

Concealed Carry and Church

By:

Derek Andrew DeBrosse, Esq.
The Law Office of Derek A. DeBrosse
1161 Bethel Road, Suite 101, Columbus, Ohio 43220
(614) 316 - 7850

I oftentimes receive inquiries from congregational members and leaders of various places of worship about the regulations for allowing church members to carry firearms on church premises. The issue is one with many nuances and complexities. This article will provide a brief overview of the Ohio Revised code as it pertains to this complex issue.

Ohio Revised Code 2923.126 provides that a licensee may not carry a concealed handgun onto the premises of any place of worship unless such place of worship permits otherwise. This seems straight forward enough; if the church permits it then you can carry. There are, however, a few issues that one must consider.

Who Has the Authority?

The most common question is if a standardized form exists that must be completed to allow for the carrying on church property. The answer is that no such form exists. The law simply states “unless the...place of worship posts or permits otherwise.” This is a fairly broad statement and it appears as long as there is some acknowledgement of the permission the licensee may carry. I often recommend that a licensee get something in writing if the church does not post in their bulletin or otherwise that such activity is permitted.

Volunteer Security

Another commonly asked question is what liability the church is open to if they form a volunteer security force of licensees at the church. This is a complex question that would be based entirely on the facts. One should be aware of, at a minimum, that the Ohio Revised Code provides immunity to private employers if they allow licensees to carry on their premises. When addressing a volunteer security force a church is well advised to consult competent legal counsel to reduce the possibly liability as much as possible. Once the church begins to exert control over the activities of licensed concealed carry holders potential liability could increase.

Child Care

The most common road block I find is when a church has a day care facility on its premises. Ohio Revised Code 2923.126 provides that a licensee may not carry into a child day-care center. If a church operates a day-care they should consult competent legal counsel to investigate as to whether their day-care operations prevent a licensee from carrying. The Ohio Revised Code does provide a definition of what constitutes a day-care center and some church day-cares may not meet the statutory definition.

Conclusion

When a church or other place of worship is considering how to address permitting concealed carry on their premises it is a question that has various complexities and issues that need to be considered. Any time a congregational member or a member of the church leadership seeks to allow a licensee to carry on church premises they should consult with an attorney to ensure no one is unknowingly violating the law.

Disclaimer: This article is for educational purposes only. The contents represent my own personal opinions, and should not be taken as legal advice. You can find further information on issues such as this in the Handbook of Ohio Firearms Law available at the Ohioans for Concealed Carry online store or by calling (614) 306 – 4082 to request a mail order form.