

OHIO PROSECUTING ATTORNEYS ASSOCIATION

196 EAST STATE STREET • SUITE 200 • COLUMBUS, OHIO 43215

TELEPHONE 614/221-1266 • FAX 614/221-0753 • WWW.OHIOPA.ORG

John E. Murphy
Executive Director

HB-233; Weapons in Prohibited Places

Interested Party Testimony

July 5, 2017

House Federalism and Interstate Relations Committee

Our understanding of the purpose of the HB-233 was to give a break to a license holder who entered a prohibited area not realizing he had his firearm with him or not realizing that he was in a prohibited area, and who promptly and voluntarily left the prohibited area on discovering his mistake, or promptly left if requested to do so. But we did not understand the purpose to be to give a break to one who knowingly entered the prohibited area with a firearm or to one who refuses to leave on being requested to do so.

The bill as introduced makes no distinction between one who enters knowing that they have the weapon and one who enters not realizing that they have a firearm with them. And the substitute provides for a substantially reduced penalty, from a fifth degree felony down to a fourth degree misdemeanor, to one who knowingly enters the prohibited area with a firearm and then refuses to leave.

We are willing to discuss some accommodation for license holders who inadvertently enter a prohibited area with a firearm and then voluntarily leave or leave when requested. We don't think either version adequately addresses the issue. We therefore suggest that we take a little more time to consider how this might be accomplished.

cc: Rep. John Becker