

**Ohio Passes New Concealed Carry
Law Affecting Employers**

The Ohio General Assembly recently passed Senate Bill 199, which prohibits employers from establishing, maintaining, or enforcing any policies that prevent valid concealed handgun license holders, including employees, from transporting or storing a gun in a privately-owned vehicle on the employer's property. The new law provides:

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.

Ohio employers are now prohibited from enforcing policies that prevent concealed carry license holders from having guns on the employers' property – so long as the gun and ammunition are kept inside the employee's privately-owned vehicle while the employee is inside the vehicle, or locked in the trunk, glove compartment, or other compartment or container when the employee is not inside the vehicle.

The new law also provides immunity from civil actions for Ohio employers, so long as the employer does not intentionally solicit or procure the injurious actions. The law provides:

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 . . . 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.

Senate Bill 199, codified as R.C. 2923.1210, is effective March 21, 2017.

Employers should review current policies in light of this new law.

For additional guidance, please contact a member of our firm's Labor and Employment Law Practice Group at (419) 249-7100.

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