

No Required Permit Carry in Ohio

Handgun

June 13, 2022

Permit less or constitutional carry is available in the state of Ohio. Please be sure that you have a complete understand of the Ohio law.

It provides that a person who is a “qualifying adult” is not required to obtain a concealed handgun license in order to carry a concealed handgun that is not a “restricted firearm.”

What is a “qualifying adult”?

A “qualifying” adult, meaning you are at least 21 years of age, not prohibited from possessing a firearm under state or federal law, not a fugitive from justice, etc.

"Qualifying adult" means a person who is all of the following:

- 1) Twenty-one years of age or older;
- 2) Not legally prohibited from possessing or receiving a firearm under 18 U.S.C. 922(g)(1) to (9) (**Appendix A**) or under section 2923.13 (**Appendix B**) of the Revised Code or any other Revised Code provision;
- 3) Satisfies all of the criteria listed in divisions (D)(1)(a) to (j), (m), (p), (q), and (s) of section 2923.125 (**Appendix C**) of the Revised Code.

What is a “restricted firearm.”?

A "restricted firearm" means a firearm that is dangerous ordnance or that is a firearm that any law of this state prohibits the subject person from possessing, having, or carrying.

Nothing changes regarding who can carry, what you can carry (a handgun), or where you can carry. The same rights and responsibilities apply whether you have a CHL or not; as long as you follow federal law. Eliminates the requirement that a concealed handgun licensee carry a concealed handgun license in order to carry a concealed handgun.

Per federal law, you will still need a CHL to carry in a school zone in your vehicle. If you leave your vehicle, your handgun must be secured and locked in your vehicle. Otherwise, nothing changes about where you can or cannot carry a concealed handgun. Areas that are currently no-carry zones will remain no-carry zones. Property owners will still be able to post no-gun signs.

For those interested the CHL will continue to be available for those who wish to have it. The new law does not change anything about the licensing process. **Those who travel outside of Ohio may want to have a valid license to carry legally in other states.** The license simply becomes optional for those who carry a concealed handgun in Ohio.

It modifies the requirements that a concealed handgun licensee or active duty military member, when stopped for law enforcement purposes, inform a law enforcement officer of a person is carrying a handgun, the officers can ask you if a person is carrying.

You will be able to carry a concealed handgun in your car with or without a CHL. It is permissible to have loaded handguns and magazines on your person or stored anywhere in your vehicle.

There is no change to your right to carry to and from work and to store your handgun in your personally-owned car or truck on company property. You retain your rights with or without a permit.

In regards to carry in other states, that depends on the laws of other states. Ohio law applies to Ohio only.

While the rules for carrying a concealed handgun remain the same with or without a license, there will be **no residency requirement** when this law goes into effect. Someone who is otherwise a “qualifying” adult may carry with or without a license whether they reside in Ohio or another state.

Appendix A 18 U.S.C. 922(g)(1)to(9)

(g) It shall be unlawful for any person—

(1) who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

(2) who is a [fugitive from justice](#);

(3) who is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the [Controlled Substances Act \(21 U.S.C. 802\)](#));

(4) who has been adjudicated as a mental defective or who has been committed to a mental institution;

(5) who, being an [alien](#)—

(A) is illegally or unlawfully in the [United States](#); or

(B) except as provided in subsection (y)(2), has been admitted to the [United States](#) under a [nonimmigrant visa](#) (as that term is defined in section 101(a)(26) of the [Immigration and Nationality Act \(8 U.S.C. 1101\(a\)\(26\)\)](#));

(6) who has been discharged from the Armed Forces under dishonorable conditions;

(7) who, having been a citizen of the [United States](#), has renounced his citizenship;

(8) who is subject to a court order that—

(A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

(B) restrains such person from harassing, stalking, or threatening an [intimate partner](#) of such person or child of such [intimate partner](#) or person, or engaging in other conduct that would place an [intimate partner](#) in reasonable fear of bodily injury to the partner or child; and

(C)

(i) includes a finding that such person represents a credible threat to the physical safety of such [intimate partner](#) or child; or

(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such [intimate partner](#) or child that would reasonably be expected to cause bodily injury; or

(9) who has been convicted in any court of a [misdemeanor crime of domestic violence](#),

to ship or transport in [interstate or foreign commerce](#), or possess in or affecting commerce, any [firearm](#) or [ammunition](#); or to receive any [firearm](#) or [ammunition](#) which has been shipped or transported in [interstate or foreign commerce](#).

Appendix B Sec. 2923.13.

(A) Unless relieved from disability as provided in section 2923.14 of the Revised Code, no person shall knowingly acquire, have, carry, or use any firearm or dangerous ordnance, if any of the following apply:

(1) The person is a fugitive from justice.

(2) The person is under indictment for or has been convicted of any felony offense of violence or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence.

(3) The person is under indictment for or has been convicted of any felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse.

(4) The person is drug dependent, in danger of drug dependence, or a chronic alcoholic.

(5) The person is under adjudication of mental incompetence, has been adjudicated as a mental defective, has been committed to a mental institution, has been found by a court to be a mentally ill person subject to hospitalization by court order, or is an involuntary patient other than one who is a patient only for purposes of observation. As used in this division, "mentally ill person subject to hospitalization by court order" and "patient" have the same meanings as in section 5122.01 of the Revised Code.

(B) Whoever violates this section is guilty of having weapons while under disability, a felony of the third degree.

APPENDIX C

(D)(1) Except as provided in division (D)(3) of this section, within forty-five days after a sheriff's receipt of an applicant's completed application form for a concealed handgun license under this section, the supporting documentation, and, if not waived, the license fee, the sheriff shall make available through the law enforcement automated data system in accordance with division (H) of this section the information described in that division and, upon making the information available through the system, shall issue to the applicant a concealed handgun license that shall expire as described in division (D)(2)(a) of this section if all of the following apply:

(a) The applicant is legally living in the United States. For purposes of division (D)(1)(a) of this section, if a person is absent from the United States in compliance with military or naval orders as an active or reserve member of the armed forces of the United States and if prior to leaving the United States the person was legally living in the United States, the person, solely by reason of that absence, shall not be considered to have lost the person's status as living in the United States.

(b) The applicant is at least twenty-one years of age.

(c) The applicant is not a fugitive from justice.

(d) The applicant is not under indictment for or otherwise charged with a felony; an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse; a misdemeanor offense of violence; or a violation of section [2903.14](#) or [2923.1211](#) of the Revised Code.

- (e) Except as otherwise provided in division (D)(4) or (5) of this section, the applicant has not been convicted of or pleaded guilty to a felony or an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse; has not been adjudicated a delinquent child for committing an act that if committed by an adult would be a felony or would be an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse; has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a violation of section [2903.13](#) of the Revised Code when the victim of the violation is a peace officer, regardless of whether the applicant was sentenced under division (C)(4) of that section; and has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing any other offense that is not previously described in this division that is a misdemeanor punishable by imprisonment for a term exceeding one year.
- (f) Except as otherwise provided in division (D)(4) or (5) of this section, the applicant, within three years of the date of the application, has not been convicted of or pleaded guilty to a misdemeanor offense of violence other than a misdemeanor violation of section [2921.33](#) of the Revised Code or a violation of section [2903.13](#) of the Revised Code when the victim of the violation is a peace officer, or a misdemeanor violation of section [2923.1211](#) of the Revised Code; and has not been adjudicated a delinquent child for committing an act that if committed by an adult would be a misdemeanor offense of violence other than a misdemeanor violation of section [2921.33](#) of the Revised Code or a violation of section [2903.13](#) of the Revised Code when the victim of the violation is a peace officer or for committing an act that if committed by an adult would be a misdemeanor violation of section [2923.1211](#) of the Revised Code.
- (g) Except as otherwise provided in division (D)(1)(e) of this section, the applicant, within five years of the date of the application, has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing two or more violations of section [2903.13](#) or [2903.14](#) of the Revised Code.
- (h) Except as otherwise provided in division (D)(4) or (5) of this section, the applicant, within ten years of the date of the application, has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a violation of section [2921.33](#) of the Revised Code.
- (i) The applicant has not been adjudicated as a mental defective, has not been committed to any mental institution, is not under adjudication of mental incompetence, has not been found by a court to be a mentally ill person subject to court order, and is not an involuntary patient other than one who is a patient only for purposes of observation. As used in this division, "mentally ill person subject to court order" and "patient" have the same meanings as in section [5122.01](#) of the Revised Code.
- (m) The applicant currently is not subject to a suspension imposed under division (A)(2) of section [2923.128](#) of the Revised Code of a concealed handgun license that previously was issued to the applicant under this section or section [2923.1213](#) of the Revised Code or a similar suspension imposed by another state regarding a concealed handgun license issued by that state.
- (p) If the applicant is not a United States citizen, the applicant is an alien and has not been admitted to the United States under a nonimmigrant visa, as defined in the "Immigration and Nationality Act," 8 U.S.C. 1101(a)(26).
- (q) The applicant has not been discharged from the armed forces of the United States under dishonorable conditions.
- (s) The applicant has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a violation of section [2919.25](#) of the Revised Code or a similar violation in another state.