



Legislation Text

File #: R-250-19, **Version:** 1

Councilman Delaney

A Resolution asserting Toledo City Council's opposition to House Bills 174 and 178, which seek to diminish or eliminate restrictions on the concealed carry of deadly weapons; and declaring an emergency.

WHEREAS, current law permits all Ohio residents to obtain a license to carry a concealed handgun upon showing proof of competency certification, attesting to having read Ohio's Concealed Carry Laws manual, submitting fingerprints to their County Sheriff, and passing a federal NICS (National Instant Criminal Background Check System) check; and

WHEREAS, current law permits all Ohio residents to obtain a license to carry a concealed handgun upon showing proof of competency certification, attesting to having read Ohio's Concealed Carry Laws manual, submitting fingerprints to their County Sheriff, and passing a federal NICS (National Instant Criminal Background Check System) check; and

WHEREAS, on March 27, 2019, House Bill 174 (H.B. 174) was introduced and on March 29, 2019, House Bill 178 (H.B. 178) was introduced either of which, if passed and signed into law, would eliminate existing concealed carry license and training requirements, would rename a "Concealed Handgun License" to a "Concealed Weapons License," would expand Ohio firearms laws to cover concealed handguns, firearms, and other deadly weapons, including rifles and shotguns, would eliminate the requirement that the driver or occupant of a motor vehicle which is stopped by law enforcement to notify the officer that the individual has a concealed weapons license and is carrying a loaded handgun, would prohibit law enforcement officials from the search, seizure or momentary detention of any person because that person is carrying a deadly weapon, and would diminish the authority of employers to regulate the storage of a firearm or ammunition in an employee's personal vehicle by allowing employees, with or without a concealed weapons license, to transport or store a deadly weapon in a locked compartment of a personal vehicle while on the employer's property; and

WHEREAS, the public safety and general welfare of the citizens of the City of Toledo and of the State of Ohio is jeopardized when officers, in the course of their law enforcement duties, are unable to identify who may be in possession of a deadly weapon including a loaded firearm; and

WHEREAS, the public safety and general welfare of the citizens of the City of Toledo and of the State of Ohio is jeopardized when a deadly weapon is at the ready or in the hands of persons who have had no training in the use or misuse of said weapons; and

WHEREAS, the authorization of the possession and concealed carry of deadly weapons by untrained and unlicensed individuals will do nothing to protect our children, our schools or the citizens of the City of Toledo and the State of Ohio; and

WHEREAS, The Ohio Coalition Against Gun Violence, Moms Demand Action, Fraternal Order of Police, many local leaders, law enforcement and state lawmakers oppose a law which permits concealed firearm carry without license, training or police notification; and

WHEREAS, local communities have an obligation to protect the peace, health, and safety of their residents pursuant to the Home Rule Authority contained in the Ohio Constitution; and

WHEREAS, former Governor John Kasich vetoed legislation which preempted a city's ability to enact ordinances related to firearms, which he said violated Ohio's home rule provisions; and

WHEREAS, Governor Mike DeWine has suggested support for the provisions contained in H.B. 178; NOW, THEREFORE,

Be it resolved by the Council of the City of Toledo:

SECTION 1. That the Toledo City Council opposes the expansion of the statutory authority of persons to carry concealed a deadly weapon, changes to and the elimination of license requirements attendant to the concealed carry of deadly weapons including but not limited to firearms, the elimination of the requirement that a driver or occupant of a motor vehicle notify a law enforcement officer acting within the scope of law enforcement activity that the individual is in possession of a concealed handgun license and is carrying a loaded handgun, authorizing the expungement of conviction for a violation of that requirement all as are called for in H.B. 174 and H.B. 178 together with any other legislation that further erodes common sense restrictions on firearm and weapons possession in the City of Toledo and in the State of Ohio.

SECTION 2. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this resolution to Governor Mike DeWine of the State of Ohio, to the Clerk of the Ohio House of Representatives and request that he forward a copy to each of the duly elected State Representatives and also forward a certified copy of this resolution to the Clerk of the Ohio Senate and request that he forward a copy to each of the duly elected State Senators.

SECTION 3. That this Resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption. The reason for the emergency lies in the fact that this Resolution is necessary for the immediate preservation of the public peace, health, safety and property; and for the further reason that immediate action is necessary in order to authorize a resolution indicating the opposition of Toledo City Council on a matter of great importance to the City in a timely manner and during the pendency of hearings on proposed House Bill 178 and shall take effect immediately upon passage.

Vote on emergency clause: yeas _____, nays _____.

Adopted: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of a Resolution adopted by Council

_____.

Attest: _____
Clerk of Council