

House Committee of Public Safety

Proponent Testimony – House Bill 68

Mark Messer, Mayor – City of Lebanon, Ohio

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Chair Abrams, Vice Chair Miller, Ranking Member Thomas, and members of the House Committee of Public Safety:

Thank you for the opportunity to offer testimony in support of House Bill 68, which seeks to clarify the law regarding concealed handgun possession in buildings where courtrooms are present but not in use. As the Mayor of Lebanon, Ohio, I offer my strong support for this important and timely legislation.

Our city has firsthand experience with this legal ambiguity. In 2020, Lebanon passed Ordinance No. 2020-0222, allowing licensed individuals to carry concealed weapons in the City Building — only during times when the Lebanon Municipal Court is not in session. The ordinance was carefully crafted to respect both the Ohio Revised Code and the constitutional rights of our citizens.

Despite our clear intent, our ordinance was challenged in court by private residents. The Warren County Common Pleas Court ruled in our favor, holding that:

“A courtroom exists only when court functions are actively occurring... and outside of those hours, a municipal multipurpose room does not constitute a ‘courtroom’ for the purpose of firearm restrictions.”

This ruling aligns with the logic behind HB 68 — that temporal specificity matters when interpreting concealed carry restrictions. The trial court affirmed the validity of our ordinance and declared it a proper exercise of Home Rule authority.

Although the appellate court later vacated that decision, it did so solely on procedural grounds, finding the plaintiffs lacked standing — not because the law was flawed, but because the challengers had no legal right to bring the case. Importantly, no court has rejected the legal soundness of our ordinance or the interpretation it reflects.

HB 68 codifies this practical and constitutional interpretation by:

Allowing licensed concealed carriers into public buildings that are not courthouses, even if a courtroom is located within — provided the court and clerk's offices are not in operation;

Requiring local governments to opt-in via ordinance or policy, preserving local control.

This strikes the right balance. It ensures public safety during judicial proceedings while restoring freedom and clarity for municipalities and citizens the rest of the time. More importantly, it removes the legal uncertainty that has cost municipalities time and money defending what should be a common-sense, constitutionally-aligned practice.

In Lebanon, we've seen the importance of this clarity. HB 68 empowers cities to uphold Second Amendment rights responsibly, without putting residents or officials in legal jeopardy for attempting to do so.

I respectfully urge you to support House Bill 68. I'm happy to provide further detail or documentation upon request.

Thank you for your time and consideration.

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Mark Messer

Mayor, City of Lebanon

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