



CLERGY FILE

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FOR YOUR PERMANENT RECORDS

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AMENDED PROT. NO. 02/17

DIOCESE OF COLUMBUS POLICY ON CONCEALED WEAPONS STATUTE

As a result of a recent amendment to the Ohio Revised Code (ORC), the Chancery has revised the previous protocol (Prot. 04/04) regarding the Diocese of Columbus Policy on the Ohio Concealed Weapons Statute. Specifically, the concealed carrying of a handgun in child day-care family day-care centers is no longer prohibited automatically under Ohio law. This protocol details Diocesan policy in light of this change and requires that signs forbidding the concealed carrying of weapons in specific locations be posted, which are described below. This protocol also describes exceptions to this policy.

I. The Statute

Ohio enacted a new law [Ohio Am. Sub. S.B. 199] effective March 21, 2017 that amended the previous legislation [Ohio Sub. H.B. 12, 2004] that permitted a person in specific circumstances to obtain a license to carry a concealed handgun in the state.

However, a valid license to carry a concealed handgun does not authorize the licensee to carry a concealed handgun into specified places [ORC §2923.126(B)]. Among these prohibited places are:

1. A “school safety zone;”
2. Any church or other place of worship;

Under Am. Sub. S.B. 199, child day-care centers and family day-care homes are no longer automatically off limits to carriers of concealed handguns. Continuing law requires the owner, administrator, or operator of a child day-care facility to post a sign prohibiting weapons on the premises [ORC 2923.1212(A)(8)] if they wish to prohibit concealed carrying of weapons. The act provides special penalties for trespassing on a day-care center or home that has a posted prohibition against carrying weapons or concealed weapons on the premises.

With respect to non-public schools, the law requires the principal of the school to post a notice, “in a conspicuous location on the property owned or controlled” by the school that states: “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.” [ORC 2923.1212(B)(3)].

A “school safety zone” is a school, school building, school premises, school activity, and school bus [ORC 2901.01(C)(1)].

Outside these prohibited areas, the law provides that nothing in the law restricts a rule or policy of a private employer (which is not a private institute of higher learning) concerning or prohibiting firearms on the employer's property, including vehicles owned by the private employer [ORC 2923.126(C)(1)]. Similarly, the owner or person in control of private land or premises may post a sign in a conspicuous location on the premises prohibiting persons from carrying concealed firearms onto the land or premises.

Where a visitor has a concealed weapon in their possession, which is subject to the new law and where the premises are posted to prohibit the concealed weapon, the knowing violation of the posted prohibition is the offense of criminal trespass, a fourth degree misdemeanor [ORC 2911.21(A),(D)]; [ORC 2923.126(C)(3)]. In that instance, the police should be contacted to remove the person and weapon.

II. Policies and Postings

It is the policy of the Diocese of Columbus that no person may carry a concealed firearm or other dangerous instrument onto any property, building, premises, offices, or event of the Diocese of Columbus or any of the diocese's parishes.

Furthermore, in accordance with the law, no firearm or dangerous instrument whatsoever may be taken into any school safety zone (as defined by Ohio law). Postings shall be made in school safety zones in accordance with the law.

Postings in child day-care centers and family day-care homes are now required in order to assure that concealed weapons cannot be carried into such centers.

Postings in other non-school safety zones are permitted but not required.

Suggested posting – confined to concealed firearms:

“Unless otherwise authorized by law, pursuant to the Ohio Revised Code, no person may possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance onto these premises.”

Suggested posting – expanded language:

“Unless otherwise authorized by law, pursuant to the Ohio Revised Code, no person may possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance onto these premises.

“In addition, no person, other than law enforcement officers, shall possess or bring onto these premises any instrumentality or device that is designed to be used as a weapon of any nature (including but not limited to knives, clubs, explosives, etc.).

These policies shall apply to all who enter.

Furthermore, the Diocese of Columbus and its parishes and schools shall adopt personnel policies forbidding the carrying of concealed weapons.

Sample personnel policy:

WEAPONS AND CONCEALED CARRY

The safety of employees, clients, and visitors is of paramount importance. Accordingly, the employer prohibits its employees, contractors, agents, and visitors, including any individuals licensed to carry concealed weapons, from carrying firearms, handguns, or any potentially lethal or dangerous device (including but not limited to knives, clubs, explosives, and so forth) while:

1. On or in any property owned, leased, or controlled by the employer (including but not limited to buildings, vehicles, parking lots, and so forth);
2. While performing any duties for the employer;
3. While being paid by the employer; or
4. While at employer-sponsored events.

The only exceptions to this policy are stated below in Section III. Violation of this policy will result in disciplinary action, up to and including termination.

An employee who becomes aware of another person violating this policy must immediately ask that the person carrying the weapon remove it from diocesan property. The employee must also immediately notify a supervisor of such an incident. If the person carrying the weapon does not comply with said request, law enforcement must be called to remove the weapon and the person. Any attempt by an employee to remove a weapon or person carrying a weapon is strictly forbidden.

III. Exceptions

The only exceptions to this policy are:

- **Law enforcement officers on official business**
- **Ordained personnel who live on church property and own firearms that are maintained in an open, non-concealed manner and are owned solely for the purpose of hunting or as a hobby.**
- **Persons transporting or storing a firearm in their car.** As a result of Am. SB 199, ORC §2923.1210 now states:
 - A. A business entity, property owner, or public or private employer may not establish, maintain, or enforce a policy or rule that prohibits or has the effect of prohibiting a person who has been issued a valid concealed handgun license from transporting or storing a firearm or ammunition when both of the following conditions are met:
 1. Each firearm and all of the ammunition remains inside the person's privately owned motor vehicle while the person is physically present inside the motor vehicle, or each firearm and all of the ammunition is locked within the trunk, glove box, or other enclosed compartment or container within or on the person's privately owned motor vehicle;
 2. The vehicle is in a location where it is otherwise permitted to be.
 - B. No business entity, property owner, or public or private employer shall be held liable in any civil action for damages, injuries, or death resulting from or arising out of another person's actions involving a firearm or ammunition transported or stored pursuant to division (A) of this section including the theft of a firearm from an employee's or invitee's automobile, unless the business entity, property owner, or public or private employer intentionally solicited or procured the other person's injurious actions.