



## OPEN-CARRY IN OHIO



One does not need to have a concealed carry permit, or any other specific permit or licensure, to openly-carry a firearm in Ohio. However, like most rights, the right to openly carry a firearm is not unlimited. The following acts, if committed while openly-carrying or attempting to openly-carry a firearm, could run afoul of the law in Ohio:

- 1) In order to properly open-carry a firearm, the firearm must be openly-carried, as opposed to being concealed. If a firearm is concealed, even partially, in a manner where it is unclear it is a firearm, then it is considered concealed, and would be illegal unless the person carrying the firearm possessed a valid concealed carry permit;
- 2) Pointing or brandishing a firearm at an individual in a menacing fashion is illegal;
- 3) Touching another with a firearm in a menacing fashion is illegal;
- 4) Verbally threatening to harm another with a firearm is illegal. For example, if a citizen was openly-carrying in an appropriate manner, but told another individual s/he planned to shoot them, or hurt them with the firearm, and the person being threatened believed the threat, this would amount to the crime of aggravated menacing, which is an arrestable offense;
- 5) Entering private property that has signage indicating weapons/firearms are not permitted, is criminal trespass if the person entering the property is carrying a firearm. Refusing to leave private property, while openly carrying, or carrying concealed, when the owner/agent in charge instructs you to leave or to take your firearm outside, is illegal;
- 6) Entering prohibited public places, while openly carrying, or carrying concealed, is illegal. Courthouses, school safety-zones, and police-stations are some of the prohibited places. You should familiarize yourself with ORC § 2923 if you choose to openly-carry a firearm;
- 7) Carrying a firearm while under the influence of any drug of abuse or alcohol is illegal;
- 8) Carrying a firearm while under a disability is illegal under Ohio law. (See ORC § 2923.13). A person is under a disability in Ohio if they are a fugitive from justice, under indictment for an offense of violence or for drug abuse/drug trafficking, are drug dependent or a chronic alcoholic, are under adjudication of mental incompetence, has been committed to a mental institution, or has been found by a court to be mentally ill;
- 9) Columbus City Code § 2323.13 contains disabilities not covered by Ohio law, but which are consistent with federal disqualifiers. For example, the Columbus City Code makes it a disability to have a prior domestic violence conviction or to be subject of a current full protection order. If a person carries a firearm in Columbus, Ohio, they should be familiar with Columbus City Code § 2323.13;
- 10) Discharging a firearm is illegal in the City of Columbus, Ohio;
- 11) It is illegal to carry dangerous ordnance in Ohio. If you are concerned that you may be carrying what could be considered dangerous ordnance in Ohio, you should review ORC § 2923.17. It is the responsibility of the person who carries a firearm to know that the firearm they are carrying may be legally carried in Columbus, Ohio;
- 12) If a person, who is carrying a firearm, is lawfully stopped and detained by a law enforcement officer, the officer may disarm the person during the duration of the stop. Obstructing a detention by a police officer is illegal. If the person is released at the end of such an encounter, without being charged, the officer should return the firearm to the person unless the person is prohibited under state or federal law from possessing a firearm.
- 13) It is generally illegal in Ohio to openly carry a firearm on your person in a motor vehicle unless the person carrying the firearm has a concealed carry permit. Please see ORC Section 2923.16 for specific details/exceptions.