



# Ohio Legislative Service Commission

## Bill Analysis

Daniel M. DeSantis

### H.B. 420

130th General Assembly  
(As Introduced)

**Reps.** Becker, Hood, Pillich, J. Adams, Stebelton, Perales, Thompson

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## BILL SUMMARY

- Authorizes a person to possess or store a firearm in a motor vehicle in any Capital Square Review and Advisory Board, Ohio Building Authority, or public college or university parking facility.
- Authorizes a concealed handgun licensee to store a handgun in a motor vehicle in any state or local government entity's parking facility.
- Modifies school safety zone weapons restrictions.
- Authorizes a concealed handgun licensee, who is an employee of a private employer, to store a handgun in a motor vehicle in the employer's parking facility.

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## CONTENT AND OPERATION

### Possession or storage of firearm in state government parking facilities

The bill authorizes any person to possess a firearm in a motor vehicle in, and to store or leave a firearm in a locked motor vehicle that is parked in, any facility, garage, or lot for parking motor vehicles that is owned, leased, operated, or controlled by the Capitol Square Review and Advisory Board (CSRAB) or the Ohio Building Authority.<sup>1</sup> Under current law, these firearm possession and storage rights are available to persons at the State Underground Parking Garage at the Statehouse, and at the parking garage at the Riffe Center for Government and the Arts. The bill expands the locations at which these rights may be exercised to numerous other facilities around the state.

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<sup>1</sup> R.C. 105.41, 152.08, and 2923.16(F)(7).

Furthermore, the bill declares that this right may not be superseded, limited, or restricted under any provision of the concealed handgun law or in any other manner.<sup>2</sup>

### **Ohio Building Authority and Department of Administrative Services**

The facility operations and management functions of the Ohio Building Authority (OBA) currently are the responsibility of the Department of Administrative Services (DAS).<sup>3</sup> The bill presumably authorizes possession and storage of a firearm in a motor vehicle in any parking facility associated with one of the numerous facilities around the state that the DAS' Office of Properties and Facilities maintains, as listed below:

- Ohio Department of Education, 25 S. Front St., Columbus;
- DAS, 4200 Surface Road, Columbus;
- Frank J. Lausche State Office Building, 615 Superior Ave., Cleveland;
- James A. Rhodes State Office Tower, 30 E. Broad St., Columbus;
- Michael V. DiSalle Government Center, One Government Center, Toledo;
- North High Street Complex, 246 N. High St. and 35 E. Chestnut St., Columbus;
- Ohio Governor's Residence and Heritage Garden, 358 N. Parkview Ave., Bexley;
- Oliver R. Ocasek Government Office Building, 161 S. High St., Akron;
- State of Ohio Computer Center, 1320 Arthur E. Adams Drive, Columbus;
- Vern Riffe Center for Government and the Arts, 77 S. High St., Columbus.

### **Capitol Square Review and Advisory Board (CSRAB)**

Currently, CSRAB controls the following two relevant locations: the State Underground Parking Garage at the Statehouse and the Clara Avenue Warehouse at the state fairgrounds.

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<sup>2</sup> R.C. 2923.126(C)(5).

<sup>3</sup> Section 515.40 of Am. Sub. H.B. 153 of the 129th General Assembly transferred this function from OBA to DAS.



## **School safety zones**

The bill modifies school safety zone weapons restrictions. Current law generally prohibits the conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone, but exempts certain persons in certain circumstances from the prohibition. For example, a person who possesses a handgun, has a valid concealed handgun license, and is the driver of a vehicle picking up or dropping off a child may be exempt from the prohibition.

The bill also exempts a person who is the driver or passenger in a motor vehicle, is not in violation of the law on improperly handling firearms in a motor vehicle,<sup>4</sup> and who conveys, attempts to convey, or possesses the handgun in the school safety zone while in the motor vehicle and while traveling to a parking facility that is owned, leased, operated, or controlled by a state or local government entity, and either the person remains in the vehicle after it is parked in the facility and while in possession of the handgun or the person stores or leaves the handgun in the motor vehicle while the vehicle is locked and parked in the facility.<sup>5</sup>

## **Colleges and universities**

The bill specifies that a college or university that receives state funds in its support may not prohibit a concealed handgun licensee from carrying a concealed handgun in a motor vehicle in a school parking facility, from storing or leaving a handgun in a locked motor vehicle in a school parking facility, or from carrying a concealed handgun while in the immediate process of placing the handgun in a locked motor vehicle in a school parking facility.<sup>6</sup> Any policy, practice, rule, or restriction to the contrary is unenforceable.

## **Private employers' parking facilities**

The bill specifies that a private employer may not prohibit an employee who possesses a concealed handgun license from carrying a concealed handgun in a motor vehicle, from storing or leaving a handgun in a locked motor vehicle, or from carrying a concealed handgun while in the immediate process of placing the handgun in a locked motor vehicle, when the motor vehicle is in a parking facility that is owned, leased, operated, or controlled by the private employer.<sup>7</sup> A private employer may not post a

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<sup>4</sup> R.C. 2923.16.

<sup>5</sup> R.C. 2923.122(D)(3)(c).

<sup>6</sup> R.C. 3345.21(B).

<sup>7</sup> R.C. 2923.126(C)(4) and (6) and 2923.16(F)(7).



sign, or enforce any rule, policy, or practice, that prohibits this activity. For purposes of this provision, a private employer includes a private college, university, or other institution of higher education.

### **State or local government entity**

The bill also specifies that a state or local government entity may not prohibit a concealed handgun licensee from carrying a concealed handgun in a motor vehicle, from storing or leaving a handgun in a locked motor vehicle, or from carrying a concealed handgun while in the immediate process of placing the handgun in a locked motor vehicle, when the motor vehicle is in a parking facility that is owned, leased, operated, or controlled by the entity. A state or local government entity may not enforce any rule, policy, or practice that prohibits this activity.<sup>8</sup>

Furthermore, the bill requires that the parking lot sign, which must be posted by the state or local government entity warning persons of weapons prohibitions on the premises, must include a statement that the restriction described in the sign does not apply to a licensee's possessing, storing, or leaving a handgun in a locked motor vehicle that is parked in the facility if the licensee is carrying a valid concealed handgun license and is not knowingly in a place where carrying a concealed handgun is prohibited.<sup>9</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	01-29-14

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<sup>8</sup> R.C. 2923.126(C)(4) and (6) and 2923.16(F)(7).

<sup>9</sup> R.C. 2923.1212(C).

