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Bill Allowing Guns in Employees' Cars Passes Legislature

When Ohio's original concealed carry law was first enacted in 2003, language was included at the request of the Ohio Chamber that protects employers' rights to prohibit concealed weapons on their property, including in vehicles, if they so choose. Unfortunately, a bill passed early Friday morning will now allow employees to store firearms in their vehicle on employers' property – a practice commonly known as “parking lot carry.” The bill now awaits action by Gov. John Kasich.

The Ohio Chamber continues to believe that the current law that allows employers to prohibit weapons and firearms anywhere on their property is essential to their private property rights and also their ability to provide a safe work place for employees and customers. However, early last week an amendment was added to Senate Bill 199 that would have made concealed handgun license (CHL) holders who stored firearms in their vehicles a protected class under Ohio's anti-discrimination statutes. The Ohio Chamber testified in opposition to this amendment, expressing two concerns. First, it would have allowed parking lot carry. Second, it would have given CHL holders the same protections and remedies as those who are discriminated against on the basis of race, religion, gender, and other protected classes. In essence, this took a bad policy that we opposed – parking lot carry – and made it even worse.

After intense lobbying and grassroots efforts from the Ohio Chamber's many member companies, the legislature made changes to SB 199 that allow for parking lot carry but removed it from Ohio's discrimination laws. The provision ultimately passed in SB 199 states that employers may not establish policies that prohibit employees who have a valid CHL from transporting or storing a firearm or ammunition as long as the firearm and all ammunition is locked within the trunk, glove box, or other enclosed compartment within the person's privately owned motor vehicle and the vehicle is in a place it is permitted to be. Further, the provision grants businesses immunity from any civil lawsuit arising out of a person's action involving a firearm or ammunition stored under this section. It is currently unclear whether there is any penalty for a business not complying with this section because no penalty is included in the language.

While the Ohio Chamber opposes parking lot carry and believes employers should be able to choose for themselves what is allowed onto their private property, this is one issue where the result could have been significantly worse. We are continuing to gather more information on the ramifications of this change and will update our blog with additional information as it becomes available.

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