

# Cross Creek Guns

PO Box 401

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Dear CHL holders,

September 15, 2011

New laws were passed in Ohio that affects concealed carry. These laws become effective on **September 30, 2011**.

- Loaded handguns may be carried in a motor vehicle in any manner. You will no longer be required to have it in a holster on your person or in a container with a snap, buckle, zipper, latch, etc. Examples: Handgun lying on seat beside you-Legal. Handgun lying on dash-Legal. Handgun under your leg or under your seat-Legal. How you carry in a vehicle will be your choice. **Remember:** Leaving your firearm in the vehicle while an unlicensed person (no CHL) is in the vehicle (and you are not there) puts that person in the position of committing a felony.
- The restriction on touching/moving your handgun while in a motor vehicle has been removed. **EXCEPTION:** You will still not be permitted to touch your handgun during a lawful stop by law enforcement, unless directed to do so by the officer.
- No change-As either the driver or passenger in a motor vehicle stopped for a law enforcement purpose, and you have a loaded handgun in the vehicle, you must remain in the vehicle and keep your hands in plain sight, unless directed to do otherwise by the officer.
- No change-As either the driver or passenger in a motor vehicle stopped for a law enforcement purpose and you have a loaded handgun in the vehicle, you **MUST** promptly inform the officer that you have a CHL and that you have a loaded handgun in the vehicle.
- No change-as a pedestrian who is stopped for a law enforcement purpose and you are carrying a loaded handgun, you **MUST** promptly inform the officer that you have a CHL and are carrying a loaded handgun.
- Restaurant carry: You may carry your handgun in all establishments that sell alcohol for consumption on premises (Class D license), including restaurants, bars, open-air venues and sports arenas, **UNLESS** posted so as to prohibit the carrying of weapons at that location. In addition, the CHL holder may not consume any alcohol while at the establishment nor be under the influence of alcohol or any drug of abuse.
- Remember-these changes do not apply until **September 30, 2011**

Review of previous changes that are in effect now:

- In a motor vehicle, a loaded firearm is now defined as having ammunition loaded in a magazine or speed loader, even when not inserted into the weapon. As a CHL holder, you are permitted to have loaded magazines\speed loaders for handguns in your motor vehicle. No one is permitted to have loaded magazines for any long gun (rifle, shotgun, etc.) in a motor vehicle. There are no restrictions on having bulk ammo (boxes, cases, etc.) in your vehicle. It does not have to be locked or stored away from the firearms
- ORC 9.68-Right to Bear Arms: This law recognizes your right to keep and bear arms. It also prohibits villages, cities, townships or other political subdivisions from enacting\enforcing any firearm laws different from state code, meaning firearm laws are uniform across the state. (This did away with magazine capacity laws of several large Ohio cities)
- Castle Doctrine: No person is required to “retreat” from a criminal attack before using force to defend yourself or another while lawfully in a residence or vehicle (vehicle must be yours or an immediate family member) and the attacker was not authorized to enter the residence or vehicle. The victim cannot be sued by the attacker or family of the attacker, for injuries caused by victim’s use of self-defense if the attacker is either convicted of a felony or misdemeanor crime of violence which was the proximate result of the injury or the attacker engaged in conduct, that if prosecuted, would constitute a felony or misdemeanor crime of violence, or attempt of either.
- You are permitted to have your handgun in your motor vehicle in a school zone while immediately in the process of picking up or dropping off kids at school provided the CHL (driver or passenger) remains in the motor vehicle. **CAUTION:** There is a disagreement since one section of the law prohibits this but another section permits it. Therefore I do not recommend having your firearm in the vehicle while performing that task.
- You are required to promptly report the loss or theft of a firearm to law enforcement.
- For your 2<sup>nd</sup> CHL renewal (for those who obtained in 2004, this would be in 2013), you only need a certificate of range competency. We will schedule those in the summer\fall of 2012. Should only take a few minutes and there will be a nominal fee.
- Reminder-CHL holders are permitted to carry a concealed handgun while hunting as long as that is not the weapon being used to hunt with.
- State reciprocity agreements: Alaska, Arizona, Arkansas, Delaware, Florida, Idaho, Kentucky, Louisiana, Michigan, Missouri, Nebraska, N. Carolina, N. Dakota, Oklahoma, S. Carolina, Tennessee, Utah, Virginia, Washington, W. Virginia and Wyoming.

As always, please contact us if you have any questions regarding current laws or the forthcoming changes.

Sincerely,

Mike & Debbie