) of section [5123.03](#) of the Revised Code;

Mostly self-explanatory. 5119.02 and 5123.03 deal with mental health facilities and institutions.

(2) A school safety zone if the licensee's carrying the concealed handgun is in violation of section [2923.122](#) of the Revised Code;

We covered this earlier.

(3) A courthouse or another building or structure in which a courtroom is located, in violation of section [2923.123](#) of the Revised Code;

Most states that have concealed carry prohibit weapons in courtrooms and in the buildings that house them.

(4) Any premises or open air arena for which a D permit has been issued under Chapter [4303](#) of the Revised Code if the licensee's carrying the concealed handgun is in violation of section [2923.121](#) of the Revised Code;

They don't specifically say it, but they're talking about liquor permits here. We covered that earlier under 2923.121. You're generally fine as long as you aren't drinking.

(5) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle;

You can drive onto the institution of higher education while carrying, but you must immediately secure it when you park your vehicle. Interestingly enough, the ORC does not specifically say you can do the opposite when leaving. Logic would say that it should, but experience has shown many times that statutes, prosecutors and courts sometimes do not follow logic.

(6) Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise;

Consider yourself one of the lucky few if you can get such permission. I suggest you get it in writing if you can, but the statute does not require it.

(7) A child day-care center, a type A family day-care home, a type B family day-care home, or a type C family day-care home, except that this division does not prohibit a licensee who resides in a type A family day-care home, a type B family day-care home, or a type C family day-care home from carrying a concealed handgun at any time in any part of the home that is not dedicated or used for day-care purposes, or from carrying a concealed handgun in a part of the home that is dedicated or used for day-care purposes at any time during which no children, other than children of that licensee, are in the home;

Kudos to you if you actually know the difference between the types of day-care homes. Be on the safe side and don't carry in any of them.

(8) An aircraft that is in, or intended for operation in, foreign air transportation, interstate air transportation, intrastate air transportation, or the transportation of mail by aircraft;

Ohio does not regulate air transportation so the ORC does not contain a definition for interstate or intrastate air transportation. However, the ORC does defer to 49 USC several times when discussing transportation, and 49 USC, section 40102 does have definitions for both of those terms. They both involve the transportation of persons or property for hire, so the prohibition on concealed carry does not apply to private aircraft that are not being used commercially or for hire. However, be aware that airports will often have restrictions that may affect your access to that private aircraft. Remember that many airports are government owned, which would mean the buildings are no carry zones (see next paragraph), and that federal or other restrictions may apply at some airports (see paragraphs (B)(1) above and (B)(10) below).

(9) Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to division (B)(3) of this section;

Government owned parking garages and restrooms in Interstate rest stops are no longer prohibited areas for concealed carry as they once were. And if you're in a state park, don't forget the warning about Army Corps of Engineers land under the ORC 9.68 section on page 6.

(10) A place in which federal law prohibits the carrying of handguns.

This is added mainly as a 'catch-all'. There really aren't that many places you're going to run across that are federally prohibited carry areas, except for post offices. You can't carry there. There's even a debate on whether or not the parking lots at post offices are no carry zones. Federal courtrooms and other federal buildings are also no carry zones.

(C)

(1) *Omitted for the purposes of this document.*

(2)

(a) A private employer shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises or property of the private employer, including motor vehicles owned by the private employer, unless the private employer acted with malicious purpose. A private employer is immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to the private employer's decision to permit a licensee to bring, or prohibit a licensee from bringing, a handgun onto the premises or property of the private employer. As used in this division, "private employer" includes a private college, university, or other institution of higher education.

Many businesses and employers, and especially their lawyers and insurance companies, mistakenly believe that they could be held liable for the results of any circumstances that arise from allowing concealed carry on their premises. The ORC specifically states that they cannot. Having this immunity in the ORC is not a 100% guarantee that someone won't try to sue them anyway (some lawyers just can't resist challenging immunity). However, it does make that likelihood extremely low.

(b) *Omitted for the purposes of this document.*

(3)

(a) Except as provided in division (C)(3)(b) of this section, the owner or person in control of private land or premises, and a private person or entity leasing land or premises owned by the state, the United States, or a political subdivision of the state or the United States, may post a sign in a conspicuous location on that land or on those premises prohibiting persons from carrying firearms or concealed firearms on or onto that land or those premises. Except as otherwise provided in this division, a person who knowingly violates a posted prohibition of that nature is guilty of criminal trespass in violation of division (A)(4) of section [2911.21](#) of the Revised Code and is guilty of a misdemeanor of the fourth degree. If a person knowingly violates a posted prohibition of that nature and the posted land or premises primarily was a parking lot or other parking facility, the person is not guilty of criminal trespass in violation of division (A)(4) of section [2911.21](#) of the Revised Code and instead is subject only to a civil cause of action for trespass based on the violation.

There are a few things to note here. First, it's often stated that the sign must be conspicuous, but the ORC doesn't say that. It only says the sign must be in a conspicuous location. However, it does say you must "knowingly" violate the prohibition to be charged with a crime. If the sign wasn't conspicuous enough for you to notice, that isn't your fault. That doesn't mean you have the right to put blinders on and deliberately ignore any signs on businesses that you patronize. Common sense and good faith apply, and you can rest assured that a court would probably apply it to you if you were ever charged with a violation of this statute.

If the sign doesn't specify open carry or concealed carry, it is generally presumed to be a prohibition of both.

The gun silhouette with the red circle and slash image that we're so used to seeing is not required by the ORC. In fact, no image is required at all. Be aware that the sign can be in different forms and don't assume they will all look alike.

(b) A landlord may not prohibit or restrict a tenant who is a licensee and who on or after September 9, 2008, enters into a rental agreement with the landlord for the use of residential premises, and the tenant's guest while the tenant is present, from lawfully carrying or possessing a handgun on those residential premises.

The guest protection has turned out to be somewhat of a gray area in practice. Certainly it doesn't apply when the tenant is absent, and there is some debate as to whether it applies when the tenant is present. The ORC states that the landlord "may not prohibit or restrict a tenant", but it doesn't specifically state that a landlord can't prohibit or restrict a guest.

(c) *Omitted for the purposes of this document.*

(D) *Omitted for the purposes of this document.*

(E) *Omitted for the purposes of this document.*

(F) *Omitted for the purposes of this document.*

(G) As used in this section:

(1) *Omitted for the purposes of this document.*

(2) *Omitted for the purposes of this document.*

(3) "Government facility of this state or a political subdivision of this state" means any of the following:

(a) A building or part of a building that is owned or leased by the government of this state or a political subdivision of this state and where employees of the government of this state or the political subdivision regularly are present for the purpose of performing their official duties as employees of the state or political subdivision;

(b) The office of a deputy registrar serving pursuant to Chapter [4503](#). of the Revised Code that is used to perform deputy registrar functions.

Amended by 129th General Assembly File No. 128, SB 316, § 120.01, eff. 1/1/2014.

Effective Date: 04-08-2004; 03-14-2007; 2008 SB184 09-09-2008

From <http://codes.ohio.gov/orc/2923.126>

2923.163 Surrender of firearm to law enforcement officer.

If a law enforcement officer stops a person for any law enforcement purpose and the person voluntarily or pursuant to a request or demand of the officer surrenders a firearm to the officer, if a law enforcement officer stops a motor vehicle for any purpose and a person in the motor vehicle voluntarily or pursuant to a request or demand of the officer surrenders a firearm to the officer, or if a law enforcement officer otherwise seizes a firearm from a person, all of the following apply:

(A) If the law enforcement officer does not return the firearm to the person at the termination of the stop or otherwise promptly return the firearm to the person after the seizure of the firearm, the officer or other personnel at the officer's law enforcement agency shall maintain the integrity and identity of the firearm in such a manner so that if the firearm subsequently is to be returned to the person it can be identified and returned to the person in the same condition it was in when it was seized.

(B) If the law enforcement officer does not return the firearm to the person at the termination of the stop or otherwise promptly return the firearm to the person after the seizure of the firearm, if a court finds that a law enforcement officer failed to return the firearm to the person after the person has demanded the return of the firearm from the officer, and if the court orders a law enforcement officer to return the firearm to the person, in addition to any other relief ordered, the court also shall award reasonable costs and attorney's fees to the person who sought the order to return the firearm.

If an officer does not return a firearm as required by ORC 2923.16(J), the jurisdiction of that officer, and possibly the officer as well, can be held liable for the legal costs of the firearm owner in getting the firearm returned.

Effective Date: 2008 SB184 09-09-2008

From <http://codes.ohio.gov/orc/2923.163>

2923.1212 Signage prohibiting concealed handguns.

(A) The following persons, boards, and entities, or designees, shall post in the following locations a sign that contains a statement in substantially the following form: "Unless otherwise authorized by law, pursuant to the Ohio Revised Code, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance onto these premises." :

This is essentially the same as the signage for private property that was covered in in 2923.126. Note again that even though practically all of the signs we've seen have the handgun with the red circle and slash on it, that image is not required by the ORC. There is no image requirement at all. Be aware that the sign can be in different forms, and don't assume they will all look alike. Also note that there is no "conspicuous location" requirement in this section, though practically all are conspicuous, and you should know enumerated no carry zones by heart anyway.

- (1) *Omitted for the purposes of this document.*
- (2) *Omitted for the purposes of this document.*
- (3) *Omitted for the purposes of this document.*
- (4) *Omitted for the purposes of this document.*
- (5) *Omitted for the purposes of this document.*
- (6) *Omitted for the purposes of this document.*
- (7) *Omitted for the purposes of this document.*
- (8) *Omitted for the purposes of this document.*
- (9) *Omitted for the purposes of this document.*

(B) The following boards, bodies, and persons, or designees, shall post in the following locations a sign that contains a statement in substantially the following form: "Unless otherwise authorized by law, pursuant to Ohio Revised Code section [2923.122](#), no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone." :

Same comments as above.

- (1) *Omitted for the purposes of this document.*
- (2) *Omitted for the purposes of this document.*
- (3) *Omitted for the purposes of this document.*

Effective Date: 04-08-2004; 2008 SB184 09-09-2008

From <http://codes.ohio.gov/orc/2923.1212>

Links from pages within the ORC

<http://codes.ohio.gov/orc/109.69>

<http://codes.ohio.gov/orc/109.81>

<http://codes.ohio.gov/orc/109.801>

<http://codes.ohio.gov/orc/345>

<http://codes.ohio.gov/orc/503.52>

<http://codes.ohio.gov/orc/503.60>

<http://codes.ohio.gov/orc/504.03>

<http://codes.ohio.gov/orc/504.13>

<http://codes.ohio.gov/orc/504.15>

<http://codes.ohio.gov/orc/504.18>

<http://codes.ohio.gov/orc/504.19>

<http://codes.ohio.gov/orc/504.20>

<http://codes.ohio.gov/orc/504.21>

<http://codes.ohio.gov/orc/505>

<http://codes.ohio.gov/orc/519.01>

<http://codes.ohio.gov/orc/1513.01>

<http://codes.ohio.gov/orc/1531.01>

<http://codes.ohio.gov/orc/1533.103>

<http://codes.ohio.gov/orc/2151.3515>

<http://codes.ohio.gov/orc/2744.01>

<http://codes.ohio.gov/orc/2901.05>

<http://codes.ohio.gov/orc/2903.21>

<http://codes.ohio.gov/orc/2909.01>

<http://codes.ohio.gov/orc/2911.21>

<http://codes.ohio.gov/orc/2915.01>

<http://codes.ohio.gov/orc/2917.31>

<http://codes.ohio.gov/orc/2923.11>

<http://codes.ohio.gov/orc/2923.12>

<http://codes.ohio.gov/orc/2923.16>

<http://codes.ohio.gov/orc/2923.121>

<http://codes.ohio.gov/orc/2923.122>

<http://codes.ohio.gov/orc/2923.123>

<http://codes.ohio.gov/orc/2923.125>

<http://codes.ohio.gov/orc/2923.126>

<http://codes.ohio.gov/orc/2923.128>

<http://codes.ohio.gov/orc/2923.163>

<http://codes.ohio.gov/orc/2923.1213>

<http://codes.ohio.gov/orc/2945.71>

<http://codes.ohio.gov/orc/2953.37>

<http://codes.ohio.gov/orc/2744>

<http://codes.ohio.gov/orc/2744.01>

<http://codes.ohio.gov/orc/3301.07>

<http://codes.ohio.gov/orc/4301.01>

<http://codes.ohio.gov/orc/4303>

<http://codes.ohio.gov/orc/4503>

<http://codes.ohio.gov/orc/4506.25>

<http://codes.ohio.gov/orc/4510.02>

<http://codes.ohio.gov/orc/4511.01>

<http://codes.ohio.gov/orc/4511.19>

<http://codes.ohio.gov/orc/5119.02>

<http://codes.ohio.gov/orc/5123.03>

<http://codes.ohio.gov/orc/5321.01>

<http://codes.ohio.gov/orc/5503.04>

<http://codes.ohio.gov/orc/5503.34>