



State Representative John Becker
65th Ohio House District

Sponsor Testimony on House Bill 233 AKA Decriminalization Effort for Eliminating Notorious Deaths (DEFEND)
June 6th, 2017

Chairman Roegner, Vice Chairman Lipps, ranking member Leland, and members of the committee, thank you for allowing me to testify on behalf of House Bill 233.

HB 233 threads the needle between the rights of property owners to keep guns off of their property and the public safety attributes of Ohio's finest citizens carrying guns. As you may know, Concealed Handgun License Holders (CHLs) are required to pass a background check, be fingerprinted, photographed, and be trained in gun safety and marksmanship. They are the cream of the crop of the citizenry.

- HB 233 decriminalizes so-called "gun free zones" for CHL holders and has one major provision: If you are a Concealed Handgun License Holder (CHL) and are discovered with a firearm in a so-called "gun free zone," you must immediately leave the premises upon request.
- (I call this the jerk clause:) If you choose to be a jerk about it and refuse to leave, you are then subject to the charge of disorderly conduct.
- (I call this the 30/30 clause:) A violator could be told that he has 30 seconds to leave the premises or face 30 days in jail. HB 233 creates a fourth-degree misdemeanor (M4) with potential penalties of 30 days in jail and a \$250 fine plus court costs.
- Per SB 199, we changed the law to permit a "qualified military member" equivalency to a CHL. They are treated the same in HB 233.
- HB 233 also has what I call a revolving door provision: If the offender returns to the same premises with a concealed firearm within 30 days, the offender could immediately be charged with disorderly conduct. As stated earlier, the crime is an M4 carrying a potential 30 days of incarceration and up to \$250 fine plus court costs.
- HB 233 also has some clean-up language that was inadvertently missed in SB 199. As an example, local governments may allow concealed carry in some of the buildings under their control. HB 233 allows them to also remove the "no guns allowed" sign

from the building. This provision is similar to what we might call a “technical amendment.”

In conclusion, HB 233 does not expand who can carry a concealed firearm or where concealed firearms can be carried. HB 233 only applies to CHL holders. As stated earlier, they are the cream of the crop of the citizenry. HB 233 simply codifies the common practice of asking the violator to leave the premises of a so-called “gun free zone,” ending the incident.

Thank you, chairman and members of the committee. That concludes my sponsor testimony.