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133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Schaffer

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Summary

- Grants qualified civil immunity to a nonprofit corporation and associated persons for injury, death, or loss caused by or related to a handgun licensee bringing a handgun onto the corporation's premises or to an event organized by it.
- Grants absolute civil immunity to a nonprofit corporation and associated persons for injury, death, or loss caused by or related to the corporation's decision to permit a handgun licensee or class of licensees to bring a handgun onto its premises or to an event organized by it.

Detailed Analysis

Nonprofit corporation's immunity regarding handgun licensee

The Concealed Handgun License Law currently grants civil immunity to certain persons or entities, namely private employers, political subdivisions, and institutions of higher education, for injury, death, or loss related to a handgun licensee bringing a handgun to the person's or entity's premises under certain circumstances.¹

The bill adds nonprofit corporations to this grant of civil immunity. Under the bill, a "nonprofit corporation" (a private organization exempt from federal income taxation pursuant to Internal Revenue Code subsection 501(a) and described in subsection 501(c)) and its volunteers, members, officers, and independent contractors are immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to either of the following:²

- A licensee bringing a handgun onto the nonprofit corporation's premises, including any motor vehicle owned by the corporation, or to any event organized by the nonprofit

¹ R.C. 2923.126(C)(2)(a), (b), and (c).

² R.C. 2923.126(C)(2)(d) and (G)(7).

corporation, unless the corporation, volunteer, member, officer, or contractor acted with malicious purpose;

- The nonprofit corporation’s decision to permit a licensee or class of licensees to bring a handgun onto the corporation’s premises or to any event organized by the corporation.

“Licensee” means a person to whom a concealed handgun license has been issued under R.C. 2923.125 (application and licensing process) and, except when the context clearly indicates otherwise, includes a person to whom a concealed handgun license on a temporary emergency basis has been issued based on evidence of imminent danger to the person or the person’s family member, and a person to whom a concealed handgun license has been issued by another state.³

History

Action	Date
Introduced	03-21-19

³ R.C. 2923.124(D), 2923.125, and 2923.1213, not in the bill.