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Office of Research and Drafting

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S.B. 392
136th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsors: Sens. Cutrona and Johnson

Local Impact Statement Procedure Required: No

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Highlights

- There may be an increase in concealed handgun license fees retained by a county sheriff for deposit in the Sheriff's Concealed Handgun License Issuance Expense Fund. There will likely be a commensurate expenditure increase in the sheriff's administrative and enforcement functions.
- There may be an increase in concealed handgun license fees deposited in the state's General Reimbursement Fund (Fund 1060). There will likely be a commensurate expenditure increase in the related background check work performed by the state's Bureau of Criminal Investigation.
- A reduction in the number of offenders sent to prison for concealed carry violations will create a potential savings effect on GRF-funded incarceration costs, although likely minimal in relation to overall operating expenses for the Department of Rehabilitation and Correction.
- County and municipal criminal justice systems may realize an annual savings effect, as there will likely be some reduction in the prosecution and sanctioning of individuals for concealed carry and duty to notify violations. There is also likely to be an associated revenue loss in terms of court costs, fees, and fines that might otherwise have been collected.
- The state will lose, at most, a minimal amount of court cost revenue annually that might otherwise have been collected from certain concealed carry and duty to notify violators pursuant to the order of the sentencing court. State court cost revenues are credited to the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).

Detailed Analysis

The bill allows a qualifying adult to carry a concealed deadly weapon, lowers the minimum age of a qualifying adult from 21 to 18, and makes changes to the laws related to licensing, transporting or storing a firearm, and carrying concealed weapons.[1] Provisions of the bill with notable fiscal impacts are outlined below.

Concealed weapons licenses

Background

Current law allows a person to obtain a concealed handgun license to carry a concealed handgun. The bill changes the name of the license from a "concealed handgun license" to a "concealed weapons license," and allows a person who has a concealed weapons license to carry a concealed deadly weapon, other than an exclusive deadly weapon.

The cost of a concealed carry license is $67 for a new license and $50 for a license renewal.[2] A license is valid for five years. The county sheriff collects the fees as part of their duties and responsibilities to administer and enforce the state's concealed carry laws. The sheriff retains a portion of the fee for crediting to the Sheriff's Concealed Handgun License Issuance Expense Fund.[3] The remainder is credited to the General Reimbursement Fund (Fund 1060), which the Attorney General uses, in part, to fund the cost of background checks performed by the Bureau of Criminal Investigation (BCI), as well as any checks requested from the FBI.

Between calendar years (CYs) 2022 and 2025 following the enactment of S.B. 215 of the 134th General Assembly, on average, about 17,732 new and 62,537 renewal licenses were issued each year. Over this same period, the total amount of new and renewal license fees collected annually statewide was at least $4.3 million, plus additional revenue collected from applicants that have resided in Ohio for less than five years. From this amount, sheriffs statewide retained on average around $2.9 million annually. The remainder, approximately $1.4 million annually, was credited to Fund 1060.

Carry concealed weapons without a license

The bill allows a qualifying adult to carry a concealed deadly weapon, other than an exclusive deadly weapon, modifies the definition of a "qualifying adult" to a person who is at least 18 years old, rather than a person who is at least 21 years old, eliminates the current law requirement that an active duty service member must carry a valid military identification and other required documentation, and expands certain concealed carry laws to cover active duty members of the armed forces.

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[1] Current law allows a qualifying adult to carry a concealed handgun without a license.

[2] Applicants residing in Ohio for five years or more pay a fee of $67 for a new license or $50 for a renewal license. Applicants residing in Ohio for less than five years pay an additional fee for the cost of the required FBI background check (R.C. 2923.125).

[3] The sheriff retains $40 of a new license fee and $35 of the renewal license fee for crediting to the Sheriff's Concealed Handgun License Issuance Expense Fund.

Active duty members of the armed forces

Current law exempts an active duty member of the armed forces of the United States from specified deadly weapon offenses. The bill (1) eliminates the requirement that an active duty member of the armed forces must carry a valid military identification and documentation of successful completion of firearms training and instead requires that the active duty member has been issued the required identification and documentation, (2) expands the current law exemptions for the offense of illegal possession of a firearm in a liquor permit premises to active duty members of the armed forces, and (3) expands the prohibition against a business entity, property owner, or public or private employer from establishing, maintaining, or enforcing a policy or rule that a person who has been issued a concealed handgun license, or who is a qualifying adult, from transporting or storing a firearm or ammunition to apply to an active duty military .

Firearms in vehicles and vessels

The bill repeals existing law that prohibits a person from knowingly transporting or having a loaded firearm in a motor vehicle in such a manner that the firearm is accessible to the operator or any passenger without leaving the motor vehicle. Under existing law, repealed by the bill, a violation of this prohibition is a fourth degree felony which is punishable with a fine of up to $5,000, and a definite prison term of 6, 7, 8, 9, 10, 11, or 12 months, or both.

The bill also repeals existing law that prohibits a person from knowingly transporting or having a loaded firearm in a vessel in a manner that the firearm is accessible to the operator or any passengers. Relatedly, the bill repeals another prohibition to allow for a loaded firearm to be carried in a vessel without requirements for the manner in which the firearm is carried. Under existing law, repealed by the bill, a violation of one of the above prohibitions is a fourth degree misdemeanor which is punishable with a fine of up to $250, a term in jail of not more than 30 days, or both.

Fiscal impact

Because of the bill, there will be fewer concealed carry violations that, under current law, may lead to arrest, prosecution, and sanctioning, including a possible term of incarceration (either jail or prison). Under continuing law, a person is prohibited from carrying concealed weapons, but may be exempt from violations of the offense of carrying certain concealed weapons if that person is a qualifying adult or meets other qualifications. When the exemptions do not apply, the bill modifies the penalties for the offense if the person is a qualifying adult, or concealed weapons licensee making the penalty for the offense a minor misdemeanor with a fine up to $150 rather than a first degree misdemeanor with a fine up $1,000, jail of up to 180 days, or both.

Department of Rehabilitation and Correction (DRC)

The state may realize some savings in GRF-funded incarceration costs, because of a reduction in offenders sentenced to prison for felony concealed carry violations. To the extent there are fewer convictions, there may be a slight decrease in the number of persons subsequently sentenced to a term of incarceration in state prison. In FY 2026, 49 offenders were sentenced to DRC for certain concealed carry violations. The associated annual operating cost

decrease for DRC is expected to be minimal at most. DRC's marginal cost is around $6,000 per offender per year.[4]

For context, DRC reported $1.5 billion in GRF expenditures for institutional operations in FY 2026. Any savings will likely be reallocated to finance ongoing institutional programming, security, and maintenance needs.

County and municipal criminal justice systems

There will be a savings effect created for county and municipal criminal justice systems because of having fewer persons to arrest, prosecute, defend (if indigent), and sanction for concealed carry violations. There will also be a related loss in court costs, fees, and fines that might otherwise have been collected from persons convicted of a concealed carry violation. The amount of the expenditure savings and related revenue loss for any given local jurisdiction is not readily quantifiable, but it is probably safe to say that the expenditure savings will be considerably larger than the revenue loss.

State court cost revenue

The state will lose, at most, a minimal amount of court cost revenue annually that might otherwise have been collected from certain concealed carry violators pursuant to the order of the sentencing court. These court cost revenues, if collected, are then forwarded for deposit in the state treasury to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).

Applications for concealed weapons licenses and Concealed Weapons License Issuance Expense Fund

The bill (1) allows an applicant for a concealed weapons license to apply to the sheriff of any county, instead of only to the sheriff of the applicant's county of residence or an adjacent county as under current law, (2) allows a sheriff to provide up to eight hours a week, in addition to the currently required 15 hours, during which the sheriff accepts license applications exclusively from county residents, and (3) requires that, for each hour provided exclusively for in-county applications, the sheriff provide an additional hour outside of the currently required 15 hours during which the sheriff accepts license applications from any person.

The bill also expands use of the Sheriff's Concealed Handgun License Issuance Expense Fund to include costs incurred: (1) for nonlethal weapons, supplies, and related training, and (2) for a sheriff's employee to attend a basic peace officer training academy or a basic correction officer academy approved by the Ohio Peace Officer Training Commission.[5]

[4] Marginal costs are those that increase or decrease directly on a per-person basis with changes in prison population. Such costs include medical care, food service, clothing and bedding (for inmates), and mental health services (DRC FY 2026 Annual Report).

[5] Current law permits a sheriff, with the approval of the board of county commissioners, to expend the concealed handgun license fees credited to the Sheriff's Concealed Handgun License Issuance Expense Fund for: (1) any costs incurred in connection with performing any administrative functions related to the issuance of concealed handgun licenses, (2) ammunition and firearms, and (3) any costs incurred in constructing, maintaining, or renovating a shooting range.

Fiscal impact

The expansion of qualifying weapons and eligible persons may, to some degree, increase the number of new license applications and renewals resulting in increased fee revenue for the state and local sheriffs as described above. However, provisions of the bill that expand the number of places that one may receive a license in may shift certain administrative costs from one county to another. The shifting costs will depend on the number of people who opt to apply for a concealed weapons license in a county not currently authorized under current law. Additionally, certain county sheriffs may experience an increase in operating expenses for providing such applications if they choose to offer those services more frequently as permitted under the bill. Expenditures from the Sheriff's Concealed Handgun License Issuance Expense Fund are expected to be commensurate with the generated revenue.

Unlawful possession of dangerous ordnance

The bill allows a person to acquire, have, carry, or use a sawed-off firearm or a firearm muffler or suppressor which are classified as dangerous ordnance under current law. These provisions are included in S.B. 214 recently passed by the Generally Assembly and awaiting action by the Governor. For a discussion of the fiscal impact of these provisions, see the LBO fiscal note for S.B. 214.

State preemption of firearms regulation

The bill expands state preemption of firearms regulation to include deadly weapons and firearm accessories and attachments. Under current law, state preemption of firearms regulation only includes firearms, their components, and their ammunition. Any person or group adversely affected by such a local ordinance or law may bring forth a civil action seeking damages, declaratory relief, and/or injunctive relief against the political subdivision responsible for the law and its enforcement. If the person or group prevails in the civil action and is awarded damages, the damages must be paid by the political subdivision along with a separate award for reasonable expenses. The frequency of such an occurrence is indeterminate.

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