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Sponsor Testimony on Senate Bill 360

House State and Local Government Committee

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Chairman Wiggam, Vice Chairman Stephens, Ranking Member Kelly, and members of the House State and Local Government Committee, thank you for allowing me the opportunity to provide testimony on Senate Bill 360.

The purpose of this bill is straightforward: it would prohibit any public official from issuing an order closing down licensed firearms dealers on either a statewide or regional basis.

State and local governments throughout the country have spent the last several months grappling with the COVID-19 pandemic. This year we have seen countless inspiring stories of Americans working together in the face of adversity to combat the Coronavirus. However, one of the ways that States initially responded to the pandemic was to close many businesses and enter “stay-at-home” orders in order to slow the spread of the illness. Whatever the merits of that approach may or may not be, there is no “emergency exception” to protecting peoples’ constitutional rights.

The governors of several States – including Massachusetts, New York, and Pennsylvania – issued orders earlier this year that excluded licensed firearms dealers from the list of “essential” businesses that were allowed to operate during stay-at-home orders or other Coronavirus-related orders. Los Angeles County, the City of Austin, Texas, and other local governments took similar actions to close firearm stores on a local level. While some of these shutdowns have been successfully challenged in court, Americans should not be forced to resort to litigation in order to exercise their right to self-defense.

It bears pointing out that here in Ohio, Governor DeWine’s administration was respectful of the Second Amendment and did not attempt to force licensed firearms dealers to close. This bill would ensure that no future governor, appointed officer, or local official could do what the current administration has not.

This legislation does not interfere with the usual processes of zoning and licensing that firearms stores must go through under current law. Rather, Senate Bill 360 would simply prevent statewide or regional closures like we saw with other types of businesses during this pandemic. It is similar to language passed by both chambers in House Bill 272, which will prevent statewide or regional closures of churches and other houses of worship. That bill was signed into law by Governor DeWine earlier this year.

This has been a difficult year for our State and our nation, and there is still much work to be done to combat and recover from the COVID-19 outbreak. We must be mindful, however, that we do not face these challenges in a vacuum. We face them before the backdrop of the peoples’ inalienable rights. Ensuring the right of Ohioans to defend themselves and feel secure is a vital part of our work.

Senate Bill 360 passed the Senate in September with a bipartisan vote of 28 to 5. Thank you again for the opportunity to testify on this legislation. I would be happy to answer any questions you may have at this time.