

March 9, 2021

Good morning Chairman Wiggam, Vice Chair John, ranking member Kelly and members of the House State and Local Government Committee. I testify in a personal capacity in support of H.B. 89.

We are now 17 years since Ohio trailed the nation becoming the 45th state to adopt a concealed carry law. The Buckeye State Sheriff's Association supported that bill, but the prosecutors and every other law-enforcement group opposed the bill making endless predictions about the horrible crimes that otherwise law-abiding license holders would commit. In over 20 years, not much has changed, and if I had the track record that those opposed to this bill have, you would rightfully mock me and throw my testimony in the trash.

The initial birth of Ohio's concealed law was a great step forward, but it contained several birth defects. The sections of law addressed in this bill are by far the ones that ensnare the greatest number of license holders who have done nothing "wrong," but are charged under an injurious section of law. It is time to correct this defect in Ohio law.

In the three sessions this topic has been debated before the general assembly, there have come many witnesses both for and against the concepts put forth in this bill. While there are certainly differences there is also important common ground. No one believes notifying law-enforcement that one has a CHL and is armed should be in prison for 6 months because they did not do so quite "promptly" enough. Nor does anyone believe that notifying the several officers on scene should be fined a \$1000 for failing to notice a new officer arriving.

These are not hypothetical situations. They are cases that were prosecuted in Ohio because of a defective law; a law that H.B. 89 corrects.

99% of all police use appropriate discretion and do not charge license holders for the above infractions. That is something both those supportive and opposed to this legislation agree upon. The system works almost all the time. Nothing will change for these situations.

H.B. 89 fixes the <1%. It prevents the indefensible, and creates a situation where all parties are treated fairly. Officer discretion is great, but not an appropriate excuse for the legislature to maintain a defective law.

This bill addresses the vagueness of the word "promptly" that has plagued both law enforcement and license holders for 17 years. It provides a specific trigger (officer asking for ID) which creates the duty of the license holder to notify that they are carrying a firearm.

Finally, it specifies who a license holder must notify; the inquiring officer. This is a significant improvement over the "any law enforcement officer" language in current law.

H.B. 89 is a significant improvement over current law and is good public policy. I encourage its passage.

Respectfully submitted,

James Irvine
jim@irvine1.com
440-503-3011

Jim Irvine is an advocate for liberty, people's right to bear arms and self-defense. He serves on the Board of Directors of Second Amendment Foundation and Buckeye Firearms Foundation.